

**PINELLAS PLANNING COUNCIL
AGENDA MEMORANDUM**

AGENDA ITEM: II F.

MEETING DATE: November 19, 2008

SUBJECT:

Consent Agenda:

F. Correspondence

RECOMMENDATION:

Council Receive and Discuss as is Appropriate

BACKGROUND

Correspondence Includes:

1. PAC Minutes – November 10, 2008 (draft), and October 6, 2008 (approved)
2. Letter sent October 1, 2008 to Marie Dauphinais, Planning and Redevelopment Director, City of Oldsmar, Re: Proposed Referendum Annexation – Advisory Review Findings – East Lake Annexation Area
3. Sample of letter sent October 2, 2008 to all City Managers or Municipal Clerk, Re: Appointment to the Planners Advisory Committee
4. Copy of letters sent October 9, 2008 to Mayor Frank Hibbard, City of Clearwater, Mayor Michael Yakes, City of Gulfport, Mayor Pat Gerard, City of Largo, Mayor William Mischler, City of Pinellas Park, and Mayor Rick Baker, City of St. Petersburg, from Brian Smith, Planning Director, Pinellas County, Re: CPA actions taken on October 7, 2008
5. Sample of letters sent October 17, 2008 to property owner/representative, Re: October 15, 2008 PPC Meeting Follow-up (Land Use Cases)
6. Letters sent October 17, 2008 to Mayors of local governments with items on October 15, 2008 PPC Agenda, Re: PPC Meeting Follow-up
7. Sample of letter sent October 17, 2008 to all municipality City Managers, Clerks, Mayors, and Planning Directors, Re: Transmittal of Ordinance No. 08-43 addressing Traffic Characteristics in the Countywide Rules
8. Copy of E-mail from David Jackson, dated October 20, 2008, sent to all PPC Staff members, Re: Brooker Creek Preserve
9. Letter dated October 29, 2008 received from G. J. Hernandez, CPA, and Jose E. Valiente, CPA, Re: Valiente Hernandez, P.A., Certified Public Accounts, joining the accounting firm of LarsonAllen LLP, effective November 1, 2008

PINELLAS PLANNING COUNCIL ACTION:

COUNTYWIDE PLANNING AUTHORITY ACTION:

SUBJECT: Other Council Business - Correspondence

10. Letter sent October 30, 2008 to Paula Cohen, Community Development Director, City of Madeira Beach, Re: Review of Proposed Amendments to the City of Madeira Beach's Code of Ordinances (Ordinances 1138 and 1139) for Consistency with the Countywide Rules

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, NOVEMBER 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
John Cueva	Pinellas County
Dean Neal	City of Pinellas Park
Bob Jarzen	City of Largo
Rick MacAulay	City of St. Petersburg
Danny Taylor	City of Indian Rocks Beach
Fred Metcalf	City of Gulfport
Catherine Hartley	City of St. Pete Beach
Marshall Touchton	School District of Pinellas County

Also Present:

Dave Goodwin	City of St. Petersburg
Dave Healey	Pinellas Planning Council
Michael Crawford	Pinellas Planning Council
Chris Mettler	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council

Chairman Renea Vincent called the meeting to order at 1:32 P.M.

Members introduced themselves for the benefit of two new members present – Catherine Hartley, City of St. Pete Beach, and Marshall Touchton representing the School District of Pinellas County.

Minutes – Chairman Vincent asked if there were any comments or corrections to be made to the minutes of the October 6, 2008 PAC meeting. Rick MacAulay requested a change on page 10, substituting the word, “explain” for “examine.” With this change, Bob Jarzen moved to approve the minutes; the motion was seconded by Dean Neal and carried (vote 9-0, representative of School District abstained.)

Old Business – none.

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

Countywide Planning Authority Actions (October and November) - Mr. Crawford presented CPA actions from October 21 and November 4 meetings noting that the CPA approved the Meres Crossing Special Area Plan (SAP) with an additional provision for maintenance of wetlands to be created in Pinellas County; that they continued Case CW 08-41 from the Town of Kenneth City to the CPA meeting of December 16; and that they

authorized advertisement of proposed amendments to the Countywide Rules regarding development agreements for December 2 and 16. Mr. Crawford noted that the City of St. Petersburg's SAP update was accepted; that the Bayside Reserves amendment with amended development agreement, which basically resulted in an overall reduction in density, was approved; and that the City of Dunedin case was withdrawn.

Annexation Report – October 2008 – Michael Schoderbock summarized the report on voluntary annexations for the month of October as follows:

He stated that the Council received a total of two voluntary annexation petitions in October from the cities of Pinellas Park and Safety Harbor. Both proposed annexation properties are vacant. The proposed annexations totaled 0.9 acres and approximately \$263,300 in taxable value. Total Municipal Service Taxing Unit revenues from the \$263,300 of taxable value are \$549 using the 2008/09 fiscal year tax rate.

Ability to Serve Report No. 08-6 – City of St. Petersburg (North Tierra Verde Annexation) – Mr. Schoderbock presented background information on this request and noted that the St. Petersburg City Council held a public hearing on November 6; is scheduled to hold another public hearing on November 17; and will take final action on this proposed annexation on November 20.

The proposed annexation area is located west of the Pinellas Bayway Bridge, north and south of Madonna Boulevard, and generally south of St. Petersburg's current boundaries (see Map 2). Referred to by the City as the North Tierra Verde Annexation Area, the area consists of ten parcels designated Commercial General, five parcels designated Residential Low, and one parcel designated Water on the Countywide Plan Map. The existing uses are a marina, shopping center, yacht club, office building, convenience store, one area of submerged land containing marina docks, five vacant parcels, and an area of right-of-way. The total area is approximately 29.7 acres in size, consisting of 17.3 acres of Commercial General, 1.0 acre of Residential Low, 10.1 acres of Water (submerged land), and 1.3 acres of right-of-way.

In accordance with the ability to serve review criteria of PPC Resolution No. 98-2, and based upon the accompanying data and analysis, staff submitted the following findings for consideration:

- A. The subject area is not located within any established planning areas pursuant to Chapter 163, F.S. St. Petersburg terminated their planning area agreement with Pinellas County (April 2008) that had its boundary adjacent to, but not including, the proposed annexation area.
- B. The proposed annexation does not create any enclaves.
- C. The City has the ability to provide water, sewer, solid waste, law enforcement, fire, EMS, recreation, and library services through city departments, county services, or private contractors.

D. The existing service district boundaries will not change.

Mr. MacAulay clarified that this submittal has changed from the previous one; that part of the Pinellas Bayway is now included, and the southern marina is now excluded. Discussion followed with regard to Type A and Type B enclaves, and in answer to query by Mr. MacAulay, Mr. Schoderbock stated that Tierra Verde could be considered a Type B enclave.

Mr. MacAulay noted that Mr. Goodwin is available to answer any questions that PAC might have.

Discussion followed with regard to the State Law and contiguity to which Mr. Schoderbock noted that under Section 171.031(11), F.S. "Contiguous" means that a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous with a part of the boundary of the municipality.

Mr. Cueva inquired as to the radius of notification to which Mr. MacAulay stated that it was 200 feet plus any neighborhood association.

After full presentation of the report, Dean Neal moved to approve staff recommendation that the Council, based on accompanying findings, adopt a finding that the City of St. Petersburg has the ability to provide municipal services to this area and authorize this finding to be transmitted to the City of St. Petersburg. The motion was seconded by Sharen Jarzen and carried (vote 8-1, representative of Pinellas County dissenting, and representative of School District abstaining).

Curlew Road Scenic Non-Commercial Corridor Pilot Study – Preliminary Draft Report - Mr. Crawford provided background on this item and stated that the preliminary draft report had not yet been received from the consultant; that as soon as it is received it will be provided to PAC for discussion at the December meeting.

Mr. Crawford noted that there are two main recommendations: 1) adding a new sub-classification called "Transitional" between the "Residential" and "Mixed Use" classifications; and 2) local government regulations to address buffering and site plan considerations for non-residential uses.

Proposed Amendments of the Countywide Rules Re: Resource Management Overlay District – Chris Mettler noted that the PPC continued this item in October to this month; that PPC staff has met with the County staff and both parties are continuing to identify and work out any inconsistencies.

Countywide Rule Amendment Re: Consistency Report – Authorization of Public Hearing for Proposed Amendment of the Countywide Rules – Mr. Mettler provided background information on the request by the Board of County Commissioners in their role as the Countywide Planning Agency requesting a Consistency Report.

He reported that the Council received preliminary drafts of proposed amendments to the Rules in follow-up to the Consistency Report at the September and October meetings; and that based on input from the Planners Advisory Committee (PAC), Pinellas County Planning staff, City of St. Petersburg staff, City of Seminole staff and County Community Development staff, additional refinements have been made in the accompanying draft for the Council's consideration. Further changes will be considered as the Council staff continues to solicit and receive input from the PAC and Council.

He stated that after review the Council staff recommends an ordinance be advertised for public hearing and consideration by the Council at their December meeting; and that the objective is to have the Rule amendments dealing with consistency in place within the next few months in order that remaining local government amendments can take place in reliance on same.

Discussion followed regarding mini-warehouse uses to which Mr. MacAulay stated there has been interest over the years for this; that the argument from industry is the need to be closer to multi-family properties; that the City has always hesitated and pointed to the Countywide Rules. He stated that with the new design guidelines and criteria in the City's new LDRs, St. Petersburg is comfortable with this as a special exception or conditional use in the Residential/Office/Retail category, and the city supports this amendment to the Rules.

Mr. Mettler outlined the issue on affordable housing noting that the section has been revised to further clarify the role of local government in approving an affordable housing plan and to further establish the minimum content required in an affordable housing plan.

With regard to Transferable Development Rights (TDRs) and Density/Intensity Averaging, discussion ensued with regard to the City of St. Petersburg staff's concern that the TDRs and density/intensity averaging amendments limit maximum density/intensity to no more than 20% above that otherwise allowed, which the City believes is too low, and suggests that 50% would be more effective at least for Residential Medium and Institutional plan categories. Mr. MacAulay provided the example that 50% would result in 22 upa for Residential Medium, half-way between the 15 units per acre allowed in RM and the 30 upa for Residential High. Mr. Neal believes there is a need for a whole new paradigm for distributing entitlements and he felt these changes did not implement the Economic Development and Redevelopment Plan. Mr. Crawford responded by saying that the Planned Redevelopment category was created in order to satisfy local governments need for increased density and intensity in certain areas.

Additional discussion followed with regard to the City of St. Petersburg's recently completed process on updating its plan and code through the Planned Redevelopment Districts noting that if local government takes the time and effort to prepare a SAP, they can take advantage of the Planned Redevelopment categories.

Mr. Mettler also noted revisions had been made to address concerns raised by the City of Seminole staff relating to density/intensity issues.

Discussion followed with regard to the Coastal High Hazard Area (CHHA) and Coastal Storm Area wherein St. Petersburg questioned the use of the new definition for "Coastal Storm Area (CSA)" in that several local jurisdictions have not yet adopted the CSA concept. It was noted that the Council staff has done so to recognize the regional and County efforts to define a larger area including such areas as those connected to the mainland by bridges, those to be inundated by a Category 2 or above hurricane and surrounded by the CHHA, and those located in the FEMA Velocity Zone. Mr. MacAulay stated the City of St. Petersburg will be requesting that the CSA portion be removed and requested more discussion on the potential effect this will have on the cities.

Mr. Mettler and Mr. Crawford provided input regarding impact considerations for plan map amendments in the proposed CSA. Mr. Metcalf reminded members that Pinellas County staff had made a presentation regarding this issue to the PAC earlier this year. Mr. Crawford provided a visual explanation using a map surrounding the Safety Harbor and Oldsmar areas.

Mr. Mettler stated that in response to concerns relative to nonconformities expressed by PAC and the County staff, Section 6.5.1.2 was revised to clarify density/intensity previously permitted as a function of TDRs, or density/intensity averaging through a local jurisdiction's approval process, shall be deemed consistent and conforming with the Countywide Rules' density/intensity standards.

Mr. Healey provided clarification that under "enforcement," the proposed provision for administrative hearing has been revised to make the process optional.

Mr. Mettler stated that, in summary, there appear to be 3 main areas requiring resolution - CHHA, TDRs and Enforcement; that these items will be discussed with the Council at the November meeting, and that staff recommends an ordinance be advertised for public hearing and consideration at the December Council meeting.

After full presentation of the report and following discussion, Rick MacAulay moved to recommend the Council authorize the ordinance for public hearing in December, less the CSA language; the motion was seconded by Catherine Hartley and carried (vote 5-4, representatives of Gulfport, Seminole, Largo and Pinellas County dissenting; representative of School District abstaining). It was clarified that those in opposition to the motion did so only due to the condition added to the motion.

PLAN AMENDMENTS

Subthreshold Plan Amendments: None.

Regular Plan Amendments:

Case CW 08-41: Town of Kenneth City – (continued to PPC meeting of November 19) - Mr. Crawford noted that no new information had been received. Mr. Neal noted that he had not been approached for assistance by the applicant. Mr. Crawford stated that staff had met with the Town and applicant regarding a development agreement but had not received anything further from them.

Other PAC Business: New members were welcomed.

There being no further business, the PAC adjourned at 2:45 P.M.

Respectfully submitted,

David P. Healey, Executive Director

Draft

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, OCTOBER 6, 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
Gordon Beardslee	Pinellas County
Dean Neal	City of Pinellas Park
Bob Jarzen	City of Largo
Rick MacAulay	City of St. Petersburg
Catherine Porter	City of Clearwater
Karl Holley	City of St. Pete Beach
Marie Dauphinais	City of Oldsmar
Ron Rinzivillo	City of Safety Harbor

Also Present:

Dr. Jeff and Mrs. Julie Hirschfield	Property Owners/Applicant
Michael Hurley	City of Oldsmar
Jason Collins	Trans Associates, Inc.
Allen Goins	A.G. Development Group, Inc.
John Heuer	A.G. Development Group, Inc.
Greg McNutt	Genesis Group
Ed Armstrong	Johnson Pope Law Firm
John Cueva	Pinellas County
Michael Crawford	Pinellas Planning Council
Chris Mettler	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 September 8, 2008 PAC meeting. There being none, Bob Jarzen moved to approve the minutes; the motion was seconded by Dean Neal and carried (vote 9-0).

Old Business – none.

Review of PPC Agenda for October 15, 2008 Meeting – Received.

Annexation Report – September 2008 – Michael Schoderbock summarized the report on voluntary annexations for the month of September as follows:

He stated that the Council received a total of six voluntary annexation petitions in September from the cities of Clearwater, Dunedin, Pinellas Park, and Seminole. Existing uses that are within the six annexations include one institutional and five residential uses. The proposed annexations totaled 48.3 acres and approximately \$338,000 in taxable value. Total Municipal Service Taxing Unit revenues from the \$338,000 of taxable value are \$704 using the 2007/08 fiscal year tax rate. It is estimated that nine residents will be affected by a change in jurisdiction. Annexation of three of the six parcels will eliminate a 1.10-acre enclave.

Ron Rinzivillo entered the meeting at this time.

Annexation Report – Quarterly Summary – Mr. Schoderbock presented the quarterly summary for the fourth quarter of Fiscal Year 2007/08. He noted that Chart 1 provides acreage summaries, Chart 2 taxable values, and Chart 3 the percentage of acres annexed in enclaves for annexations reviewed in each fiscal year since 2000/01 and through the fourth quarter of FY 2007/08. He stated that the acreage and taxable value for the fourth quarter of FY 07/08 (July through September) were 56.9 acres and \$3,304,616 respectively; that five percent (2.8 acres) reduced or eliminated an enclave; that the totals for the FY 07/08 for voluntary annexation were 145 acres and \$19,596,868 taxable value annexed. Also, there was one completed non-voting referendum annexation by the City of Largo during this fiscal year which is included on Table 2.

He further noted that Table 1 is a cumulative log of all voluntary annexation petitions received subsequent to the invalidation of Pinellas County Ordinance No. 00-63; and that Table 2 is a list of successful referendum/involuntary annexations that have occurred in recent years.

Mr. Schoderbock provided a brief historical overview of comparisons over the past seven years.

Ability to Serve Report No. 08-5 – City of Oldsmar (East Lake Annexation Area) – Mr. Schoderbock outlined the report noting that this is a proposed annexation, subject to a referendum which is scheduled for March 10, 2009. He stated that the proposed referendum area is located in the northeastern part of Pinellas County, bounded by East Lake Road on the west, Tarpon Woods Subdivision on the north and the City of Oldsmar's current boundaries on the south and east. He stated this is referred to by the City as the "East Lake Annexation Area" consisting of single-family subdivisions, condominiums and townhomes which make up the East Lake Woodlands Community Association; an area of commercial property, an area of industrial property and two 18-hole golf courses for a total area of approximately 2,073 acres.

Mr. Schoderbock provided an overview of staff's review as outlined in the report and presented the following findings:

- A. The subject area is not located within an established planning area pursuant to Chapter 163, F.S. The proposed annexation is adjacent to, but not included in the boundary of the Oldsmar planning area agreement with Pinellas County.
- B. The proposed annexation will not create any enclaves.
- C. The City has the ability to provide water, sewer, solid waste, law enforcement, fire, Emergency Medical Service, recreation, and library services through city departments, county services, or private contractors.
- D. With the exception of the fire district, the existing service district boundaries will not change.

Discussion followed with regard to recreation facilities in which Mr. Beardslee questioned the level of service to be provided assuming at least 4,000 people would be added to the City. Marie Dauphinais stated that the City has plans for additional service and improvements to East Lake Woodlands. It was suggested by Rick MacAulay that the City include statistics on the golf course site in their projections.

After full presentation of the report, Sharen Jarzen moved to approve staff recommendation that the Council, based on accompanying findings, adopt a finding that the City of Oldsmar has the ability to provide municipal services to this area and authorize this finding to be transmitted to the City of Oldsmar. The motion was seconded by Dean Neal and carried (vote 10-0).

Local Assistance Quarterly Report - Mr. Crawford stated that the Council staff has been working with WilsonMiller on the redrafting and update of the Largo Redevelopment Plan for West Bay Drive; has performed in the same role with the City of Dunedin on their two Corridor Studies (Douglas and Patricia); as well as assisted the City of Gulfport with their Scope of Services and Redevelopment Plan modifications. Additionally, he noted that Evaluation and Appraisal Report based amendments with which the Council is assisting, are all complete with exception of Redington Beach and Redington Shores.

PLAN AMENDMENTS

Subthreshold Plan Amendment:

Case CW 08-39: City of Clearwater – Mr. Crawford stated that this 4.0 acre site is located at 1551 Gulf Boulevard, and is proposed to be amended from Residential Medium (RM) and Preservation (P) to Recreation/Open Space (R/OS) and Preservation (P). He noted that the subject site consists of a recreational area with tennis courts and a parking area, as well as wetlands on the east adjacent to the Intracoastal Waterway.

After full presentation of the report, Gordon Beardslee moved approval of staff recommendation of approval; the motion was seconded by Rick MacAulay and carried (vote 10-0).

Regular Plan Amendments:

Case CW 08-35: Pinellas County – Mr. Crawford stated that this 3.5 acres site is a proposed amendment is from Residential Low (RL) to Industrial General to (IG). The amendment area is located north of the Anclote River, west of Anclote Road and was subject to an amendment in 2006 that resulted in a change from IG to RL to facilitate the construction of single-family homes. The property owner wishes to amend the northern portion of the site (3.5 of 6 acres total) back to IG to allow for the continued operation of the Mar Mar Marina, with the remaining portion of the parcel staying RL for construction of the marina owner's home. The request is for IG, as opposed to IL, in order to allow for fiberglass and other boat repair in addition to marina use.

PPC staff concluded that the requested IG category can be considered appropriate because of the site's location next to the former Stauffer Chemical Plant site, which is on the north and designated IG as well, and other heavy industrial uses in the area, and due to the location on the Anclote River which allows water access for the marina.

It was noted there were no issues with adjacency to Tarpon Springs.

After full presentation of the report, Dean Neal moved to approve Case CW 08-35 as recommended by PPC staff. The motion was seconded by Catherine Porter and carried (vote 10-0).

Case CW 08-36: City of Dunedin – Mr. Crawford stated that this 3.9 acres site is a series of parcels proposed for amendment from Residential Medium (RM) to Commercial General (CG). He reported that the amendment area is located north of Main Street (SR 580) at the northern portion of the private unimproved road entitled Carnation Drive; that the request is intended to accommodate a mini-storage warehouse use as described in the provided restrictive covenants (unsigned at this point); and that the majority of the area is vacant, with the remainder containing three single-family homes and a duplex. The area to the south along Main Street is commercial and the east, north and west boundaries all contain a residential use and residential Countywide Plan Map designations. Access to the site will be via Main Street.

Mr. Crawford stated that PPC staff has concluded that the requested CG category is considered inappropriate for this site as it is surrounded on three sides with residential uses and designations; impacts a number of residences along the site's access on Carnation Drive; and is not part of a concentrated commercial center effectively doubling the existing depth of the CG category from Main Street.

He stated that the existing RM category is appropriate for the site and acts as a transition between the areas; and that the R/OG category would also serve the area well and be consistent with the Countywide Rules. He further noted that office uses alone, or mixed with residential uses allowed within the R/OG category, would serve as a transition from the more intensive non-residential uses along Main Street and the residential uses in the

area. Additionally the uses in R/OG would be better suited for the site's natural areas that include many mature oaks.

Mr. Crawford noted that he had spoken to Greg Rice, Dunedin's Director of Planning and Development, late last week and that the agenda memo had been provided to them; however, no comments have been provided to staff to date.

Discussion followed with regard to the proposed alternative compromise recommendation which would still not allow for the use for which they are applying. Additionally, several PAC members expressed concern regarding access issues and encroachment into the residential area.

Dean Neal moved to table the item to the next PAC meeting. Sharen Jarzen questioned the effect of a table motion to which Mr. Crawford stated that the Council could still take action to move it forward if it chose, depending on the City of Dunedin's input at the Council meeting. Ron Rinzivillo seconded Mr. Neal's motion to table; subject motion failed by vote of 2-8, representatives of Pinellas County and Pinellas Park voting in favor of the motion to table.

Discussion followed regarding staff objection based on CG as opposed to using the Residential/Office/Retail category to which Mr. Crawford stated that the current configuration of R/O/R would not allow mini-storage, but it was being considered in upcoming Countywide Rule amendments. However, even though restrictive covenants would have helped limit the use of the site, mini-storage would still be considered inappropriate given the information discussed earlier regarding the use of CG.

Sharen Jarzen moved to approve staff recommendation of denial of Case CW 08-36; the motion was seconded by Catherine Porter and carried (vote 10-0). The PAC took no action with regard to the alternative compromise recommendation of R/OG recommended by PPC staff.

Case CW 08-37: City of Tarpon Springs – Mr. Mettler stated that this 16.6 acres is proposed to be amended from Residential/Office General (R/OG) and Institutional (I) to Planned Redevelopment – Mixed Use (PR-MU).

He stated that the City has submitted the Meres Crossing Special Area Plan for approval by the Council and Countywide Planning Authority as justification for an amendment of the Countywide Plan Map to the PR-MU designation; that the subject area is vacant but was formerly partially developed with a mobile home park; and that portions of the site allow drainage of storm water from areas east of the Pinellas Trail to the bayous northwest of the site. Mr. Mettler noted that the proposed development will include a mix of retail, office and residential uses; that the project will be integrated with the Hospital offering medical office space, senior housing and housing for patients' families. The parking, vehicular access and pedestrian access will be integrated with the Hospital as well. The integration with the Hospital, the proposed connections and interaction with the Trail, and significant

improvement of Meres Boulevard (extending to US 19) and Safford Avenue combine to allow this plan to meet the minimum requirements for a special area plan.

Mr. Mettler stated that PPC staff recommends approval of the amendment to PR-MU based on and correspondent with the Meres Crossing Special Area Plan, subject to the following conditions:

- 1) Maximum permitted density of 22 dwelling units per acre and non-residential intensity of 0.41 FAR;
- 2) Submission by the City of a monitoring and evaluation report for the Special Area Plan that assesses the status of Special Area Plan implementation progress and measurable impacts to date within five (5) years of the date of approval of this amendment; and
- 3) Submission of any future amendment to the Special Area Plan, for receipt and acceptance, or for consideration as an amendment, as is determined necessary under the Countywide Plan Map amendment process.

Mr. Crawford noted that the properties involved include a privately owned parcel, former City of Tarpon Springs parcels, and Helen Ellis Memorial Hospital parcels and he outlined improvements being proposed, noting that the mixture of uses on-site, integration with surrounding uses and the pedestrian system, and proposed roadway improvements allowed staff to recommend it as an SAP. Discussion followed with regard to the Pinellas Trail crossing with Safford Ave. with Ms. Vincent noting that the Trail will remain in the center of Safford Avenue; that the intent is to make a high visibility, protected crossing.

Dean Neal moved approval of the amendment as recommended by staff.

Discussion followed with regard to traffic impacts and levels of service to which Ms. Vincent noted commitments are a part of the SAP and included in the terms of the development agreement, and that in the approval of the Multi-modal Transportation District the Florida Department of Transportation will no longer require the use of typical "level of service" (LOS) standards to measure traffic. Mr. Crawford referred to the traffic study and high 20% internal capture rate reducing the number of trips associated with the site and also noted that Pinellas Avenue was operating at a LOS "C" with the amendment not causing this LOS to be lowered.

John Heuer of A. G. Development responded to query from Mr. Beardslee with regard to the 8 acres of uplands and 9 acres of wetlands stating that the jurisdictional agencies are requiring mitigation at a 16:1 ratio in Hernando County to which Ms. Vincent added that was in the Southwest Florida Water Management District's drainage basin. Mr. Crawford added that there was significant degradation of the wetland due to man-made alterations.

Renea Vincent stated that the greater good is the focus of the improvements and that no one is really happy with the wetland issue, but on the balance, the Tarpon Board of City Commissioners approved the plan unanimously.

Sharen Jarzen seconded the earlier motion made by Dean Neal to approve the amendment, subject to the three conditions enumerated. The motion carried (vote 9-1, representative of Pinellas County dissenting).

Case CW 08-38: City of St. Petersburg – Mr. Crawford stated that this 11.8 acres m.o.l. is requested to be amended from Commercial General (CG) to Planned Redevelopment – Mixed Use (PR-MU) and has been submitted by the City to recognize recent changes as part of the Vision 2020 Plan (a Special Area Plan, or SAP) implementation.

Specifically, the proposed Countywide Plan Map amendment will enable each parcel to utilize the PR-MU category and thereby will expand the previously approved PR-MU boundary that was approved on April 3, 2007 by the Countywide Planning Authority (CW07-10). This amendment is not associated with any existing or proposed site specific redevelopment plan, but is rather intended to recognize the development on-site (child learning center, hotels, and a restaurant).

PPC staff is recommending the proposed amendment to PR – MU be approved, based on and correspondent with the City of St. Petersburg's Vision 2020 SAP.

Discussion ensued regarding the 316 vehicle trip standard per day to which Mr. Crawford stated that figure came from infrastructure analysis sections in the SAP. Mr. MacAulay and Mr. Crawford referred to the City's increased average daily trips as proposed in the SAP update coming up later in the agenda, but felt that this was an accurate figure to use in the analysis. Gordon Beardslee indicated that even though the amendment area adjacent to the site is operating at an acceptable LOS, a portion of Ulmerton Road west of the site carries a LOS of "F"; and requested that be indicated in the report. Mr. MacAulay stated that there is no redevelopment planned at this time.

After full presentation of the report, Bob Jarzen moved to approve Case CW 08-38 as per staff recommendation. The motion was seconded by Sharen Jarzen and carried (vote 10-0).

Case CW 08-40: City of Clearwater – Mr. Crawford stated that this 8.1 acres m.o.l. is proposed to be amended from Residential Urban (RU) and Institutional (I) to Residential Low Medium (RLM). The amendment area is located east of the CSX railway and north of Woodlawn Street. Mr. Crawford noted that the site has a single-family home and eight attached residential units, but the majority of the site is vacant; and that the requested is intended to allow construction of attached residential units. He stated that in 2001, an application to amend the site from RU and Residential Medium was approved to the current designation of Institutional for the construction of a church, but the plan is now to construct residences.

He summarized the report stating PPC staff has concluded that the requested RLM category can be considered an appropriate Countywide Land Map designation because of the site's location among other residential uses and serves as a transition from higher density residential on the east to lower density residential on the west and south; and that additionally the site is adjacent to recreational facilities and within ¼ mile of the Pinellas Trail.

Ms. Porter noted the developer has now backed away, but the Church wants to go forward with the amendment, as does the City.

After full report and discussion, Dean Neal moved approval of the amendment to RLM; the motion was seconded by Sharen Jarzen and carried (10-0).

Case CW 08-41: Town of Kenneth City – Mr. Crawford stated that the 1.5 acres m.o.l. amendment area is located north of 54th Avenue North and west of 62nd Street North; that the parcel is designated Residential/Office General (R/OG) and is “L” shaped, surrounding a parcel that is in the unincorporated area and designated CG; and that the remaining uses surrounding the site are residential. He stated that PPC staff concluded that the requested CG category is considered inappropriate for this site because it is surrounded on two sides, and a portion of the third side, with residential uses. He noted that the request would double the existing depth of the CG category from 54th Avenue North further encroaching into the residential area; that the Countywide Rules support the current designation for the site of R/OG which is in character with the abutting residential uses and serves as a transition from the existing commercial area on the northwest corner of 54th Ave. and 62nd St., as well as the commercial areas on the south side of 54th Avenue.

PPC staff therefore recommends the proposed amendment to Commercial General be denied.

At the invitation of PAC, Dr. Hirschfield (property owner) stated that the property was purchased in 2003; that he wishes to develop it for his pediatric practice; that he intends to build an approximately 3500 square foot building and have some of what he termed “allied” professions on the site as well. He stated the Mayor Whitman plans to be at the PPC meeting on the 15th in support, and that there have been no objections to the project from the neighborhood.

Discussion ensued with regard to zoning issues and what is available to them in the Town of Kenneth City. The PAC questioned whether Residential/Office/Retail (R/O/R) might be available to which a reference to the Town's comprehensive plan indicated it would not.

John Cueva provided historical data on the subject property noting that in 2001 they requested a land use amendment to CG on ½ acre on this site and the County denied the request.

Rick MacAulay stated that R/OG is the appropriate land use designation; that accommodation of the proposed uses is more an issue with zoning to be dealt with by the

Town of Kenneth City (potentially as accessory uses); that he does not believe the issue is with land use; and that the issue should be referred back to the local government. Mr. Rinzivillo concurred with Mr. MacAulay.

After full report and discussion, Sharen Jarzen moved to deny the request to Commercial General with added recommendation that the Town of Kenneth City re-examine its Land Development Code to determine if it could accommodate the intended uses either at present in their General Office category or after amendment; the motion was seconded by Dean Neal and carried (vote 10-0).

PAC members requested the minutes reflect they “regrettably” recommended denial of the amendment.

St. Petersburg Vision 2020 SAP Update – CW 07-10 (SAP Change No. 3-2008) – Mr. Crawford stated that this request is a substantive special area plan (SAP) change, SAP Change No. 3-2008. He stated that since the original approval of the SAP in October 2006, the City has submitted a number of smaller amendments that utilized the new Planned Redevelopment categories; that individually these did not result in significant impacts but there was potential that on a cumulative basis they could result in significant impacts; and finally that at a minimum it was determined that the SAP should be updated to include these various map amendments and any other amendments that might be necessary since the original SAP adoption date.

In response to that requirement, the City of St. Petersburg has submitted an updated draft of the SAP. The amendments submitted by the City include:

1. Updated maps of the areas of the City designated Planned Redevelopment – Residential (PR-R), Planned Redevelopment – Mixed-Use (PR-MU), and Planned Redevelopment – Commercial (C).
2. Updated descriptions of the PR-R, PR-MU, and PR-C future land use plan categories.
3. Updated description of the Affordable/Workforce Housing provisions.
4. Updated description of the mixed-use provisions.
5. Identification and reference to the newly adopted land development regulations implementing the SAP.
6. Updated discussions of the potable water, sewer, and traffic analysis and discussions.
7. Updated analysis of the adopted Roadway Level of Service (LOS) and the Coastal High Hazard Area (CHHA) topics.
8. Provision of 2008 and 2025 LOS data from the Pinellas County MPO’s *Draft 2008 LOS Report*.
9. Updated Schedule of Zoning District Regulations.

Mr. Crawford stated that this updated SAP addresses the necessary subject areas, including the cumulative impacts of the various smaller map amendments made since the original SAP adoption; that a review of the submitted update shows that the cumulative impacts have been considered by the City and are not significant in nature; and that based on the background data and analysis, the following findings are submitted for consideration of the recommendation for approval:

- A. The proposed changes are consistent with the overall objectives of the City's Vision 2020 Plan (also referred to by the Countywide Rules as a Special Area Plan).
- B. The changes are consistent with the Countywide Rules and will maintain consistency with the Updated Countywide Plan for Pinellas County (The Countywide Plan).
- C. The submittal satisfies the requirements of the Countywide Rules and the conditions of approval for the preceding SAP amendments.

Discussion ensued with regard to the issue brought up previously in this meeting with regard to the 316 vehicle trips per day vs. 335 per day proposed in the PR-MU category referred to in the Table Notes, pgs. 101-105.

Mr. Beardslee noted at the bottom of pg. 11, discussing the City's Concurrency Management ordinance, and inquired whether that includes Ulmerton Road to which Rick MacAulay stated he will revise that language to include this area that is regulated by the Concurrency Management system..

After full presentation and discussion, Bob Jarzen moved to approve the proposed amendment to the Vision 2020 Special Area Plan as recommended by staff; the motion was seconded by Catherine Porter and carried (vote 10-0).

Proposed Amendments of the Countywide Rules Re: Development Agreements - Mr. Crawford provided background information and summary on the proposed amendment of the Countywide Rules regarding submission and consideration of development agreements including changes made at request of the City of St. Petersburg and Pinellas County staff.

Mr. MacAulay stated that the City of St. Petersburg will be represented at the Council meeting, along with their City Attorney's office, to further explain their remaining concerns. He stated that he appreciated the time PAC and the PPC staff have put into this. Mr. Rinzivillo noted that Safety Harbor has historically been against the concept of use of development agreements, but didn't want to object and take away their use by other local governments. Mr. Neal stated he is personally disagreeing for academic reasons. Mr. Holley stated the need for flexibility through the use of development agreements. Mr. Beardslee stated that Pinellas County is okay as per changes made.

Mr. Holley moved approval of Resolution No. 08-4 recommending approval of the amendment to the Rules; the motion was seconded by Ron Rinzivillo and carried (vote 8-2, representatives of St. Petersburg and Pinellas Park dissenting).

Proposed Amendments of the Countywide Rules Re: Resource Management Overlay District – Mr. Crawford stated that Pinellas County has prepared and approved the Brooker Creek Management Plan and has worked with PPC staff to identify and

coordinate the means by which to recognize this Plan within the Countywide Plan framework. The draft ordinance proposes to create a new Countywide Plan Map category entitled Resource Management Overlay (RMO) that would be available to the county, or any local government jurisdiction, by which to recognize the unique needs of providing for water supply facilities in combination with natural resource conservation and management practices. The map category, once established in the Rules, would be available upon application to be considered as a map amendment based on an approved local government management plan.

Discussion followed with Mr. Crawford noting the ordinance includes four (4) definitions. Mr. Rinzivillo inquired as to the uses allowed in this category and whether they are compatible with environmental sensitivity of the area to which Mr. Crawford stated they are required to be and that a local government must demonstrate that the area they wish this to be applied to is appropriate. Gordon Beardslee noted that there are some who still want nothing – no Pinellas County Utilities - in the Preserve; that the balance in their management plan is intended to provide water resources, but still protect our environmental resources. Mr. Crawford stated county staff has had numerous meetings on this and that this amendment of the Countywide Rules would allow for another point for public input through the land use amendment process.

After full presentation of the report, Dean Neal moved approval of Resolution No. 08-5 recommending approval of the amendment to the Rules; the motion was seconded by Sharen Jarzen and carried (vote 10-0).

Catherine Porter left the meeting at this time.

Consistency Report – Authorization of Public Hearing for Proposed Amendment of the Countywide Rules - Mr. Mettler stated that the Council had received a preliminary draft of proposed amendments to the Rules as a follow-up to the Consistency Report and reviewed the draft at the September meeting. Based on input from the Planners Advisory Committee and Pinellas County staff, additional refinements have been made for Council consideration at the October meeting. He noted that if the revised preliminary draft of the amendments is satisfactory after review at the October meeting, staff will request authorization to advertise the ordinance for public hearing and consideration by the Council at their November meeting. Mr. Mettler summarized the proposed changes and additions.

Mr. Mettler stated that early last week PPC staff had received a letter from County staff outlining their concerns; and that late last week (after the agenda memo had been prepared) PPC staff had received a letter from the City of St. Petersburg outlining their concerns. He outlined the enumerated changes PPC staff had made as requested by County staff on page 3 of the staff report and discussed some of St. Petersburg's concerns during the meeting.

Gordon Beardslee stated the County will still have some concerns with density averaging, and will recommend not including the administrative hearing process in the section

regarding enforcement of the Countywide Rules. He also indicated that density averaging could make a lot of their master plans non-conforming in the County.

Mr. Mettler outlined concerns of the City of St. Petersburg relative to the Coastal High Hazard Area (CHHA) and what the City believes to be inappropriate changes referencing the new Coastal Storm Area (CSA). St. Petersburg believes any reference to CSA is premature; the City understands that the Tampa Bay Regional Planning Council is supportive of the new designation and definition of the CSA, and that the County is supportive, but the City of St. Petersburg is still contemplating this concept and so believes that any reference to CSA is premature, and that there is a need to retain the CHHA terms and use.

Mr. MacAulay stated that other concerns from the City of St. Petersburg were outlined in their letter; and that he believes the motion to go to public hearing in November should be delayed another 30 days for review.

Dean Neal indicated he understood the consistency amendments would basically codify Pinellas by Design; that he has not seen anything that does that; that Pinellas by Design redevelopment issues have mostly been addressed through SAPs; and that he is disappointed that this has not been addressed more since we are in redevelopment mode. Mr. Crawford stated that these amendments were primarily intended to address consistency issues.

After discussion and full presentation of the report, Gordon Beardslee recommended that the Planning Council defer taking this to public hearing for at least one month; the motion was seconded by Sharen Jarzen. Mr. Crawford stated that the request is whether or not to take this to public hearing, which public hearing process would then allow for additional discussion.

Mr. MacAulay initiated additional discussion regarding the 20% cap on density averaging; and as to whether 50% or higher would be appropriate given our current mode of redevelopment. Dean Neal offered a friendly amendment to the motion that we "delay to December" rather than "one month." The friendly amendment was accepted and the motion carried (vote 9-0).

Bob Jarzen left meeting at this time.

Countywide Plan Map – 2008 Annual Update - Mr. Crawford stated that the Countywide Rules provide for the annual update and filing of the Countywide Plan Map. He further stated that the Map has been updated to include all amendments that have been approved this year. He stated that the Council is being asked to approve Resolution No. 08-3, recommending acceptance of the Updated Countywide Plan Map for filing as the official record copy, and to transmit this to the Countywide Planning Authority for official acceptance and filing at their November 4, 2008 meeting.

Karl Holley moved to forward this item to the Council for consideration at their October 15 meeting; Dean Neal seconded the motion and the item carried (vote 8-0).


Other PAC Business:

Rick MacAulay provided prints of a Tampa Bay Rays poster to PAC members.

PAC members were reminded that a group photo will be taken at the November PAC meeting.

There being no further business, the PAC adjourned at 3:50 P.M.

Respectfully submitted,


David P. Healey, Executive Director