

**PINELLAS PLANNING COUNCIL
AGENDA MEMORANDUM**

AGENDA ITEM: II A.

MEETING DATE: July 15, 2009

SUBJECT:

Consent Agenda

A. Minutes of June 17, 2009 Council Meeting

RECOMMENDATION:

Council Approve Minutes for June 17, 2009 Council Meeting

BACKGROUND

Council minutes for June 17, 2009 are attached for your approval.

PINELLAS PLANNING COUNCIL ACTION:

COUNTYWIDE PLANNING AUTHORITY ACTION:

MINUTES OF THE MEETING OF THE
PINELLAS PLANNING COUNCIL
June 17, 2009

The Pinellas Planning Council (PPC) met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 1:07 P.M. with the following members present:

Beverley Billiris, Chairman, City of Tarpon Springs Mayor
Jerry Knight, Vice-Chairman, Town of North Redington Beach Vice-Mayor
Nina Bandoni, City of Safety Harbor Vice-Mayor
Sandra L. Bradbury, City of Pinellas Park Councilmember
David Carson, City of Dunedin Commissioner
John Doran, City of Clearwater Councilmember
Jim Kennedy, City of St. Petersburg Councilmember
Linda S. Lerner, School Board Member
Stephanie Oddo, Town of Belleair Commissioner
Jim Ronecker, City of Oldsmar Mayor
Patricia J. Shontz, City of Madeira Beach Mayor

Not Present:

Patricia Gerard, Secretary, City of Largo Mayor
John Morroni, Treasurer, County Commissioner

Also Present:

David P. Healey, Executive Director, PPC
Willie L. Brown, Jr., PPC Staff
Michael C. Crawford, PPC Staff
Linda Fisher, PPC Staff
Larry S. Pflueger, PPC Staff
Carolyn Shoemaker, PPC Staff
Jewel White Cole, Managing Assistant County Attorney
Other interested individuals
Arlene Smitke, Deputy Clerk

AGENDA

- I. CALL TO ORDER
 - A. Invocation and Pledge
 - B. Identification of Members Present

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II. CONSENT AGENDA

- A. Minutes of May 20, 2009 Meeting
- B. Financial Statement for May 2009
- C. Countywide Planning Authority (CPA) Actions – June 2009
- D. Annexation Report – May 2009
- E. Preliminary July 2009 Agenda
- F. Correspondence

III. PUBLIC HEARING – To begin at 1:00 P.M. or as soon thereafter as agenda permits

- A. Public Hearing Format Announcement and Oath
- B. Proposed Amendments to the Countywide Future Land Use Plan
 - Group 1: Subthreshold Amendments
 - 1. Case CW 09-15: City of Dunedin
 - Group 2: Regular Amendments
 - 2. Case CW 09-14: City of Safety Harbor (SAP Adoption 2009)
 - 3. Case CW 09-16: City of Madeira Beach (SAP Adoption 2009)

IV. REPORTS/OTHER ACTION

V. EXECUTIVE DIRECTOR ITEMS

- A. Transfer of Development Rights (TDRs) – Filing Form
- B. Work Program and Budget for FY 2009-10:
 - 1. Annual and Five-Year Work Program – Draft
 - 2. Annual Budget and Millage Rate for FY 2009-10 – Draft
- C. Verbal Reports

VI. OTHER COUNCIL BUSINESS

- A. Chairman/Member Items

VII. ADJOURNMENT

CALL TO ORDER

Chairman Billiris called the meeting to order at 1:07 P.M.

INVOCATION AND PLEDGE

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

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IDENTIFICATION OF MEMBERS PRESENT

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

CONSENT AGENDA – APPROVED

Chairman Billiris presented the Consent Agenda items, as follows:

- A. Minutes of May 20, 2009 Meeting
- B. Financial Statement for May 2009
- C. Countywide Planning Authority (CPA) Actions – June 2009
- D. Annexation Report – May 2009
- E. Preliminary July 2009 Agenda
- F. Correspondence

Referring to Item C, Mr. Healey reported that all recommendations from the previous month's Council meeting were approved by the Board of County Commissioners (BCC) sitting as the CPA.

Councilmember Doran moved, seconded by Commissioner Carson and carried, that the Consent Agenda items be approved (Vote 11 – 0).

PUBLIC HEARINGS

- A. Public Hearing Format Announcement and Oath

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

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B. Amendments to the Countywide Future Land Use Plan

GROUP 1: SUBTHRESHOLD AMENDMENTS

PUBLIC HEARING: CASE CW 09-15, PROPOSAL BY THE CITY OF DUNEDIN TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL ESTATE (RE) AND PRESERVATION (P) WITH WATER/DRAINAGE FEATURE (W/DF) OVERLAY TO RESIDENTIAL SUBURBAN (RS) AND PRESERVATION (P) WITH WATER/DRAINAGE FEATURE (W/DF) OVERLAY – APPROVED

Pursuant to legal notice published in the June 1, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-15, a proposal by the City of Dunedin to amend the Countywide Future Land Use Plan from RE and P with W/DF Overlay to RS and P with W/DF Overlay, re 4.8 acres m.o.l., located at 1000 Lyndhurst Street, 1099 Virginia Street, and the southern adjacent vacant lot, all generally located east of Cedarwood Drive.

Mr. Healey indicated that the case qualifies as a Type C Subthreshold Amendment; that the property owner has petitioned for annexation into the City of Dunedin; and that the City has requested the amendment to RS, which allows 2.5 units per acre, as it does not have a lower density category available in its Future Land Use Plan; whereupon, Mr. Crawford displayed land use maps showing the existing and proposed designations.

Mr. Healey noted that the Planners Advisory Council (PAC) voted 11 to 0 to approve the amendment; and PAC Chairman Sharen Jarzen, City of Seminole, noted that any public improvements would be done within the existing public right-of-way.

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

Vice-Mayor Knight moved, seconded by Councilmember Doran and carried, that Case CW 09-15 be approved as recommended by staff (Vote 11 – 0).

Mr. Healey pointed out that the unincorporated area contains other RE properties that are potential candidates for annexation; and suggested that the City may wish to add an appropriate Plan category to avoid the need for future amendments; whereupon, Commissioner Carson indicated that he will pursue the matter with the City.

GROUP 2: REGULAR AMENDMENTS

PUBLIC HEARING: CASE CW 09-14 (SAP ADOPTION 2009), PROPOSAL BY THE CITY OF SAFETY HARBOR TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW (RL), RESIDENTIAL URBAN (RU), RESIDENTIAL URBAN WITH RESORT FACILITIES OVERLAY (RFO), RESIDENTIAL MEDIUM (RM), RESIDENTIAL/OFFICE LIMITED (R/OL), INDUSTRIAL LIMITED (IL), INSTITUTIONAL (I), RECREATION/OPEN SPACE (R/OS), AND CENTRAL BUSINESS DISTRICT (CBD) TO COMMUNITY REDEVELOPMENT DISTRICT (CRD) – APPROVED WITH CONDITIONS

Pursuant to legal notice published in the June 1, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-14 (SAP Adoption 2009), a proposal by the City of Safety Harbor to amend the Countywide Future Land Use Plan from RL, RU, RU with RFO, RM, R/OL, IL, I, R/OS, and CBD to CRD, re 156.5 acres m.o.l., located generally in an area included within and encompassed by Scott Street, 3rd Street South, 9th Avenue South, 7th Street South, east of Landfield Avenue, 4th Street South, lots fronting 13th Avenue North and South and a part of Main Street, 3rd Street North, 10th Avenue North, 4th Street North, then eastward to 2nd Avenue North, then northward to 6th Street North, Church Street, Virginia Avenue, and extending to Old Tampa Bay, including the Safety Harbor Spa and City Marina properties.

Staff recommended approval of the amendment, subject to the following conditions:

1. Submission by the City 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.
2. Submission by the City of an assessment of the Special Area Plan's progress with respect to its enumerated objectives five years from the effective date of the Countywide Plan Map amendments pursuant to this Special Area Plan.
3. Application of permitted densities and intensities based on their respective proportion to the affected total land area, unless specifically noted otherwise in the Special Area Plan.

4. Authorization of an exception to the Scenic/Non-Commercial Corridor Unique/Scenic View subclassification for the portion of Bayshore Boulevard in the Special Area Plan.

Mr. Healey related that the City of Safety Harbor implemented its Downtown Master Plan (Special Area Plan) in 1992; that the City is updating and refining the Plan and expanding its boundaries slightly; that components of the Plan will govern redevelopment within the District; and that any requests for amendments to the Plan will be submitted to the PPC to determine whether they are considered substantive; whereupon, he indicated that the City is requesting, and staff recommends approval of, an exception to the provisions of the Scenic/Non-Commercial Corridor for a small portion of Bayshore Boulevard.

Mr. Crawford indicated that the property currently designated Central Business District, approximately 126 acres, constitutes the existing City of Safety Harbor Community Redevelopment Area created under Chapter 163, Florida Statutes; that the area will be expanded to 156.5 acres, changing a variety of land use districts on the periphery of the CBD to the new CRD category, to be governed by the Special Area Plan entitled *City of Safety Harbor Downtown Master Plan*. He indicated that the Special Area Plan addresses slum and blight conditions, as required by state statute; establishes 13 Character Districts which determine floor area ratios, residential density, and other design elements; and provides for capital improvements such as sidewalks, streetscaping, and water and sewer facilities.

Referring to a map, Mr. Crawford pointed out the current CBD and proposed Character Districts; and indicated that the Plan provides the potential for a slight increase in residential square footage, amounting to 30 units over the entire plan, and a reduction of about 450,000 square feet in non-residential square footage; and that impacts to the water, sewer, and transportation systems are minor; whereupon, he displayed photographs of the subject area and surrounding uses.

Responding to the Chairman's call for the applicant, City of Safety Harbor Community Development Director Matt McLachlan appeared and indicated that the proposal represents a substantial rewrite and expansion of the 1992 CRA plan; that the major focus is to bring the Plan into alignment with the recommendations of *Pinellas by Design* and model policies developed through the livable communities initiative; that the City has worked hard to reconcile citizens' concerns regarding character and compatibility issues; that several amendments have been made to the City's Land Development Code and he is working with its Planning and Zoning Board to update regulations as necessary to implement the Plan; and that the City is agreeable to all conditions set forth in the PPC staff report; whereupon, Vice-Mayor Bandoni related that the City Commission has approved the Plan and is looking forward to seeing it come to fruition.

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In response to queries by Vice-Mayor Knight, Mr. McLachlan indicated that the City had initially intended to pursue expansion of its Tax Increment Financing (TIF) area to the full CRD, but due to the current economic conditions, it decided not to do so; and Mr. Healey clarified that the TIF district applies to the current CBD and will not apply to the expanded area. Responding to queries by Ms. Lerner, Mr. McLachlan provided information regarding redevelopment incentives, efforts to address the affordable housing issue, and a grant program providing assistance for exterior home improvements.

Commissioner Doran referred to Agenda Item No. III.B-3 (Case CW 09-16) and inquired as to why Condition No. 3 regarding submission of zoning amendments was not included in the current item. In response, Mr. Healey stated that such a condition is unnecessary, as specific provisions regulating density and intensity are set forth in the Safety Harbor Special Area Plan.

Chairman Billiris stated that the PAC voted 11 to 0 to approve the amendment; and PAC Chairman Sharen Jarzen confirmed, noting that the PAC's approval is subject to the four conditions recommended by PPC staff.

Responding to the Chairman's call for citizens wishing to be heard, Jeffrey Barrett and Rick Zacchigna, Saxony Homes, Clearwater, indicated their opposition to the Plan, citing their experience with a recent project proposal to the City; whereupon, responding to query by Ms. Lerner, Mr. Healey indicated that the Special Area Plan is complete and meets all requirements of the Countywide Rules; and that the testimony of the objectors is not relevant to the matter before the Council. Discussion ensued, and Mr. McLachlan and Vice-Mayor Bandoni provided additional input, addressing concerns of the Council and objectors regarding density and intensity.

Thereupon, Vice-Mayor Knight moved, seconded by Vice-Mayor Bandoni and carried, that Case CW 09-14 be approved with the conditions noted (Vote 10 - 1, Councilmember Bradbury dissenting).

PUBLIC HEARING: CASE CW 09-16 (SAP ADOPTION 2009), PROPOSAL BY THE CITY OF MADEIRA BEACH TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL/OFFICE/RETAIL (R/O/R), RESORT FACILITIES MEDIUM (RFM), COMMERCIAL GENERAL (CG), RECREATION/OPEN SPACE (R/OS), INSTITUTIONAL (I), AND TRANSPORTATION/UTILITY (T/U) TO PLANNED REDEVELOPMENT - MIXED USE (PR-MU) - APPROVED WITH CONDITIONS

Pursuant to legal notice published in the June 1, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on

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Case CW 09-16 (SAP Adoption 2009), a proposal by the City of Madeira Beach to amend the Countywide Future Land Use Plan from R/O/R, RFM, CG, R/OS, I, and T/U to PR-MU, re 80 acres m.o.l., generally located within an area encompassed by the Gulf of Mexico on the West, 154th Avenue on the north, Boca Ciega Bay on the north, east, and south, and generally north of East Madeira Avenue and south of 1st Street East.

Staff recommended approval of the amendment, subject to the following conditions:

1. Submission by the City 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.
2. Submission by the City of an assessment of the Special Area Plan's progress with respect to its enumerated objectives five years from the effective date of the Countywide Plan Map amendments pursuant to this Special Area Plan.
3. Submission of any zoning amendments that result in increases in the allowable density or intensity, such submission to constitute substantive amendment of the Special Area Plan; or amendment of the Special Area Plan to include refinement of the Character Districts to recognize current public ownership and/or existing use.
4. With the exception of the Commercial Core District, application of permitted densities and intensities based on their respective proportion to the total affected land area, unless specifically noted otherwise in the Special Area Plan.

Mr. Healey indicated that the City of Madeira Beach wishes to reclassify an area totaling 80 acres from various land use designations to the Planned Redevelopment – Mixed Use category, one of the new categories created by the Council as part of the Countywide Rules amendment to accommodate the City of St. Petersburg's Vision 2020 plan; whereupon, he reported that the Madeira Beach Town Center Special Area Plan meets all of the requirements of the Countywide Rules for a Special Area Plan; that staff recommends approval, subject to the four conditions set forth in the agenda memorandum; and that County staff has indicated an objection to proposed Condition No. 3.