

**MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, JULY 9, 2001
BANK OF AMERICA BUILDING
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR
CLEARWATER, FLORIDA**

Members Present:

Richard Kephart, Vice-Chairman	City of Gulfport
Gina Clayton	City of Clearwater
Jeff Dow	City of Dunedin
Mike Nadeau	Town of Indian Shores
Ric Goss	City of Largo
Mike Reynolds	City of Madeira Beach
Nick Staszko	City of Oldsmar
Tom Shevlin	City of Pinellas Park
Ron Rinzivillo	City of Safety Harbor
Mitch Bobowski	City of Seminole
Gordon Beardslee	Pinellas County
James Miller	Pinellas County School Board

Also Present:

John Cueva	Pinellas County Development Review Services
Emily Coeyman	Citizen
Kristin Boesch	Pinellas Planning Council
Mike Crawford	Pinellas Planning Council
Mark Ely	Pinellas Planning Council
Linda Fisher	Pinellas Planning Council
Alisa Hartsfield	Pinellas Planning Council
Larry Pflueger	Pinellas Planning Council
Abby Shannon	Pinellas Planning Council

The regular meeting of PAC was called to order at 1:30 p.m. by Vice-Chairman Richard Kephart.

Minutes – Nick Staszko made a motion to approve the minutes of the regular PAC meeting of June 11, 2001; the motion was seconded by Gina Clayton and the minutes were approved. (Vote 9 -0)

****Ric Goss entered the meeting at this time, 1:33 p.m.****

Review of PPC Agenda for July 18, 2001 Meeting – Received

Annexation Report – June – Abby Shannon gave a report on annexations for the month of June. She stated that there were eighteen applications, fifteen of which met the requirements of the ordinance. The other three, submitted by the City of Largo, are scheduled to receive a full review by the Council. There were a total of 80 acres annexed in the month of June.

Overall, since the ordinance became effective in November 2000, countywide there have been 163 petitions for voluntary annexations, and approximately 300 acres from the unincorporated county has annexed into various local cities.

Mike Crawford stated a synopsis of the annexations since the ordinance's inception, November 7, 2000, will be given to the PAC later in the year.

Ability to Serve No. 01-6 - City of Seminole – Mark Ely identified Ability to Serve Report No. 01-6 as a request from the City of Seminole pertaining to 80.95 acres, comprised of 222 parcels, located west of 118th Lane North, east of 122nd Way North, south of 98th Avenue North, and north of Orange Blossom Drive. The area is developed with single family residential uses, the Seminole Youth Complex, and a portion of the Pinellas Trail.

Mr. Ely reminded members that Ability to Serve Reports are only completed for referendum items. This report is scheduled to go to referendum on August 7th.

Mr. Ely presented the findings on this report culminating in the recommendation that the City of Seminole does have the ability to serve and to authorize this finding be transmitted to the City. Separately, and in addition, staff recommends that the City complete its Comprehensive Ability to Serve Evaluation for that area outside the current “planning area delineating eligibility for voluntary annexation” prior to the initiation of subsequent initiatives to annex by referendum.

Gina Clayton moved approval of staff recommendation, including the supplemental recommendation. Jeff Dow seconded the motion, and the motion passed. (Vote 10 -0)

****Jim Miller entered the meeting at this time, 1:38 p.m.****

Minor Plan Change: Downtown Clearwater Periphery Plan – The Downtown Clearwater Periphery Plan consists of four expansion areas totaling 115.83 acres. Mark Ely stated this minor plan change resulted as a follow-up to a plan amendment from 1995. Mr. Ely presented an overview of the staff report recommending the CPA receive and accept the proposed non-substantive minor plan change to the Downtown Clearwater Periphery Plan.

Mitch Bobowski moved approval of the staff recommendation. The motion was seconded by Tom Shevlin and approved. (Vote 11-0)

Local Assistance Quarterly Status Report – Mike Crawford stated that the local assistance report is being prepared for the Council at this time and will be included with the PPC agenda materials.

Mr. Crawford added that there has been a number of grant researches, site plans, and variances completed for several communities.

****Ron Rinzivillo entered the meeting at this time, 1:40 p.m.****

Annual Plan Map Adjustments – Official Acceptance – Mark Ely described to members the process for the annual map adjustment update of the Countywide Future Land Use Plan map as provided for in subsections 6.3.8.3, 6.3.8.5 and 6.3.8.6 of the Countywide Rules. Mr. Ely indicated that seven (7) communities, Largo, Oldsmar, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, and Clearwater have submitted Countywide Plan map boundary adjustments, while the remaining local governments have indicated they have no adjustments to be made at this time. The adjustments are described below:

1. Largo has six (6) Preservation adjustments per approved site plans or jurisdictional surveys, and ten (10) Recreation/Open Space adjustments per approved site plans;
2. Oldsmar has three (3) Preservation adjustments per approved site plans;
3. Pinellas Park has two (2) Preservation and three (3) Water/Drainage Feature adjustments per approved site plans;
4. Safety Harbor has twelve (12) Preservation adjustments per approved site plans or jurisdictional surveys and three (3) Water/Drainage Feature adjustments per approved site plans;
5. Seminole has three (3) Preservation adjustments per approved site plans;
6. St. Petersburg has three (3) Preservation adjustments per two (2) approved site plans and one (1) jurisdictional survey, and one (1) Recreation/Open Space adjustment per an approved site plan; and
7. Clearwater has four (4) Preservation adjustments per approved site plans or jurisdictional surveys; two (2) Water/Drainage Feature adjustments per jurisdictional surveys; and two (2) Recreation/Open Space adjustments per approved site plans.

Mr. Ely stated that staff has reviewed these annual map adjustments submitted by the above listed jurisdictions and determined they are consistent with the Countywide Rules. Staff recommends the proposed map boundary adjustments be officially accepted.

Gordon Beardslee questioned two of the adjustments, which are currently shown as Preservation and being changed to commercial. Mr. Beardslee identified the two as follows: (1) the City of Largo, area 5; and (2) the City of Pinellas Park, area 2.

Pertaining to the City of Largo, Mr. Beardslee wanted to know why this was being treated differently from the rest of the corridor, which is all an open ditch. Mr. Ely responded stating it is Commercial on the city map, but if it is something that needs to be left alone as Preservation on the countywide map, then the city would need to make the change and this adjustment would be withdrawn. Ric Goss agreed to change the City of Largo map to Preservation. Mr. Ely stated this would be withdrawn.

Pertaining to the City of Pinellas Park, Tom Shevlin stated that this was a drainage ditch with concrete lining and is being developed with a motel.

Nick Staszko moved approval of the staff recommendation, including City of Clearwater additions, and excluding area 5 from the City of Largo. The motion was seconded by James Miller and approved. (Vote 12 -0)

Countywide Plan Update – Discussion Outline –Larry Pflueger stated the issue for this month’s discussion is Economic Sustainability – Part 2, including consideration of the special nature of our coastal county. Mr. Pflueger added the second element of the countywide plan is Intergovernmental Coordination. He stated he would like to take a different approach to this component, and in the near future would like to obtain ideas from the Committee.

Case #CW 01-36: - City of Dunedin – This 1.38 acre parcel is located on the east side of Douglas Avenue, 300 feet south of Scotland Street. The proposed amendment submitted by the City of Dunedin would be going from Residential Medium to Commercial Limited. Mark Ely presented an overview of the staff report recommending the proposed amendment to Commercial Limited be approved pursuant to the official acceptance process since this application qualified as a Level 2 subthreshold amendment.

Case #CW 01-38: - Pinellas County – This 0.46 acre parcel is located on the southeast corner of Roosevelt Boulevard and Mason Street. The proposed amendment submitted by Pinellas County would be going from Residential Urban to Residential/Office Limited. Mark Ely presented an overview of the staff report recommending the proposed amendment to Residential/Office Limited be approved, pursuant to the official acceptance process since this application qualified as a Level 1 subthreshold amendment.

Case #CW 01-39: - Pinellas County – This 0.25 acre parcel is located on the south side of 54th Avenue North, 225 feet west of Haines Road. The proposed amendment submitted by Pinellas County would be going from Residential Low Medium to Residential/Office General. Mark Ely presented an overview of the staff report recommending the proposed amendment to Residential/Office General be approved pursuant to the official acceptance process since this application qualified as a Level 1 subthreshold amendment.

Case #CW 01-40: - Pinellas County – This 0.16 acre parcel is located on the south side of 54th Avenue North, 385 feet west of Haines Road. The proposed amendment submitted by Pinellas County would be going from Residential Low Medium to Residential/Office General. Mark Ely presented an overview of the staff report recommending the proposed amendment to Residential/Office General be approved pursuant to the official acceptance process since this application qualified as a Level 1 subthreshold amendment.

Case #CW 01-42: - Pinellas County – This 0.57 acre parcel is located on the east side of Indian Rocks Road, 210 feet south of West Bay Drive. The proposed amendment submitted by Pinellas County would be going from Residential/Office/Retail to Commercial General. Mark Ely presented an overview of the staff report recommending the proposed amendment to Commercial General be approved pursuant to the official acceptance process since this application qualified as a Level 1 subthreshold amendment.

Case #CW 01-43: - City of Clearwater – This 0.20 acre parcel is located on the north side of Jeffords Street, 236 feet west of Druid Road. The proposed amendment submitted by the City of Clearwater would be going from Institutional to Residential/Office General. Mark Ely presented an overview of the staff report recommending the proposed amendment to Residential/Office General be approved pursuant to the official acceptance process since this application qualified as a Level 1 subthreshold amendment.

PAC indicated they would not vote on the above-referenced subthreshold amendments since there were no issues to be brought to the attention of the Council.

Case #CW 01-37: - City of Pinellas Park – This 22.3 acre parcel is located on the southwest corner of Grand Avenue and 28th Street North. The proposed amendment submitted by the City of Pinellas Park would be going from Industrial Limited, Preservation to Residential/Office General and Preservation. Mark Ely presented an overview of the staff report recommending the proposed amendment to Residential/Office General and Preservation be approved.

Larry Pflueger noted this is an Industrial area and referenced last month's discussion on the Countywide Plan and the benefit to keep as much Industrial land in the county as possible. Mike Crawford acknowledged this was a large area going from Industrial to Residential, and the change could influence the rest of the area. Tom Shevlin stated he

does not expect that pattern to occur. He added the benefit of this change for the property owner is it changes the traffic flow to reduce traffic in the intersections.

Mr. Pflueger noted his comment was not directed for land use impact, but for retention of a limited industrial resource.

Ric Goss questioned the countywide rules in regards to giving way to land use surrounding the property. Mr. Ely responded by stating under the streamlined rules process it is consistent and meets the criteria. Mr. Crawford added that it does not affect nearby schools, is not within a Coastal High Hazard Area, nor does it occur on a roadway with a poor level of service. Mr. Pflueger noted, however, that the main traffic impact will be at the intersection of Grand Avenue and Gandy Boulevard because there is no direct 28th Street connection to Gandy.

Gordon Beardslee questioned if the future of the existing commercial property would go to industrial. Mr. Shevlin stated that it would not be unusual for this to take place.

Nick Staszko moved approval of the staff recommendation. The motion was seconded by Tom Shevlin and approved. (Vote 12-0)

Case #CW 01-41: - Pinellas County – This 37.57 acre parcel is located on the northeast corner of Bee Pond Road and US Alternate 19. The proposed amendment submitted by Pinellas County would go from Residential Suburban, Preservation, Water/Drainage Feature to Residential Suburban, Recreation/Open Space, and Preservation. Mark Ely presented an overview of the staff report recommending the proposed amendment to Residential Suburban, Recreation/Open Space, and Preservation be approved.

Mitch Bobowski moved approval of the staff recommendation. The motion was seconded by Tom Shevlin and approved. (Vote 12-0)

Voluntary Annexation Reviews:

VA #01-100 and VA #01-103: City of Largo – The first annexation (VA #01-100) is owned by Florida Power and is used as a utility right-of-way. The second annexation (VA #01-103) is owned by Pinch-a-Penny, Inc. and is west of the Florida Power annexation, north of existing city limits. Annexation VA #01-100 is generally located north of 142nd Avenue North, east of 62nd Street North, extending north up to 146th Avenue. Annexation VA #01-103 is generally located between 62nd Street and 63rd Street between the eastern extension of 144th Avenue North and 145th Avenue North. Together these annexations total 17.5 acres.

Mr. Crawford indicated that the proposed annexations are inconsistent based upon the following criteria, as pertains to contiguity and compactness:

Contiguity:

1. The proposed annexation area that includes the Florida Power utility right-of-way north of the Saja Realty property is being annexed in a corridor fashion to gain contiguity to the Pinch-A-Penny site.
2. The Pinch-A-Penny site is not contiguous in any way to the city limits of Largo and connection can not be made via the utility right-of-way discussed above.

Compactness:

1. The proposed annexation area that includes the Florida Power utility right-of-way north of the Saja Realty property causes a finger-like area to be created.
2. The configuration of the area proposed to be annexed for the Pinch-A-Penny site is not compact and creates a pocket of unincorporated land within the area to the south and southwest of the subject parcel.

In consideration of and based upon these findings, staff recommends that these two proposed annexations are inconsistent with Ordinance No. 00-63, and that the City of Largo not proceed with these annexations.

Mr. Crawford gave an overhead presentation of the staff report, and a discussion followed. Tom Shevlin questioned whether the Florida Power right-of-way is two separate parcels. Ric Goss answered by stating that it was two separate parcels. Ron Rinzivillo inquired how compactness was defined. Mr. Crawford responded by stating it is the concentration of a piece of property in a single area and precludes any action that would create pockets, finger areas, or serpentine patterns. Nick Staszko queried if there was anything in the ordinance or state law that precludes the point to point connection. Mr. Crawford stated that it would be under the definition of contiguity, because it states it has to be substantially co-terminus.

Ric Goss stated that from the City of Largo's perspective, the property is compact. Ric stated the Florida Power property is fee simple property and taxed as such. Mr. Goss feels that based upon staff determination, it is impossible to do any annexation, unless it is done by straight-line annexation. Mr. Crawford stated if this wasn't a right-of-way, the whole issue of it being used to gain contiguity would go away, but it still would not be compact. He restated that the Florida Power parcel was being used as a utility corridor.

Mr. Goss stated this case is being narrowly viewed, instead of the whole area. Mr. Crawford noted that each property is viewed as each case comes in. However, in taking a broader look at the intent of the ordinance, and the state law before it, annexing in a linear fashion would cause confusion concerning jurisdictional boundaries and would leave various unincorporated areas difficult to serve.

Tom Shevlin made a motion to approve the southern half of VA #01-100. The motion was seconded by Gina Clayton and approved. (Vote 11-1; with Ric Goss casting the dissenting vote)

Tom Shevlin made a motion for discussion to approve the northern half of VA #01-100 and VA #01-103. The motion was seconded by Gordon Beardslee.

Tom Shevlin stated VA #01-103 does not meet the law. Gordon Beardslee concurred. Mr. Goss stated there are a lot of definitions being interpreted by staff, but there are no rules or hard and fast number to support them.

The motion failed and therefore the northern half of VA #01-100 and VA #01-103 were denied. (Vote 1(Ric Goss)-11)

VA #01-104: City of Largo – This annexation (Excel Landscaping) totals 3.6 acres and is generally located between 150th Avenue North and 146th Avenue, and west of Sunset Street.

Mr. Crawford indicated the proposed annexation is inconsistent based upon the following criteria, as pertains to contiguity and compactness:

Contiguity:

1. The proposed annexation area is not contiguous because a substantial part of the annexation is not co-terminous with the city limits of Largo.

Compactness:

1. The proposed annexation area causes a finger-like area to be created and cannot be deemed reasonably compact.

In consideration of and based upon these findings, staff recommended this proposed annexation be found inconsistent with Ordinance No. 00-63, and that the City of Largo not proceed with this annexation.

Mr. Crawford gave an overhead presentation of the staff report, and a brief discussion by PAC followed. Ric Goss noted there isn't a definition of substantial contiguity pertaining to this annexation. Mr. Crawford stated that the parcel touched existing city limits for 3.4% of its perimeter. He agreed there were no exact numbers to guide them, but again looking at the intent of the ordinance and the specific definitions it was determined that 3.4% was not substantial.

Tom Shevlin moved approval of VA #01-104. The motion was seconded by James Miller and approved. (Vote 11-1; with Gordon Beardslee casting the dissenting vote)

Other PAC Business –

A. Joint Development/Redevelopment Issues Project – Status Report – Larry Pflueger stated staff has been working with the consulting group and a draft has been submitted and is being reviewed at this time. The report is anticipated to be presented to the Council in September.

There being no further business, the meeting was adjourned at 2:45 p.m.

Respectfully submitted,

David P. Healey, Executive Director