

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting June 1, 2021

The Planning and Zoning Board met in formal session Tuesday, June 1, 2021, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Jon DePreter, Chairperson and the following were present:

1. Roll Call:

Jon DePreter, Chairperson
Christina Opsahl, Vice-Chairperson
Grant Misterly
Sarah Ryan
Mike Davis
Carl Blow
William Masson

Absent: Grant Misterly, excused
William Masson, excused

City Staff: David Birchim, Director, Planning & Building Department
Denise May, City Attorney
Elyse Anderson, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The board heard from the following member of the public:

- Gail Wisler

Modifications to the Agenda

Mr. DePreter announced that Item 6. (a) requested a continuance to the July 6, 2021, meeting, although discussion took place under the Item.

Mr. Blow asked when the applicant requested to be continued.

Mr. Birchim referenced an email in the Board's packet.

Mr. DePreter advised a member of the public to check the agenda to ensure item had not been moved.

Ms. May suggested calling the Planning and Building Department (PZB) for a status.

MOTION

Mr. DePreter MOVED to CONTINUE the application 2021-0040 to July 6, 2021. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: DePreter, Davis, Blow, Ryan

NAYES: NONE

MOTION CARRIED UNANIMOUSLY¹

3. Approval of Minutes

Ms. Ryan stated during Board discussion on page 9 'Corazon Movie Theater failed after being denied the previous rezoning request to CL-2 and facing damage from several floods' read as a statement rather than an opinion. She requested to have this revised.

¹ Ms. Opsahl took a brief recess from 2:02 p.m. - 2:36 p.m.

MOTION

Ms. Ryan MOVED to APPROVED the May 4, 2021, minutes as presented. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:²

AYES: Ryan, DePreter, Blow, Davis

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. Use by Exception

4. (a) 2021-0065 – Alon Ben Israel & Itzhak Ben Shimol – Applicant St. George Street Properties – Owner 30 St. George Street

To approve a bar/tavern as a permissible use by exception.

Mr. Birchim read the staff report and said based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a bar at **30 St. George Street**, as submitted.

Itzhak Ben Shimol was available for questions.

The Board provided their ex parte communications.

30 certified notices were sent, 2 returned opposed and 2 had comments.

Public hearing was opened.

Nancy Pellicer expressed her concern with having too many bars in the downtown area. She spoke in favor of a previous business before the Board which did not comply with what was approved. She concluded that if zoning was changed for a property, it should change back if the business leaves.

Mr. DePreter referred Ms. Pellicer to City Attorney, Denise May, and the City Commission for further concerns.

Ms. May commented that the application presented was a use by exception which will not travel with the property, it was only for the applicant. She indicated that the Board was able to place conditions on the application.

Charles Pappas pointed out the City Commission was struggling with the number of alcoholic venues. He felt that adding beer and wine to a retail business changed the dynamic of the space. He said the sale of alcohol was not necessary for cigar sales.

BJ Kalaidi agreed with the other comments. She did not feel the application should pass, and if it did, she stressed no loud music or amplified music should be outside.

Public hearing was closed.

Mr. Shimol responded to public comments. He said the location would have room for a few people to relax and have a glass of beer or wine and smoke a cigar. He said the business was not a bar or a place to party, as the location was small.

The Board discussed:

- Past similar applications had conditions
- No amplified music or no music at all
- Maximum of 10 seats
- 3 or 5 formal complaints to the Police Department must come back for review
- Control of hours
- Small location, only grant variance limited to front side of the building
- Limit to beer and wine
- Liquor could require additional Board approval

Mr. DePreter asked if the application was for only beer and wine.

Ms. May stated the application was for a bar/tavern.

Mr. Birchim clarified the application was for beer and wine only.

Mr. Shimol reiterated there would be no music upstairs, and business would operate from 10:00 a.m.- 9:00 p.m. on weekdays and from 10:00 a.m.-10:00 p.m. on the weekends.

MOTION

Mr. Blow MOVED to APPROVE the exception application 2021-0065 subject to the following conditions: limited to sale of beer and wine only, no music of any kind either amplified or live, limited to ten seats on the second floor of the existing building and does not include any activity outside the building or to the rear, also based on operating hours beer and wine will not be served beyond 9:00 p.m. Monday - Thursday and 10:00p.m. Friday, Saturday and Sunday, and also if there are three or more written complaints made to the City Police Department or to the Building and Zoning Department in the first twelve months of the exception, this exception will have to return to the Board and be subject to be denied and will only run with the applicant. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:

AYES: Blow, Ryan, Davis, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. (b) 2021-0062 – Ellen Avery-Smith, Esq. – Applicant
Windward Shipyard Land Holdings, LLC and Windward Shipyard, LLC– Owner
PID # 127910 0000, 128090 0010, 134230 0011, 134230 0030, 134230 0000, 134230 0020 (aka the "St. Augustine Shipyards")

To approve off-site parking within the overall property as a permissible use by exception.

Mr. Birchim read the staff report and said based on a review of Sec. 28-371 and 28-372, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for off-site parking at the **St. Augustine Shipyards** as per the amended Development Agreement.

Ms. Avery-Smith was available to answer questions, as well as Chris Simons and Carl Masters, who were with the Shipyard project.

The Board provided their ex parte communications.

37 certified notices were sent; however, none were returned.

Public hearing was opened.

BJ Kalaidi felt the parking should not run with the land. She stated once the property was sold, the new buyers should have to explain what the usage would be. She was concerned developers were going to overpark the area.

John Rogan stated he loved the area and the river. He understood that there could be primary and secondary impacts from approved projects. He stated the river had vast amounts of traffic, and he was concerned about improvements that might affect the quality and waterways.

Public hearing was closed.

Ms. Avery-Smith presented the application and responded to public comment. She stated the application did run with the title to the property because the companion development agreement was recorded with the entire property, and regardless of who owned the parcels, they must be code compliant. She said the idea was to have unified parking for the property.

The Board discussed:

- Supported shared parking to eliminate congestion
- Creativity with parking the same amount of vehicles
- Development must fit within the space
- Pedestrian safety

Ms. Avery-Smith responded to Mr. Davis' questions:

- Confirmed that on and off-site parking would exist within the parcel, not another location
- Internal private streets were the locations for "on-street" parking within the parcel
- Proposed parking garage within the site

Carl Masters provided a brief overview of the project and stated they were trying to incorporate the public and potential residents into the site. He stated the multi-family design would have a parking garage within the complex hidden from view, and as the project progressed, they would look at the addition of a stand-alone parking structure to serve the entire area. He noted the design, or the number of parking spaces was yet to be determined.

Mr. Birchim stated that 50 feet was the maximum amount of height allowed on site.

Mr. Blow questioned how many levels for multi-family and parking.

Ms. Avery-Smith stated the project had RGO zoning and would comply with the Cities' land development code and zoning.

Mr. Blow inquired about land outside the property boundary and stated the group owned other property within the County.

Ms. Avery-Smith confirmed and said only the portion of property that was already annexed into the City could be subject to this and the development agreement.

Mr. Blow asked if there were plans to annex the rest of the property into the City.

Ms. Avery-Smith stated they were trying to get this portion of project started and then take it piece-by-piece.

MOTION

Ms. Ryan MOVED to APPROVE Use by Exception application 2021-0062 to approve off-site parking within the overall property as a permissible use exception. The motion was SECONDED by Ms. Opsahl.

Ms. May stated the request was for it to travel with the land and would need to be included within the motion.

Ms. Ryan AMENDED her motion to include to run with the land. Ms. Opsahl SECONDED the amended motion.

VOTE ON MOTION:

AYES: Ryan, Opsahl, Blow, Davis, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. (c) 2021-0067 – Susan Bebry. – Applicant Ribossa Property Management, LLC– Owner 63 Saragossa Street

To approve three (3) off-site parking spaces at the municipal parking garage for a short-term rental at 63 Saragossa Street.

Mr. Birchim read the staff report and said based on a review of Section 28-2 & 28-151, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for three (3) off-site parking spaces at the municipal garage for a short-term rental at **63 Saragossa Street.**

Susan Berbry reviewed her application and questioned whether Board approval was required, should she locate closer parking.

Mr. Birchim replied in the affirmative.

Ex parte communication was not discussed.

24 certified notices were sent, 2 were returned in favor, and 1 had comments.

Public hearing was opened; however, there was no response.

There was Board consensus that the application was in line with the City's proposal for short-term rentals and parking issues.

MOTION

Ms. Ryan MOVED to APPROVE Use by Exception application 2021-0067 to approve 3 off-site parking spaces at the municipal parking garage for short-term rental at 63 Saragossa Street. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Ryan, Blow, Davis, Opsahl, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5.Variance

5. (a) 2021-0066 –Kirby Booth, KRB Construction – Applicant
George A. Hill– Owner
67 Lighthouse Avenue

To approve a variance to exceed the maximum lot coverage and a variance to encroach into the required side yard building setbacks for a residential addition.

Mr. Birchim read the staff report and said based on a review of Section 28-29(b), and without the support of evidence to the contrary, staff finds:

1.The Board can **APPROVE** a variance to exceed the maximum lot coverage and encroach into the side yard building setbacks **at 67 Lighthouse Avenue** if it determines that a unique singular disadvantage exists, that 45.9% lot coverage is a reasonable request and that granting the variance will not adversely affect other property in the vicinity.

2.The Board can **DENY** a variance to exceed the maximum lot coverage and encroach into the side yard building setbacks **at 67 Lighthouse Avenue** if it determines that a unique singular disadvantage does not exist, or that 45.9% lot coverage is not a reasonable request or that granting a variance will adversely affect other property in the vicinity.

George Anthony Hill, II requested the personal pronouns of 'she and her'. She reviewed the application and indicated flooding was an issue without adding any structure. She said she would be mostly affected by flooding which was the City's issue.

The Board provided their ex parte communications.

18 certified notices were sent, 1 was returned in favor, 4 returned opposed and 4 had comments.

Public hearing was opened.

Chad Schwaninger stated the street was small and the garage would assist with vehicle storage and security. He said it was similar to the location across the street; however, the backyard would be secured. He stated the flooding had been an issue for the past 5 years, and he had spoken with the City before; however, there was no location for the water to go. He indicated the tree was dying and built into the drain field, which must be removed to tie into City sewer.

Mr. Schwaninger answered Board questions:

- Sewer hookup would be on Holly Lane, not Lighthouse Avenue
- A tap existed to gravity sewer system
- System was a pressured line, not a lift station, and would tie into a forced main

Hank Osborne supported his neighbor for the encroachment and the normal setbacks. He was concerned with flooding at back of his property. He felt the plans lacked detail and asked for the Board to hold approval until the water issue was resolved.

Claire Black agreed flooding was an issue and several homes were affected. She suggested the live oak tree did not need to be removed as she had Danny Lippy, Board Certified Master Arborist, write a summary of his findings. She stated a viewing deck was also part of the project.

BJ Kalaidi stated St. Augustine was a tree city. She said if the tree was healthy then the application should be continued until the Board had sufficient information.

Mr. Schwaninger responded regarding the live oak tree on the property. He explained the tree was dying and a danger to the homeowner, and the second tree needing to be removed leaned towards the neighbor's home and was held up by the wooden deck. He agreed to using an arborist.

Aaron Brown reinforced that the flooding issue had been around for years and felt the structure would increase the flooding. He stated he was not aware of the usage of the sewer line. He agreed with Ms. Black about street parking.

Ben Garcia stated his client's concern for the project, and he wanted the best for the neighborhood. He supported hiring an arborist to assist in the final decision. He

said he could design a natural drainage where water flows to the lowest point of the yard. He stated that the two-story structure would assist with the parking.

Public hearing was closed.

Mr. DePreter asked Ms. May for more information regarding tree removal and flooding issues.

Ms. May stated the application was for a variance and the removal of the tree was not incorporated. She cited State law to the Board which precludes local government from requiring a permit if the owner of a residential property obtained documentation from a certified arborist or a landscape architect that stated the tree presented a danger to persons or property. She informed the Board the change took place in 2019. She said the items needing approval or denial were listed by Staff.

The Board discussed:

- Application criteria not met
- Singular disadvantage unfound
- Property usage substantial
- Porches in area, not observation decks
- Parking remained same
- Lot coverage exceeded surrounding properties
- Flooding not City's problem, applicant should work with City on flooding
- Irresponsible to increase drainage issue
- Lighthouse Park did not have City gravity sewer system
- Private lift station installed for connection with City
- Pressure not strong, causing more sewer problem
- Intensity high for location
- Information not presented or non-existent for a hardship on particular property

Mr. Schwaninger responded by stating lot coverage and flooding was understandable. He asked if he could receive approval for

only the side variance. He stated the setbacks were listed on the material provided.

Mr. Birchim stated the measurements and location were unclear and an exact lot coverage increase had to be noted.

Mr. DePreter asked if the application was denied and applicant resubmitted only for side variance, would he need to wait a year.

Mr. Birchim indicated he would have to wait, or the Board could waive the one-year period.

Ms. Opsahl pointed out that applicant could request a continuance and present more information.

Ms. May advised if more information was needed, the Board could request that information for staff to review before re-presenting.

Mr. DePreter requested Board consensus.

Mr. DePreter and Mr. Blow agreed with application denial and waving the one-year period.

Mr. Birchim provided the application and re-advertising fees as questioned by Board members.

Ms. Opsahl said if applicant wanted a continuance, the Board should vote.

MOTION

Mr. Davis MOVED to grant the CONTINUANCE and give the applicant 30 days. The motion was SECONDED by Ms. Opsahl

VOTE ON MOTION:

AYES: Davis, Opsahl, Ryan

NAYES: Blow, DePreter

MOTION CARRIED 3/2

Mr. DePreter stated the application was continued to July 6, 2021.

6. Conservation Zone Development

6. (a) 2021-0040 – R.E. Chip Mitchell – Applicant
California Trends, LLC – Owner
70 Florida Avenue

To approve the construction of a retaining wall in Conservation Overlay Zone 2.

Applicant requested continuance to the July 6, 2021 meeting.

6. (b) 2021-0052 – Mark McConnel – Applicant and Owner
S. Leonardi Street (PID#119920 0350)

To remove three (3) significant trees (2 laurel oaks, 1 southern red cedar) for construction of a garage/guesthouse.

Mr. Birchim read the staff report and said based on a review of Section 11-29 and the health of the trees as expressed in the arborist's report, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the removal of three (3) significant trees located at **S. Leonardi Street/ PID# 119920-0350**.

Ms. Ryan recused herself from the application as a business associate of the applicant.³

Mark McConnel was available to answer any questions. He said at last month's meeting a Board member commented on the removal of three trees for a parking space. He noted that after meeting with the arborist he was able to save three trees. The Board provided their ex parte communications.

12 certified notices were sent, 1 was returned in favor.

³ Form attached to original minutes

Public hearing was opened; however, there was no response.

There was Board consensus that applicant had done his due diligence to save as many trees as possible and approved of the application.

MOTION

Mr. Davis MOVED to APPROVE the Conservation Zone Overlay Development 2021-0052 for the removal of three significant trees, two laurel oaks, one southern red cedar for the construction of a garage/guesthouse. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Davis, DePreter, Blow, Opsahl

NAYES: NONE

MOTION CARRIED UNANIMOUSLY⁴

6. (c) 2021-0064 – Jonathan Ayres – Applicant and – Owner 7 Ponce de Leon Avenue

To remove three (3) significant trees (1 laurel oak, 1 southern magnolia, 1 hackberry) for construction of a single-family home.

Mr. Birchim read the staff report and said based on a review of Section 11-29 and the health of the trees as expressed in the arborist's report, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the removal of three (3) significant trees located at **7 Ponce de Leon Avenue**.

Jonathan Ayres reviewed the application. The Board provided their ex parte communications.

24 certified notices were sent, 1 was returned in favor.

Public hearing was opened; however, there was no response.

The Board discussed:

- Lot was small; therefore, hard to not remove trees
- Applicant worked with City regarding sewer
- Arborist report showed diseased trees
- Effort made to save as many trees as possible

Mr. Ayres provided clarification for Mr. DePreter regarding the locations of the trees off the arborist report.

MOTION

Mr. Davis MOVED to APPROVE Conservation Overlay Zone Development 2021-0064 to remove three significant trees; one laurel oak, one southern magnolia, and one hackberry for construction of a single-family home. The motion was SECONDED by Mr. Blow.

At the request of Mr. Blow, Mr. Ayres confirmed the 14-foot Oak tree near the driveway would be preserved.

VOTE ON MOTION:

AYES: Davis, Blow, Ryan, Opsahl, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (d) 2021-0068 –Ryan Carter, Carter Environmental Services, Inc. – Applicant John Encinas – Owner Address 209 S. Matanzas Boulevard

To approve a dock with a floating terminal end and floating boat platform.

Mr. Birchim read the staff report and said based on a review of section 11-29 and without the support of evidence to the

⁴ Break from 3:51 p.m. to 4:03 p.m.

contrary, staff finds that the Board can **APPROVE** the construction of a dock with a floating terminal end and floating boat lift within Conservation Overlay Zone one located at **209 S. Matanzas Blvd.**

Ryan Carter reviewed the application.

The Board provided their ex parte communications.

9 certified notices were sent, 1 was returned in favor, and 1 had comments.

Public hearing was opened; however, there was no response.

The Board approved the compromise for the smaller dock and thanked the owner for working with his neighbors.

MOTION

Mr. DePreter MOVED to APPROVE Conservation Overlay Zone Development 2021-0068 stating it meets the requirement and the purpose of intent of the application. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:

AYES: DePreter, Ryan, Blow, Davis, Opsahl

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (e) 2021-0069 – Ryan Carter, Carter Environmental Services, Inc. – Applicant Louis Herrera – Owner 38, 44 and 50 Villa Calissa Court

To approve a cantilevered deck over wetlands/open water attached to a bulkhead.

Mr. Birchim read the staff report and based on the application as submitted showed the proposed deck 83 feet in length and covering salt marsh vegetation and mangroves. A new design was submitted by the applicant after the staff reports were

completed that reduces the length of the deck to avoid covering the mangroves. updated design shows the deck 10 feet in width and 61 feet in length. The applicant is here to go over the new design and it does not require re-advertising. The staff report recommended a continuance based on the lack of information regarding the impacts of shading on the vegetation and our primary concern was the mangroves but since the proposed deck has been modified to no longer cover the mangroves, staff finds that the board can approve this application as modified with the deck dimensions of 10 feet by 61 feet.

Ryan Carter reviewed the application.

The Board provided their ex parte communication.

27 certified notices were sent; however, there were none returned.

Public hearing was opened.

John Rogan worried that the townhome owners would have an obstructed view.

BJ Kalaidi stated the protection of mangroves was important and spoke about dredging near the Shipyard. She spoke against applicant's materials being turned in late.

Public hearing was closed.

Mr. Carter addressed comments from the public. He stated the deck was low profile and, in his opinion, did not feel the view would be affected.

Public hearing was re-opened.

Mr. Rogan understood that the structure was level but required a railing. He voiced concern for future additions, which could impact the view.

Mr. Carter referenced section 11-29 C (17) of the Municipal Code stating covered decks

or boat docks were not permitted. He stated the railing would likely be repurposed.

Public hearing was closed.

The Board discussed:

- Mangrove coverage resolved
- Railing height not obstructive to sight lines
- Public safety overrides small disturbance
- Previous view would remain same without obstructions
- Approval received from St. Johns River Water Management District
- Entertainment space for 3 owners

MOTION

Ms. Opsahl MOVED to APPROVE Conservation Overlay Zone Development to application 2021-0069 to approve a cantilever deck over wetlands open water attached to a bulkhead as applied for 38, 44 and 50 Villa Calissa Court. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Opsahl, Blow, Davis, Ryan, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6.(f) 2021-0071– David Ott – Applicant and – Owner **83 Comares Avenue, unit 7B**

To approve a boatlift to an existing boat slip.

Mr. Birchim read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a boat lift at **83 Comares Avenue, unit 7B, slip D18** as submitted.

David Ott reviewed application.

The Board provided their ex parte communications.

48 certified notices were sent, 3 were returned in favor.

Public hearing was opened; however, there was no response.

The Board discussed that the dock would be safer with being low profile.

MOTION

Ms. Opsahl MOVED to APPROVE Conservation Overlay Zone to Development Application 2021-0071 to approve boat lift in Conservation Overlay Zone One for 83 Comares Avenue unit 7B. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES:Opsahl, DePreter, Blow, Davis, Ryan

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Other Business

7. (a). Discussion and Recommendation – Ordinance 2021-12 Amending Short Term Rental Ch. 28

Ms. May presented the topic.

Ms. May replied to Mr. Davis' question and stated the Fire Marshal would conduct annual inspections.

Mr. Blow spoke about hunting passes at the Municipal Parking Garage. He said an estimated 10% were already in use and he questioned the maximum amount of hunting permits allowed.

Ms. May informed the Board this was a legislative policy, and these were not the only hunting permits available as there were also monthly passes. She stated the City knew how often the garage reached

capacity, and if it were an ongoing issue, the policy would return to the City Commission.

Ms. Ryan stated she was in support, as it seemed to clarify the Fire Prevention Association (FPA) information.

Ms. May agreed, and stated it updated the language and indicated what zoning code a person was in: 7-day, 30-day, or none.

MOTION

Mr. DePerter MOVED to RECOMMEND the amendments to Chapter 28 division 2 of Vacation Rentals as spelled out in our memorandum. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: DePreter, Blow, Davis, Ryan, Opsahl

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (b.) Discussion regarding Historic Preservation Work Plan FY 2021-2022.

Ms. Jenny Wolfe, Historic Preservation Officer, presented the topic.

Ms. Wolfe stated joint meetings with the PZB, and the Historic Architectural Review Board (HARB) would resume next spring.

Ms. Wolfe mentioned the update of the Architectural Guidelines for Historic Preservation (AGHP), and stated public outreach was currently being conducted.

7. (c.) Discussion and Recommendation - Amendments to Chapter 28 Zoning, Sec. 28-89 Criteria for certificate of appropriateness or demolition review and Sec. 28-90 Administration and records

Ms. Wolfe presented the topic to the Board and referenced the memo in the packet. She gave details about the meaning of

partial demolitions and identified five critical elements.

The Board and Ms. Wolfe discussed:

- Item was clearly defined
- Difficult to see descriptions about what was being described in images
- Property owners should be listed first before tourism regarding historic resources
- Ways to identify City's 20% historic homes that must go before HARB, where other homes would not
- Structures cited as contributing landmarks or potential local landmarks
- Worked on story map to engage neighborhood associations and the Commission to help bring attention to landmarks
- Full demolition had not been brought up as the AGHP was being updated

Ms. Wolfe stated the department wanted to administratively approve demolitions without presenting every application to HARB if the property had no historic, architectural, or unique value, and presented in expedited list as informational to Board; however, the request was turned down.

Ms. May stated that could be further discussed at a joint meeting between HARB and PZB.

Mr. Davis asked if structures outside the historic district and over fifty years old for partial demolition must go before HARB and did HARB want to have input on what would be reconstructed. He questioned if the duties of HARB were being extended to the entire City.

Ms. Wolfe answered in the affirmative. She referred to the proposed amendment Sec. 28-89. She said this did not apply to buildings older than fifty years. She continued it limited partial demolition to just those designated structures in the seven

National Registers District, 659 contributing buildings or local landmarks.

Mr. Davis was in support of staff having more administrative approvals with items that regularly appeared before HARB. HE stated with the expansion of HARB's duties and Entry Corridor Reviews the PZB meetings would not last long.

Ms. Wolfe advised that HARB no longer had the Entry Corridor duties.

Mr. Blow commended City staff about making government more efficient. He was concerned with bringing this before the Commission. He said he would not want to recommend without having input from the local community. He questioned Ms. Wolfe about the outreach happening within the community.

Mr. Davis agreed with Mr. Blow regarding more outreach. He stated 600+ structures were under the protected class and asked whether the homeowner had been notified. He said based on this plan, should reach out to let them know since they would be most affected. He mentioned that the homeowners should be informed of the steps needed for repairs or reconstructions.

Mr. DePreter inquired whether the people who lived within the 600+ homes knew they were in a historic home or when people bought a home they were notified. He stated if people knew that when purchasing homes, it could lessen the amount of people appearing before the Board.

Mr. Birchim stated that with the vast amount of turnover in real estate in the downtown area, it was difficult to ensure everyone was notified.

Mr. Birchim stated that there was a special meeting scheduled on June 16th to discuss the four Building Code Task Force goals. He suggested bringing back a second item, a plan for public outreach for this proposed ordinance, and between now and then do

more outreach within the real estate community. He told the board that they had done maximum effort to advertise the Building Code Task Force and had received little feedback as people were focused on other things.

Mr. Davis thanked Mr. Birchim for doing outreach with the builder's community and stated he understood that the outreach would be difficult with the high turnover.

Ms. Wolfe said one way to notify people would be through water utility bills, and she requested both residential and commercial accounts for the correct information.

Mr. DePreter indicated it would be best to bring the item back before the Board to continue discussion.

Ms. Wolfe corrected the historical properties number stating it was 1,659 not 659 that are contributing to National Registered Districts.

Ms. Ryan advised she would not be in attendance at the July 6, 2021, meeting.

8. Adjournment

Having no further business, Mr. DePreter adjourned the meeting at 5:53 P.M.⁵



Jon DePreter, Chairperson

⁵ Transcribed by Elyse Anderson