

**PINELLAS PLANNING COUNCIL
AGENDA MEMORANDUM**

AGENDA ITEM: II F.

MEETING DATE: April 16, 2008

SUBJECT:

Consent Agenda:

F. Correspondence

RECOMMENDATION:

Council Receive and Discuss as is Appropriate

BACKGROUND

Correspondence Includes:

1. PAC Minutes – April 7, 2008 (draft), March 10, 2008 (approved)
2. Letter sent March 3, 2008 to Jim Millican, Lealman Fire District, Re: Notification of charges for requested items
3. Letter sent March 4, 2008 to Karl E. Holley, AICP, Director of Community Development, City of St. Pete Beach, Re: Review of Proposed Land Development Regulation Amendments (Ordinance Nos. 2007-42, 2007-51, 2008-05, and 2008-06) for Consistency with the Countywide Rules
4. Letter sent March 4, 2008 to Paula Cohen, Community Development Director, City of Madeira Beach, Re: Review of Proposed Amendments to the City of Madeira Beach's Comprehensive Plan (Ordinance No. 1125) for Consistency with the Countywide Rules
5. Letter sent March 5, 2008 to Carol Stricklin, Community Development Director, City of Largo, Re: Transmittal of Pinellas County Affordable Housing Plan and Code Provisions
6. Letter received March 13, 2008 from Jeffery F. Dow, Planner, City of Dunedin, Re: Meeting with consultant regarding Douglas Avenue and Patricia Avenue studies
7. Transmittal sent March 13, 2008 to Jim Millican, Lealman Fire District, Re: Forwarding of requested Interlocal Agreements and maps
8. Received March 13, 2008, copy of letters sent March 11, 2008 to Mayor Chris Arbutine, City of Belleair Bluffs, Mayor Beverley Billiris, City of Tarpon Springs, and Mayor Pat Gerard, City of Largo, from Brian Smith, Planning Director, Pinellas County, Re: CPA actions taken on March 11, 2008

PINELLAS PLANNING COUNCIL ACTION:

COUNTYWIDE PLANNING AUTHORITY ACTION:

SUBJECT: Other Council Business - Correspondence

9. Letter sent March 14, 2008 to Michele Parisano, Planning Administrator, City of Oldsmar, Re: Consistency Reconciliation Actions
10. Letter sent March 17, 2008 to Mayor Marry Maloof, City of Treasure Island, Re: Evaluation and Appraisal Report EAR-based (EBA) assistance
11. Letter sent March 19, 2008 to Robert Tefft, Planner III, City of Clearwater, Re: Review of Proposed Amendments to the Future Land Use Element of the Comprehensive Plan (Ordinance No 7924-08), the Land Development Regulations (Ordinance No. 7926-08), and the Beach By Design Special Area Plan (Ordinance No 7925-08) for Consistency with the Countywide Rules
12. Received March 20, 2008, copy of letter sent March 11, 2008 to Mayor Rick Baker, City of St. Petersburg, from Brian Smith, Planning Director, Pinellas County, Re: CPA actions taken on March 11, 2008
13. Letters sent March 21, 2008 to Mayors of local governments with items on March 19, 2008 PPC Agenda, Re: PPC Meeting Follow-up
14. Sample of letters sent March 21, 2008 to property owner/representative, Re: March 19, 2008 PPC Meeting Follow-up (Land Use Cases)
15. Letter sent March 28, 2008 to Carol Stricklin, Community Development Director City of Largo, Re: Proposed Non-Voluntary Annexation – Advisory Review Findings (130th Avenue & Starkey Road Area Annexation)
16. Letter sent March 28, 2008 to Danny E. Taylor, Planning & Zoning Director, City of Indian Rocks Beach, Re: Review of Proposed Amendments to the Code of Ordinances of the City of Indian Rocks Beach (Ordinance No 20008-3) for Consistency with the Countywide Rules
17. Letter sent March 29, 2008 to Mary Palmer, Town Clerk, Town of Redington Shores, Re: Consistence Reconciliation Actions
18. Letter sent March 31, 2008 to Matt McLachlan, AICP, Community Development Director, City of Safety Harbor, Re: Review of Amendments to the Comprehensive Zoning and Land Development Code for Consistency with the Countywide Rules

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, APRIL 7, 2008
BANK OF AMERICA BUILDING
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR
CLEARWATER, FLORIDA

Members Present:

Renea Vincent, Chairman	City of Tarpon Springs
Sharen Jarzen, Vice Chairman	City of Seminole
Jeffery Dow	City of Dunedin
Catherine Porter	City of Clearwater
Gordon Beardslee	Pinellas County
Jim Miller	Pinellas County School District
Rick MacAulay	City of St. Petersburg
Bob Klute	City of Largo
Lauren Matzke	City of St. Pete Beach
Marie Dauphinais	City of Oldsmar
Lynn Rosetti	City of Treasure Island
Fred Metcalf	City of Gulfport
Ron Rinzivillo	City of Safety Harbor
Dean Neal	City of Pinellas Park

Also Present:

John Cueva	Pinellas County
Jesus Nino	City of Largo
Rob Gerdes	City of St. Petersburg
Michael Crawford	Pinellas Planning Council
Phyllis Fleming	Pinellas Planning Council
Larry Pflueger	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council

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

Minutes – Chairman Vincent asked if there were any comments or corrections to be made to the minutes of the March 10, 2008, PAC meeting. There being none, Dean Neal moved to approve the minutes; the motion was seconded by Catherine Porter and carried (vote 11-0).

Old Business – none.

Review of PPC Agenda for April 16, 2008 Meeting – Received.

Countywide Planning Authority Actions – March – Mr. Crawford summarized the Countywide Planning Authority Actions report for March. The PAC then received the items.

Annexation Report – March 2008 – Michael Schoderbock summarized the report on voluntary annexations for the month of March.

He stated that the Council received a total of fourteen (14) petitions for voluntary annexation review in March from the cities of Clearwater, Largo, Pinellas Park, and Oldsmar. He noted that one petition from the City of Clearwater was withdrawn by the City and was not included in the totals. Existing uses that were within the remaining 13 annexations include one industrial use, eleven residential uses, and one vacant parcel. The proposed annexations totaled 3.6 acres and approximately \$1.8 million in taxable value. Total Municipal Service Taxing Unit revenues from the \$1.8 million of taxable value are \$3,853 using the 2007/08 fiscal year tax rate. It is estimated that 34 residents will be affected by a change in jurisdiction. Annexation of two of the thirteen parcels will reduce two enclaves in the county by 1.0 acre and annexation of one parcel will eliminate an enclave by 0.2 acres.

Mr. Schoderbock also reported that an email had been sent to all communities as to the availability of the Composite Annexation Report on the PPC website.

Annexation Report – Quarterly Summary, Second Quarter Fiscal Year 2007/08 - Mr. Schoderbock stated that this report provides a synopsis of staff receipt and tracking of voluntary annexations for the second quarter of Fiscal Year 2007/08, and it includes details regarding other forms of annexation that have occurred over the past few years.

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 2000/01 through the second quarter of Fiscal Year 2007/08. The acreage and taxable value for the second quarter of FY 07/08, January through March, were 26.3 acres and \$4,905,632 respectively. Fifteen percent (3.9 acres) of the acreage annexed during the quarter reduced or eliminated an enclave.

Jim Miller and Lynn Rosetti entered the meeting at this time.

Ability to Serve Report No. 08-2: City of Largo (130th Avenue & Starkey Road Area Annexation) – Mr. Schoderbock stated that Section 5(12) of Chapter 88-464, Laws of Florida, as amended, requires the Council to review and make a recommendation to the affected municipality for each annexation of ten acres or more as to the ability of the municipality to provide municipal services to the territory proposed to be annexed. Mr. Schoderbock stated that the proposed annexation area is located south of Ulmerton Road, east and west of Starkey Road, and generally south and west of Largo's current boundaries, referring to Map 2 in the staff report; that the area is referred to by the City as the 130th Avenue and Starkey Road Area annexation consisting of thirty parcels designated Industrial Limited, two parcels designated Industrial General, and three local rights-of-way. The area consists of a variety of industrial uses and a few vacant parcels; it is 28.16 acres in size, right-of-way is 2.86 acres, for a total of 31.02 acres.

Mr. Schoderbock outlined the services provided; stated that no enclaves will be created; and no service district lines will change. Mr. MacAulay inquired as to the number of property owners to which Mr. Nino stated there were twenty-three; and that two were involuntary and did not submit petitions to annex.

After full presentation of the report, Sharen Jarzen moved to approve staff recommendation to adopt a finding that the City of Largo has the ability to provide municipal services to this area and authorize this finding to be transmitted to the City of Largo. The motion was seconded by Marie Dauphinais and approved (vote 13-0).

Local Assistance Quarterly Status Report (Verbal) – Mr. Crawford outlined the report indicating that staff has assisted several local communities with preparation of Evaluation and Appraisal Reports (EARs) along with Gail Easley and Associates, and provided a status report on those submittals.

Mr. Crawford also noted that the City of Dunedin has asked PPC staff to complete several corridor studies; that staff has solicited interest from the approved list of consultants; and that staff will assist Dunedin in developing the scope of services.

Mr. Crawford also reported that the City of Gulfport has expressed an interest in obtaining local assistance from the PPC staff and that this item will be addressed through a separate agenda item to go before the Council on April 16 for Council direction.

Mr. Crawford noted that all of our other local assistance contracts have been completed.

PLAN AMENDMENTS

Subthreshold Amendments:

Case CW 08-21 - Pinellas County – Phyllis Fleming stated that this 0.6 acres m.o.l. site is located on the northeast corner of Nebraska Avenue and Westlake Blvd. She reported that the proposed amendment is from Residential Low to Residential/Office Limited and will permit the use of the site as an office. The amendment qualifies as a “Type A” subthreshold amendment based on the amendment being one acre or less in size and is therefore eligible for approval under the official acceptance process.

Case CW 08-22 – Pinellas County – Phyllis Fleming stated that this 0.6 acres m.o.l. site is located on the north side of 42nd Avenue North, 450 feet east of 28th Street North. She reported that the proposed amendment is from Preservation and Water Drainage Feature to Residential Medium and will reflect the current and continued use of the site as a single family residence. The amendment qualifies as a “Type A” subthreshold amendment based on the amendment being one acre or less in size and is therefore eligible for approval under the official acceptance process.

After presentation and report on the two subthreshold reports, Rick MacAulay moved to approve Cases CW 08-21 and CW 08-22. The motion was seconded by Jim Miller and carried (vote 13-0).

Regular Amendments:

Case CW 08-19: City of St. Petersburg – Phyllis Fleming stated that this 0.3-acre m.o.l. site is located at the southeast corner of 38th Avenue North and Ithaca Street North. The proposed amendment is from Planned Redevelopment-Residential (PR-R) to Residential/Office General (R/OG). Ms. Fleming reported that the proposed amendment has been submitted by the City of St. Petersburg as an amendment to their Special Area Plan (SAP) entitled Vision 2020. Specifically, the proposed Countywide Plan Map amendment will reduce by 0.3 acre the PR-R designation along 38th Avenue North that was approved by the PPC in March 2007. She reported that the Countywide Rules state that any expansion or contraction of the geographic area of the SAP constitutes a substantive change to the Plan. Further, substantive changes to an approved SAP require a recommendation by the PPC and approval by the CPA in the same manner as for new SAPs.

Ms. Fleming stated that the owner of the subject site also owns the R/OG parcel to the east. The PPC granted approval to amend this eastern parcel to R/OG in November, 2005 (CW 05-54). On November 1, 2005, the CPA approved Council's recommendation, resulting in approval of the amendment (vote 7-0). In May, 2006, a request to amend the subject site to R/OG was denied by the City of St. Petersburg. Pursuant to City of St. Petersburg Code, when an application is denied, the same or similar application may not be refiled for 18 months. The 18 months expired in December 2007. In March 2007, while the application was in abeyance, the PR-R designation of the Vision 2020 was approved on the subject site. On March 20, 2008, this request was reheard and approved by the City of St. Petersburg.

In summary, she reported that due to the subject site's adjacency to an approved R/OG parcel, the Institutional school parcel to the north and the Planned Redevelopment-Mixed Use parcels to the north and east, staff has concluded that the requested R/OG category is an appropriate designation for the following reasons: 1) Compatibility with the existing office, institutional and commercial uses on parcels to the east, and north; and 2) Along the block face of 38th Avenue, using Ithaca Street as the boundary between the R/OG and PR-R uses, this parcel serves as a transition from the existing office, institutional and commercial uses on parcels to the east, and north to PR-R to the west and south.

Jim Miller, School Board Representative, clarified the area on the map denoting the bus facility stating it had been moved to the northern portion of the property and that a new elementary school is being constructed along the front. Rick MacAulay stated that the owner purchased an old single-family home which had been the subject of many code violations and is now proposing to develop it as a walk-in clinic; and that the City has received a letter of support from the neighborhood association. Mr. MacAulay also stated

that the City will not entertain a request for the southwest corner of Ithaca and 38th; this is the end of R/OG at Ithaca and 35th street, serving as the physical boundary.

After full presentation of the report, Jim Miller moved to approve the staff recommendation of approval for Case CW 08-19, subject to the condition that the City of St. Petersburg submit a Modified Infrastructure Analysis By September 30, 2008, indicating the cumulative impacts expected from incremental Countywide Plan Map amendments to the SAP, and updating all other relevant portions of the SAP, including but not limited to: maps, acreage calculations, and other relevant analysis and discussion. The motion was seconded by Sharen Jarzen and carried (vote 13-0).

CW 08-20 – City of Oldsmar – Phyllis Fleming stated that this 14 acres m.o.l. site is located west of SR 580, south of St. Clair Avenue. The proposed amendment is from Residential Urban (RU) to Residential Medium (RM) and Residential/Office General (R/OG). Ms. Fleming reported that the subject redevelopment site is comprised of 3 parcels, two of which are subject to the requested amendment (Lots 1 and 3) all with the Countywide Plan Map designation of Residential Urban. All parcels are vacant, but the site previously contained a mobile home park.

Ms. Fleming stated that this amendment requests the designation of Residential/Office General (R/OG) on the 2-acre parcel abutting State Road 580 (Lot 1); and Residential Medium on the northwestern 12-acre parcel (Lot 3). A third parcel (Lot 2) will retain its Residential Urban designation. The site is under unity of title and, therefore, the development could utilize residential density averaging among the residential uses. The Countywide Rules permit density/intensity averaging. If density averaging occurs on Lots 1, 2, or 3, the development will be subject to the density averaging requirements in Section 6.1.3 of the Countywide Rules, including written evidence of the averaging recorded in the public records.

Ron Rinzivillo entered the meeting at this time.

The R/OG category would permit up to 15 residential units per acre, a maximum non-residential floor area ratio of .50 and impervious surface ratio of .75. Residential Medium permits a maximum of 15 dwelling units per acre.

The area to the east of the site is a single-family residential subdivision located in unincorporated Pinellas County. To the north is Meriden Avenue, the CSX railroad right-of-way, unincorporated Pinellas County and Oldsmar. To the south, across State Road 580, are commercial uses located within unincorporated Pinellas County. Tampa Bay and a parcel with the designation of Residential Urban are located to the west of the site. Although the site is located just east of the bay, the parcels are not within the Coastal High Hazard Area.

In summary, staff has concluded that the requested amendment to the classifications of R/OG and RM are appropriate because the request provides reasonable transition from the

commercial uses on State Road 580, is compatible with the surrounding residential and commercial areas, and is not governed by the Coastal High Hazard Area policies.

In response to query from Rick MacAulay, Marie Dauphinais noted that Lots 1 and 3 are the only ones proposed to change; that Lot 2 is part of the description only. Gordon Beardslee inquired as to the primary access to which Ms. Dauphinais stated it was at the existing access via Shore Boulevard and St. Clair. Mr. Beardslee inquired as to an estimate of additional vehicular trips to which Ms. Dauphinais stated that the City had not yet been provided with a final site plan and that no traffic study had been submitted. Discussion followed with regard to the constrained corridor and the County expressed concern with the current high volume to capacity ratio, even though the level of service on SR 580 is now "B" or "C".

Mr. MacAulay inquired if there had been any opposition on increase in density to which Ms. Dauphinais stated there had been none. Jim Miller inquired as to the proposed use to which Ms. Dauphinais stated there were some proposed high-end condos, and some expression of interest in affordable housing, with an office on Lot 1. Mr. Miller noted that there would be almost a doubling of units on a small piece of land, and that there would be a potential for a lot of school-aged children if affordable housing is offered.

After full presentation of the report, Sharen Jarzen moved to approve the staff recommendation of approval for Case CW 08-20, subject to density averaging requirements in Section 6.1.3 of the Countywide Rules, including written evidence of the averaging recorded in the Public Records, should density averaging occur on Lots 1, 2 or 3. The motion was seconded by Jeffery Dow and carried (vote 14-0).

Development Agreements – Proposed Joint PPC/CPA Resolution – Final Draft – Mr. Crawford stated that at the Council meeting of March 19, 2008, the Council had reviewed and provided direction with regard to the resolution for consideration of a Development Agreement submitted in support of a Countywide Future Land Use Plan Map amendment. Minor refinements to the wording were made following the March PPC meeting, and the resolution is in a form for Council approval.

Dean Neal noted concern with regard to Section 3 a.) which states: "be approved by the local jurisdiction at the initial public hearing by the legislative body" and suggested clarification is needed. Mr. Crawford stated that the intent is for the initial public hearing that is held by the legislative body, not for the Planning & Zoning Board, for instance. Mr. Neal suggested adding a clause to development agreements that require it be brought back if substantially changed.

Mr. Beardslee made a motion for general endorsement by the PAC; the motion was seconded by Fred Metcalf and carried (vote 14-0).

Joint PPC/CPA Annexation Subcommittee – Follow-up – Mr. Crawford updated the PAC members concerning the actions to date by the Joint PPC/CPA Annexation Subcommittee and provided materials from their March 31 meeting.

He stated that the Subcommittee concurred that consideration of planning/annexation areas by the reconstituted Subcommittee should begin with the findings determined by the original Subcommittee in September 2006, relative to the four proposed changes to the planning areas that were identified previously as follows:

- 1) Area 1: Redington Shores Annexation Planning Area;
- 2) Area 2: Seminole Annexation Planning Area;
- 3) Area 3: St. Petersburg-Clearwater Airport – Largo and St. Petersburg Annexation Planning Areas; and
- 4) Area 4: Tierra Verde – St. Petersburg Annexation Planning Area.

The Subcommittee requested legal and planning staff to compile a list of suggested issues and the format by which the Florida Statutes Ch. 171, Part II, Interlocal Boundary Services Agreement process could be initiated, for their consideration.

The Subcommittee also requested staff research per capita costs for services within each municipality, service district, and the county to help determine a benchmark relative to the efficiency of providing services to the citizens.

Renea Vincent inquired whether PPC staff would be contacting the municipalities for information relative to costs for services. Mr. Crawford noted that there are approximately 45 different districts; that he has been able to use the water/sewer rate study information that Pinellas County had done last year. On the fire districts, staff is using figures from the latest submitted budgets; however, acreage and population within those districts is difficult to estimate. He stated that staff will contact individual cities and districts if necessary, but is trying to use the best available data instead.

Mr. Crawford noted that the next meeting of the Subcommittee has been set for Monday, April 28, 10 a.m.

Legislative Update – 2008 Session – Mr. Pflueger presented an update on the 2008 session of the Florida Legislature with regard to legislation being considered that is of particular interest to the Council.

Mr. Pflueger noted that the bill regarding special districts is of particular importance because the Council is a special district. He noted that the Vox Populi – Voice of the People bill is on the agenda for tomorrow (April 8) at 9 a.m. He also called to the attention of PAC members the need for communities to perform an inventory of surplus land for affordable housing and noted that proposed legislation extends the requirement to inventory land to the district school board as well.

Under the topic of energy efficiency and conservation, Mr. Pflueger noted that the requirement for a comprehensive plan “energy element” has been deleted. Mr. Pflueger noted that SB 474 was a shell bill which only said that the Legislature intended to amend state growth management legislation; that it has now grown to incorporate certain parts of

the Florida Department of Community Affairs proposed legislation; and that further discussion was “temporarily postponed” until April 9.

Other PAC Business: Mr. Pflueger presented a hand-out to PAC members from the Florida Department of Community Affairs and Florida Atlantic University Center for Urban and Environmental Solutions called, “Florida Planning Toolbox” which provides descriptions and examples of planning tools designed to help local governments create distinctive communities and a diverse, sustainable economy.

There being no further business, the PAC adjourned at 2:24 p.m.

Respectfully submitted,

David P. Healey, Executive Director

Draft

**MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, MARCH 10, 2008
BANK OF AMERICA BUILDING
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR
CLEARWATER, FLORIDA**

Members Present:

Renea Vincent, Chairman	City of Tarpon Springs
Sharen Jarzen, Vice Chairman	City of Seminole
Jeff Dow	City of Dunedin
Catherine Porter	City of Clearwater
Gordon Beardslee	Pinellas County
Jim Miller	Pinellas County School District
Paul Geisz	City of St. Petersburg
Bob Klute	City of Largo
Lauren Matzke	City of St. Pete Beach
Marie Dauphinais	City of Oldsmar
Lynn Rosetti	City of Treasure Island

Also Present:

John Cueva	Pinellas County
Michael Crawford	Pinellas Planning Council
Linda Fisher	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Phyllis Fleming	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council
Renee Rood	Representative for Feather Sound
Tom Mohan	Representative for Feather Sound
Paul J. Wikle	Representative for Tarpon Springs
David Desiler	Lincks & Associates
Kam Ashley	EHP, Inc.
George Cantonis	Acme Sponge – Tarpon Springs
Ed Armstrong	Johnson Pope Law Firm

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

Minutes – Chairman Vincent asked if there were any comments or corrections to be made to the minutes of the February 11, 2008, PAC meeting. There being none, Sharen Jarzen moved to approve the minutes; the motion was seconded by Jeffery Dow and carried (vote 6-0).

Old Business – none.

Review of PPC Agenda for March 19, 2008 Meeting – Received.

Annexation Report – February 2008 – Michael Schoderbock summarized the report on voluntary annexations for the month of February.

He stated that the Council received a total of twenty (20) petitions for voluntary annexation review in February from the cities of Clearwater, Largo, Pinellas Park, and Seminole.

Existing uses that were within the 20 annexations include one office use, eighteen residential uses, and one vacant parcel. The proposed annexations totaled 5.8 acres and approximately \$2.6 million in taxable value. Total MSTU tax revenues from the \$2.6 million of taxable value are \$5,455 using the 2007/08 fiscal year tax rate. It is estimated that 43 residents will be affected by a change in jurisdiction. Annexation of six of the twenty parcels will reduce three enclaves in the county by 1.6 acres.

Lynn Rosetti entered the meeting at this time.

Due to the lack of a quorum, Chairman Vincent asked that Linda Fisher give the report on the Industrial Lands Study.

Industrial Lands Study – Final Draft – Linda Fisher reported to PAC members that the Final Draft Study will be presented to the Council for approval and to authorize its transmittal to the Countywide Planning Authority for their approval. PPC staff presented the study to the CPA at their February 19th meeting. The Study is now in final draft form and includes a name change to “Target Employment and Industrial Land Study for the Pinellas Community.” Other changes and edits are included in the addendum provided with the agenda item; and appendices are available on the PPC website.

Bob Klute, Marie Dauphinais, Jim Miller, and Catherine Porter entered the meeting at this time.

Sharen Jarzen moved to approve the Industrial Lands Study – Final Draft; the motion was seconded by Lynn Rosetti and carried (vote 11-0).

The PAC members returned to their regular agenda items as presented on the agenda.

PLAN AMENDMENTS

Subthreshold Amendments:

Case CW 08-13 - Pinellas County – Phyllis Fleming stated that this 0.2-acre site is located on the North side of Smith Street, 265 feet east of South Myrtle Ave. She reported that the proposed amendment is from Residential Urban (RU) to Residential/Office/Retail (R/O/R) and will permit the use of the site for automobile storage.

Case CW 08-15 – City of Dunedin – Phyllis Fleming stated that this 2.5 acre site is located at the Southeast corner of Martin Luther King Jr. Avenue and Howell Street. She reported that the proposed amendment is from Residential Medium (RM) to Residential Low Medium (RLM) and will allow a maximum of 25 dwelling units. However, redevelopment of the site is proposed to include 19 Habitat for Humanity townhomes.

CW 08-17 – Pinellas County – Phyllis Fleming stated that this 0.2 acre site is located at 1515 Lakeview Road. The proposed amendment is from Residential Low (RL) to Residential/Office General (R/OG) and will permit the use of the site as a professional office.

After presentation and report on the three subthreshold reports, Lynn Rosetti moved to approve Cases CW 08-13, CW 08-15, and CW 08-17. The motion was seconded by Jeff Dow and carried (vote 11-0).

Regular Amendments:

Case CW 08-09: City of Tarpon Springs (continued from February 20, 2008) – Mr. Crawford stated that this 13.0 acres site is located at the northwest corner of East Pine Street and US Highway 19 North. The subject site is designated Industrial Limited (IL) on the Countywide Plan Map and is proposed to be amended to Commercial General (CG) to accommodate the construction of a Lowe's Home Improvement Store. He stated that a Development Agreement between Tarpon Springs and the property owner has been approved by Tarpon Springs; that the total site area under consideration in the Development Agreement is 18.8 acres; and that this extra 5.8 acres is IL as well and is proposed to include roadway realignment and the retention area for Lowe's.

Staff has reviewed the proposed amendment against the Countywide Rules and PPC Resolution 06-3. Mr. Crawford stated that staff submits the following findings:

- The subject site is consistent with the stated Purpose and Locational Characteristics for the IL category; and
- Amendment of the site to CG would not be consistent with the stated Purpose for the CG category.

He further noted that with regard to PPC Resolution No. 06-3, the proposed amendment fails to meet the criteria by which this amendment is to be evaluated as follows:

- Amendment from IL to CG would be inconsistent with the position statements and strategies of the Countywide Plan and the Economic Development and Redevelopment Plan for Pinellas County;
- The amendment does not increase, and in fact will diminish, the potential for this property to provide for target employment opportunities;
- There has been no showing that changed or changing conditions render the current industrial designation not viable for target employment; and
- There has not been established any compelling reasons in the public's interest to make the proposed amendment.

Finally, as to the Development Agreement, it addresses primarily the mechanics and responsibilities in relationship to the proposed amendment and does not of itself address in any affirmative way the criteria governing consideration of the amendment.

Mr. Crawford stated that staff believes that the CG is not consistent and discussed realignment of Live Oak and some improvements to US 19. He stated it is staff's position that even though the roadway improvements can be considered a public benefit, the amendment does not show the same valid public purpose outweighing the change from Industrial.

Ms. Vincent asked that Sharen Jarzen chair the meeting for this item in order that she could step down as Chairman and answer questions in the discussion of the case. Sharen Jarzen asked for a motion to receive input from the outside participants to which PAC members provided their consensus to allow them to speak.

In response to query, Mr. George Cantonis, owner of Acme Sponge, stated he is consolidating all of their operations into the southwest corner of the parent site (not part of the amendment area), and that no employment will be gained or lost from this amendment.

Renea Vincent stated the City feels the proposal complements the whole concentrated commercial uses in the area; that they believe the CG land use is appropriate and explained the background of the area. The City of Tarpon Springs understands the need to preserve industrial land, but believes that this amendment makes the land more viable. Ms. Vincent stated that the City has lost over 400 industrial-related jobs since 1990; and no large employers have come in to replace those jobs. The City, since 1990, has had a 1% absorption of industrial land or about 2.2 acres per year. She stated that with regard to public purpose, the City disagrees that the road improvements that will come along with this should not be considered. If you take Lowe's out of the equation and ask the City to come up with a way to justify a signalized intersection there, Florida Department of Transportation (FDOT) will not agree.

Ms. Vincent referred to the letter in the back-up material (Attachment 2) from ABC Packaging Machine in support of the amendment, and noted that this is the type of target industry that the City is trying to keep and attract with high-paying skilled jobs.

She stated that the City believes this amendment, specifically the roadway improvements included in the Development Agreement, provides better access for the Sponge Docks as well as for the commercial and industrial area in other parts of the city.

Lastly, Ms. Vincent stated that even if the City could get FDOT to agree to allow a signal to go in without the warrants, the estimated costs of the improvements would be well over \$1 million; and that the City would not be able to construct them at that price.

Gordon Beardslee asked for clarification as to the commitment on FDOT's part to have the light put in to which Ms. Vincent stated they had committed and actually suggested the realignment down to Spruce Street. Mr. Beardslee inquired as to how this proposed change would impact the remaining industrial property in the area to which Ms. Vincent stated the City believes it becomes more viable. The City does not disagree with the intent of the Industrial Land Study, but it may be years before another user comes in to rate the warrants for the traffic signal.

Sharen Jarzen inquired as to how firm FDOT's commitment to the traffic signal is to which the applicant's Traffic Engineer from Lincks & Associates, Dave Desiler, responded that they are favorable to moving it down to Spruce.

Paul Geisz inquired about the current signals in the area to which Ms. Vincent stated there is one at Tarpon Avenue and one at Beckett Way to the north; that there is good separation between them. In response to a question from Ms. Jarzen, Ms. Vincent stated that Lowe's will not go forward without approval for the light.

In response to a request from Mr. Crawford for clarification regarding the Development Agreement and traffic signal, Mr. Cantonis stated that the requirement for the light being in place is written into the sale contract for the land. Ms. Vincent stated that the City would withdraw and return the parcel to IL if the specifics of the amendment are not approved.

Lynn Rosetti inquired as to whether the City's Industrial Limited category would already allow for the Lowe's (i.e., without an amendment to CG), similar to a case in St. Petersburg. Ms. Vincent stated that their codes would not allow such to occur.

Mr. Crawford further addressed the issues of high-wage jobs being those that pay 130% above the average wage, and targeted industry, which is an industry that received 51% or more of its income from outside the county. The Lowe's met neither criteria. He also noted that the additional traffic from the amendment to CG would exacerbate congestion issues discussed earlier – that is, the congestion that pushes industry out of the area by making it more difficult to access their sites and to move products.

After full presentation of the report, Renea Vincent moved to approve the request as presented by the City of Tarpon Springs, which is to amend the subject area from IL to CG. The motion was seconded by Catherine Porter and carried (vote 8-3, representatives of Pinellas County, St. Petersburg, and Seminole dissenting).

Ms. Jarzen turned the meeting back over to Chairman Renea Vincent.

CW 08-14 – Pinellas County – Ms. Fleming stated that this 3.7 acres site is located 600 feet east of Park Street, between 46th Ave. N. and 48th Ave. N. The proposed amendment is from Residential Urban (RU) to Residential Low Medium (RLM) and includes a Development Agreement outlining an affordable housing density bonus for workforce housing. The site is vacant.

The RLM category permits up to 10 residential dwelling units per acre and with the 50% density bonus proposed, the request will permit 55 units of multi-family, workforce rental housing, effectively resulting in 15 units per acre. The Development Agreement that has been submitted reflects that a minimum of 20% of the units will be affordable to households with annual incomes below 60% of the area median income (AMI).

It should be noted, that the proposed amendment area is located approximately 600 feet east of Park Street (refer to attached Map 6) and is therefore considered to be outside of the 500 foot boundary of a designated Scenic/Non-Commercial Corridor .

Ms. Fleming reported that as to the relationship of the proposed plan amendment to the Countywide Rules, staff submits the following findings:

- The subject site is consistent with the stated Purpose and Locational Characteristics for the RLM category; and
- The site is located in close proximity to Park Street, in an area that serves as a transition between low density residential areas to the east and high density commercial areas to the west.

Finally, as to the Development Agreement, it addresses the use of the property for affordable housing and standard housing as follows:

- The agreement continues in effect until terminated, but for a period not to exceed five (5) years; and
- A minimum of 20% of the units will be affordable to households with annual incomes below 60% of the area median income.

Ms. Fleming stated that if the developer obtains affordable housing financing from Pinellas County Community Development that this funding will require a different period of affordability than the 5 years reflected in the Development Agreement, and the Development Agreement would have to be amended.

After full presentation of the report, Sharen Jarzen moved to approve the staff recommendation of approval, subject to the accompanying Development Agreement, for Case CW 08-14. The motion was seconded by Paul Geisz and carried (vote 11-0).

CW 08-16 – City of Largo – Phyllis Fleming stated that this 7.3 acres site is located north of 1955 Belcher Road. The proposed amendment is from Residential Suburban (RS) to Institutional (I). The subject site is shown as being located on a Scenic/Non-Commercial Corridor (SNCC), Belcher Road; has been recently annexed, and the City of Largo has requested the amendment to accommodate the use of the parcel as parking for the adjacent St. Catherine's Catholic Church.

Ms. Fleming noted that the area to the west, across Belcher Road, is designated RL and is developed with single-family homes; and that with the exception of the abutting church parcel to the south, the areas to the north, south and east are also RL and developed with single-family homes. However, there are several Institutional uses along Belcher Road.

Discussion followed with regard to landscape and buffer requirements to which Mr. Klute stated the applicant has been responsive and has submitted a site plan indicating larger buffers than the City's code requires.

After full presentation of the report, Jim Miller moved to approve the staff recommendation of approval for Case CW 08-16 with the separate additional recommendation that the City give special consideration to the improvement of the site with respect to the buffering and landscaping guidelines of the SNCC Master Plan. The motion was seconded by Lynn Rosetti and carried (vote 11-0).

Case CW 08-18 - Pinellas County - Ms. Fleming stated that this 6.4 acre site is located at 2201 Feather Sound Drive. She reported that the proposed amendment is from Commercial Recreation (CR) to Residential Low (RL).

Ms. Fleming stated that the site of the amendment request is the current location of a clubhouse (Parcel A) within the Feather Sound Master Plan; and that this request is to amend the Countywide Plan Map on this parcel from Commercial Recreation (CR) to Residential Low (RL). The applicant proposes to develop Parcel A (6.4 acres) with 71 condominium units, tennis courts, and parking.

She further noted that the request also involves two adjoining parcels, Parcel B and C. Although the intent of this request does not contemplate changing the Countywide Plan Map designation on Parcels B and C, the applicant proposes to average the density among parcels A, B and C and place some of the resulting residential units on Parcel A. Parcels B and C are designated Residential Low Medium (RLM) and are vacant. Parcels B and C have development entitlements (residential dwelling units) and if the amendment to Parcel A is granted, the applicant intends to extinguish all remaining development rights on Parcels B and C. The clubhouse area is not subject to this Countywide Map Amendment.

A Development Agreement between Pinellas County and the property owner has been executed by the property owner and submitted, detailing the intent of the property owner and applicant.

The requested amendment will result in two remnant CR areas on the Countywide Plan Map. Apparently, this is being done in order to address, or meet a Pinellas County Zoning limitation placed on the site relative to how much parking area can be included in the RL designation. However, the Countywide Rules contain no such limitation and therefore it will be recommended that the County amend the remnant CR area to RL or other appropriate designation once building permits are issued for the structures discussed in the Development Agreement.

John Cueva also stated that the County will be amending the land use on the two remaining parcels (B and C) as well; that essentially these are units left from the overall Master Plan; and that this will tie them up and then they are extinguished.

Mr. Crawford noted that this area is in the CHHA; and that the change will not place additional units in the CHHA.

After full presentation of the report, Bob Klute moved to approve staff recommendation of approval, subject to: 1) the accompanying Development Agreement; and 2) the density averaging requirements in Section 6.1.3 of the Countywide Rules, including written evidence of the averaging recorded in the public records; and separately and in addition, that the County amend the remaining Commercial Recreation areas to another appropriate designation once building permits are issued for the residential structures and clubhouse as defined in the Development Agreement. The motion was seconded by Marie Dauphinais and carried (vote 11-0).

Development Agreements – Proposed Joint PPC/CPA Resolution – Preliminary Draft – (Verbal) – Mr. Crawford stated that the proposed resolution has not been received from the County Attorney's office as yet, but essentially it would include the same items as was presented to PAC last month; that is requirement that a Development Agreement tied to a Countywide Plan Map amendment be approved at the local level prior to finalization of the amendment. He stated that following this resolution, there will likely be Countywide Rule amendments to codify the proposals.

Joint PPC/CPA Annexation Subcommittee – Follow-up – Mr. Crawford updated the PAC members concerning the actions to date by the Joint PPC/CPA Annexation Subcommittee and provided materials from their February 25 meeting.

He stated that the Subcommittee agreed upon the list of items in the Charter Litigation General Term Sheet were those agreed to by the County and cities in follow-up to the litigation following the Charter Review Commission process in 2006 and which were embodied in the Settlement Agreement. The Subcommittee also directed that a letter be sent to the Mayors in Pinellas County reminding them of the Settlement Agreement and asking for their assistance in following the items set forth in the Agreement. The Subcommittee identified the interlocal agreement process provided for under Chp. 171, Part II, F.S., as having the greatest potential to yield positive results and asked PPC staff and the County Attorney's office to prepare an outline of the requirements of that process

for their next meeting as well as looking at service areas in relationship to the planning/annexation areas as they existed under Ordinance No. 00-63.

The Committee hopes to conclude in one year. Mr. Crawford noted that the next meeting of the Subcommittee has been set for Monday, March 31, 10 a.m., in the Clerk's Conference Room at the Pinellas County Courthouse; and that the agenda will be posted on the Pinellas Planning Council website once completed.

Renea Vincent inquired as to whether anyone from the Palm Harbor area had come to the meetings to which Mr. Crawford stated they had not to date.

Other PAC Business:

There being no further business, the PAC adjourned at 2:37 p.m.

Respectfully submitted,


David P. Healey, Executive Director