



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

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**REVISED STAFF REPORT
SPECIAL EXCEPTION
PUBLIC HEARING**

According to Planning & Development 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, October 7, 2020 at 2:00 P.M.**, by means of communications media technology pursuant to Executive Order 20-193 issued by the Governor on August 7, 2020, and Executive Order 2020-30 issued by the Mayor on July 8, 2020. Authorization for a virtual meeting has been extended through October 1st by Governor's executive order. The City's Planning and Development Services Department requests that you visit the City website at www.stpete.org/meetings and/or contact the case planner for up-to-date information pertaining to this case.

CASE NO.: 20-32000009 PLAT SHEET: K-10

REQUEST: Approval of a Special Exception and related site plan to expand the campus of an existing house of worship, demolish five existing single-family residences and construct a two-story 11,214 square foot multi-purpose building to be used as a childcare facility with up to 60 children in the NT-1 zoning district. The applicant is requesting variances to the north and west building setbacks.

OWNER: Calvary Chapel Fellowship, St. Pete, Inc.
P.O. Box 530181
Saint Petersburg, Florida 33747

AGENT: Williamson Dacar Associates
Ted Williamson and George Tharin
15500 Lightwave Drive, Suite 106
Clearwater, Florida 33760

REGISTERED OPPONENTS: Marijon Reed
1700 38th Street North
Saint Petersburg, Florida 33713

Alice Yankanich
1701 38th Street North
Saint Petersburg, Florida 33713

ADDRESSES AND PARCEL ID NOS.:
3762 17th Avenue North; 15-31-16-18288-001-0080
3763 16th Avenue North; 15-31-16-18288-001-0090
3800 17th Avenue North; 15-31-16-18288-002-0010
3835 16th Avenue North; 15-31-16-18288-002-0120
3843 16th Avenue North; 15-31-16-18288-002-0110
3853 16th Avenue North; 15-31-16-18288-002-0100
3863 16th Avenue North; 15-31-16-18288-002-0090

LEGAL DESCRIPTION: ON FILE

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

SITE AREA TOTAL: 120,865 square feet or 2.77 acres

GROSS FLOOR AREA:

Existing:	34,547 square feet	0.29 F.A.R.
Previous:	40,639 square feet	0.34 F.A.R.
Proposed:	40,639 square feet	0.34 F.A.R.
Permitted:	66,476 square feet	0.50 F.A.R.

BUILDING COVERAGE:

Existing:	30,659 square feet	25% of Site MOL
Previous:	31,353 square feet	26% of Site MOL
Proposed:	31,353 square feet	36% of Site MOL
Permitted:	N/A	

IMPERVIOUS SURFACE:

Existing:	82,926 square feet	69% of Site MOL
Previous:	77,366 square feet	64% of Site MOL
Proposed:	76,902 square feet	64% of Site MOL
Permitted:	66,475 square feet	55% of Site MOL

OPEN GREEN SPACE:

Existing:	37,939 square feet	31% of Site MOL
Previous:	43,499 square feet	36% of Site MOL
Proposed:	43,960 square feet	36% of Site MOL

PAVING COVERAGE:

Existing:	52,267 square feet	43% of Site MOL
Previous:	46,013 square feet	38% of Site MOL
Proposed:	45,552 square feet	38% of Site MOL

PARKING:

Existing:	103; including 5 handicapped spaces
Previous:	124; including 4 handicapped spaces
Proposed:	117; including 5 handicapped spaces
Required	117; including 5 handicapped spaces

BUILDING HEIGHT:

Existing:	22 feet
Previous:	24 feet
Proposed:	24 feet
Permitted:	36 feet

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 house of worship 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 expand the campus for an existing house of worship, demolish five existing single-family residences and construct a two-story 11,214 square foot multi-purpose building used for a childcare facility with up to 60 children. The applicant is requesting variances to the north and west building setbacks. The subject property consists of a lot at the southeast corner of 38th Street North and 17th Avenue North, a lot at the northeast corner of 38th Street North and 16th Avenue North and the lots bound by 38th Street North, 16th Avenue North, 39th Street North and 17th Avenue North for a total of 7-lots.

The subject property is developed with a house of worship, six single-family residences and surface parking. The existing house of worship was built in 1959 and has expanded multiple times.

Background:

At the Development Reviser Commission's (DRC) meeting on August 22, 2020, the DRC heard from the public who expressed opposition to the proposed expansion. The commission also expressed concerns about the proposed site plan. The DRC did move forward and approve the variances to building setbacks but did not vote on the Special Exception and related site plan. The DRC moved to defer the item so the applicant could address the following concerns: meet with the public, removing the circular drop-off along 39th Street North and remove the lot at the northeast corner of 18th Street North and 17th Avenue North from the proposed church campus expansion. The applicant agreed to the deferral and the DRC moved to defer the case until the October 7, 2020, DRC meeting.

The applicant attended the Disston Heights Civic Association meeting on September 8, 2020 and presented a revised site plan to address concerns expressed at the meeting and answered questions. The applicant held an open house at Calvary Chapel on September 10, 2020, presenting the same information.

Current Proposal (revised):

The revised site plan includes; eliminating the circular drop-off along 39th Street North, the lot at the northeast corner of 38th Street North and 17th Avenue North will remain vacant, the residence at the southeast corner of 38th Street North and 18th Avenue North will still be used as a church office, but four parking spaces have been added at the rear of the lot, the playground layout has been modified to be rectangular in shape, but will be in the same general location,

additional surface parking will be added on site south of the proposed multi—purpose building and a new access drive is proposed along 39th Street North.

The location and size of new two-story multi-purpose building has not changed. The multi-purpose building will include six classrooms on the first floor devoted to the childcare facility. The childcare facility will have a maximum of 60-children and 10-staff. The second floor of the building will be used for multi-purpose uses, including: bible studies, youth groups, adult groups, etc. The proposed two-story multi-purpose building will match the architectural style of the existing house of worship. The addition will be finished with stucco and include windows that match the existing house of worship.

VARIANCES:

The applicant requested two variances as part of the Special Exception application. The DRC approved these variances at the August 19, 2020 meeting.

- 1 Building front yard setback, 17th Avenue North**
Required: 35-feet
Proposed: 25-feet
Variance: 10-feet

- 2 Building street side yard setback, 39th Street North**
Required: 35-feet
Proposed: 17-feet
Variance: 18-feet

The proposed two-story building will be constructed on the west side of the existing house of worship. The north side of the proposed building will align with the existing structure and the proposed building height will be 24 feet. The setbacks and building height of the proposed building will be consistent for a single-family residence. The setbacks for a single-family residence in the NT-1 zoning district are 25-feet for the front yard and 12-feet for the street side yard. The building height for a single-family residence is 24 feet to the beginning of the roof line and 36-feet to the peak of the roof. The width of the two-abutting street rights-of-way is 60 feet. The width of the right-of-way should provide a buffer to the residential uses that are located to the north and west side of the subject property. The proposed building setbacks including the width of the right-of-way width will be 85-feet between the proposed building and the properties on the north side of 17th avenue North and 67-feet between the proposed building and the properties on the west side of 39th Street North. The width of the existing right-of-way is also 10-feet wider than required by code for a local road.

Public Comments:

Staff did receive three emails in objection after the August 19, 2020, DRC hearing.

III. RECOMMENDATION:

- A. Staff recommends approval of the following:**
 - 1. The Special Exception and related site plan, subject to the Special Conditions of Approval.**

- B. SPECIAL CONDITIONS OF APPROVAL:**
 - 1. A minimum 3-foot tall opaque fence or wall shall be located along in the exterior green yard along 16th Avenue North, 17th Avenue North and 39th Street North to screen the parking lot from the abutting residential uses.**

2. An 5-foot tall opaque fence or wall shall be located along the western and southern sides of the proposed playground.
3. The subject property shall be brought into compliance, with City's Landscape Code.
4. Evergreen trees shall be installed around the exterior perimeter of the parking lot.
5. Exterior lighting shall comply with Section 16.40.070.
6. Bicycle parking shall comply with Section 16.40.090.4.1.
7. Dumpster enclosure shall match the architectural style of the building and have opaque gates. Chain link gates with slats is not permitted.
8. Plans shall be revised as necessary to comply with comments provided by the City's Transportation Department, comments are provided in the attached email dated June 24, 2020.
9. Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department, comments are provided in the attached memorandum dated June 26, 2020.

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. 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: **Planned Redevelopment Mixed-use**

The land uses of the surrounding properties are:

North: **Residential Urban**
South: **Planned Redevelopment Mixed-use**
East **Planned Redevelopment Mixed-use**
West: **Planned Redevelopment Mixed-use**

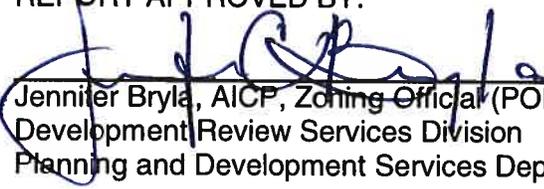
REPORT PREPARED BY:



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

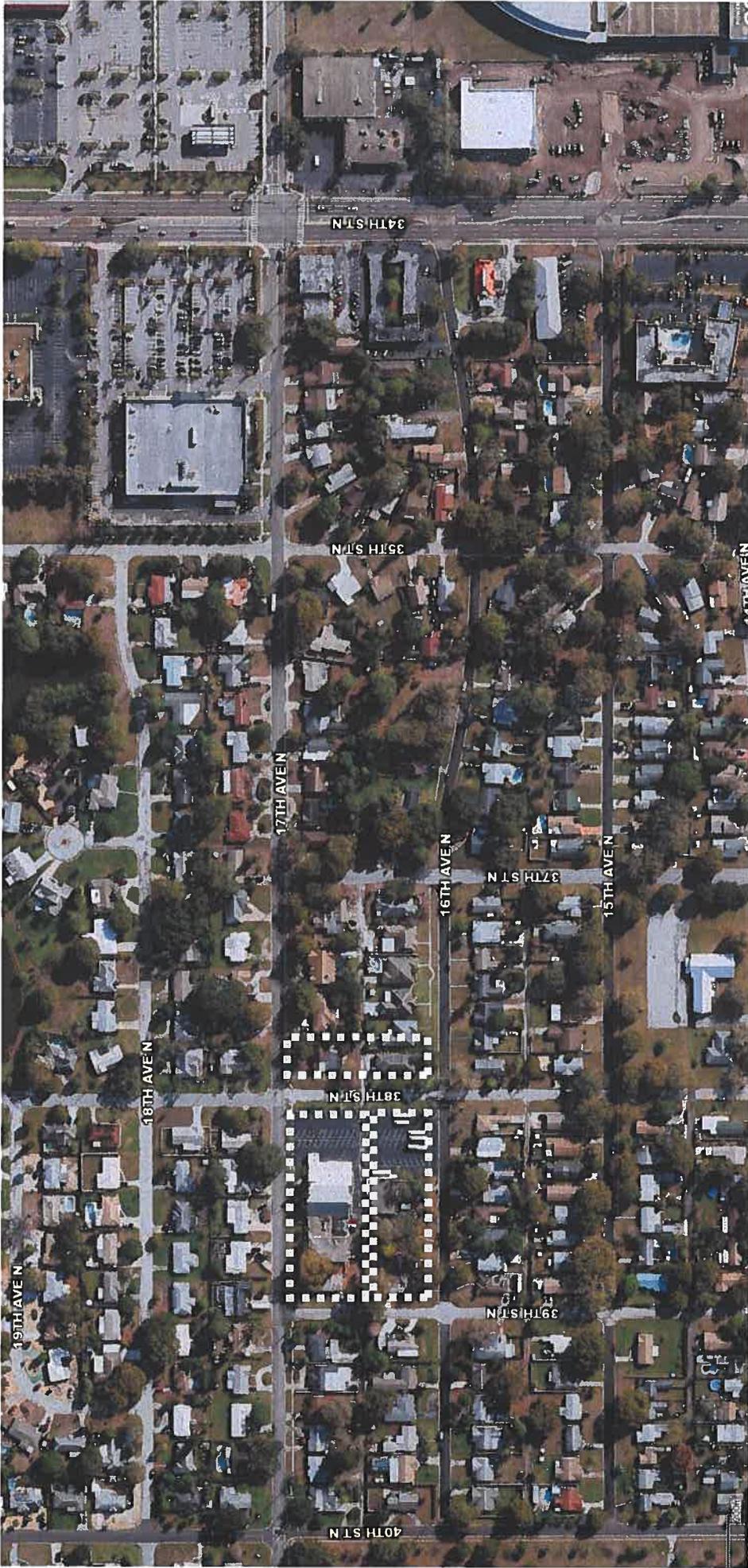
9.29.20
DATE

REPORT APPROVED BY:



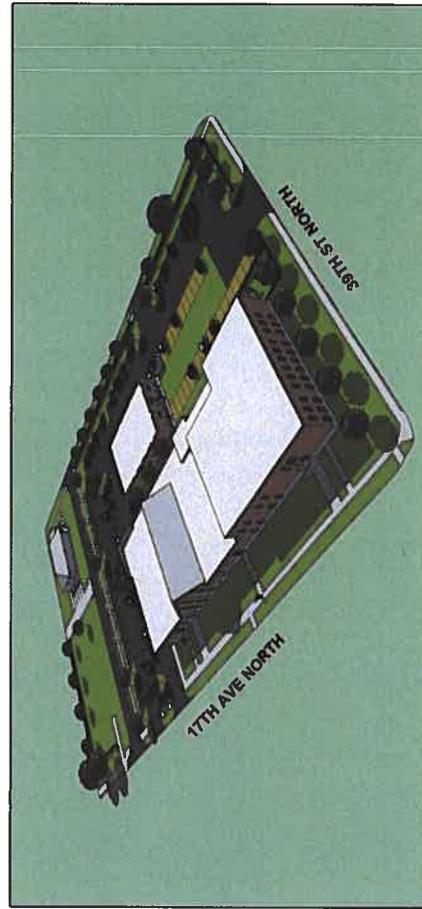
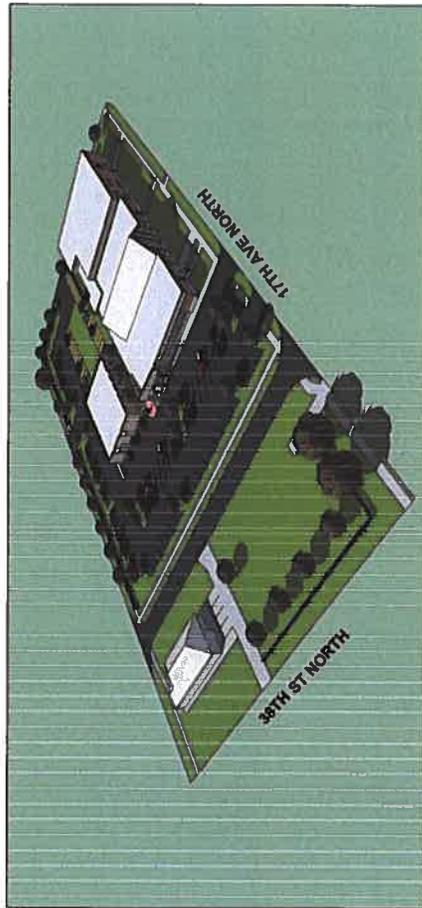
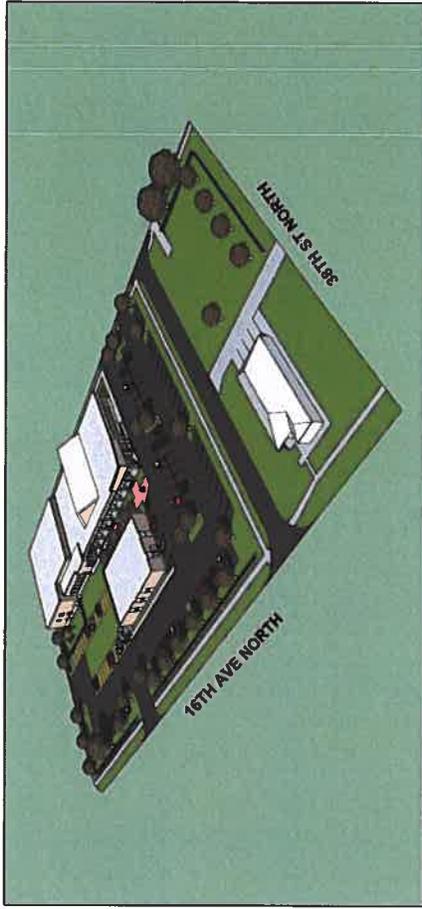
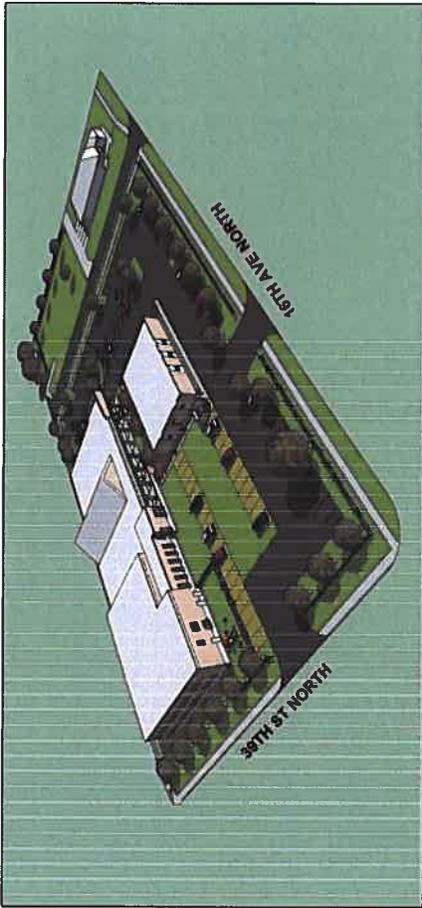
Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning and Development Services Department

9.29.2020
DATE



Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 20-3200009
Address: 3800 17th Avenue North





CALVARY CHAPEL FELLOWSHIP RENOVATIONS AND ADDITION

9-8-20



Corey D. Malyszka

From: George Tharin <gtharin@williamsondacar.biz>
Sent: Wednesday, September 09, 2020 6:31 PM
To: Jennifer C. Bryla
Cc: Corey D. Malyszka
Subject: FW: Good morning and a Thank you

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.

FYI

From: Pamela Huff <pehuff@yahoo.com>
Sent: Wednesday, September 9, 2020 9:37 AM
To: George Tharin <gtharin@williamsondacar.biz>
Subject: Good morning and a Thank you

Good morning George -

Thanks to you and the team from Calvary Chapel for coming to present to the Disston Heights Civic Association last night. It seemed people got their questions answered, their grievances heard and perhaps some connections were made.

Looking forward to seeing what happens with the project. Please pass along my thanks to the men who joined you from the church and the contractor.

Have a great day -
Pam Huff
DHCA President

Corey D. Malyszka

From: George Tharin <gtharin@williamsondacar.biz>
Sent: Wednesday, August 26, 2020 5:49 PM
To: Jennifer C. Bryla; Iris L. Winn; 'Marijon Reed'; Alice Sukop
Cc: Corey D. Malyszka
Subject: RE: DRC Case No. 20-32000009 - August DRC Results Letter

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Calvary Chapel Fellowship has been invited by Pam Huff to speak at the Disston Heights Civic Association at their annual membership meeting on Sept 8th @ 7:00 PM at the St. Petersburg community Church (4501 30th Ave N, St Petersburg, FL 33713);

We will be bringing our updated Site plan and Renderings and taking questions and getting feedback.

In Addition, Calvary Chapel Fellowship is sending out an Invite Letter to the surrounding neighbors and inviting them to an Open House / Meet / Greet on September 10th. They will be presenting the same information.

From: Jennifer C. Bryla <Jennifer.Bryla@stpete.org>
Sent: Wednesday, August 26, 2020 4:18 PM
To: Iris L. Winn <Iris.Winn@stpete.org>; 'Marijon Reed' <mjreed51@aol.com>; Alice Sukop <alicecooks4u@gmail.com>
Cc: Corey D. Malyszka <Corey.Malyszka@stpete.org>; George Tharin <gtharin@williamsondacar.biz>
Subject: RE: DRC Case No. 20-32000009 - August DRC Results Letter

Ms. Reed,

Thank you for your feedback. I apologize for not being able to reach Corey. I know he was having difficulty with his email for a time and as he is primarily working from home his phone line does not go to his home. You can always reach out to me.

Mr Tharin,

Can you please advise to the possibility of meeting with the neighborhood?

Jennifer C. Bryla, AICP
Zoning Official
Development Review Manager
City of St. Petersburg, FL
Planning and Development Services Department
O: 727.892.5344 E: Jennifer.Bryla@stpete.org

From: Iris L. Winn
Sent: Wednesday, August 26, 2020 3:28 PM
To: 'Marijon Reed' <mjreed51@aol.com>; Alice Sukop <alicecooks4u@gmail.com>
Cc: Corey D. Malyszka <corey.malyszka@stpete.org>; Jennifer C. Bryla <Jennifer.Bryla@stpete.org>
Subject: RE: DRC Case No. 20-32000009 - August DRC Results Letter

Good afternoon, Ms. Reed –

I am including Corey Malyszka and Jennifer Bryla on this email.

Thank you,

Iris Winn
Administrative Clerk
Planning and Development Services
City of St. Petersburg
727.892.5498
Iris.Winn@stpete.org

[Under Florida Statute 119 (Public Records) your email communications may be subject to public disclosure.]

From: Marijon Reed <mjreed51@aol.com>
Sent: Wednesday, August 26, 2020 3:15 PM
To: Iris L. Winn <Iris.Winn@stpete.org>
Cc: Alice Sukop <alicecooks4u@gmail.com>
Subject: RE: DRC Case No. 20-32000009 - August DRC Results Letter

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.

I have received the document regarding the above case. I would like the DRC to be aware that I sent a handwritten letter to Pastor Danny Hodges at Calvary Chapel Fellowship requesting a meeting with him and a few of our neighbors so that we might have some input into the site plan changes. As of today, I have not heard back from him and will try to reach him by phone if I haven't heard from him by this coming Friday, August 28th.

I also never received any explanation from the DRC as to why I was unable to reach Corey Malyszka prior to the August 19th meeting, despite the fact that his e-mail and phone number were provided to me as a contact in the letter I received on August 10th from the City.

Sent from [Mail](#) for Windows 10

From: [Iris L. Winn](mailto:Iris.L.Winn)
Sent: Wednesday, August 26, 2020 1:01 PM
To: '[Marijon Reed](#)'; '[Alice Sukop](#)'
Cc: [Jennifer C. Bryla](#); [Corey D. Malyszka](#)
Subject: DRC Case No. 20-32000009 - August DRC Results Letter

Good afternoon -

Please review the attached copy of the DRC Results letter from August 19, 2020 (Case no. 20-32000009) and confirm receipt of this email.

If you should have any questions or concerns, please let us know.

Thank you,

Iris Winn

Administrative Clerk
Planning and Development Services
City of St. Petersburg
727.892.5498
Iris.Winn@stpete.org

[Under Florida Statute 119 (Public Records) your email communications may be subject to public disclosure.]

[Your Sunshine City](#)

Corey D. Malyszka

From: Iris L. Winn
Sent: Monday, September 28, 2020 1:37 PM
To: 'john belmore'; DRC; Corey D. Malyszka
Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

Good afternoon, Mr. Belmore –

DRC Case no. 20-32000009 will be on the October 7th DRC Agenda. This case has not been re-noticed as the deferment to this date was announced during the public hearing meeting back on August 19, 2020.

The case number remains the same. The meeting date is October 7, 2020. Please let us know if you should have further questions or concerns.

Thank you,

Iris Winn
Administrative Clerk
Planning and Development Services Department
City of St. Petersburg
727.892.5498
Iris.Winn@stpete.org

[Under Florida Statute 119 (Public Records) your email communications may be subject to public disclosure.]

From: john belmore <john.belmore@att.net>
Sent: Monday, September 28, 2020 11:30 AM
To: DRC <DRC@stpete.org>; Corey D. Malyszka <Corey.Malyszka@stpete.org>
Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

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Good Day Ms Winn and Mr. Malyszka;

I wanted to follow up if the additional variance is still on the agenda for next week. I have not seen any notices on this hearing and I am still against the expansion.

If it is, when is the meeting and is the case number the same?

Thank you

John

Sent from [Mail](#) for Windows 10

From: [DRC](#)
Sent: Friday, August 14, 2020 2:07 PM

To: '[john belmore](#)'

Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

Good afternoon, Mr. Belmore -

Thank you for your feedback regarding this case.

We have this on file for the record.

Iris Winn
Administrative Clerk
Planning and Development Services
City of St. Petersburg
727.892.5498
Iris.Winn@stpete.org

[Under Florida Statute 119 (Public Records) your email communications may be subject to public disclosure.]

From: john belmore <john.belmore@att.net>
Sent: Friday, August 14, 2020 12:16 PM
To: DRC <DRC@stpete.org>
Cc: Corey D. Malyszka <Corey.Malyszka@stpete.org>
Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

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.

Thank you for sending this information. We have not received any detail or notice prior to the city sending the required notification of the hearing.

We are against the zoning change, especially adding a childcare center.

The traffic on 17th Ave N is already heavy, and this would add much additional traffic for up to 60 child being dropped off and pickup daily. Plus, both myself and my husband work from home full time and the noise of the 60 children in a day care center next store would be distracting.

I want to call out that the neighborhood work sheet that one of the two signatures is the former owner of the house 3763 16th Ave N that sold his home to the church. Obviously, he has not objected as he benefited financial from the sale and no longer resides in the area.

We are against approving making the vacant lot at the corner of 17th Ave N and 28th Ste N as a parking lot. This was previous a home and a home should be built on this lot and not made a marking lot as this would decrease the value of my home.

We plan to attend the zoom meeting on Wednesday, August 19th

Let me know if you need more information from us or need to talk prior to the meeting

Thank you

John Belmore & Frank Geer

3726 17th Ave N

Sent from [Mail](#) for Windows 10

From: [DRC](#)

Sent: Monday, August 10, 2020 8:24 AM

To: 'john.belmore@att.net'; [DRC](#)

Cc: [Corey D. Malyszka](#)

Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

Good morning, Mr. Belmore –

Please find attached a copy of the application for Case no. 20-32000009.

I am including Corey Malyszka as he is the Staff Planner in this case.

Please confirm receipt of this email and let us know if you have any questions.

Thank you,

Iris Winn

Administrative Clerk

Planning and Development Services

City of St. Petersburg

727.892.5498

Iris.Winn@stpete.org

[Under Florida Statute 119 (Public Records) your email communications may be subject to public disclosure.]

From: john.belmore@att.net <john.belmore@att.net>

Sent: Saturday, August 8, 2020 4:00 PM

To: [DRC](#) <DRC@stpete.org>

Subject: Site plan for case no 20-32000009. 3800 17th av n

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.

Hi,

I am requesting a copy of the site plan for the calvary chapel at 380p 17th Ave n, can no 20- 32000009 please.

Thank you

John Belmore

3726 17th Ave n

St Pete.

[Your Sunshine City](#)

Corey D. Malyszka

From: DRC
Sent: Friday, August 28, 2020 6:43 PM
To: Corey D. Malyszka
Cc: Iris L. Winn
Subject: FW: Calvary Chapel expansion plans

FYI

Jennifer C. Bryla, AICP
Zoning Official
Development Review Manager
City of St. Petersburg, FL
Planning and Development Services Department
O: 727.892.5344 E: Jennifer.Bryla@stpete.org

From: Linda Lowe <lindalowe3@gmail.com>
Sent: Friday, August 28, 2020 4:49 PM
To: DRC <DRC@stpete.org>
Subject: Calvary Chapel expansion plans

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.

Hello Ms. Rutland, et al., I have written to you previously to oppose the expansion of this Church in a small neighborhood with narrow streets. I listened and commented at the recent hearing. At this hearing it was clear that no traffic study was done. Also that a noise study was not required, which I do not understand. However, I'm writing today to request that a traffic study be done before a decision is made on this expansion. At the hearing it was noted that they estimated 49 total trips for the 60 child day care. Those numbers do not add up. With the pandemic, there is considerably less daily traffic on 17th Ave. N and hopefully the study can take this into account.

I also do not understand why a special exception should be made for a daycare simply because it will be within a Church. The Church has been there a long time with no daycare. Why grandfather in a daycare?

Additionally, the Church already exceeds the impervious surface limit. Reducing this by 8% will still have it exceeding this limit. The Church parking lot sits on the corner where there is a raised intersection and the storm drains on the corner are nearly obscured because of this raised intersection. Adding another parking lot across the street from the Church will only add to the impervious surface area and increase the danger of street flooding.

This neighborhood is already taking the brunt of parking issues with this large congregation. Their plans to demolish the homes they own and create parking will help alleviate the issue, but not solve it. We have at least 3 other churches in our vicinity. None disrupts the neighborhood with street parking and multiple weekly services as this one does.

I hope the Commission will realize that the effect of this big Church and its intended expansion especially with the addition of a daycare facility is a true negative to the neighborhood.

Linda Lowe

Corey D. Malyszka

From: DRC
Sent: Tuesday, August 25, 2020 12:01 PM
To: Corey D. Malyszka
Subject: FW: Case no. 20-32000009 is Agenda Item F-7 (Calvary Church Expansion)

FYI

Jennifer C. Bryla, AICP
Zoning Official
Development Review Manager
City of St. Petersburg, FL
Planning and Development Services Department
O: 727.892.5344 E: Jennifer.Bryla@stpete.org

From: Max Naluparayil <max.naluparayil@gmail.com>
Sent: Monday, August 24, 2020 7:02 PM
To: DRC <DRC@stpete.org>
Subject: Case no. 20-32000009 is Agenda Item F-7 (Calvary Church Expansion)

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.

Hello,

I am writing this letter in opposition to the Calvary Church Expansion that is in the process of getting passed by the City. I reside at:

3900 17th Ave N,
St Petersburg, FL 33713

which is adjacent to the development that is going to happen. I am raising my concern as this will destroy the privacy that I have along that side of the street as well as the traffic congestion that it is going to cause. I also do not want a daycare right outside my doorstep.

I am not sure if I am too late to this but please let me know how I can officially express my opposition to the city.

Thank you,
Kunju Naluparayil
3900 17th Ave N,
St Petersburg, FL 33713

DRC Case no. 20-32000009

Agenda Item F.1

Additional Correspondence from 08/19/2020 through 09/29/2020

*Letters of Objection

Iris L. Winn

From: Lorie Soliwoda-Truong <loriesoliwoda@gmail.com>
Sent: Wednesday, August 19, 2020 2:27 PM
To: DRC
Subject: Update to Previous Submission for CASE NO. 20-32000009

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.

Father God, may the words I am about to speak be your words, words that bless both the church and the neighborhood.

I am today speaking in support for the request as proposed while in empathy with the neighbors who have concerns about the traffic and growth of the church. Living in Live Oak and having to use streets involved with possible additional traffic I too have an interest in its outcome. However, as we are all part of a larger community, one that needs active community churches and quality preschools as both support current members of society and the latter helps form future members of our society, I see traffic important but not a reason to limit acceptance of this request. My family personally has significantly benefited from community churches in St. Petersburg when we faced divorce and single parent challenges. We have always been sensitive to the neighborhoods we enter and exit and I expect the same from any future members of Calvary Chapel Fellowship.

Additionally, I would like to share the following Whereas statements for consideration:

-
- Whereas
 - the neighborhood enjoys the presence of Calvary Chapel Fellowship, Fourteenth Avenue Church of Christ and Glad Tidings, supporting the traffic generated by these churches throughout a week
-
-
- Whereas
 - the neighborhood has several collector roads of driving opportunity including but not limited to 17th Avenue
-
-
- Whereas
 - the financial Halo Effect from the church and its ancillary work can be near \$1.7 M to the community annually
-
-
- Whereas
 - the Halo Effect from places of worship has been shown to give support to over 87% of non-church members, lessening the financial impact on government agencies and reaching those that fall into the gaps of government based opportunities.
-
-

- Whereas
- there is a significant social, mental and physical halo effects to the greater community based on the services and functions offered by the church to the community
-
-
- Whereas
- the proposed preschool will support many families in the Disseton Height and nearby neighborhood who may be walking as well as driving to the preschool
-
-
- Whereas,
- the preschool will provide much need jobs that benefit the neighborhood and community
-
-
- Whereas
- Several preschools in the St. Petersburg area are in residential zones and have been able to accommodate traffic flow to the benefit of both the daycare and local residence
-
-
- Whereas
- Calvary Chapel Fellowship has been in the location and under the guidance of Pastor Danny for nearly two years and has not generated the “megachurch” status concern voiced on social media by various neighbors
-
-
- Whereas
- [Realtor.com](#) does indicate homes near churches that had average weekly attendance of 2,000 sold at a 5.2% discount compared to similar home Calvary Chapel Fellowship does not currently have the number of members (per their staff they are at approximately 800 members), with some members at times opting for online participation
-
-
- Whereas
- various research peer reviewed papers indicate that there is a significant positive impact on the extended community by the presence of place of worship and their ancillary actions
-

I support Calvary Chapel Fellowship being approved for their special exception to alter the property currently owned by the Church and recommend that a traffic impact study be done to determine routes of least impact to the growing neighborhood. Additionally, I support the neighborhood and church working through the traffic plan as stated on the City’s website with consideration to lessen or eliminate traffic flow on 16th Avenue, a lesser used collectors road.

Lastly, I would hope all would consider the July 2002 Federal Religious Land Uses and Institutionalized Persons Acts (RLUIPA) **No government shall impose or implement a land use regulation that discriminates against any assembly or institution on the basis of religion or religious**

denomination. And No government shall impose or implement a land use regulation that (B) unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.

-
- Azalea
- Baptist
-
-
- Exceeding
- Grace
-
-
- 5th
- Street Baptist
-
-
- The
- Park Place Church
-
-
- Bridgepoint
- Church
-

Iris L. Winn

From: Dennis Smith <dpsmithvt@gmail.com>
Sent: Wednesday, August 19, 2020 2:51 PM
To: DRC
Subject: Case# 20-32000009 Agenda item # F-7.

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.

Hello,
I was not able to unmute myself during
During today's session.

The applicant stated in his initial presentation that " it is a development surrounded by residences"
And that
"the daycare is an accessory use FOR THE CHURCH"

How does this add value to the neighborhood?
The church is not a member of the Neighborhood.
It's members are not members of the neighborhood.

It will be a walled compound in the middle of a neighborhood. It's inappropriate in any neighborhood.

We live one block from the church and look directly at it. It will lower the quality of our lives.

Thank you,
Dennis Smith
1897 38th St Petersburg N.

HI,

I am Dennis Smith. My wife and I own our home at 1897 38th street N.
We are directly, negatively impacted and **STRONGLY OPPOSED** to the Calvary Church Development application as proposed.
We choose to live and thrive in a calm and peaceful neighborhood.
A small church in our neighborhood is consistent with the values of the Harshaw community.
The proposed large, walled compound of buildings and blacktop is not.
The existing traffic on Sundays is annoying but acceptable.
The daily traffic increase from a large development of buildings and the creation of a new school is just not fair to our community. The church is not part of our community, it just brings commercial development into the middle of it and devalues its neighborhood character.
From our perspective, quality of life and the neighborhood experience, this development does not fit appropriately with city planning. It will not be a neighborhood church. It will be allowing the creation of a mega church in the middle of a wonderful community.

Please, This development does not belong in a neighborhood.
Please deny this application.

Thank You,
Dennis P Smith
Jill Johnson
1897 38th St N
St Petersburg Petersburg.

Sent from my iPad

Iris L. Winn

From: Marijon Reed <mjreed51@aol.com>
Sent: Wednesday, August 19, 2020 3:03 PM
To: DRC
Subject: Case # 20-32000009

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.

Regarding the case of the Calvary chapel expansion. Cory Malyszaka gave you improper information regarding the house across the street that he claims is being used as an office. It is actually being used as a residence by the churches youth minister and his wife and three children. In addition, in the letter that I got from the city, they suggested that I call or email Mr. Malyszaka if I have any questions. Unfortunately my emails always came back and he never answered my phone message. He also Failed to mute himself when one of the opponents were speaking and it was extremely distracting. This whole experience was extremely stressful and should've been put off until the pandemic is over! Sincerely Marijon Reed 1700 38 th street north

Sent from my iPhone

Iris L. Winn

From: ezryderz@aol.com
Sent: Friday, August 21, 2020 10:47 AM
To: DRC
Subject: RE: Case # 20-32000009. Agenda F7

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.

Ok. Thank you. My understanding was that the only part deferred was the proposed parking lot at the vacant lot on the corner of 38th st and 17th Ave N. They already use this lot for parking without any approval. It's just not paved.

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

On Friday, August 21, 2020, DRC <DRC@stpete.org> wrote:

Good Morning. This agenda item was not approved. It was deferred to Oct 7th meeting to allow the resident's concerns to be heard by the Church and changes made to the request.

From: ezryderz@aol.com <ezryderz@aol.com>
Sent: Thursday, August 20, 2020 7:45 PM
To: DRC <DRC@stpete.org>
Subject: Fwd: Case # 20-32000009. Agenda F7

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.

To all the members of the Development Review Services Division:

I am writing to you to voice my objection to the action taken by the Development Review Services Division yesterday to approve this proposal and the total disregard for the numerous citizens who live in this neighborhood and spoke out at the meeting and through emails regarding the implications this project will have on us. The majority of people who attend this church do not live in this neighborhood. As one of the division members stated at the meeting in order to have a day care center there would had to have been one there before to be grandfathered in. I have lived here since 1994 and there has never been day care at this church. So, the division has violated city rules by approving this building. This church does not need 11,000 sq ft to have day care for 60 kids. Additionally, I am sure this will not be given for free to anyone as they stated when called out on this issue. It will be a revenue generating operation possibly disguised as a required tithe. They are tearing down existing houses that could serve very well for day care! It would be in the interest of the

citizens of the neighborhood if the division would have come over here and looked at this area before approving what will become a neighborhood traffic nightmare and eyesore. Then they would know what they are voting for ahead of time. Not just some site diagram and aerial photo. We live here. It will also have a huge environmental impact generating more heat from asphalt parking areas and runoff into our water. It seems since the church had lawyers they get what they want in spite of our objections and violation of city policy. The email below was sent before the meeting yesterday voicing my objections.

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Regarding Agenda item F7 Wed Aug 19th 2020.

I am writing to voice my objections to the proposed building and further destruction of our neighborhood by Calvary Chapel.

This proposed 11,214 sq ft church building requiring demolition of more homes is totally unacceptable! This size building is way too huge for this street and this area! They have already degraded our neighborhood by cutting oak trees without permits, doing other construction without permits and demolishing a home for parking. They park everywhere on the side streets creating hazardous driving. They also park on all the lawns on this property. They have destroyed all the lawns that were behind these houses and put in pavers which creates more runoff into the adjoining streets. This proposed day care center would create even more traffic and parking issues and more noise. This is NOT a commercial zone!! It is a quiet residential area. This is obviously a project to generate revenue. If they wanted a mega church they should have bought an appropriate area to accommodate it not destroy a residential neighborhood.

In addition I have seen gatherings after church in the area behind the houses where there has been no social distancing or mask wearing!!

I am requesting as a long time resident that this proposal be disapproved. Thank you.

Storm Eddy
3827 15th Ave N
St Petersburg 33713

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

[Your Sunshine City](#)

Iris L. Winn

From: Max Naluparayil <max.naluparayil@gmail.com>
Sent: Monday, August 24, 2020 7:02 PM
To: DRC
Subject: Case no. 20-32000009 is Agenda Item F-7 (Calvary Church Expansion)

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.

Hello,

I am writing this letter in opposition to the Calvary Church Expansion that is in the process of getting passed by the City. I reside at:

3900 17th Ave N,
St Petersburg, FL 33713

which is adjacent to the development that is going to happen. I am raising my concern as this will destroy the privacy that I have along that side of the street as well as the traffic congestion that it is going to cause. I also do not want a daycare right outside my doorstep.

I am not sure if I am too late to this but please let me know how I can officially express my opposition to the city.

Thank you,
Kunju Naluparayil
3900 17th Ave N,
St Petersburg, FL 33713

Iris L. Winn

From: Linda Lowe <lindalowe3@gmail.com>
Sent: Friday, August 28, 2020 4:49 PM
To: DRC
Subject: Calvary Chapel expansion plans

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.

Hello Ms. Rutland, et al., I have written to you previously to oppose the expansion of this Church in a small neighborhood with narrow streets. I listened and commented at the recent hearing. At this hearing it was clear that no traffic study was done. Also that a noise study was not required, which I do not understand. However, I'm writing today to request that a traffic study be done before a decision is made on this expansion. At the hearing it was noted that they estimated 49 total trips for the 60 child day care. Those numbers do not add up. With the pandemic, there is considerably less daily traffic on 17th Ave. N and hopefully the study can take this into account.

I also do not understand why a special exception should be made for a daycare simply because it will be within a Church. The Church has been there a long time with no daycare. Why grandfather in a daycare?

Additionally, the Church already exceeds the impervious surface limit. Reducing this by 8% will still have it exceeding this limit. The Church parking lot sits on the corner where there is a raised intersection and the storm drains on the corner are nearly obscured because of this raised intersection. Adding another parking lot across the street from the Church will only add to the impervious surface area and increase the danger of street flooding.

This neighborhood is already taking the brunt of parking issues with this large congregation. Their plans to demolish the homes they own and create parking will help alleviate the issue, but not solve it. We have at least 3 other churches in our vicinity. None disrupts the neighborhood with street parking and multiple weekly services as this one does.

I hope the Commission will realize that the effect of this big Church and its intended expansion especially with the addition of a daycare facility is a true negative to the neighborhood.

Linda Lowe

Iris L. Winn

From: FSUAT <awallacefsu@gmail.com>
Sent: Monday, August 31, 2020 5:57 PM
To: Corey D. Malyszka
Cc: DRC
Subject: RE: Case no. 20-32000009

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.

As you know, the special exception portion was granted a deferral to come up with a plan that the neighborhood could better support.

So what does that deferral mean exactly? I know it's a postponement, but legally speaking, as far as the DRC goes, what does this entail?

Does this mean that since it's not been decided yet and a new plan is coming, that the newly registered opponents can file their opposition on the record to this?

Will people will have 7 days before the Oct 7th meeting to schedule their opposition and be heard?

One question I've been asked, can people oppose this by writing the DRC via Mail?

We have a very large older contingent of people, who are not very tech-savvy, and using zoom and even email is sometimes a challenge to them.

Also during the last meeting, it was brought up that the church was originally built under a special exception Is there any supporting documentation of this? What provisions were granted or excluded within it?

Certainly, any previous SE would not cover future growth and expansion of adjacent lots or nearby ones.

Can you provide the property cards that show where the church has expanded it's actual original footprint?

Lastly, the parking concerns. What are the regulations regarding House of Worship parking spaces required? I know city code requires them to have on-site parking. According to Pinellas County Code, Houses of Worship must have parking in the amount of 8.4 spaces per 1000 sq ft.

Lastly, we noticed on the datasheet of the application the intensity and density portion was missing. That's important information that can not be ignored, speaking for a group of concerned citizens, we respectfully request this information be completed on this application and we have a copy of it asap, as the original application should not have been processed without it, according to what is written on the application itself.

Thank you for any assistance you can provide.

Andrea Wallace and concerned Harshaw residents

Iris L. Winn

From: Corey D. Malyszka
Sent: Tuesday, September 1, 2020 10:19 AM
To: 'FSUAT'
Cc: DRC; Jennifer C. Bryla
Subject: RE: Case no. 20-32000009
Attachments: CALVARY CHAPEL FELLOWSHIP - PARKING CALCULATION SCHEMATIC .pdf; 3800 17TH AVE N property card QS00060835.pdf; 3800 17TH AVE N A property card QS00086210.pdf

Andrea,

The case was deferred to the October 7th hearing. Staff will present a revised site plan or any other information that may have changed from the August hearing to the commission. There are two registered opponents for this case. You can always add yourself to the list, but the registered opponent is provided 10 minute to speak, then five minutes each for cross examination and rebuttal. You can work with the other registered opponents to split the time that is allotted to the registered opponent. Otherwise, all others interested in speaking are provided 3 minutes. Anyone can provide comments to the City. You can email, mail or drop-off letters of objection or support. We send out the staff report to the commission members a week before the hearing, so if you can provided comments by then, staff can included them in the staff report. The current code considers a house of worship a Special Exception use. The original house of worship was built in the 50s. The code at that time did not consider a house of worship a Special Exception use. I have attached the property cards for your review. Under current code, any expansion of the house of worship onto additional property that was not part of the original approval requires a new Special Exception and expansion of the building or changes to the use require modifications to the previous approval. Parking for a house of worship is as follows: sanctuary space 1 per 150 sq. ft. all other areas 1 per 500 sq. ft. and childcare 1 per 10 children and 1 per employee, see attached parking calculation plan. Number 13 on the data sheet is typically used for a residential or mixed-use project that contains a residential component. Since this is not a residential use, development intensity is regulated by floor area ratio, (how much square footage can be built on the property), this is number 7 on the data sheets. Let me know if you have any additional questions.

Corey Malyszka, AICP
Urban Design and Development Coordinator, Planning and Development Services City of St Petersburg
727.892.5453
corey.malyszka@stpete.org

-----Original Message-----

From: FSUAT <awallacefsu@gmail.com>
Sent: Monday, August 31, 2020 5:57 PM
To: Corey D. Malyszka <Corey.Malyszka@stpete.org>
Cc: DRC <DRC@stpete.org>
Subject: RE: Case no. 20-32000009

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As you know, the special exception portion was granted a deferral to come up with a plan that the neighborhood could better support.

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Thank you for any assistance you can provide.

Andrea Wallace and concerned Harshaw residents

Iris L. Winn

From: Lynn <ldeibert@comcast.net>
Sent: Wednesday, August 19, 2020 2:39 PM
To: DRC
Subject: Calvary

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.

They ARE ALREADY USING THE GRASS LOT SINCE THEY TORE DOWN THE HOUSE.

So much dust and dirt, and it is in disrepair already.

Lynn Deibert

Iris L. Winn

From: Lynn <ldeibert@comcast.net>
Sent: Wednesday, August 19, 2020 2:42 PM
To: DRC
Subject: Calvary

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.

They had a fireworks event and got a permit. It scared all the neighbors with LARGE fireworks setting off from the parking lot. They have a food truck in the parking lot. They park their boats in the "grass lot". They had a revival with loud music until 10pm.

Please grant additional time for this to be discussed in detail.

Thank you
Lynn Deibert

Iris L. Winn

From: Lynn <ldeibert@comcast.net>
Sent: Wednesday, August 19, 2020 3:32 PM
To: DRC
Subject: Agenda 20-32000009

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.

Lynn Deibert
4500 11th Ave N
St Petersburg FL 33713

They are already using the grass lot for parking, they already have over flow parking in the grass at Duke Energy power plant. They are not going to have enough space for parking for now! With this expansion they will never have enough parking.

Please Help us
Lynn

Iris L. Winn

From: Marijon Reed <mjreed51@aol.com>
Sent: Tuesday, September 1, 2020 10:09 AM
To: George Tharin
Cc: Alice Sukop; DRC
Subject: Calvary Chapel Fellowship expansion

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.

Good morning Mr. Tain! I was one of those in opposition to the church expansion that you are the architect for and I received a very detailed email from you last week. I do have several questions and concerns in regard to your email. One was that you mentioned that the city required offense. That is not in the paperwork that I received from the city. The only thing they're requiring is that they change the drop off and pick up station on 39th St., North and that they address the small parking lot off of 17th Ave. No mention is made about a fence and there isn't a fence now so I don't really feel there's a need for a fence. If a fence must be built I would like to see a black wrought iron fence put up which would be elegant and would blend in with the neighborhood. My other concern is that there are three mature Oaks on the property and I would love to see that you preserve them if at all possible. Thank you for your time and have a great day! sincerely, Marijon Reed

Sent from my iPhone

Iris L. Winn

From: Corey D. Malyszka
Sent: Tuesday, September 29, 2020 3:43 PM
To: 'john belmore'; Iris L. Winn; DRC
Subject: RE: Site plan for case no 20-32000009. 3800 17th av n
Attachments: CALVARY CHAPEL - DRC SHT C1 - 09.22.2020.pdf; 9-8-20 Board.pdf

John,

I just confirmed with the applicant that they have not eliminated the daycare from the scope of the project. The applicant did revise the site plan to address concerns that were expressed. The applicant eliminated the circular drop-off area along 39th Street and the use of the residential lot at the NE corner of 17th Avenue and 38th Street. Staff is finalizing the staff report and agenda for next Wednesday's meeting. The staff report and agenda should be published tomorrow. Iris or I can email you a PDF of both once they are published. The staff report will include the revised drawings. Attached is the revised site plan for your review. The lot at NE corner of 17th Avenue and 38th Street is discussed in the staff report as remaining vacant. The applicant cannot use this lot for church functions, including parking. A single-family home can be built on the lot or it can remain vacant. If they wish to use the lot at some later time, it will require coming back to the City for review and approval.

Corey Malyszka, AICP
Urban Design and Development Coordinator, Planning and Development Services
City of St Petersburg
727.892.5453
corey.malyszka@stpete.org

From: john belmore <john.belmore@att.net>
Sent: Tuesday, September 29, 2020 2:52 PM
To: Iris L. Winn <Iris.Winn@stpete.org>; DRC <DRC@stpete.org>; Corey D. Malyszka <Corey.Malyszka@stpete.org>
Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

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.

Iris,

Thank you for the update. Would I be able to get a copy of the updated plans that have been resubmitted to be approved?

In a meeting the church hosted last week in their building, they indicated they are not longer pursuing the expansion or the building of a day care center. I guess if this is true, I am not sure what approval will be occurring on the 7th.

As to the vacant lot. They explained that if they get approval to have it fall under the church zoning, they would be restricted to only build a house and would never be able to make it a parking lot outside of going for a city approval. Would you be able to confirm this?

Thank you

John

Sent from [Mail](#) for Windows 10

From: [Iris L. Winn](#)

Sent: Monday, September 28, 2020 1:39 PM

To: '[john belmore](#)'; [DRC](#); [Corey D. Malyszka](#)

Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

Good afternoon, Mr. Belmore –

DRC Case no. 20-32000009 will be on the October 7th DRC Agenda. This case has not been re-noticed as the deferment to this date was announced during the public hearing meeting back on August 19, 2020.

The case number remains the same. The meeting date is October 7, 2020. Please let us know if you should have further questions or concerns.

Thank you,

Iris Winn
Administrative Clerk
Planning and Development Services Department
City of St. Petersburg
727.892.5498
Iris.Winn@stpete.org

[Under Florida Statute 119 (Public Records) your email communications may be subject to public disclosure.]

From: john belmore <john.belmore@att.net>

Sent: Monday, September 28, 2020 11:30 AM

To: DRC <DRC@stpete.org>; Corey D. Malyszka <Corey.Malyszka@stpete.org>

Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

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.

Good Day Ms Winn and Mr. Malyszka;

I wanted to follow up if the additional variance is still on the agenda for next week. I have not seen any notices on this hearing and I am still against the expansion.

If it is, when is the meeting and is the case number the same?

Thank you

John

Sent from [Mail](#) for Windows 10

From: [DRC](#)
Sent: Friday, August 14, 2020 2:07 PM
To: '[john belmore](#)'
Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

Good afternoon, Mr. Belmore -

Thank you for your feedback regarding this case.

We have this on file for the record.

Iris Winn
Administrative Clerk
Planning and Development Services
City of St. Petersburg
727.892.5498
Iris.Winn@stpete.org

[Under Florida Statute 119 (Public Records) your email communications may be subject to public disclosure.]

From: john belmore <john.belmore@att.net>
Sent: Friday, August 14, 2020 12:16 PM
To: DRC <DRC@stpete.org>
Cc: Corey D. Malyszka <Corey.Malyszka@stpete.org>
Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

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.

Thank you for sending this information. We have not received any detail or notice prior to the city sending the required notification of the hearing.

We are against the zoning change, especially adding a childcare center.

The traffic on 17th Ave N is already heavy, and this would add much additional traffic for up to 60 child being dropped off and pickup daily. Plus, both myself and my husband work from home full time and the noise of the 60 children in a day care center next store would be distracting.

I want to call out that the neighborhood work sheet that one of the two signatures is the former owner of the house 3763 16th Ave N that sold his home to the church. Obviously, he has not objected as he benefited financial from the sale and no longer resides in the area.

We are against approving making the vacant lot at the corner of 17th Ave N and 28th Ste N as a parking lot. This was previous a home and a home should be built on this lot and not made a marking lot as this would decrease the value of my home.

We plan to attend the zoom meeting on Wednesday, August 19th

Let me know if you need more information from us or need to talk prior to the meeting

Thank you

John Belmore & Frank Geer
3726 17th Ave N

Sent from [Mail](#) for Windows 10

From: [DRC](#)
Sent: Monday, August 10, 2020 8:24 AM
To: 'john.belmore@att.net'; [DRC](#)
Cc: [Corey D. Malyszka](#)
Subject: RE: Site plan for case no 20-32000009. 3800 17th av n

Good morning, Mr. Belmore –

Please find attached a copy of the application for Case no. 20-32000009.

I am including Corey Malyszka as he is the Staff Planner in this case.

Please confirm receipt of this email and let us know if you have any questions.

Thank you,

Iris Winn
Administrative Clerk
Planning and Development Services
City of St. Petersburg
727.892.5498
Iris.Winn@stpete.org

[Under Florida Statute 119 (Public Records) your email communications may be subject to public disclosure.]

From: john.belmore@att.net <john.belmore@att.net>
Sent: Saturday, August 8, 2020 4:00 PM
To: DRC <DRC@stpete.org>
Subject: Site plan for case no 20-32000009. 3800 17th av n

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.

Hi,

I am requesting a copy of the site plan for the calvary chapel at 380p 17th Ave n, can no 20- 32000009 please.

Thank you

John Belmore
3726 17th Ave n
St Pete.

Original Staff Report

20-32000009



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

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**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, DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on August 19, 2020 at 10:00 A.M., by means of communications media technology pursuant to Executive Order Number 20-179, issued by the Governor on July 29, 2020. Executive Order Number 20-69 was extended by Executive Order Number 20-179.

CASE NO.: 20-32000009 **PLAT SHEET:** K-10

REQUEST: Approval of a Special Exception and related site plan to expand the campus of an existing house of worship, demolish five existing single-family residences and construct a two-story 11,214 square foot multi-purpose building to be used as a childcare facility with up to 60 children in the NT-1 zoning district. The applicant is requesting variances to the north and west building setbacks.

OWNER: Calvary Chapel Fellowship, St. Pete, Inc.
P.O. Box 530181
Saint Petersburg, Florida 33747

AGENT: Williamson Dacar Associates
Ted Williamson and George Tharin
15500 Lightwave Drive, Suite 106
Clearwater, Florida 33760

REGISTERED OPPONENTS: Marijon Reed
1700 38th Street North
Saint Petersburg, Florida 33713

Alice Yankanich
1701 38th Street North
Saint Petersburg, Florida 33713

**ADDRESSES AND
PARCEL ID NOS.:** 3762 17th Avenue North; 15-31-16-18288-001-0080
3763 16th Avenue North; 15-31-16-18288-001-0090
3800 17th Avenue North; 15-31-16-18288-002-0010
3835 16th Avenue North; 15-31-16-18288-002-0120
3843 16th Avenue North; 15-31-16-18288-002-0110
3853 16th Avenue North; 15-31-16-18288-002-0100
3863 16th Avenue North; 15-31-16-18288-002-0090

LEGAL DESCRIPTION: ON FILE

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

SITE AREA TOTAL: 120,865 square feet or 2.77 acres

GROSS FLOOR AREA:

Existing:	34,547 square feet	0.29 F.A.R.
Proposed:	40,639 square feet	0.34 F.A.R.
Permitted:	66,476 square feet	0.50 F.A.R.

BUILDING COVERAGE:

Existing:	30,659 square feet	25% of Site MOL
Proposed:	31,353 square feet	26% of Site MOL
Permitted:	N/A	

IMPERVIOUS SURFACE:

Existing:	82,926 square feet	69% of Site MOL
Proposed:	77,366 square feet	64% of Site MOL
Permitted:	66,475 square feet	55% of Site MOL

OPEN GREEN SPACE:

Existing:	37,939 square feet	31% of Site MOL
Proposed:	43,499 square feet	36% of Site MOL

PAVING COVERAGE:

Existing:	52,267 square feet	43% of Site MOL
Proposed:	46,013 square feet	38% of Site MOL

PARKING:

Existing:	103; including 5 handicapped spaces
Proposed:	124; including 4 handicapped spaces
Required	117; including 5 handicapped spaces

BUILDING HEIGHT:

Existing:	22 feet
Proposed:	24 feet
Permitted:	36 feet

APPLICATION REVIEW:

- PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a house of worship 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 expand the campus for an existing house of worship, demolish five existing single-family residences and construct a two-story 11,214 square foot multi-purpose building used for a childcare facility with up to 60 children. The applicant is requesting variances to the north and west building setbacks. The subject property consists of a lot at the southeast corner of 38th Street North and 17th Avenue North, a lot at the northeast corner of 38th Street North and 16th Avenue North and the lots bound by 38th Street North, 16th Avenue North, 39th Street North and 17th Avenue North for a total of 7-lots.

The subject property is developed with a house of worship, six single-family residences and surface parking. The existing house of worship was built in 1959 and has expanded multiple times.

Current Proposal:

The new two-story multi-purpose building will be constructed on the west side of the existing house of worship. The multi-purpose building will include six classrooms on the first floor devoted to the childcare facility. The childcare facility will have a maximum of 60-children and 10-staff. The second floor of the building will be used for multi-purpose uses, including: bible studies, youth groups, adult groups, etc. A new drop-off area will be located off 39th Avenue North. The drop-off area will serve the childcare facility. A new exterior playground will be constructed south of the multi-purpose building to serve the proposed childcare facility. A new parking lot will be constructed along 16th Avenue North. A portion of the new parking lot will be grass. The lot at the southeast corner of 38th Street North and 17th Avenue North will be improved with a grass parking lot. The existing single-family residence at the northwest corner of 38th Street North and 16th Street North will be used as a church office. Access to the existing surface parking lot will remain from 17th Avenue North. Access from 16th Avenue North and 38th Street North are proposed to provide access to the two new parking lots.

The proposed two-story multi-purpose building will match the architectural style of the existing house of worship. The addition will be finished with stucco and include windows that match the existing house of worship.

VARIANCE:

- 1 Building front yard setback, 17th Avenue North**
 - Required: 35-feet**
 - Proposed: 25-feet**
 - Variance: 10-feet**

- 2 Building street side yard setback, 39th Street North**
 - Required: 35-feet**
 - Proposed: 17-feet**
 - Variance: 18-feet**

The proposed two-story building will be constructed on the west side of the existing house of worship. The north side of the proposed building will align with the existing structure and the proposed building height will be 24 feet. The setbacks and building height of the proposed

building will be consistent for a single-family residence. The setbacks for a single-family residence in the NT-1 zoning district are 25-feet for the front yard and 12-feet for the street side yard. The building height for a single-family residence is 24 feet to the beginning of the roof line and 36-feet to the peak of the roof. The width of the two-abutting street rights-of-way is 60 feet. The width of the right-of-way should provide a buffer to the residential uses that are located to the north and west side of the subject property. The proposed building setbacks including the width of the right-of-way width will be 85-feet between the proposed building and the properties on the north side of 17th Avenue North and 67-feet between the proposed building and the properties on the west side of 39th Street North. The width of the existing right-of-way is also 10-feet wider than required by code for a local road.

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. Variance to building setback along 17th Avenue North;
2. Variance to building setback along 39th Street North; and
3. The Special Exception and related site plan, subject to the Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:

1. A minimum 3-foot tall opaque fence or wall shall be located along in the exterior green yard along 16th Avenue North, 17th Avenue North and 39th Street North to screen the parking lot from the abutting residential uses.
2. A 6-foot tall opaque fence or wall shall be located along the eastern and southern portions of the subject proeprty located at the northeast corner of 17th Avenue North and 38th Street North to screen the parking lot from the abutting residential uses.
3. An opaque fence or wall shall be located along the western and southern sides of the proposed playground.
4. The proposed drop-off area shall be located 10-feet from the western property line to comply with the exterior green yard landscape requirements.
5. The subject property shall be brought into compliance, where feasible, with City's Landscape Code.
6. Evergreen trees shall be installed around the exterior perimeter of the parking lot.
7. Exterior lighting shall comply with Section 16.40.070.
8. Bicycle parking shall comply with Section 16.40.090.4.1.
9. Dumpster enclosure shall match the architectural style of the building and have opaque gates. Chain link gates with slats is not permitted.
10. Plans shall be revised as necessary to comply with comments provided by the City's Transportation Department, comments are provided in the attached email dated June 24, 2020.
11. Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department, comments are provided in the attached memorandum dated June 26, 2020.

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: **Planned Redevelopment Mixed-use**

The land uses of the surrounding properties are:

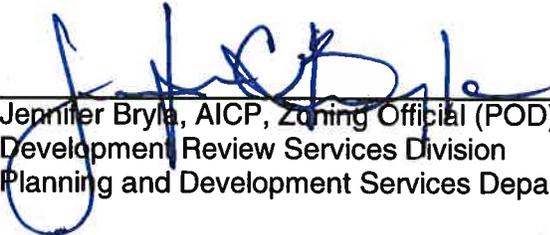
North: **Residential Urban**
South: **Planned Redevelopment Mixed-use**
East: **Planned Redevelopment Mixed-use**
West: **Planned Redevelopment Mixed-use**

REPORT PREPARED BY:



Corey Malyszka, AICP, Urban Design and Development Coordinator 8.11.20
Development Review Services Division DATE
Planning and Development Services Department

REPORT APPROVED BY:



Jennifer Bryla, AICP, Zoning Official (POD) 8.11.2020
Development Review Services Division DATE
Planning and Development Services Department

**CITY OF ST. PETERSBURG
MEMORANDUM
ENGINEERING DEPARTMENT**

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

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: June 26, 2020

FILE: 20-32000009

LOCATION

AND PIN: 3762 17th Avenue North; 15-31-16-18288-001-0080
3763 16th Avenue North; 15-31-16-18288-001-0090
3800 17th Avenue North; 15-31-16-18288-002-0010
3835 16th Avenue North; 15-31-16-18288-002-0120
3843 16th Avenue North; 15-31-16-18288-002-0110
3853 16th Avenue North; 15-31-16-18288-002-0100
3863 16th Avenue North; 15-31-16-18288-002-0090

ATLAS: K-10
PROJECT: Special Exception

REQUEST: Approval of a Special Exception for a House of Worship in the NT-1 zoning district.

The Engineering and Capital Improvements Department (ECID) 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. Per associated alley vacation case 18-33000010, the applicant must dedicate an additional 4' of public utility easement adjacent to the proposed 16' wide public utility easement. The additional 4' of public utility easement can be added to one or split and added to both sides of the proposed 16' wide easement. The total 20' wide public utility easement would meet minimum current City easement requirements for a sanitary sewer at this depth (\pm 14'). The preliminary plat showing the proposed easement dedication must be submitted and approved by the City prior to approval of on-site construction permits and the final plat including the easement dedication shall be recorded prior to the release of the temporary or final certificate of occupancy.
2. Proposed concrete surfaces shown over the alley being vacated will be within the utility easement and may impact the City's ability to maintain the sanitary sewer should an excavation to reach the sanitary sewer main be necessary. If City Water Resources Department (WRD-UtilityReviewRequest@stpete.org) is willing to allow these surfaces over the sanitary sewer main a Minor Easement Permit approval will be required. The Minor Easement Permit is required to document private maintenance responsibility, liability, and the need to remove these private surface features if so requested by the City in the event an excavation to reach the sanitary sewer main is required. Please refer to City Code Chapter 24, Article VII for Minor Easement requirements at the following link:

https://library.municode.com/fl/st._petersburg/codes/code_of_ordinances?nodeId=PTIISTPECO_CH25S_TSIMIPUPL_ARTVIIMIEN

3. Fences shown crossing the vacated alley must have removable panel sections in the easement or must have gated access at least 12-feet wide to allow maintenance equipment to enter and pass through the easement area. At the time of construction permitting the applicant will be required to submit sufficient detail for the fence construction to assure that this requirement has been met. The fence within the easement must be included on the Minor Easement Permit.

4. 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 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.

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.

5. 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. Predevelopment historical discharge rates shall be based on the historical basin flows and shall not be exceeded. When adequate technical justification is provided by the Engineer of record to show that 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 as described above, and provide topographical verification that a positive overland flow path exists which extends to an underground public stormwater conveyance system of adequate capacity and condition.

6. 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. Per the City code a 5' public sidewalk is required within the rights-of-way around the entire property. 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.

7. 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.

8. 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.

9. All existing redundant (abandoned) driveway approaches or drop curbing which exist within the public right-of-way around the perimeter of this project development shall be removed. 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 per current City Engineering Standards and Specifications.

10. 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: 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.).

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

Corey D. Malyszka

From: Kyle Simpson
Sent: Wednesday, June 24, 2020 12:41 PM
To: Corey D. Malyszka
Cc: Thomas M Whalen; Michael J. Frederick
Subject: RE: Routing Special Exception 20-32000009

Corey,

The Transportation and Parking Management Department has reviewed the case and has the following comments:

- Concrete sidewalks need to be continuous through all driveways.
- All new curb ramps in the ROW need to follow applicable standards per ECID.
- The physical geometry of the parking lot in the northeast corner should be reworked so that where the drive aisle moves from westbound to southbound, vehicles entering from the driveway are unable to turn eastbound. Reconfiguration could also include consolidating the two driveways into one driveway that allows for both ingress and egress.
- Internal sidewalk connections to the public sidewalk network are needed on the south and east sides of the site.
- The drop-off loop on the west side of the site should have sidewalk connections on the north half of the loop as is provided on the south half of the loop.

Best,

Kyle Simpson, AICP
Planner I, Transportation and Parking Management
City of St. Petersburg
(727) 893-7151
Kyle.simpson@stpete.org

From: Michael J. Frederick
Sent: Thursday, June 11, 2020 8:33 AM
To: Thomas M Whalen <Tom.Whalen@stpete.org>; Kyle Simpson <Kyle.Simpson@stpete.org>
Subject: FW: Routing Special Exception 20-32000009

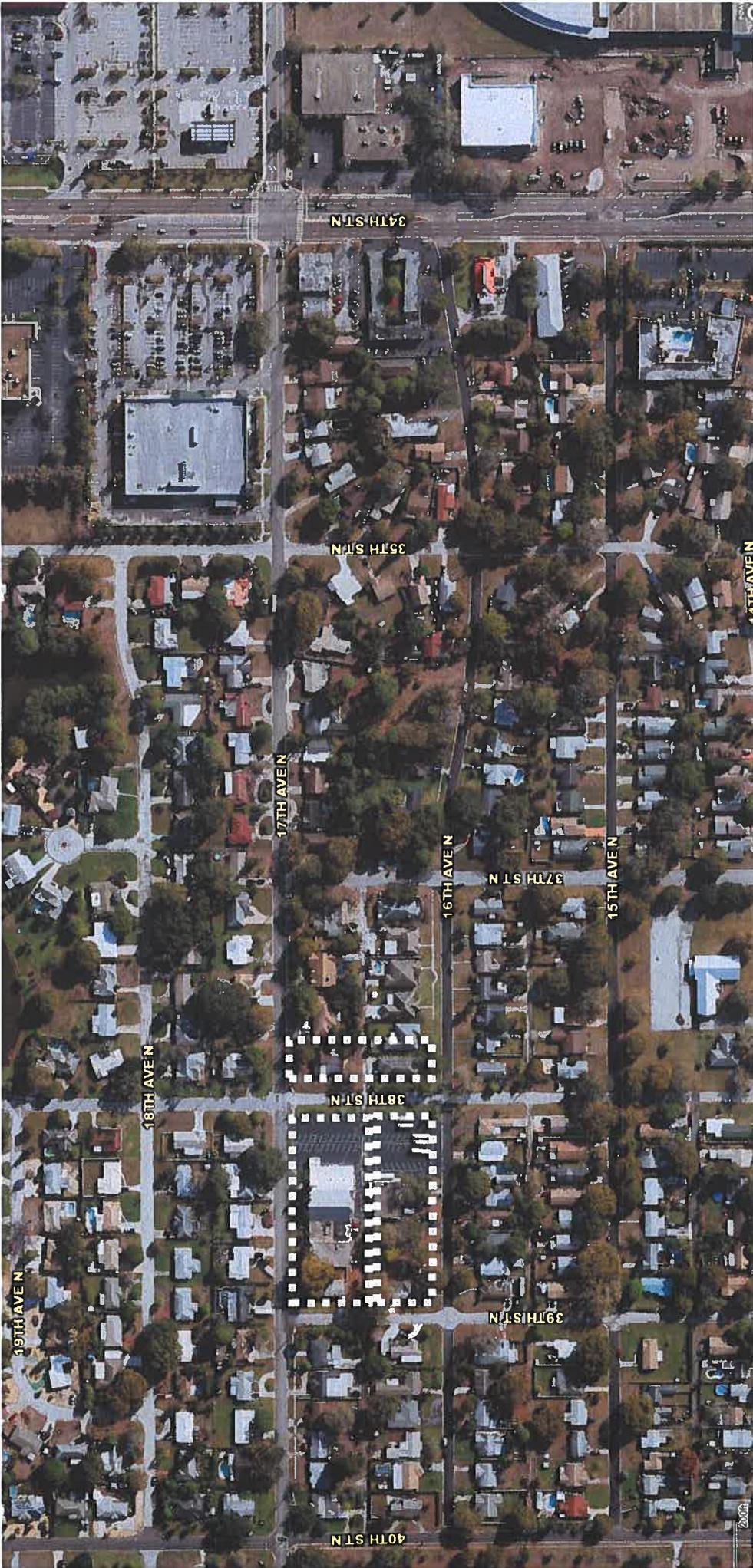
No comments - Mike

From: Corey D. Malyszka <Corey.Malyszka@stpete.org>
Sent: Wednesday, June 10, 2020 4:28 PM
To: Michael J. Frederick <Michael.Frederick@stpete.org>; Kyle Simpson <Kyle.Simpson@stpete.org>; Thomas M Whalen <Tom.Whalen@stpete.org>; Mark Riedmueller <Mark.Riedmueller@stpete.org>; Nancy Davis <Nancy.Davis@stpete.org>; Martha Hegenbarth <Martha.Hegenbarth@stpete.org>; Troy D. Davis <Troy.Davis@stpete.org>; WRD-UtilityReviewRequest <WRD-UtilityReviewRequest@stpete.org>; Aaron M. Fisch <aaron.fisch@stpete.org>; vacate@duke-energy.com; Steve Anderson <stephen.anderson@duke-energy.com>
Cc: Iris L. Winn <Iris.Winn@stpete.org>
Subject: Routing Special Exception 20-32000009

Please review the attached application. Please return your comments by **June 24, 2020**. These deadlines are in place so that your comments may be included in the staff report.

If comments are not received by the deadline provided, then it will be assumed that you have no objection or comments to provide. Please contact me at 727-892-5453 or at Corey.Malyszka@StPete.org if you have any questions or concerns.

Corey Malyszka, AICP
Urban Design and Development Coordinator, Planning and Development Services
City of St Petersburg
727.892.5453
corey.malyszka@stpete.org



Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 20-3200009
Address: 3800 17th Avenue North



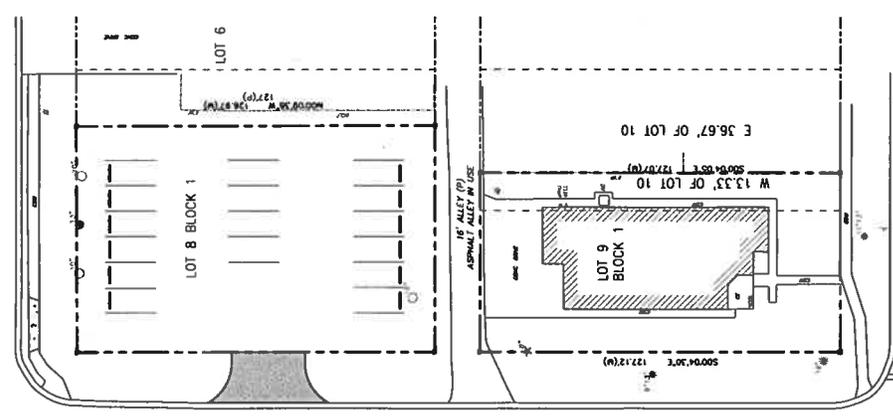
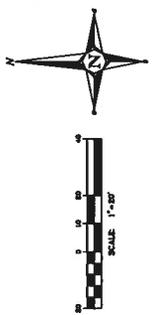
WICKSTROM ENGINEERING SERVICES, INC.
 505 20th Avenue NE
 St Petersburg, FL 33704
 Telephone No (727) 894-0404
 CA No. 30184



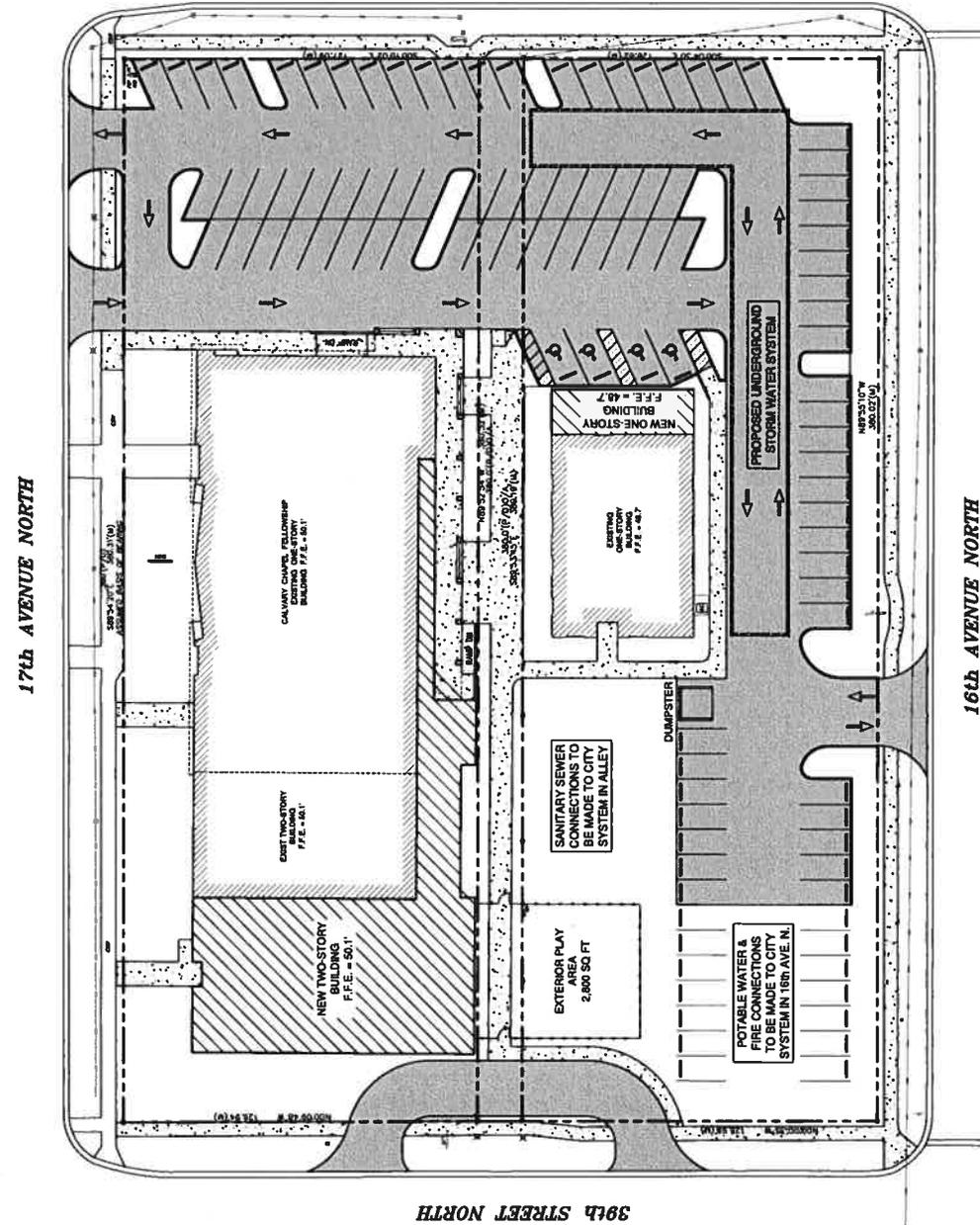
DRC SITE PLAN
 CALVARY CHAPEL FELLOWSHIP
 17th AVENUE N, ST. PETERSBURG, FL 33713
 3800 17th AVENUE N, ST. PETERSBURG, FL 33713

ARCHITECT
 Williamson Dacar Associates
 15500 Lightwave Drive, Suite 106
 Clearwater, Florida 33760
 Telephone No. (727) 725-0951

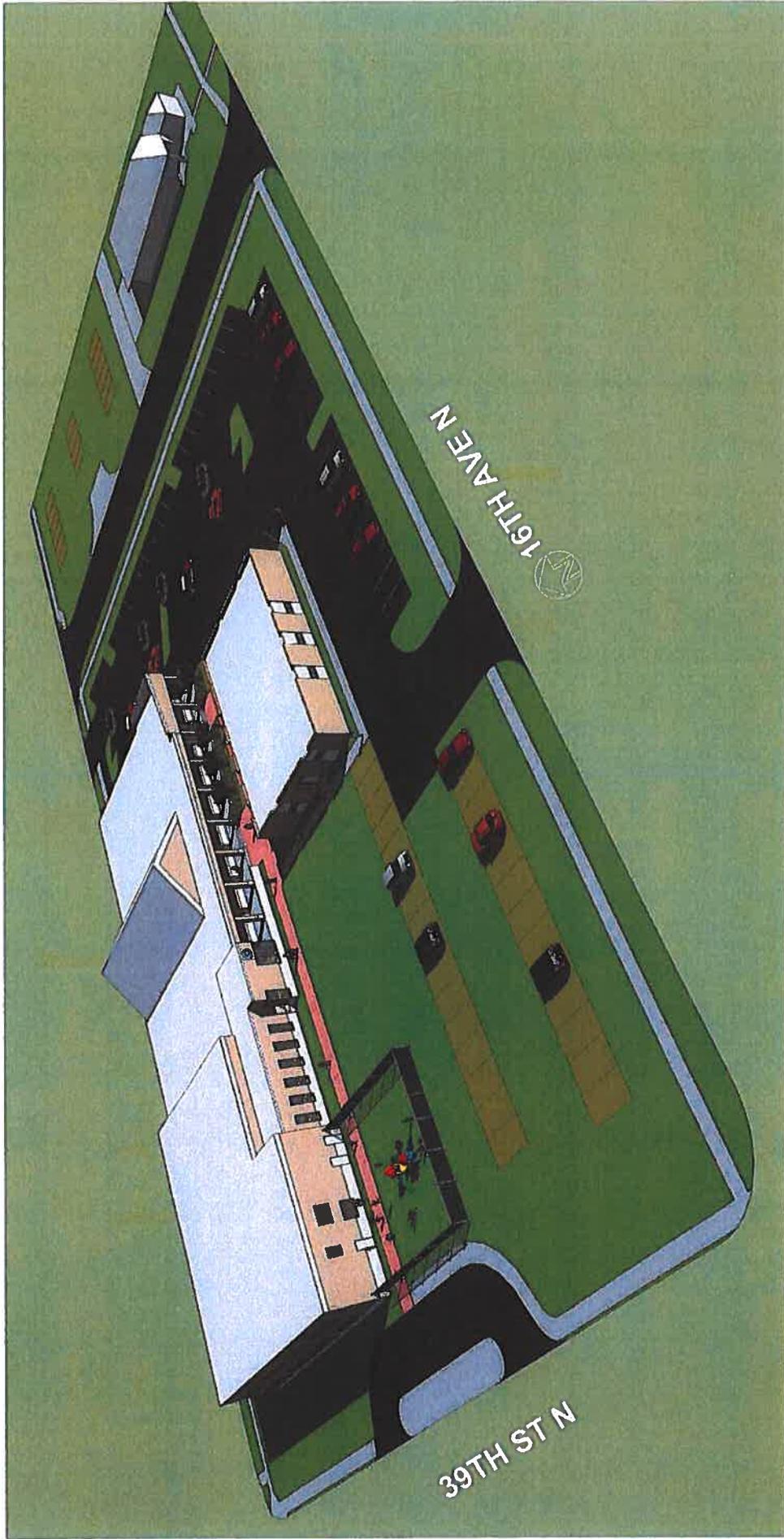
DATE: 08.15.20
 SCALE: 1"=30'
 DRAWN BY: KES
 CHECKED BY: DMV
 PROJ. No. 13425
 Sheet C1



DRC SITE LEGEND
 ■ DENOTES PROPOSED ASPHALT PAVEMENT
 ▨ DENOTES PROPOSED CONCRETE WALK
 --- DENOTES PROPOSED UTILITY
 --- DENOTES EXISTING UTILITY

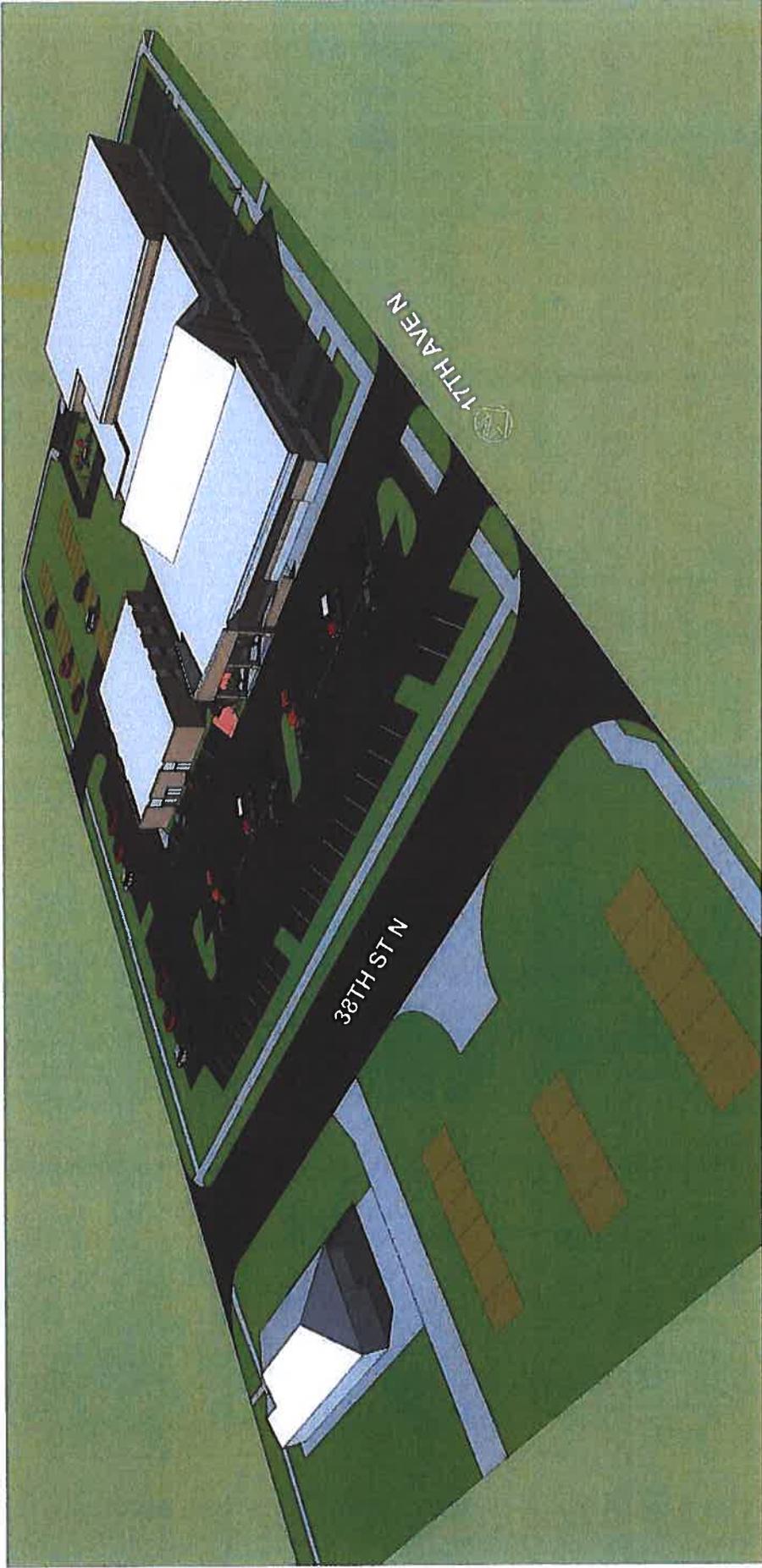


17th AVENUE NORTH
 38th STREET NORTH
 16th AVENUE NORTH
 38th STREET NORTH



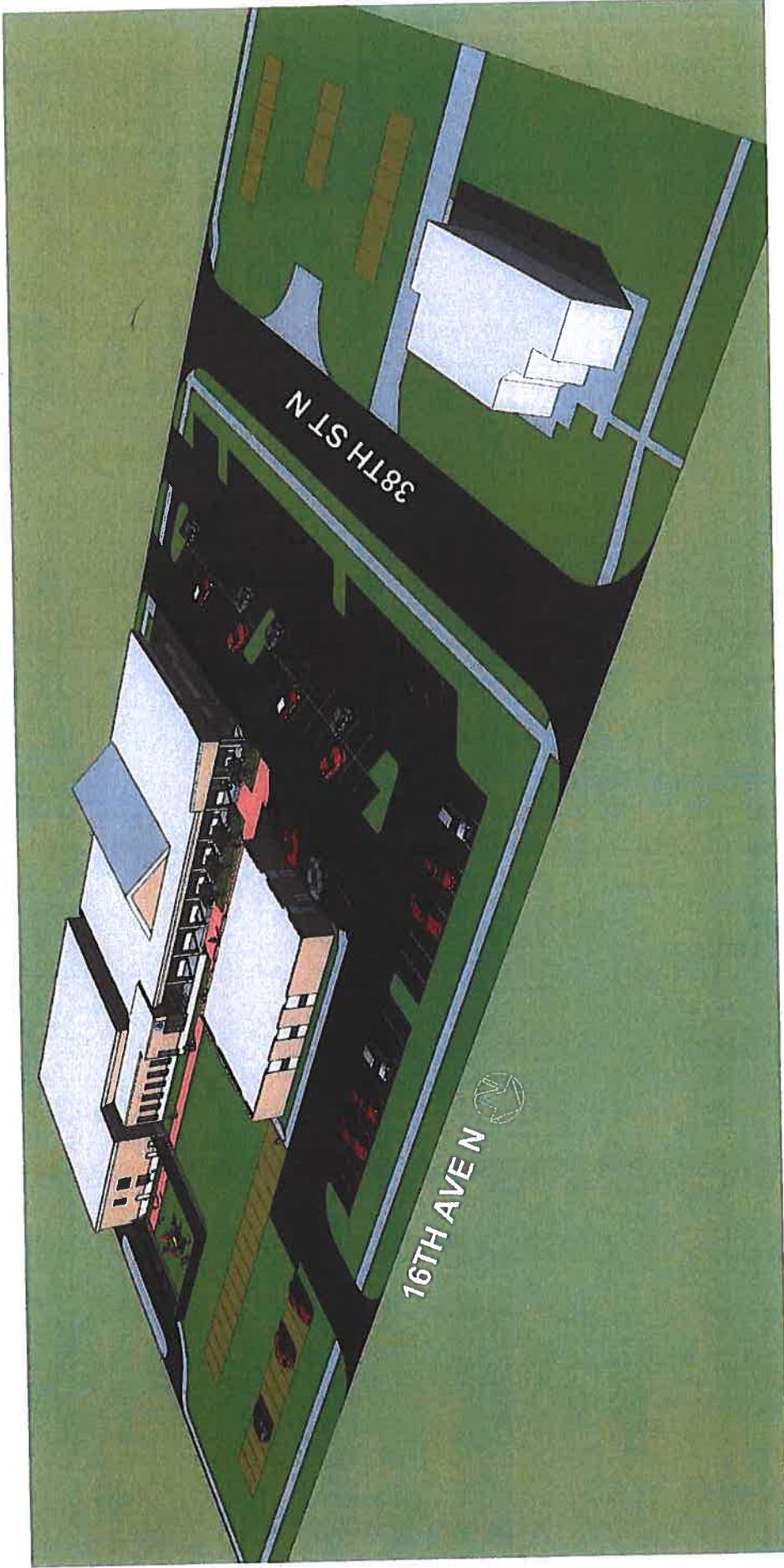
CALVARY CHAPEL FELLOWSHIP RENOVATIONS AND ADDITION

5-1-20



CALVARY CHAPEL FELLOWSHIP RENOVATIONS AND ADDITION

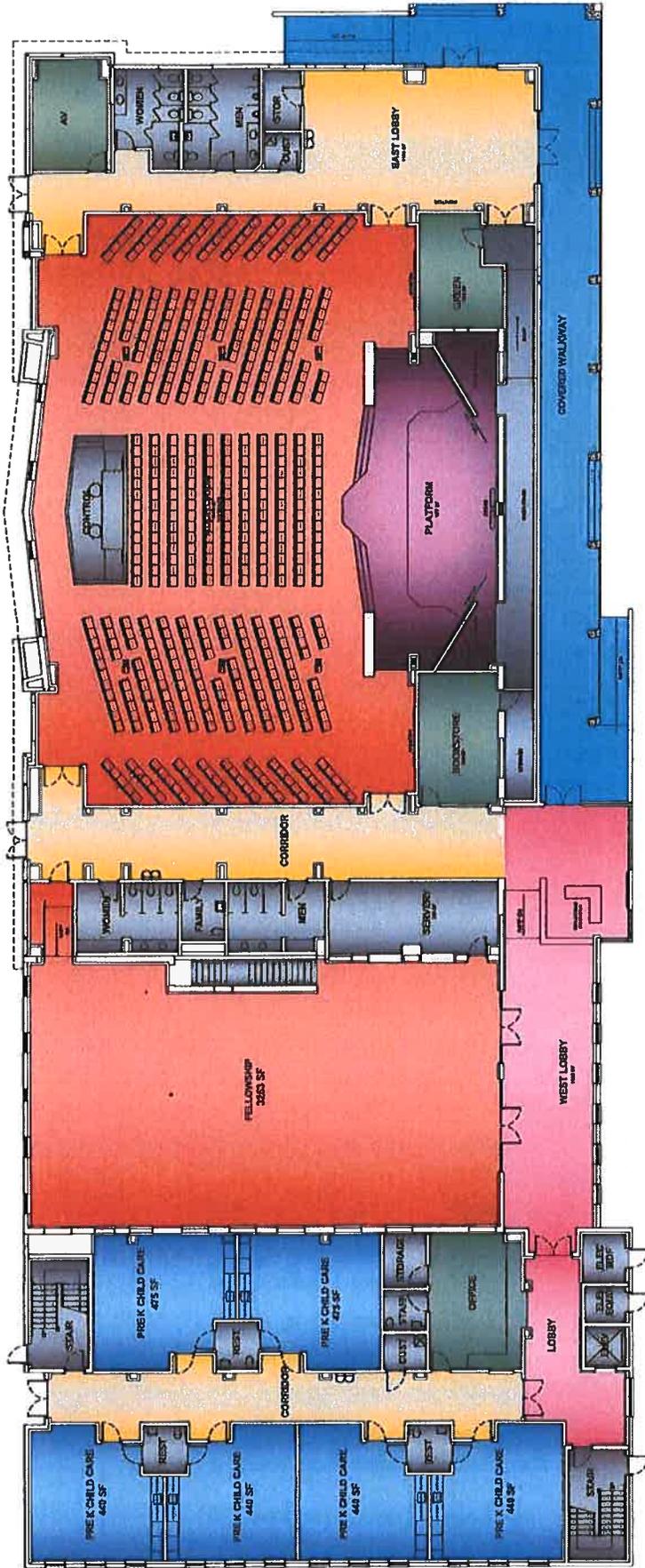
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CALVARY CHAPEL FELLOWSHIP RENOVATIONS AND ADDITION

5-1-20

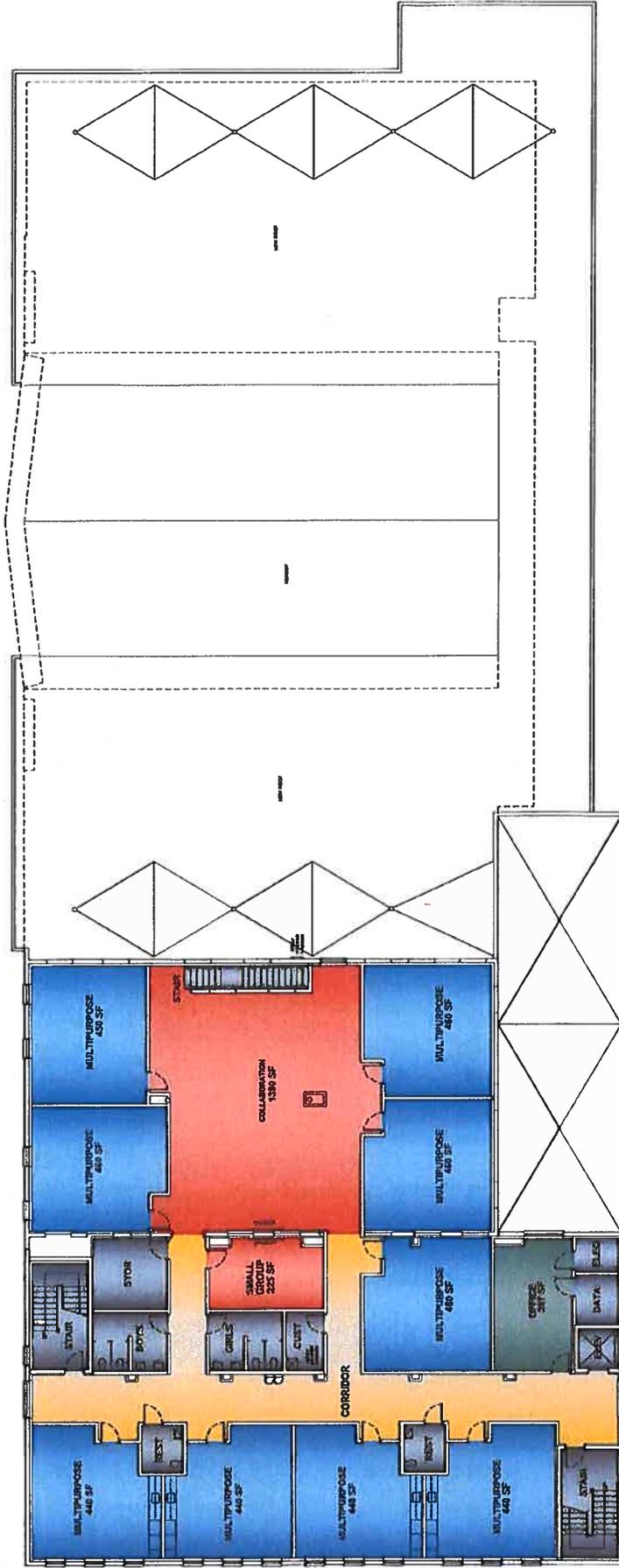
FIRST FLOOR



CALVARY CHAPEL FELLOWSHIP RENOVATIONS AND ADDITION

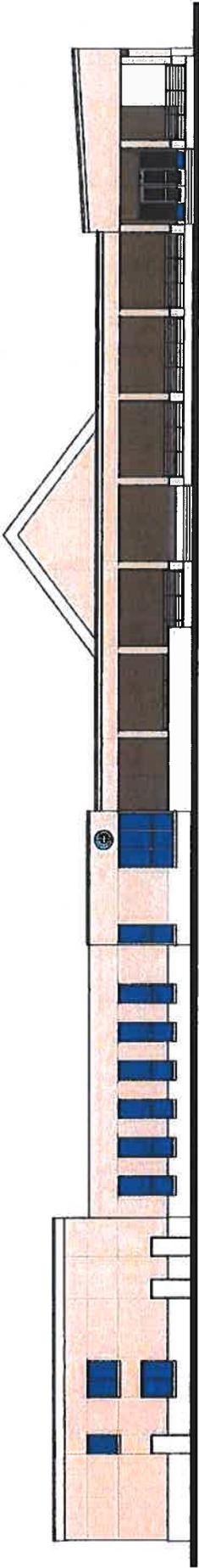
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SECOND FLOOR



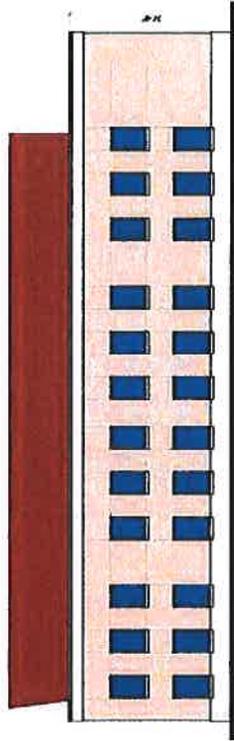
CALVARY CHAPEL FELLOWSHIP RENOVATIONS AND ADDITION

5-1-20

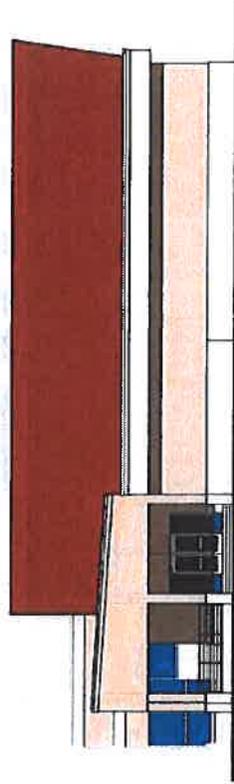


SOUTH ELEVATION

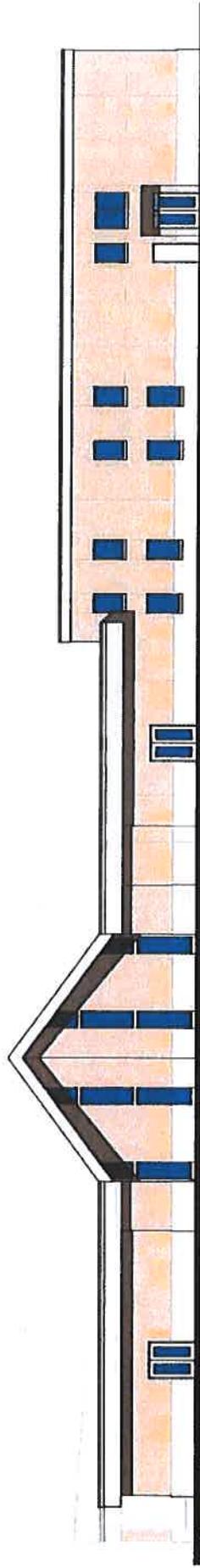
← ADDITION | RENOVATION →



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

← RENOVATION | ADDITION →

CALVARY CHAPEL FELLOWSHIP RENOVATIONS AND ADDITION

5-1-20



May 1st, 2020

City of St. Petersburg
Development Review Services Division
One 4th Street North
St. Petersburg , Florida 33731

Re: **Variance Narrative**
DRC Application
Applicant: Calvary Chapel Fellowship
3800 17th Avenue N

To Whom it may concern:

Variance Request #1:

The Applicant is requesting the **North Property set back** requirement for Special Exception Classification be **reduced from 35 feet to 25 feet**. The Existing building is in a NT-1 zoning classification. The current setback for a NT-1 zoning classification front yard is a 25 foot. The existing building is currently at a 25 foot setback. The proposed addition is to align with the existing building. There will be no new visual impact or barrier conflicts along 17th Avenue by maintaining the alignment with the existing building.

The first floor of the proposed addition is planned for a new Day Care / Child Care Ministry operated by the Church. This new Day Care / Child Care Ministry will be licensed through local and State guidelines and will be available and open exclusive to the local neighborhood community.

Variance Request #2:

The Applicant is requesting the **West Property set back** requirement for Special Exception Classification be **reduced from 35 feet to 17 feet**. The Existing building is in a NT-1 zoning classification. The current setback for a NT-1 zoning classification front yard is a 25 foot. The proposed addition is to align with the current setback of the existing residence that will be removed to allow for the new addition. There will be no new visual impact or barrier conflicts along 39th street North. The church is eliminating all through traffic along 39th Street by vacating the existing Alley and removing 4 residence homes from the site. The proposed addition cannot be developed South because the Church needs to maintain the alley as an easement. The new site development will include major Landscape enhancements along 39th street. The additional 18 feet of Addition is needed to make the new addition viable for the planned Day Care / Child Care program.

Cordially,

A handwritten signature in blue ink, appearing to read "George Tharin".

George Tharin, RA
Williamson Dacar Associates

CC: Ted Williamson, WDA Principal-in Charge
Danny Hodges, Pastor Calvary Chapel Fellowship
Jennifer C. Bryla, AICP Zoning Official, City of St. Petersburg

15500 Lightwave Drive, Suite 106, Clearwater, Florida 33760
(727) 725 0951
GTharin@williamsondacar.biz