

MINUTES OF THE MEETING OF THE  
PINELLAS PLANNING COUNCIL  
December 16, 2009

The Pinellas Planning Council (PPC) met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 1:03 P.M. with the following members present:

Jerry Knight, Vice-Chairman, Town of North Redington Beach Vice-Mayor  
Patricia Gerard, Secretary, City of Largo Mayor  
John Morroni, Treasurer, County Commissioner  
Nina Bandoni, City of Safety Harbor Vice-Mayor  
Sandra L. Bradbury, City of Pinellas Park Councilmember  
David Carson, City of Dunedin Commissioner  
John Doran, City of Clearwater Councilmember  
Jim Kennedy, City of St. Petersburg Councilmember  
Stephanie Oddo, Town of Belleair Commissioner  
Jim Ronecker, City of Oldsmar Mayor  
Patricia J. Shontz, City of Madeira Beach Mayor

Late Arrival:

Linda S. Lerner, School Board Member

Not Present:

Beverley Billiris, Chairman, City of Tarpon Springs Mayor

Also Present:

David P. Healey, Executive Director, PPC  
Michael C. Crawford, PPC Staff  
Linda Fisher, PPC Staff  
Chris Mettler, PPC Staff  
Larry Pflueger, PPC Staff  
Carolyn Shoemaker, PPC Staff  
Jewel White Cole, Managing Assistant County Attorney  
Other interested individuals  
Michael P. Schmidt, Deputy Clerk

AGENDA

- I. CALL TO ORDER
  - A. Invocation and Pledge
  - B. Identification of Members Present
  
- II. CONSENT AGENDA
  - A. Minutes of November 18, 2009 Council Meeting
  - B. Financial Statement for November 2009
  - C. Countywide Planning Authority (CPA) Actions – December 2009
  - D. Annexation Report – November 2009
  - E. Preliminary January 2010 Agenda
  - F. Correspondence
  
- III. PUBLIC HEARING – To begin at 1:00 P.M. or as soon thereafter as agenda permits
  - A. Public Hearing Format Announcement and Oath
  - B. Amendments to the Countywide Future Land Use Plan
    - Group 1: Subthreshold Amendments – None
    - Group 2: Regular Amendments
      - 1. Case CW 09-28: Pinellas County
      - 2. Case CW 09-29: Pinellas County
      - 3. Case CW 09-30: Pinellas County
  
- IV. REPORTS/OTHER ACTION
  - A. Minor Plan Change: CW 09-31 (SAP Change No. 2-2009) City of St. Petersburg – Intown West Community Redevelopment Area
  - B. Minor Plan Change: CW 93-26 (SAP Change No. 4-2009) City of St. Petersburg – Bayboro Harbor Community Redevelopment Area
  - C. Determinations of Consistency – Belleair, St. Pete Beach, Seminole, Tarpon Springs, and Treasure Island
  - D. Annual Report – Preliminary Draft
  
- V. EXECUTIVE DIRECTOR ITEMS
  - A. Amendment of the Countywide Rules Re: Transfer of Development Rights (TDRs) and Density/Intensity Averaging
  - B. Planners Advisory Committee (PAC) Membership Roster for 2010 and Revised Bylaws
  - C. Verbal Reports
  
- VI. OTHER COUNCIL BUSINESS
  - A. Chairman/Member Items
    - 1. Election of 2010 Officers
  
- VII. ADJOURNMENT

CALL TO ORDER

Vice-Chairman Knight called the meeting to order at 1:03 P.M.

INVOCATION AND PLEDGE

The Invocation was given by Mayor Gerard, following which she led the Pledge of Allegiance to the Flag.

IDENTIFICATION OF MEMBERS PRESENT

At the request of Vice-Chairman Knight, a roll call was taken in which the members introduced themselves.

CONSENT AGENDA – APPROVED

Vice-Chairman Knight presented the Consent Agenda items, as follows:

- A. Minutes of November 18, 2009 Council Meeting
- B. Financial Statement for November 2009
- C. Countywide Planning Authority (CPA) Actions – December 2009
- D. Annexation Report – November 2009
- E. Preliminary January 2010 Agenda
- F. Correspondence

Thereupon, Councilmember Doran moved, seconded by Commissioner Morroni and carried, that the Consent Agenda items be approved, with the exception of Item A, which will be voted upon at a future meeting (Vote 11 – 0).

Referring to Item C, Mr. Healey reported that all recommendations from the previous month's Council meeting were approved by the Board of County Commissioners (BCC) sitting as the CPA; and that the City of Largo West Bay Redevelopment Plan was continued until the January 5, 2010 meeting; whereupon, Commissioner Morroni indicated that all items were approved by unanimous vote.

PUBLIC HEARINGS

A. Public Hearing Format Announcement and Oath

Upon request by the Vice-Chairman, all persons planning to give testimony were duly sworn by the Deputy Clerk.

B. Amendments to the Countywide Future Land Use Plan

**GROUP 1: SUBTHRESHOLD AMENDMENTS – None**

**GROUP 2: REGULAR AMENDMENTS**

**PUBLIC HEARING: CASE CW 09-28, PROPOSAL BY PINELLAS COUNTY TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RECREATION/OPEN SPACE (R/OS) TO COMMERCIAL GENERAL (CG) – DENIED**

Pursuant to legal notice published in the November 29, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-28, a proposal by Pinellas County to amend the Countywide Future Land Use Plan from R/OS to CG, re ten acres m.o.l., located generally east of the St. Petersburg-Clearwater International Airport, north of Old Roosevelt Boulevard and west of Evergreen Avenue (34<sup>th</sup> Street North).

Mr. Crawford indicated that this case is the first of two applications submitted by Pinellas County relating to the Airco Golf Course property adjacent to the St. Petersburg-Clearwater International Airport. Referring to the Future Land Use Map and aerial photograph, he identified the subject property and described the uses of the surrounding properties, noting that the remainder of the Airco property is located to the north; whereupon, he conducted a PowerPoint presentation and provided background information regarding the proposed plan amendment.

Mr. Crawford indicated that the adjacent parcel, which will be considered in Case No. CW 09-29, contains approximately 118 acres; that the two parcels combined total approximately 128 acres currently designated Recreation/Open Space to be considered for amendment. He indicated that the proposed uses on the subject parcel include a hotel and restaurant, noting that the Countywide Rules and the County's regulations permit a variety of uses under the Commercial General designation, but that an amendment to the Comprehensive Plan will limit the permitted uses on the site in a manner similar to a development agreement;

whereupon, Mr. Crawford recommended approval of the amendment, subject to the County's preparation of a Transportation Management Plan that results in mitigating traffic impacts and limits the timing and intensity of the use on the site pursuant to the County's Concurrency Management System.

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At this time, 1:10 P.M., Mrs. Lerner entered the meeting.

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In response to queries by Councilmembers Kennedy and Bradbury, Messrs. Crawford and Healey provided input regarding the Transportation Management Plan and the efforts to mitigate the Level of Service (LOS) "F" traffic on Ulmerton Road; and related that relief would chiefly come from scheduled road improvements; and acknowledged that when the improvements scheduled for 2030 are complete, Ulmerton Road will continue to be a LOS F; whereupon, Mr. Crawford indicated that the PAC had voted 10 to 0 in favor of the request.

Pinellas County General Planning Division Manager Gordon R. Beardslee provided a brief history regarding the Airco property, and indicated that the parcel is part of the Airco golf course; that the golf course is owned by the St. Petersburg-Clearwater International Airport; and that the Federal Aviation Administration (FAA) has stipulated that the property is to be used for a purpose in support of the airport, noting that the golf course was considered an interim use until an Airport Master Plan was developed and approved; whereupon, he indicated that the BCC approved an Airport Master Plan update in 2004.

In response to the Chairman's call for proponents of the request, Director of Economic Development Mike Meidel appeared and expressed his support.

During discussion and in response to queries by the members, Mr. Meidel, with input by Mr. Healey, related that the golf course has been recognized as a site for potential redevelopment for economic and employment goals and as an opportunity to create high-wage jobs; that development will have to be completed in phases due to transportation issues; and that there are transportation projects currently underway; whereupon, he related that Economic Development wants to be sure that current development rights are maintained prior to designating the buffer area Preservation.

In response to the Chairman's call for opponents to the request, Michael Schlensker, Clearwater, representing the Feather Sound Alliance, appeared and expressed his concerns regarding transportation issues, and suggested that the 118 acres be developed hand-in-hand with the improvements to Ulmerton Road, which is currently over capacity; whereupon, in response to queries by the members, Commissioner Morroni provided additional information, and related that in addition to traffic concerns, the residents of Feather Sound do not want any encroachment on the buffer zone.

Discussion ensued wherein Mr. Healey related that the surrounding land uses are hotels, restaurants, and commercial businesses which, in part, allow staff to recommend the item for approval. Airport Real Estate Properties Manager Robert G. Humberstone discussed the Airport's Feasibility Study, and related that there may be more interest in using the land for hotels versus an industrial park as the economy begins to improve. In response to query by Councilmember Carson, Mr. Healey provided additional information pertaining to Ulmerton Road, noting that the volume-to-capacity ratio currently exceeds the capacity of the roadway and is expected to worsen.

Thereupon, Mayor Shontz moved, seconded by Mayor Gerard, that Case CW 09-28 be approved as recommended by staff. Upon call for the vote, the motion failed (Vote 0 – 12).

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Later in the meeting, Attorney Cole advised that a follow-up motion to deny the application would be in order so as to affirm the intent of the Council.

Thereupon, Councilmember Kennedy moved, seconded by Councilmember Doran and carried, that Case CW 09-28 be denied (Vote 12 – 0).

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**PUBLIC HEARING: CASE CW 09-29, PROPOSAL BY PINELLAS COUNTY TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RECREATION/OPEN SPACE (R/OS) TO INDUSTRIAL LIMITED (IL) – DENIED**

Pursuant to legal notice published in the November 29, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-29, a proposal by Pinellas County to amend the Countywide Future

Land Use Plan from R/OS to IL, re 118 acres m.o.l., located generally east of the St. Petersburg-Clearwater International Airport, north of Old Roosevelt Boulevard, and west of Evergreen Avenue (34<sup>th</sup> Street North).

Mr. Crawford indicated that this application is the second of two applications submitted by Pinellas County and relates to the Airco Golf Course property adjacent to the St. Petersburg-Clearwater International Airport. Referring to the Future Land Use Map and aerial photograph, he identified the subject property and described the uses of the properties surrounding the subject parcel; whereupon, he conducted a PowerPoint presentation and provided background information regarding the proposed plan amendment.

Mr. Crawford indicated that the adjacent parcel, considered in Case No. CW 09-28, contains approximately ten acres; that the two parcels combined total approximately 128 acres currently designated Recreation/Open Space to be considered for amendment; and that the proposed uses on the subject parcel include a hotel and restaurant, noting that the Countywide Rules and the County's regulations permit a variety of uses under the Commercial General designation, but that an amendment to the Comprehensive Plan will limit the permitted uses on the site in a manner similar to a development agreement.

Thereupon, Mr. Crawford recommended approval of the amendment, subject to the following conditions:

1. Preparation of a Master Development Plan by Pinellas County for the non-aviation facility portion (73 acres) of the 118-acre site.
2. Preparation of a Transportation Management Plan by Pinellas County that results in mitigating traffic impacts and limits the timing and intensity of the use on the entire 118-acre site pursuant to the County's Concurrency Management System.
3. Amendment of the 60.1-acre area owned by Pinellas County east of Evergreen Avenue from Industrial Limited to Preservation at such time as the BCC approves the Master Development Plan, which is referenced above and required by Pinellas County as a condition of the amendment.

In response to queries by Vice-Mayor Knight and Councilmembers Bradbury and Kennedy, Mr. Healey, with input by Mr. Humberstone, clarified that the 60.1-acre area is currently classified as Industrial Limited and is not part of the current land use change request, but that a request to designate the 60.1 acres Preservation may come before the Council in the future; and that the parcel is unlikely to be developed due to potential environmental constraints, noting that FAA concurrence is required before any action is taken on the property; whereupon, he discussed potential uses on the 45-acre parcel reserved for aviation uses; and related that airplane hangars will likely be built.

PAC Chairman Sharen Jarzen related that the PAC had voted 8 to 4 in favor of the request, with Pinellas County and the Cities of Clearwater, Pinellas Park, and Tarpon Springs casting the dissenting votes; whereupon, she pointed out that those against the proposal mainly did not support Conditions Nos. 2 and 3.

During discussion and in response to queries by the members, Mr. Beardslee provided additional background information regarding the property. He related that the BCC must approve the Master Development Plan at a public hearing and allow public input before any development can go forward; that the development will be phased dependent upon the progress of the road improvement projects in the surrounding area; and that the Master Development Plan will address and take into consideration (1) internal traffic circulation within the property; (2) where water quality improvements and regional retention and treatment options can occur on the site; (3) the amount of development potential associated with the water bodies located on the site; and (4) the appropriate buffering to the existing residential development to the east of the canal.

During discussion and in response to queries by Commissioner Morroni and Councilmember Bradbury, Mr. Beardslee discussed the Yat Kitischee archeological site and indicated that the site will not be developed; and that although it is anticipated to be designated Preservation in the future, the FAA must be involved in the process; whereupon, he related that based on the Metropolitan Planning Organization (MPO) Long-Range Transportation Plan, Ulmerton Road, even with improvements, will remain at a LOS F.

In response to the Vice-Chairman's call for persons wishing to be heard, Mr. Schlensker expressed his concerns and provided additional background information relating to the 60.1-acre area, noting that the FAA does not own the parcel; and that the Feather Sound Alliance fully expects the area not to be developed; whereupon, Mr. Meidel pointed out that the Master Development Plan will go before the BCC and a public hearing will occur prior to any development on the Airco property.

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During discussion and in response to queries by the members, Mr. Healey, with input by Mr. Crawford, related that to separate the 45-acre area designated for aviation uses from the full 118 acres would require Pinellas County to return with an amended application; whereupon, he provided information pertaining to the transfer of development rights; and related that although two million square feet is permitted to be built on the 118 acres, the County is self-limiting the square footage to 1.2 million; that the remaining 800,000 square feet are not transferrable; and that the County would not be required to appear before the PPC if it decided to eliminate the self-limiting restriction, and Mrs. Lerner provided input.

Thereupon, Councilmember Kennedy moved, seconded by Councilmember Doran and carried, that Case CW 09-29 be denied with the understanding that the amendment can come back for discussion relating to the 45-acre aviation portion (Vote 12 – 0).

**PUBLIC HEARING: CASE CW 09-30, PROPOSAL BY PINELLAS COUNTY TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW (RL) AND PRESERVATION (P) TO PRESERVATION AND RECREATION/OPEN SPACE (R/OS) – APPROVED**

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Pursuant to legal notice published in the November 29, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-30, a proposal by Pinellas County to amend the Countywide Future Land Use Plan from RL and P to P and R/OS, re 96 acres m.o.l., located on the west side of Alternate U.S. Highway 19 and lying within Wall Springs County Park.

Referring to a map, Mr. Crawford, with input by Mr. Healey, identified the site, discussed surrounding land uses, and provided historical background information; whereupon, he reported that staff recommends approval of the proposed amendment; and indicated that the PAC had voted 12 to 0 in favor of the request.

No one appeared in response to the Chairman's call for individuals wishing to be heard.

Councilmember Doran moved, seconded by Commissioner Oddo and carried, that Case CW 09-30 be approved as recommended by staff (Vote 12 – 0).

REPORTS AND OTHER ACTION

- A. Minor Plan Change: CW 09-31 (SAP Change No. 2-2009) – City of St. Petersburg – Intown West Community Redevelopment Area – Received/Accepted/Authorized Transmittal to the CPA for Receipt and Acceptance
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and

- B. Minor Plan Change: CW 93-26 (SAP Change No. 4-2009) – City of St. Petersburg – Bayboro Harbor Community Redevelopment Area – Received/Accepted/Authorized Transmittal to the CPA for Receipt and Acceptance
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Mr. Healey indicated that the City of St. Petersburg proposes to amend the Intown West and Bayboro Harbor redevelopment plans by revising the list of public improvement projects to be funded by tax increment financing, modifying public improvement project descriptions, and updating existing condition descriptions; whereupon, he recommended that the change be approved for filing and authorization be granted for its transmittal to the CPA for receipt and acceptance.

Councilmember Bradbury moved, seconded by Mayor Gerard and carried, that Minor Plan Changes Nos. CW 09-31 and CW 93-26 be accepted and authorization granted for transmittal to the CPA (Vote 12 – 0).

- C. Determinations of Consistency – Belleair, St. Pete Beach, Seminole, Tarpon Springs, and Treasure Island – Received/Discussed/Recommended Approval and Transmittal to the CPA for Adoption of Resolutions
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Mr. Healey indicated that the local governments of Belleair, St. Pete Beach, Seminole, Tarpon Springs, and Treasure Island have adopted the amendments to their Comprehensive Plans and Land Development Regulations identified in the Consistency Report; that they are consistent with the Countywide Rules; and that it is appropriate to process Updated Determinations of Consistency for the five local governments by adopting the five resolutions; whereupon, he recommended that the Council approve the transmittal of the five Updated Determinations of Consistency to the CPA with the recommendation that the CPA adopt the resolutions.

Mayor Gerard moved, seconded by Councilmember Bradbury and carried, that the proposed resolutions be approved and transmitted to the CPA for adoption (Vote 12 – 0).

D. Annual Report – Preliminary Draft – Received/Discussed

Ms. Fisher presented the preliminary draft Annual Report for 2008/2009 and provided highlights of its contents; whereupon, she indicated that a final version will be brought back to the Council for approval, and no objections were noted.

EXECUTIVE DIRECTOR ITEMS

A. Amendment of the Countywide Rules Re: Transfer of Development Rights and Density/Intensity Averaging – Received/Discussed/Authorized Public Hearing for January 2010 PPC Meeting

Mr. Healey presented a brief overview of the discussion and Council's direction at the November 2009 PPC meeting and related that he has drafted a proposed ordinance for review and consideration; whereupon, he indicated that subsequent to the PAC discussion, three changes were made to the draft ordinance based on its recommendations; that the principal changes to the current Rule provisions are enumerated in the Agenda Memorandum; and that staff recommends that the Council authorize the ordinance to be advertised for public hearing in January 2010.

Ms. Jarzen commented that the PAC discussed the item at its December 7, 2009 meeting and voted 11 to 1 to approve the item with the three recommended changes/additions; and that the current proposed ordinance only differs in how the term *development rights* is defined; whereupon, Mr. Healey explained that the wording was changed to be more precise in terms of what the Rules require.

Thereupon, Councilmember Bradbury moved, seconded by Mayor Gerard, that the Council authorize the ordinance to be advertised for public hearing in January.

Following discussion, Councilmember Kennedy related that he objected to the five-acre threshold and the maximum permitted density/intensity being increased to 25 percent; and that the change will create inconsistencies in St. Petersburg's Code, specifically, in terms of how it relates to historic TDRs; and that the ordinance is moving forward without appropriate input from the development community; whereupon, in response to query by Vice Mayor Bandoni, Mr. Healey clarified that a city is not required to have transfer development provisions.

In response to queries by Vice-Mayor Knight, Mr. Healey indicated that during the public hearing process, the City and members of the public will have an opportunity to provide input. He related that his department will review the issue of historic preservation; and that exceptions have previously been made in parts of the TDR to allow the transfer of development rights from existing developed property for the purposes of historical or architectural preservation.

Following further discussion and upon call for the vote, the motion carried by a vote of 11 to 1, with Councilmember Kennedy casting the dissenting vote.

B. PAC Membership Roster for 2010 and Revised Bylaws – Approved

Mr. Healey requested that the Council receive and file the PAC Membership Roster for 2010 and approve the recommended amendments to the Bylaws.

Councilmember Doran moved, seconded by Mayor Shontz and carried, that the PAC Membership Roster for 2010 be accepted; and that the recommended amendments to the Bylaws be approved (Vote 12 – 0).

C. Verbal Reports

Mr. Healey discussed the withdrawal of the Kriseman Bill and distributed copies of the draft *Legislative Proposal to Consolidate Countywide Planning Functions in Pinellas County, November 5, 2009* and a draft of a letter to be sent to Representative Kriseman expressing the appreciation of the PPC for withdrawal of the Bill, which have been filed and made a part of the record, and no objections were noted.

Mr. Healey provided an update on the meeting with St. Petersburg Council Chair Jeff Danner regarding the better integration of land use and transportation.

Mr. Healey provided copies of the approved minutes of the November PPC Executive Committee Meeting and draft minutes of the December meeting, copies of which have been filed and made a part of the record, and related that discussion had centered on different organizational frameworks around the county and the state and alternative ways of approaching the reorganization effort.

Mr. Healey related that he and Commissioner Morroni met with County Administrator Robert S. LaSala and informed him of the Executive Committee discussions and how future discussions may proceed, noting that he will be meeting with each County Commissioner to provide similar information; whereupon, he related that during December, the MPO appointed its Executive Subcommittee and authorized it to meet with the PPC Executive Committee; and that prior to the meeting proposed for mid-January, he will obtain the concurrence of the BCC regarding whether they wish to participate.

Mr. Healey provided a brief overview of the *Alternative Analysis* letter, a copy of which has been filed and made a part of the record, and indicated that the letter will be sent to the Tampa Bay Regional Transportation Authority (TBARTA), the Pinellas County Transit Authority (PSTA), and the MPO, and no objections were noted.

Mr. Healey related that prior to the January meeting, he will meet with each Councilmember individually to discuss present and future Council matters; whereupon, referring to the lawsuit between St. Petersburg and Tierra Verde, he notified the Council that he has been deposed to give testimony.

Mr. Healey reported that Mr. Pflueger is retiring from service with Pinellas County Government effective December 31, 2009, and expressed appreciation for his years of fine service to the organization.

## OTHER COUNCIL BUSINESS

### A. Chairman/Member Items

1. Election of Officers for 2010 – Recommendation of Nominating Committee – Approved

Chairman Knight offered the following slate of officers for 2010 as determined by the Nominating Committee:

Chairman	Mayor Patricia Gerard
Vice-Chairman	Councilmember John Doran
Treasurer	Commissioner John Morroni
Secretary	Mayor Jim Ronecker

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Councilmember Kennedy moved, seconded by Commissioner Oddo and carried, that the recommendation of the Nominating Committee be approved (Vote 12 – 0).

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:57 P.M.

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Chairman