

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

**AGENDA ITEM:** II F.

**MEETING DATE:** February 21, 2007

***SUBJECT:***

Consent Agenda:

F. Correspondence

***RECOMMENDATION:***

Council Receive and Discuss as is Appropriate

***BACKGROUND***

Correspondence Includes:

1. PAC Minutes – February 12, 2007 (draft), January 8, 2007 (approved)
2. Letter sent January 2, 2007 to Julie Weston, Director, City of St. Petersburg Development Services, Re: Local Adoption Schedule Correspondence (Vision 2020 Plan)
3. Memorandum sent January 8, 2007 to Charles Dye, Director of Land Records, Property Appraiser's Office, Re: Scheduling for St. Pete's Countywide Plan Map Amendments
4. Memorandum sent January 10, 2007 to Charles Dye, Director of Land Records, Property Appraiser's Office, Re: Scheduling for St. Pete's Countywide Plan Map Amendments - Amended
5. Letter received January 9, 2007 from Brian Smith, Pinellas County Planning Director, Re: City of Pinellas Park, Proposed Voluntary Annexation, AX07-17 (County's Request for Full Review)
6. Letter sent January 10, 2007 to Tom Shevlin, Community Development Administrator, City of Pinellas Park, Re: Annexation VA 06-188/AX07-17 (City Ord. No. 3518) (County's Petition for Full Review)
7. Copy of letters sent January 12, 2007 to Mayor Ward Friszolowski, City of St. Pete Beach, and Mayor Beverley Billiris, City of Tarpon Springs, from Brian Smith, Planning Director, Pinellas County, Re: CPA actions taken on January 9, 2007
8. Letter received January 19, 2007 from Carol Westmoreland, Executive Director, Florida Redevelopment Association, Re: FRA Public Relations Tools

***PINELLAS PLANNING COUNCIL ACTION:***

***COUNTYWIDE PLANNING AUTHORITY ACTION:***

***SUBJECT:*** Other Council Business - Correspondence

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9. Public Facilities Report received January 22, 2007 from Pinellas Suncoast Fire & Rescue, as required by Chapter 189.415.F.S.
10. Letter sent January 22, 2007 to Robert P. Wallace, Vice President, Tindale-Oliver and Associates, Inc., Re: FLUPA Update Questions
11. Letters sent January 19, 2007 to Mayors of local governments with cases on January 17, 2007 PPC Agenda, Re: PPC Meeting Follow-up
12. Letters sent January 19, 2007 to property owner/representative, Re: January 17, 2007 PPC Meeting Follow-up (Land Use Cases)
13. Letter sent January 19, 2007 to Brian Smith, Planning Director, Pinellas County, Re: VA 06-188: Pinellas Park (January 17, 2007 PPC Meeting Follow-up)
14. Sample Memorandum sent January 22, 2007 to municipalities, civic groups, and various other individuals, Re: Transmittal of PPC Annual Report for F.Y. 2005-06
15. Letter sent January 24, 2007 to Kevin Campbell, Director of Community Services, City of Dunedin, Re: Final Draft of the Consistency Report
16. Letter sent January 24, 2007 to Robert G. Klute, Assistant Director, Community Development Department, City of Largo, Re: Consistency Report
17. Letter sent January 24, 2007 to Vice Mayor Jerry Knight, Town of North Redington Beach, Re: Consistency Review Process
18. Copy of letter sent January 23, 2007 to Mayor Pat Gerard, City of Largo, from Brian Smith, Planning Director, Pinellas County, Re: CPA actions taken on January 23, 2007
19. Letter received January 29, 2007 from Mike Fasano, State Senator, District 11, Re: Receipt of PPC Annual Report for F.Y. 2005-06

**MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING  
MONDAY, FEBRUARY 12, 2007  
BANK OF AMERICA BUILDING  
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR  
CLEARWATER, FLORIDA**

Members Present:

Fred Metcalf, Chairman	City of Gulfport
Jerry Paradise, Vice Chairman	City of Oldsmar
Dean Neal	City of Pinellas Park
Rick MacAulay	City of St. Petersburg
Sharen Jarzen	City of Seminole
Danny Taylor	City of Indian Rocks Beach
Lauren Matzke	City of St. Pete Beach
Jeff Dow	City of Dunedin
Gordon Beardslee	Pinellas County
Jim Miller	Pinellas County Schools
Gina Clayton	City of Clearwater
Bob Klute	City of Largo

Also Present:

Marie Dauphinais	City of Oldsmar (non-voting)
David Healey	Pinellas Planning Council
Michael Crawford	Pinellas Planning Council
Chris Mettler	Pinellas Planning Council
Larry Pflueger	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Ryan Brinson	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council

Chairman Metcalf called the meeting to order at 1:30 P.M.

Minutes – Chairman Metcalf asked if there were any comments or corrections to be made to the minutes of the January 8, 2007, PAC meeting. Dean Neal moved to approve the minutes as corrected; the motion was seconded by Jeff Dow and carried (Vote 10-0). It was noted that Mr. Dow had notified PPC staff of a needed correction to the minutes prior to the meeting and that correction had been made.

Old Business – None.

Review of PPC Agenda for February 21, 2007, Meeting – Received.

Annexation Report – January 2007 – Michael Schoderbock summarized the report on voluntary annexations for the month of January. He stated that the Council received a total of 14 petitions for voluntary annexation review from the cities of Clearwater, Dunedin, Largo, Oldsmar, Pinellas Park, Seminole and Tarpon Springs. Of those 14 petitions reviewed, all were found to be in compliance. Existing uses found in the 14 petitions include 1 commercial parcel, 1 industrial parcel, 9 residential parcels, and 3 vacant parcels. These proposed annexations totaled 34.69 acres and approximately \$2.6 million in taxable value. Total Municipal Service Taxing Unit tax revenues from the \$2.6 million of taxable value are \$6,175 using the 2006/07 fiscal year tax rate. It is estimated that 22 residents will be affected by a change in jurisdiction. Annexation of five of the 14 parcels being annexed will reduce enclaves in the County by 2.5 acres.

Mr. Schoderbock noted that for the first month of this year, to date, no referendum or non-referendum annexations have been received.

Countywide Planning Authority Actions – January and February – Received.

\*\*Danny Taylor and Jim Miller entered the meeting at this time.\*\*

Minor Plan Change to Beach by Design Special Area Plan – MPC No. 07-01 – Mr. Crawford reported that the City of Clearwater has submitted a proposed minor plan change to the Beach by Design Special Area Plan. He noted that based upon citizen input a new vision statement was adopted and the Marina Residential District was renamed to *Marina District* and will now focus more on uses that support the tourist industry, while de-emphasizing residential uses. To help carry out this new vision, the City is providing incentives in the form of additional height for tourist-oriented and mixed uses on larger lots that contribute to public amenities such as streetscape improvements and a public boardwalk along the waterfront. Additionally, as a further incentive, the City may consider the vacation of East Shore Drive to assist in the creation of larger lots.

Mr. Crawford stated that, in summary, the Council staff has reviewed the proposed revisions to Beach by Design and concluded that these changes are not considered to be substantive, and, therefore, this request can be “received and accepted” by the PPC and CPA, pursuant to the requirements of Section 2.3.3.8.4 of the Countywide Rules.

Discussion followed with regard to the possible vacation of East Shore Drive wherein Ms. Clayton stated that if any vacation occurs, it must be at least a full block and utilities must be able to be moved. She noted that the final passage of this ordinance by Clearwater was by unanimous vote. She further noted, in response to a question by Gordon Beardslee, that there is still some opposition, primarily from the north Beach residents. In response to Mr. MacAulay’s question, Ms. Clayton indicated that land

consolidation would be taken into consideration in order to obtain greater height allowances.

Jerry Paradise moved to approve the staff recommendation to receive and accept the proposed Minor Plan Change to the Beach by Design Special Area Plan. The motion was seconded by Gina Clayton and carried (Vote 12-0).

Industrial Lands Study Status Report - Mr. Pflueger reported that in September 2006 a contract was entered into between the Pinellas Planning Council, Pinellas County, through its Economic Development Department, and WilsonMiller consultants. The intent of the contract was the “identification of proposed measures that will assist in retaining and attracting high-wage primary businesses” to Pinellas County. He stated that the objectives of the project were: 1) “to identify, through a survey of targeted industries, the land-based needs of these industries; and 2) to identify governmental actions that will assist in the retention/attraction of targeted industries and any regulatory impediments thereto, as well as to establish criteria that will guide any proposed conversion of industrially-designated lands.” The survey has been completed and the memo included an overview and some preliminary results.

Mr. Pflueger presented the overview of the survey and responses to it. He also presented a map showing the 2,273 primary employers within the County that the survey was sent to, and he noted that 405 surveys were returned as of January 31 for about an 18% return rate. He stated that the memo will be updated for the Pinellas Planning Council meeting of February 21, as additional surveys are still being received.

## **PLAN AMENDMENTS**

### Subthreshold Amendments:

Case CW 07-06 – Pinellas County – Mr. Brinson stated that this 0.1-acre parcel involves a request to change the designation from Residential Low to Industrial Limited. He stated that this amendment will allow the property owner’s adjacent landscaping business (located to the west and north of the subject site) to expand.

Discussion followed concerning the discrepancy in the use of the property which the County had described as vacant, to which Mr. Beardslee stated there is a mobile home on the property with no one living in it. This will be corrected in the staff report prior to submission to the Council on the 21<sup>st</sup> of February.

Jerry Paradise moved approval of staff recommendation of approval on Case CW 07-06; the motion was seconded by Danny Taylor and carried (Vote 12-0).

Case CW 07-07– Oldsmar – Mr. Brinson stated that this 9.7-acre site is located on the north side of Douglas Road, east of Hayes Road and west of Commerce Boulevard, and involves a request to change the designation from Residential Medium, Residential

Medium with Water/Drainage Feature, Residential Medium with Transportation/Utility Overlay, Transportation/Utility, Transportation/Utility with Water/Drainage Feature, and Water with Water/Drainage Feature to Institutional, Institutional with Water/Drainage Feature, Institutional with Transportation/Utility Overlay, and Water with Water/Drainage Feature.

Mr. Brinson further reported that the subject site is undeveloped and contains a storm water retention area, a Progress Energy utility easement, and a City utility easement. The proposed Countywide Plan Map categories will recognize the Progress Energy easement and retention areas and will allow the site to be developed with a YMCA facility which will lease the land from the City of Oldsmar.

Dean Neal moved approval of staff recommendation of approval on Case CW 07-07; the motion was seconded by Gordon Beardslee and carried (Vote 12-0).

#### Regular Amendments:

Case CW 07-08 – Clearwater – Mr. Brinson stated that this 2.1-acre site is located at 2295 McMullen Booth Road. The proposed amendment is a request to change the designation from Residential Suburban – RS to Institutional - I.

Mr. Brinson stated that because the subject property was recently annexed, the City of Clearwater has requested the current RS Countywide Plan Map designation be changed to Institutional to recognize the primary use of the parcel, which is a church that has occupied the site for 20 years. While the Countywide Plan Rules allow for a range of institutional uses in the RS Countywide Plan Map category, the City's land development regulations and zoning are more restrictive and do not allow for churches.

Mr. Brinson further reported that the area to the east of the subject site across McMullen Booth Road is designated Residential Low and is developed with single-family homes; that the area to the north is designated Residential Urban and is also developed with single-family homes; and that the area to the south and west is a single-family subdivision under construction, designated RS.

In summary, he stated that PPC staff concluded that the requested Institutional category can be considered an appropriate Countywide Plan Map designation given the site's existing use, the site's access and location along McMullen Booth Road, which is a principal arterial road, and the site's close proximity to other institutional uses and Institutional Countywide Plan Map categories.

In response to query by Mr. MacAulay, Mr. Crawford noted that the previous case from Oldsmar was a Type "F" subthreshold amendment because it did not impact any of the six Relevant Countywide Considerations; McMullen Booth Road is a Scenic Non-Commercial Corridor necessitating review as a regular amendment.

Sharen Jarzen moved to approve staff recommendation and separate additional recommendation as noted in the staff report. Rick MacAulay seconded the motion and it and carried (Vote 12-0).

Case CW 07-09 – Clearwater – Mr. Crawford stated that this 2.2-acre site is located on the west side of Kings Highway, 130 feet south of Woodlawn Terrace. The proposed Countywide Plan Map amendment is a request to change the designation from Institutional – I to Residential Medium - RM.

Mr. Crawford noted that the subject site is undeveloped and contains both a City drainage and Progress Energy utility easement along its southern property line as identified in the submitted survey. He also stated that the request is to amend the entire site from Institutional to Residential Medium; however, Council staff is recommending approval of the Residential Medium, with the addition of Transportation/Utility (T/U) and Water/Drainage Feature (W/DF) categories used as overlays to recognize the respective easements on site, subject to the City of Clearwater adopting a Comprehensive Plan amendment as part of its EAR amendment process to include the overlay feature of the T/U and W/DF Future Land Use Plan categories, as necessary, in its continuum of uses, and secondly, to apply these categories to Clearwater’s map for this parcel of property.

Mr. Brinson noted that the Countywide Rules would permit a total of 33 residential units to be developed on the 2.2-acre site utilizing the proposed RM designation; however, the proposal includes only 30 units and when subtracting the area under the utility line and the drainage easement, the potential buildable area for the site (1.55 acres), would yield an effective density of 19.4 upa.

Mr. Brinson reported that the immediate area north of the subject site is assigned two Countywide Plan Map designations, RM and RH (which allows up to 30 upa). He stated that the RM designated area is vacant, (which allows 15 upa), and the RH designated area is developed with an apartment building at 29 upa. The area to the northeast, across Kings Highway, is also designated RH and is developed with an apartment building at 23 upa. The area to the east (also across Kings Highway) is designated Residential Urban and Preservation, developed with a single-family residence. The property to the immediate south is designated Institutional and is developed with a church. The area to the west is partially developed with a single-family attached subdivision, designated Residential Low Medium, which allows up to 10 upa.

Council staff has concluded that the requested RM category can be considered an appropriate Countywide Plan Map designation, given the site’s close proximity to Sunset Point Road (a Minor Arterial Road) and the site’s adjacency to other medium/high density residential uses and RLM, RM and RH Countywide Plan Map categories.

Dean Neal moved to approve staff recommendation of Residential Medium with the respective Transportation/Utility and Water/Drainage Feature overlay, subject to the City amending its Comprehensive Plan and land development regulations through the Evaluation

Appraisal Report amendment process to establish the Transportation/Utility and Water/Drainage Feature overlay, as necessary, and subsequently applying these categories consistent with this Countywide Plan Map amendment; the motion was seconded by Gina Clayton and carried (Vote 12-0).

Other PAC Business:

Mr. Crawford introduced Lauren Matzke who is the new PAC member representing St. Pete Beach.

The PAC members indicated that the new online agenda system works well, noting significant cost savings as well as added convenience of receiving the agenda in a more timely fashion.

Mr. MacAulay noted that the CPA had voted unanimously in support of the recent Sembler Company proposal and thanked PAC, PPC staff, Council, and the CPA for their support. He stated that on Thursday, the St. Petersburg City Council will hear this item for adoption.

PAC was notified of the upcoming St. Petersburg Planned Redevelopment Countywide Plan Map amendments wherein Council will be asked to consider map amendments for some 39,000 properties. Mr. Crawford noted that St. Petersburg has set up a special website designed to assist in providing information on the proposed changes. The map amendments are in three categories; and the following month, 166 individual map amendments will be submitted, including an additional 7,000 properties.

There being no further business, Dean Neal moved to adjourn at 2:20 p.m.; the motion was seconded by Gina Clayton and carried (Vote 12-0).

Respectfully submitted,

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David P. Healey, Executive Director

**MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING  
MONDAY, JANUARY 8, 2007  
BANK OF AMERICA BUILDING  
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR  
CLEARWATER, FLORIDA**

Members Present:

Fred Metcalf, Chairman	City of Gulfport
Dean Neal	City of Pinellas Park
Rick MacAulay	City of St. Petersburg
Sharen Jarzen	City of Seminole
Danny Taylor	City of Indian Rocks Beach
Karl Holley	City of St. Pete Beach
Jeff Dow	City of Dunedin
Gordon Beardslee	Pinellas County
Jim Miller	Pinellas County Schools
Catherine Porter	City of Clearwater
Jerry Paradise, Vice Chairman	City of Oldsmar
Bob Klute	City of Largo
Ron Rinzivillo	City of Safety Harbor

Also Present:

David Healey	Pinellas Planning Council
Michael Crawford	Pinellas Planning Council
Chris Mettler	Pinellas Planning Council
Linda Fisher	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Ryan Brinson	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council
John Cueva	Pinellas County Development Review Services
Don Mastry	Trenam Kemker
Josh Beyer	Sembler Company

Chairman Metcalf called the meeting to order at 1:30 P.M.

Minutes – Chairman Metcalf asked if there were any comments or corrections to be made to the minutes of the December 11, 2006, PAC meeting. There being none, Dean Neal moved to approve the minutes; the motion was seconded by Rick MacAulay and carried (Vote 10-0).

Old Business – None.

Review of PPC Agenda for January 17, 2007, Meeting – Received.

Annexation Report – December 2006 – Michael Schoderbock summarized the report on voluntary annexations for the month of December. He stated that the Council received a total of 11 petitions for voluntary annexation review from the cities of Clearwater, Largo, Pinellas Park, and Safety Harbor. Of those 11 petitions reviewed, all were found to be in compliance. Existing uses found in the 11 petitions include 1 industrial parcel, 8 residential parcels, and 2 vacant parcels. These proposed annexations totaled 8.2 acres and approximately \$1.7 million in taxable value. Total Municipal Service Taxing Unit tax revenues from the \$1.7 million of taxable value are \$4,015 using the 2006/07 fiscal year tax rate. It is estimated that 17 residents will be affected by a change in jurisdiction. Annexation of five of the parcels being annexed will reduce enclaves in the County by 5.03 acres.

Mr. Schoderbock noted that Table 2 provides a cumulative log for all voluntary annexations reviewed during calendar year 2006 by municipality.

Annexation Report – Quarterly Summary – Mr. Schoderbock noted this report provides a synopsis of the staff limited administrative review of voluntary annexations for the first quarter of F.Y. 2006/07 in accordance with Pinellas County Ordinance No. 00-63, as well as details regarding other forms of annexation that have occurred over the past few years. He reported that Chart 1 provides acreage summaries, Chart 2 taxable value, and Chart 3 the percentage of acres annexed in enclaves, all for annexations reviewed in each fiscal year since adoption of Pinellas County Ordinance No. 00-63 through the first quarter of the current fiscal year, 2006/07. The acreage and taxable value for the first quarter F.Y. 06/07, October through December, were 17.1 acres and \$3,149,968 respectively. Seventy percent (12 acres) of the acreage annexed during the quarter reduced or eliminated an enclave.

Table 1 is a cumulative log of all voluntary annexation petitions reviewed since the Planning Council began this process after November 7, 2000; since that date, the Council has reviewed 1,192 voluntary annexation petitions involving 2,025 acres.

Table 2 is a list of successful referendum/involuntary annexations that have occurred in recent years. This table includes taxable value of the area at the time it was annexed, the acreage of the annexation area, and the estimated population affected by the annexation.

Mr. Schoderbock also noted that the County had requested a full review on a Pinellas Park annexation, which was rejected by the Executive Director with a finding that the request was invalid and the annexation did in fact meet the requirements of Ordinance No. 00-63.

Local Assistance – Quarterly Status Report (Verbal) – Mr. Crawford presented this report with a note that mapping efforts have been put on hold pending completion of the St. Petersburg Countywide Plan Map amendment project. He stated that the Redington Shores project involving the re-write of their Land Development Code is nearly complete; with staff and WilsonMiller expecting to assist with public hearings on this in February. In addition, Evaluation and Appraisal Report (EARs) assistance is continuing for all participating local governments.

Supplemental Recommendations – Annual Status Report - 2006 – Mr. Mettler reported that each year the Council staff provides a report detailing how the Council’s supplemental recommendations on Countywide Plan Map amendments have been addressed by the local government with jurisdiction. He stated that in 2006, the Council included supplemental recommendations with eight amendments as referenced in the report; that in addition the staff followed up on five cases from 2005, and six cases from 2004, which were not addressed as of last year’s Annual Status Report.

Mr. Mettler outlined the summary of information obtained from Clearwater, Dunedin, Largo, Pinellas County, Pinellas Park, Safety Harbor, and St. Petersburg.

Consistency Report – Final Draft – Mr. Mettler presented the report representing Council staff’s completed review and analysis of each local government comprehensive plan and land development regulations for consistency with the Countywide Plan and Rules. He provided background information noting that the Board of County Commissioners (BOCC) had made the request for the consistency review in November 2005. He noted that the Council had reviewed the preliminary draft report in June 2006; the Board, as the CPA, had reviewed the report in July 2006; and that during July, August, and September, staff reviewed the initial consistency analysis contained in the preliminary draft with each community and presented preliminary findings in a status report to the Council in November 2006. He stated that the meetings between Council staff and each local government staff had occurred between June and November and allowed for discussion, clarification, and refinement as a function of preparing this final draft. This final report includes the recommended reconciliation of any inconsistencies and a process and timetable for implementing necessary local comprehensive plan and land development regulations and Countywide Rule amendments.

Mr. Mettler stated that the conclusions in this final draft indicate that the local government future land use plans and land development regulations are, for the most part, consistent with the Countywide Plan and Rules. The majority of the inconsistencies involve “density/intensity standards” and “use and locational characteristics” that can be resolved through the text amendment process. The report identifies recurring issues and makes specific recommendations to address those issues. He noted that a few subjects, including unauthorized uses in a given plan category or zoning district, the definitions of certain terms, and the standards applicable to certain uses or procedures, may require additional amendments at either, or both, the countywide and local level, to reconcile.

He also noted there are other issues that do not relate directly to the consistency criteria, but do affect the ability of the countywide and local plans to be administered effectively such as the failure to utilize the full array of plan categories available or techniques such as density averaging and transfer of development rights which are identified in the report.

\*\*\*Jim Miller, Bob Klute and Ron Rinzivillo entered the meeting at this time. \*\*\*

Discussion followed with regard to concerns of some members that they had not reviewed the report. Mr. Crawford pointed out that the process had been an ongoing one; that staff had met with each municipality individually; that staff recognizes there are some items which individual municipalities may not be in total agreement with; and that these issues will be addressed over the next few months. Staff is requesting that the PAC concur with the process of moving forward with the approval of the Final Draft by Council in order to meet the agreed upon deadlines and the March 2007 – March 2008 timeline recommended for reconciling the identified inconsistencies.

In response to query from Mr. Rinzivillo with regard to possible inconsistencies with comprehensive plan districts involving industrial uses, Mr. Crawford noted Mr. Rinzivillo's concern sounded less like an inconsistency and more like a note to the City, and that the City could be the same as or more restrictive in their description of allowable uses. It was suggested that he discuss his concerns in more detail after the meeting with Mr. Mettler.

Dean Neal moved to table any action until the next PAC meeting; the motion died for lack of a second.

Mr. MacAulay noted that the report could be forwarded on to the PPC with the understanding that we can "agree to disagree" on some of the issues; and that we have a year to come into consistency, but that we need to move forward at this point. Mr. MacAulay moved to recommend the PPC approve the Final Draft of the Consistency Report; the motion was seconded by Ron Rinzivillo for discussion.

Discussion continued with regard to the meetings held with the municipalities by John Richter and Chris Mettler; Mr. Crawford noted that staff had come away with the comments from the municipalities and modified the report as necessary to reflect those changes. Mr. Neal stated he had assumed each municipality would receive a letter in response to the questions or concerns raised in these meetings. Mr. Crawford stated that their comments and input were reflected in the report in lieu of a letter. Chairman Metcalf stated that the report is a culmination of the discussion with the 25 municipalities.

In response to a question raised by one of the members of the final step in the process, it was reported that there will be individual resolutions to recognize compliance by each municipality, and not a comprehensive resolution with a blanket statement of consistency.

In response to inquiry, Mr. Healey stated that if there were items that could not be resolved, the Council and the Countywide Planning Authority would ultimately decide what needed to be done.

The vote on the aforementioned motion was 7-6 to approve the report: representatives of Pinellas County, Indian Rocks Beach, Largo, Oldsmar, Pinellas Park and Clearwater cast the dissenting votes.

## **PLAN AMENDMENTS**

### Subthreshold Amendments:

Case CW 07-01 – Pinellas County – Mr. Brinson stated that this 418.0 acre area is located on the east and west sides of East Lake Road, north of Trinity Boulevard, south of the Pinellas/Pasco County line and involves a request to change the designation from Institutional, Residential Rural, and Transportation/Utility to Preservation and Transportation/Utility Overlay.

Mr. Brinson stated that this amendment area has been recently acquired by the County and is made up of several parcels located near the Brooker Creek Preserve. The proposed Countywide Plan Map categories of Preservation and Transportation/Utility Overlay will recognize the site's ownership and will remove any significant development potential from the properties included. Pinellas County has stated that the parcels were purchased to expand the Brooker Creek Preserve which is the County's largest natural area totaling 8,500 acres.

Mr. Holley inquired of Mr. Beardslee as to whether the County had solicited input from Pasco County to which Mr. Beardslee stated notification was made with regard to a distance requirement.

Case CW 07-02 – Pinellas County – Mr. Brinson stated that this 0.1 acre site is located at 6645 55<sup>th</sup> Avenue North and involves a request to change the designation from Commercial General to Residential Urban. He stated that since Pinellas County's development regulations do not permit residential uses in their Commercial General (CG) category, the amendment to Residential Urban will be utilized to recognize the site's existing use which is a single-family home. It should be noted that the Countywide Rules allow residential uses within CG designated areas, which are limited to 24 dwelling units per acre, but that the County's regulations do not allow residential uses.

Sharen Jarzen inquired as to why this amendment request was submitted to which Mr. Cueva stated that the property owner had a house on the property and wanted to reconstruct that house.

Jerry Paradise moved approval of staff recommendations of approval on Cases CW 07-01 and CW 07-02; the motion was seconded by Jim Miller and carried (Vote 13-0).

Regular Amendments:

Case CW 07-03 – Pinellas County – Mr. Brinson stated that this 15.5 acre site is located on the northeast corner of Roosevelt Boulevard and Ulmerton Road, south of South Perimeter Road. The proposed amendment is a request to change the designation from Transportation/Utility – T/U to Industrial Limited – IL.

Mr. Brinson reported that the proposed amendment area is a heavily wooded parcel which is owned by Pinellas County and operated by the St. Petersburg/Clearwater International Airport. Pinellas County is requesting the IL designation in order to increase the subject site’s economic potential and to increase additional employment opportunities in the area. The site is expected to be developed with a corporate office center, a call center, and a defense contractor.

Mr. Brinson stated that the area to the east of the subject site is undeveloped and heavily wooded, designated T/U and is also owned by the Airport. The immediate area to the southeast, on the north side of Ulmerton Road, is also owned by the Airport and is comprised of two parcels, one of which is heavily wooded and the other is developed with a Cracker Barrel Restaurant, both are designated Commercial General (CG). The area to the west across Roosevelt Boulevard is designated IL and is developed with an office complex. The area to the southwest is designated IL and was recently purchased by the Florida Department of Transportation for the construction of the S.R. 296 Connector.

The area to the south, across Ulmerton Road, has undergone two Countywide Plan Map amendments in 2005. These two amendments were processed separately and located south of Ulmerton Road, west of 40<sup>th</sup> Street North. Amendment CW 05-23 was located on the southwest corner of Ulmerton Road and 40<sup>th</sup> Street North, was a request from IL to CG on 4.5 acres, developed with a hotel. Amendment CW 05-44 was a request from IL to IG on 8.7 acres to allow for the stockpiling of construction materials.

Mr. Brinson stated that the proposed IL designation is consistent with the Countywide Plan and Rules and will not impact Pinellas Park’s ability to provide fire services to the area. However, Ulmerton Road would be negatively impacted due to the increase in vehicular trips anticipated from the uses permitted in the IL category. Therefore, Council staff has recommended the amendment be subject to Pinellas County evaluating the anticipated traffic impacts and limiting the intensity of the use on the site pursuant to the County’s Concurrency Management System.

Mr. Crawford noted that due to the site's location at the southern end of the Airport's main north-south runway that any development on-site must take aircraft noise into consideration and potential interference relative to airport operations; specifically, Pinellas County Ordinance No. 97-58 establishes the requirements for development that is located near the St. Petersburg/Clearwater Airport.

Jerry Paradise moved to approve staff recommendation and separate additional recommendations as noted in the staff report. Sharen Jarzen seconded the motion and it carried (Vote 13-0).

Case CW 07-04 – Pinellas County – Mr. Brinson stated that this 0.6 acre site is located on the northeast corner of Nebraska Avenue and Belcher Road. The proposed Countywide Plan Map amendment is a request to change the designation from Residential Low – RL to Residential/Office General – R/OG.

Mr. Brinson noted that the subject site is located on a Scenic/Non-Commercial Corridor, Belcher Road; that the site is vacant and at one time was County-owned and contained a single-family home that was converted into an office for the construction of Belcher Road. County staff has indicated that the proposed use for the site will include offices.

Mr. Brinson noted that the Preservation area which is depicted on both the County's Future Land Use Map and the Countywide Plan Map was not considered as part of the amendment. Ordinance No. 06-91 proposes to amend the entire site from Residential Low to Residential/Office General, when it should have recognized the Preservation area. He stated that subsequent to the PPC receiving this request, the County staff indicated that the ordinance should have excluded the Preservation area from the legal description and acknowledged that the Preservation area will be retained at this time; that they will evaluate this area to determine if it is worthy of preservation; and that their initial determination indicates it is not. The Council staff therefore included a supplemental recommendation that the County at a later date determine the site's need and appropriateness of the Preservation designation.

Mr. Brinson noted that the area to the east of the subject site is designated RL and is developed with a private school whereas the area to the north is developed with a single-family home, also designated RL. The area across Nebraska Avenue to the south is a County-owned wetland and is designated Preservation. The area to the west has undergone two separate Countywide Plan Map amendments (CW 04-27 and CW 05-58) and both parcels were approved for Residential/Office Limited and are developed with a single-family home and a pest control office building, respectively.

Mr. Brinson stated that the requested R/OG designation is not appropriate for the site because the higher residential density permitted is not compatible with the character of the area, as well as the proposed non-residential intensity being higher than that approved recently for the two cases west of the site across Belcher Road. He stated that staff is

recommending an alternative compromise recommendation of Residential/Office Limited - R/OL.

In addition, Mr. Crawford stated that before an amendment to a non-residential category can be approved, either the S/NCC Subclassification must be amended (in this case from Residential to either a Mixed Use or an Enhancement Connector) or an exception to the S/NCC guidelines must be approved. Staff has concluded that an exception can be granted; however only for the R/OL category which has a lower allowable residential density and non-residential intensity, causing it to have less of an impact on the adjoining SNCC, and making it consistent with the residential and non-residential categories and uses in the area.

Mr. Beardslee stated that the County has no problem with the alternative compromise recommendation.

Dean Neal moved to approve the staff recommendations of alternative compromise as well as the separate additional recommendations as outlined in the staff report; the motion was seconded by Rick MacAulay and carried (Vote 13-0).

Case CW 07-05 – St. Petersburg – Mr. Brinson stated that this 18.0 acre site is located on the northeast corner of 9<sup>th</sup> Avenue and 66<sup>th</sup> Street North. The proposed Countywide Plan Map amendment is a request to change the designation from Institutional – I to Residential/Office/Retail – R/O/R, Residential/Office General – R/OG and Residential Urban - RU.

Mr. Brinson stated that the current amendment submitted by the City of St. Petersburg corresponds to Council staff's previous alternative compromise recommendation of R/OR and R/OG on the western portion of the site and RU on the site's eastern portion, again subject to a development agreement that further specifies development parameters. Mr. Healey noted that the current amendment has been officially approved by the City of St. Petersburg's City Council at their public hearing on December 14, 2006.

Mr. MacAulay provided further explanation of the Development Agreement and accompanying restrictions, and noted that the Diocese and Sembler Company have agreed that they will be willing to extend the Development Agreement for an additional 10 years. He stated that the Development Agreement is extremely restrictive. Mr. MacAulay also noted that in the Development Agreement they will allow no access on the northern portion to 13<sup>th</sup> Avenue; and only 26,000 square feet of development is to be permitted on the non-residential land use area.

Mr. Crawford reported that this requested amendment has been previously presented to the Council and the CPA on two separate occasions and that much effort has gone into developing an amicable resolution between the City, the developer, and the surrounding neighborhoods. Mr. Crawford also stated that the majority of the homeowners appear to be in support of this proposal. He also stated that the 120 residential units would rely on

30 units being “density averaged” from the unused portions of the non-residential portion of the site. He said that staff had added wording to the recommendation subsequent to the PAC agenda being sent to the members that made it clear that density averaging was being used and would require adherence to the Countywide Rules.

Sharen Jarzen moved approval of staff recommendation of approval, subject to the restrictions contained in the accompanying Development Agreement, including the additional language related to density averaging. The motion was seconded by Bob Klute and carried (Vote 13-0).

\*\*\*Mr. Holley left the meeting at this time. \*\*\*

### Proposed Amendments to the Countywide Plan Rules – Temporary Lodging Use

Mr. Mettler stated that linking countywide redevelopment efforts with the tourism industry to complement overall economic development policy is an enumerated strategy in *Pinellas by Design*; that specifically, one of the implementation actions under this strategy is to utilize the findings of previous studies that document the loss of tourist accommodations to guide revision of policies governing redevelopment for such use.

Mr. Mettler referred to the staff report which provides the historical background on this item which led to the PPC joining the City of St. Pete Beach in funding a study of temporary lodging use issues, including the economic analysis of market conditions and development costs, as well as site design considerations. He referred to the November 2006 PPC meeting at which Dr. Owen Beitsch of Real Estate Research Consultants presented his findings on the economic analysis and related site considerations as part of the joint effort with St. Pete Beach. In addition to Dr. Beitsch’s presentation at the November meeting, Council staff reviewed draft amendment to the Countywide Rules that would better reflect the economic realities of developing new or reconstructed temporary lodging facilities. After deliberation, the Council authorized the draft ordinance be advertised for public hearing at its January 2007 meeting.

Mr. Mettler stated that the proposed Countywide Rule amendments will provide local governments with an alternative to allow higher density and intensity standards for temporary lodging uses. The proposed amendments will allow an additional number of units per acre, and provide for a maximum floor area that is intended to accommodate all ancillary uses to the temporary lodging facility. The increases in density range from 1.5 to 2.5 times the number of temporary lodging units now permitted, depending on the plan category and size of the property. The ordinance requires that adoption of these higher density and intensity standards by local government be subject to establishment of additional applicable requirements, including design guidelines, a coordinated approach to transportation concurrency management, and additional use restrictions. The ordinance also provides amended definitions for temporary lodging uses, commonly referred to as hotels or motels.

He stated that staff is recommending approval of the Countywide Rule amendments to the CPA by adopting Resolution 07-1.

Discussion followed with regard to concerns from Treasure Island and St. Pete Beach to which it was noted that St. Pete Beach is continuing to resolve the issue of higher temporary lodging densities at the local level. Council staff has discussed the issues with Treasure Island and concludes that they apparently do not wish to pursue higher densities at this time.

Mr. Healey noted that this doesn't address Special Area Plans and if a municipality has standards in their Community Redevelopment Districts these may need to be looked at separately to ensure that higher density allowed outside these areas does not create a disincentive to redevelop within the district.

Gordon Beardslee noted that he would abstain from voting on this proposal because he had not yet had a chance to talk to the County Administrator and that preliminarily they have heard the Board of County Commissioners would like to have assurances that increasing development intensity does not increase taxes on "mom & pop" hotels, and they discussed having a commensurate lowering of residential density. Mr. Crawford noted that in discussions with Dr. Owen Beitsch that the concern for a negative impact to these smaller hotels from these regulations was unfounded. In fact, inaction has resulted in damage to these uses because areas continue to redevelop with high-valued residential projects, which in turn have resulted in these smaller hotel taxable values being increased based on the potential for redevelopment with residential uses.

Rick MacAulay moved approval of staff recommendation; the motion was seconded by Sharen Jarzen and carried (Vote 10-2, representatives of Pinellas County and Clearwater abstaining). After a general discussion of the proper use of a vote to abstain by Mr. Crawford and the PAC, it was concluded that the appropriate vote for Clearwater and Pinellas County would be for denial, that abstentions are appropriate only in the event of a conflict of interest. The representatives from Clearwater and Pinellas County agreed to vote for denial instead, but asked that the minutes reflect that the dissenting vote from Clearwater was due to their desire to discuss a different set of actions and regulations and the Pinellas County representative's position was due to the reasons noted above.

#### Other PAC Business:

#### Discussion: Electronic Agenda Package

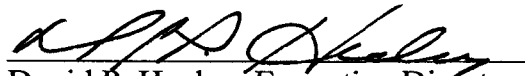
Mr. Crawford discussed the size of packets being delivered to the PAC, the cost, and the significant staff time involved in completing this task; noting that staff had already begun to streamline the process through the placement of supplemental materials on the website for review. He stated that a much more efficient way of proceeding would be to place the entire agenda online; and notify PAC by email of its availability. This will allow PAC members to review the agenda sooner and give them access to color maps, photos, etc.

He also noted that staff will be looking at all the legal requirements associated with the mailings and notices associated with the various steps in our agenda preparation and delivery and will streamline that as well. Also he stated that the PAC would be notified of the PPC's agenda being available online, whereas they currently do not get the final PPC agenda packet.

After discussion, PAC members concurred with the staff proposal and the February PAC agenda being placed online, with an email notification process to replace the couriered hard copy currently sent out prior to the PAC meeting.

There being no further business, Dean Neal moved to adjourn at 3 p.m.; the motion was seconded by Catherine Porter and carried (Vote 12-0).

Respectfully submitted,

  
David P. Healey, Executive Director