



HISTORIC PRESERVATION COMMISSION MINUTES

Date: Tuesday, May 17, 2022
Time: 9:00 AM
Location: Old City Hall, Tampa City Council Chambers, 3rd Floor,
315 E. Kennedy Boulevard, Tampa, FL 33602

Call to Order: Chair Vivian Salaga called meeting to order at 9:03 AM.

Silent Roll Call and Introductions: Elaine Lund

Commissioners Present: KerryAnn Kanch, Dr. Thomas Pluckhahn, Vivian Salaga, Mary Schukraft and Susan Swift

Commissioners Arriving After Roll Call: Dominique Cobb

Commissioners Absent: Patricia Ortiz

Staff Present: Dennis Fernandez, Elaine Lund and Aminta Owen

Legal Staff: Camaria Pettis-Mackle

Commissioners introduced themselves and their position on the Board.

Reading of Minutes of April 13, 2022: Chair Salaga stated that the minutes stand as written.

Conflict of Interests/ Ex Parte Communication: Camaria Pettis-Mackle, Assistant City Attorney Camaria Pettis-Mackle asked the Commissioners if there were any conflicts of interest for the record based on the items that are on the agenda. Hearing none, for the record. Ms. Pettis-Mackle asked the Commissioners if there were any ex parte communications regarding the items that are on the agenda today. Hearing none, for the record.

Announcements: Dennis Fernandez, Architectural Review & Historic Preservation Manager

- Welcome Commissioners.

Swear-In: Aminta Owen swore in all owners, applicants, interested parties, and witnesses within City Council Chambers.

Dennis Fernandez, Architectural Review and Historic Preservation Manager

Asked for a motion to adjust the agenda to hear the Bustillo Brothers & Diaz Cigar Factory building prior to the Tarr Furniture Company Building.

Motion: Susan Swift

Second: Dr. Thomas Pluckhahn

Move to adjust the agenda to hear the Bustillo Brothers Cigar Factory building prior to the Tarr Furniture Company.

The motion was approved by a vote of 5-0-0.

Bustillo Brothers & Diaz Cigar Factory Building

Request: Local Historic Landmark Designation

Address: 2111 N. Albany Avenue

Owner: West Tampa Development Group, LLC

Agent: Stephanie Ferrell

Elaine Lund, staff for Historic Preservation, presented a PowerPoint Presentation for the designation of this cigar factory. *(A copy of this presentation is attached to the minutes.)*

***** Commissioner Cobb arrived during the presentation. *****

Stephanie Ferrell, agent for Bustillo Brothers & Diaz Cigar Factory, introduced Omar Garcia, owner. Mr. Garcia discussed the project as well as his past project at 220 N. Madison St. This project will be used for residential purposes.

Commissioner Swift asked about the columns and fence.

Mr. Garcia explained that these were existing prior to purchasing.

Commissioner Cobb discussed affordable housing with Mr. Garcia.

Chair Salaga opened the floor for Public Comment: There was no public comment provided.

Chair Salaga closed the Public Hearing and opened the floor to discussion among the Commissioners.

Commissioner Swift made a comment regarding the adjacent buildings' design and how it should be compatible with the nature of the building.

Motion: Dr. Thomas Pluckhahn

Second: Dominique Cobb

Move to recommend the City Council designate the Bustillo Brothers & Diaz Cigar Factory for Local Historic Landmark Designation for the property located at 2111 N. Albany Avenue. A building, site, or structure that was constructed or achieved its significance during the period of historic significance as delineated in the National Register of Historic Places Guidelines and the establishment nomination pursuant to those guidelines, and has a quality of significance in American, state or local history, architecture, archeology, engineering, and culture, which is present in districts, sites, building structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association and that are associated events that have made a significant contribution to the broad patterns of our history – Criteria "A" of the National Register Criteria – and that embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity

whose components may lack individual distinction – otherwise known as Criterion "C" of the National Register Criteria.

The motion passed with a vote of 6-0-0.

With Commissioner Cobb arriving during the presentation, Camaria Pettis-Mackle, City Attorney's Office, asked whether she had a conflict of interest or ex-parte communication associated with the Tarr Furniture Company item on the agenda.

Commissioner Cobb stated she did not.

Tarr Furniture Company Building:

Sec 27-260 - Emergency actions to protect buildings meeting the criteria for designation and

Sec 27-257 – Criteria to qualify as a landmark

Address: 520 N. Tampa Street

Owner: KT North Ashley, LLC

Agent: Scott McLaren – Hill Ward Henderson, P.A.

Dennis Fernandez – Architectural Review & Historic Preservation Manager

Mr. Fernandez presented a PowerPoint Presentation on the history of the building and on the other historic buildings in and around Downtown Tampa. Criteria in Section 27-260 for emergency actions to protect buildings, sites, structures or objects meeting criteria for designation were presented.

Mr. Fernandez also presented criteria in Section 27-257 for Local Landmark Designation in order to give the Commissioners all possible information available to make an informed decision.

(A copy of this presentation is attached to the minutes)

Before beginning his presentation, Mr. McLaren requested documents be presented into the record.

Motion: Susan Swift

Second: Kerryann A. Kanch

Move to receive and file the documents provided at the public hearing into the record.

The motion was approved by a vote of 6-0-0.

A binder of documents was distributed to the Commissioners, legal counsel, the clerk, and staff.

(A copy of the documents composing a binder are attached to the minutes)

Scott McLaren, Agent for KT North Ashley, LLC, introduced his team from Hill Ward Henderson before questioning Dennis Fernandez on information within his presentation, the criteria for National Register eligibility, and other related issues

Dennis Fernandez requested a five-minute recess to consult with City of Tampa Legal Counsel.

Motion: Dr. Thomas Pluckhahn

Second: Susan Swift

Move to grant a five-minute recess at this time.

The motion was approved by a vote of 6-0-0.

A five-minute break was observed

Mr. McLaren's questioning of Mr. Fernandez continued after the recess

At 10:47 a.m., Mr. McLaren presented his case that this property does not meet the criteria for National Register eligibility and the criteria specified in 27-260. Mr. McLaren presented portions the Tampa Comprehensive Plan, Community Redevelopment Plan, and the City of Tampa Zoning Code of Ordinances and how they relate within the Central Business District. He cited cases that had been litigated and summarized the conclusion of the Court.

Carolina Blanco, Hill, Ward and Henderson, questioned Steve Barber, property owner's representative, KT North Ashley, LLC. Mr. Barber answered questions about the acquisition of the property, and adjacent property, the re-development proposed for this property. Mr. Barber spoke on the condition of the building, which he deemed to be very poor and cost prohibitive to retain.

Ms. Blanco questioned David Bearce, PE, Structural Engineer. Mr. Bearce conducted separate inspections, interior and exterior, as to the viability of restoration. As part of these inspections, he utilized Ground Penetrating Radar to assess the presence of different materials, such as steel and concrete. Mr. Bearce presented his opinion regarding health and safety concerns of the building. *(Mr. Bearce's report is included in Tab 6 in the agent's submitted documents)*

When asked, Mr. McLaren informed the Commissioners his presentation still had 1-2 hours left. The Commissioners discussed the time and possibility of losing quorum.

City of Tampa Legal Counsel, Camaria Pettis-Mackle, recommended that the Commission take a five-minute recess.

Motion: Dr. Thomas Pluckhahn **Second:** Dominique Cobb

Move to grant a five-minute recess at this time.

The motion was approved by a vote of 6-0-0.

***A five-minute break was observed ***

Mr. McLaren presented a report from Professor Susan Tate, AIA, LEED, on the architectural significance of the building and its eligibility under the National Register criteria. *(Professor Tate's report is included in Tab 8 in the agent's submitted documents)*

Mr. McLaren questioned Joe Hafner, Architect. Mr. Hafner summarized his qualifications on numerous historic buildings he has provided services for in Ybor City, Hyde Park, Downtown and Davis Islands. Mr. Hafner conducted several interior and exterior inspections and provided his findings. Mr. Hafner provided estimated rehabilitation costs. *(Mr. Hafner's report is included in Tab 7 in agent's submitted documents)*

Public Comment:

Lynn Elliott Rydene, 3605 W. Platt St, Tampa, FL 33609, granddaughter of M. Leo Elliott
Linda Saul-Sena, 157 Biscayne

Letter from Rachel Radawec, President, Center for Architecture & Design, 1208 N. Howard Avenue, Tampa, FL 33607

Letter from Becky Clarke, President, Tampa Preservation, Inc., 2007 N. 18th St, Tampa, FL 33605

The Chairperson offered the applicant five minutes of time for rebuttal.

Dennis Fernandez, Architectural Review and Historic Preservation Manager

Summarized his position and stated that on local level criteria “A” and “C” apply and stands behind the staff position that M. Leo Elliott was involved in the design of this building.

Dennis Fernandez requested to submit into the record:

- All public notice documents from this hearing
- The Cultural Resource Survey Manmade Environment in Tampa and Hillsborough County, *Phase I*, which was referenced during the applicant’s presentation
- National Register Bulletin #15 How to Complete the National Register Form, which was already entered by the agent for the property owner
- Document *What Style is It? A Guide of American Architecture*
- September 16, 2016, letter to 520 N. Tampa St., which was an early effort to try to encourage preservation by the City to the property owner at that time
- The February 25, 2022, Site Information response from the State
- The May 10, 2022 letter and exhibits from Mr. McLaren
- The May 11, 2022 e-mail to Dr. Timothy Parsons from Dennis Fernandez
- The May 13, 2022 e-mail response to Dennis Fernandez from Dr. Parsons.

Motion: Dr. Thomas Pluckhahn **Second:** Mary Schukraft

Move to receive and file the documents provided at the public hearing into the record.

The motion was approved by a vote of 6-0-0.

(Copies of the documents submitted into the record by Mr. Fernandez are attached to these minutes.)

Chair Salaga closed the Public Hearing and opened the floor to discussion among the Commissioners.

Mr. McLaren objected to documents being presented into the Public Hearing that were not received during his records request.

The Commissioners had open discussion regarding the case and the information presented by the parties.

Motion: Dr. Thomas Pluckhahn **Second:** KerryAnn Kanch

Move to recommend City Council take the Emergency Action to review the threat to 520 N. Tampa Street. The building is of architectural and historical significance, and it meets the criteria for individual listing on the National Register of Historic Places, but has not been locally designated under the provisions of the City Code. It meets the criteria that it would cause irreparable harm to be done to the building if a demolition for the building is issued.

The motion was approved by a vote of 5-1-0 with Commissioner Susan Swift voting no.

Date and Time of Next HPC Meeting:

June 14, 2022, 9:00 AM

Motion: Mary Schukraft

Second: Dominique Cobb

Move to defer Item X, Election of Officers, to the June 14, 2022 Hearing.

The motion was approved by a vote of 6-0-0.

New Business:

None

Adjournment:

1:11 PM

Approved: _____ Date: _____

Vivian Salaga – Chair