

Clearwater, Florida, September 10, 2015

The Pinellas County Local Planning Agency (LPA) (as established by Section 134-12 of the Pinellas County Land Development Code, as amended) met in regular session in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida at 9:03 A.M. on this date with the following members present:

Lauralee G. Westine, Chairman
Regina Kardash
Steve Klar
Susan Reiter
Ronald Schultz
Valerie Murray (Alternate)

Not Present:

David Brandon, Vice-Chairman
Cathy Harrelson
Clint Herbic (non-voting School Board Representative)

Also Present:

Gordon R. Beardslee, Planning Department Director
Glenn Bailey, Planning Department Zoning Manager
David S. Sadowsky, Senior Assistant County Attorney
Chelsea Hardy, Assistant County Attorney
Other interested individuals
Christopher Bartlett, Board Reporter, Deputy Clerk

CALL TO ORDER

Chairman Westine called the meeting to order at 9:03 A.M. and reviewed the public hearing procedures; whereupon, she indicated that ordinances from Item B and Case No. LU-21-9-15 will be addressed by the Board of County Commissioners (BCC) on November 24; that all other cases will be addressed by the BCC on October 20; and that any documents to be reviewed by the BCC at its October 20 meeting should be submitted to staff no later than October 6.

MINUTES OF JULY 9, 2015 MEETING – APPROVED

Mr. Schultz moved, seconded by Ms. Kardash and carried, that the minutes of the July 9, 2015 meeting be approved.

PUBLIC HEARING ITEMS

Legal notice having been published for the items on the agenda, as evidenced by affidavit of publication filed with the Clerk, public hearing was held on the following items. All correspondence provided to the Clerk's Office has been filed and made a part of the record. All persons planning to give testimony were duly sworn by the Deputy Clerk.

PROPOSED AMENDMENTS TO THE PINELLAS COUNTY FUTURE LAND USE MAP AND ZONING ATLAS

1. APPLICATION OF MARY ELIZABETH McCRANEY AND ROBERT AND BONNIE SHELL THROUGH C. REED HAYDON, REPRESENTATIVE, FOR A ZONING CHANGE FROM A-E, AGRICULTURAL ESTATE RESIDENTIAL, TO RPD-2.5, RESIDENTIAL PLANNED DEVELOPMENT, 2.5 UNITS PER ACRE (Z-17-7-15) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Mary Elizabeth McCraney and Robert and Bonnie Shell through C. Reed Haydon for the above change in zoning (Z-17-7-15), re approximately 8.32 acres located on the south side of Virginia Street, 450 feet west of Keene Road in the unincorporated area of Dunedin.

Mr. Bailey referred to aerial photographs and the zoning and land use map, pointed out the location of the subject property, described surrounding land uses, and indicated that the proposed use is a 20-unit single family subdivision. He noted that the land use will remain Residential Suburban keeping the maximum density at 2.5 units per acre; that staff will work with the applicant to preserve some of the existing trees; and that the preservation drainage strip on the property will be kept intact; whereupon, he recommended approval of the proposed zoning amendment.

Upon the Chairman's call for the applicant, C. Reed Haydon, Clearwater, concurred with staff's findings and affirmed the applicant's intention to work with County staff to preserve many of the existing trees. Responding to the Chairman's call for persons wishing to be heard, Bonnie Shell, Dunedin, stated that she is one of the property owners; that the property has been in her family for three generations and they can no longer keep it; and that the proposed development would honor the property with a beautiful community; whereupon, Sarah Ward, Tampa, noted that she is the daughter of Ms. Shell; that many options for the property were discussed; and that the proposed plan would provide parks, preserving many of the existing trees within the new community.

Mr. Schultz moved, seconded by Ms. Reiter and carried, that the LPA recommend approval of the application to the BCC.

2. APPLICATION OF PINELLAS COUNTY, C1 BANK, AND PINELLAS COUNTY SURPLUS LAND TRUST-BAYSIDE, PINELLAS COMMUNITY HOUSING FOUNDATION INC., TRUSTEE, FOR A ZONING CHANGE FROM RPD-10, RESIDENTIAL PLANNED DEVELOPMENT, 10 UNITS PER ACRE, AND RPD-5, RESIDENTIAL PLANNED DEVELOPMENT, 5 UNITS PER ACRE, TO A-E, AGRICULTURAL ESTATE RESIDENTIAL (3.8 ACRES), R-2, SINGLE FAMILY RESIDENTIAL, 7,500 SQUARE FOOT MINIMUM (3.9 ACRES), R-3, SINGLE FAMILY RESIDENTIAL, 6,000 SQUARE FOOT MINIMUM (2.8 ACRES), AND RPD-5, RESIDENTIAL PLANNED DEVELOPMENT, 5 UNITS PER ACRE (7.2 ACRES), RETAINING RPD-5 ON 1.5 ACRES; AND A LAND USE CHANGE FROM RESIDENTIAL LOW MEDIUM TO RESIDENTIAL LOW (11.8 ACRES), (Z/LU-18-9-15) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Pinellas County, C1 Bank, and Pinellas County Surplus Land Trust-Bayside for the above changes in zoning and land use (Z/LU-18-9-15), re approximately 19.2 acres located at the northern terminus of 49th Street North, west of the western terminus of 164th Avenue North in the unincorporated area of Largo.

Mr. Bailey referred to aerial photographs and the zoning and land use map, pointed out the location of the subject property, and provided historical background information, noting that a project previously approved for the property was never built; that the LPA heard this case in March 2015 and recommended approval of changing the zoning designations on the bank-owned parcels to RPD-5 rather than reverting them to R-2 and R-3 as stipulated in the 2008 Development Agreement; and that the BCC rejected the recommendations and split the case in two, approving zoning and land use changes on the County-owned property and denying the application of C1 Bank pending a new application including the R-2 and R-3 zoning.

Mr. Bailey related that land use amendments over 10 acres must be transmitted to the State for review and comment prior to adoption, which did not take place; that the adopted changes must be rescinded and resubmitted; and that for simplicity purposes, the County and Bank properties have been combined into one case, reverting all designations to those existing prior to 2008; whereupon, he recommended approval of the proposed land use and zoning amendments.

Upon the Chairman's call for persons wishing to be heard, David Waddell, Clearwater, and Richard Schott, Largo, appeared and noted their appreciation of Pinellas County government and staff for honoring the Development Agreement.

Chairman Westine closed the public hearing; whereupon, Ms. Kardash moved, seconded by Mr. Schultz and carried, that the LPA recommend approval of the application to the BCC.

3. APPLICATION OF ALICE K. GAST, TRUSTEE OF THE NICHOLS FAMILY TRUST, THROUGH RICHARD CAVALIERI, REPRESENTATIVE, FOR A ZONING CHANGE FROM A-E, AGRICULTURAL ESTATE RESIDENTIAL, TO RM-12.5, RESIDENTIAL MULTIPLE FAMILY, 12.5 UNITS PER ACRE; A SPECIAL EXCEPTION TO ALLOW A 50 PERCENT AFFORDABLE HOUSING DENSITY BONUS; AND A LAND USE CHANGE FROM RESIDENTIAL URBAN TO RESIDENTIAL MEDIUM (Z/LU-19-9-15) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Alice K. Gast, Trustee of the Nichols Family Trust through Richard Cavalieri for the above changes in zoning and land use with a special exception (Z/LU-19-9-15), re approximately 4.9 acres located 585 feet south of Ulmerton Road on the east side of Belcher Road South in the unincorporated area of Largo (street address: 13101 Belcher Road South).

Mr. Bailey referred to aerial photographs and the zoning and land use map, pointed out the location of the subject property, and described surrounding land uses. He indicated that the proposal is for a 92-unit multi-family apartment complex; that 80 percent of the units would be available at market rates (120 percent of area median income) and 20 percent would be affordable (60 percent of area median income); and that it meets the County's criteria for affordable housing. He stated that only one entrance to the complex will be required; that it will include a clubhouse, fitness and business centers, and pool; that no traffic issues are anticipated; and that staff recommends approval of the proposed land use and zoning amendments and the special exception, subject to the condition that the development maintain substantial conformance with the associated concept plan.

Responding to queries by the members, Mr. Bailey, with input by Mr. Beardslee, related that without the special exception, the site could only contain a maximum of 61 units; that a concept plan is included, but the site plan process has not been completed; and that specific buffering between parcels would be determined during the staff review.

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Deborah Johnson, Pinellas County Housing Authority, and Rick Cavalieri, Norstar Primerica, Tampa, appeared on behalf of the applicant. Ms. Johnson related that the proposed project is in response to the Housing Finance Authority's request for applications to develop workforce housing; whereupon, Mr. Cavalieri addressed concerns expressed by citizens in the area, noting that the number of new residents would equal 184 to 200; and that resident incomes per unit would be between \$27,535 and \$55,070. He related that total development spending is estimated over \$12 million; that washers, dryers, and other amenities would be provided; that the project will add on-site storm water treatment to the property; and that sewage from the complex will remain separate from the neighboring mobile home park; whereupon, he discussed differences between affordable and workforce housing.

In response to query by the members, Ms. Johnson reviewed the history of Norstar Primerica as a development partner with the Housing Authority and stated that the Authority will retain ownership of the proposed project; whereupon, Mr. Cavalieri clarified that the plans are based on a ratio of 2 residents and 1.5 cars per unit.

In response to the Chairman's call for persons wishing to be heard, the following Rancho Village Mobile Home Park residents appeared and expressed their concerns, including noise, safety, crime, traffic, parking, property values, trespassing, and added stress to their sewage system's lift station.

Bob Flanagan, Largo
Richard Chiz, Largo
Kay Voorheis, Largo
Curt Branin, Largo
Paul Bryant, Largo
Bruce Perry, Largo
Donald Kraus, Largo
Linda Waddell, Largo

In response to query by Mr. Chiz, Chairman Westine stated that an environmental impact study will be completed as part of the site plan review.

Responding to query by Mr. Klar, Mr. Bailey stated that the project would utilize a separate sewage system; Ms. Johnson provided preliminary rental amounts, and related that the residential and recreational facilities will open at the same time; and Mr. Cavalieri stated that traffic access will be addressed during the site plan approval process, and discussion ensued.

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In response to query by the members, Mr. Cavalieri indicated that no additional waivers would be requested for parking; that anyone who qualifies financially is eligible for the community regardless of age; and that the site would not connect to the neighboring lift station. He noted that environmental and soil testing has been completed on the site; and that the majority of the project is workforce housing, not affordable housing; whereupon, Ms. Johnson indicated that the Housing Authority adheres to the Uniform Physical Condition Standards and the Housing Quality Standards under Federal Housing and Urban Development guidelines.

At the request of Chairman Westine, Engineering Support Services Supervisor Tom Washburn, Traffic Division, reviewed the traffic flow in the surrounding area and stated that current zoning would allow 355 trips over the course of a day; that the project will generate 600 trips daily; that the traffic flow on Belcher Road will not change; and that the main intersection of Belcher and Ulmerton Road will remain typical of other major roadways in Pinellas County, and discussion ensued.

Chairman Westine related that the County has indicated a need for workforce housing; that her initial concern regarding traffic has been alleviated; and that the proposed rents are reasonable. She noted that the project's facilities will be built at the same time; that there will be no request for a reduction in parking; and that the site will have adequate buffers from other properties.

Mr. Klar moved, seconded by Ms. Reiter, that the application be approved with the condition that the project be developed in substantial conformance with the submitted concept plan. Upon call for the vote, the motion carried by a vote of 4 to 2, with Mr. Schultz and Ms. Murray dissenting.

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The meeting was recessed at 10:24 a.m. and reconvened at 10:30 A.M. with all members present, except Ms. Reiter.

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4. APPLICATION OF INDIAN SPRINGS MARINA, INC. THROUGH HOUSH GHOVAEE AND MITCH RILEY, P.E., REPRESENTATIVES, FOR A ZONING CHANGE FROM CR, COMMERCIAL RECREATION, TO C-3, COMMERCIAL, WHOLESALE, WAREHOUSING, AND INDUSTRIAL SUPPORT; A LAND USE CHANGE FROM COMMERCIAL RECREATION TO COMMERCIAL GENERAL; AND A VARIANCE (Z/LU-20-9-15) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Indian Springs Marina, Inc. through Housh Ghovae and Mitch Riley for the above changes in zoning and land use with a variance to allow a maximum building height of 50 feet within 50 feet of residentially zoned land (Z/LU-20-9-15), re approximately 5.7 acres located at the western terminus of 113th Avenue North in the unincorporated area of Largo (street address: 15151 113th Avenue North).

Mr. Bailey referred to aerial photographs and the zoning and land use map, pointed out the location of the subject property, and described surrounding land uses, noting that the applicant wishes to replace a storm-damaged building with a larger building in order to accommodate a demand for storage of larger boats; and that the Marina is currently a non-conforming use as a result of a 2001 County Commission action that made commercial marinas in a CR district a conditional use. He indicated that the variance would allow a building height of up to 50 feet, which was allowed under the CR zoning; that the adjacent residential zones allow multi-family homes up to 70 feet in height; that the Comprehensive Plan is very supportive of water-dependent uses; and that the requested changes would not impact the surrounding area or water navigation; whereupon, he recommended approval of the zoning and land use amendments and the variance request, with the condition that the variance apply only to the area identified on the submitted concept plan.

Upon the Chairman's call for the applicant, Housh Ghovee, Northside Engineering, appeared and reviewed the history of the Marina and the current request. No one appeared in response to the Chairman's call for persons wishing to be heard.

Mr. Schultz moved, seconded by Ms. Murray and carried, that the LPA recommend conditional approval of the application to the BCC.

5. APPLICATION OF CHAPEL OF PINELLAS, INC. THROUGH TODD PRESSMAN, REPRESENTATIVE, FOR A LAND USE CHANGE FROM RESIDENTIAL RURAL TO INSTITUTIONAL (LU-21-9-15) – RECOMMEND DENIAL

Public hearing was held on the application of Chapel of Pinellas, Inc. through Todd Pressman for the above land use change (LU-21-9-15), re approximately 2 acres located on the south side of Keystone Road approximately 280 feet west of the intersection with Dogwood Trace in unincorporated East Lake Tarpon (street address: 2801 Willow Trace).

Mr. Bailey referred to aerial photographs and the zoning and land use map, pointed out the location of the subject property, and described surrounding land uses, noting that the property is within the East Lake Tarpon Community Overlay and along a scenic/noncommercial corridor; that the church wishes to incorporate the property into its adjacent facilities; and that the proposed change to Institutional will bring the project in compliance with the Institutional Future Land Use Map of the Comprehensive Plan; whereupon, he presented staff's recommendation of approval.

Upon the Chairman's call for the applicant, Todd Pressman, Palm Harbor, appeared and stated that he is the agent for Chapel of Pinellas. He presented pictures of the Chapel and described the property, roads, and the surrounding area.

Mr. Pressman stated that the church seeks to use the property for overflow parking and the existing residence for an office; and that overflow parking had occurred on the site previously but has now stopped. He related that several attempts were made to reach out to neighbors but were unsuccessful; that a neighborhood meeting is tentatively scheduled for September 23; and that the intent is to work with the neighbors to address their concerns.

Mr. Pressman indicated that certain areas of the property will be left in a natural state and will be part of the upcoming site plan; that all access to the property would be from Keystone Road on the adjacent Chapel property; and that access from Willow Trace would be blocked. He reviewed the compatibility of the project with other facilities nearby, and noted that the project would have a low impact on traffic.

Appearing in response to Chairman Westine's call for proponents of the project, the following individuals related that the church members are community-minded with a

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desire to be good neighbors; and that the vision statement for the church is to create satellites and not one mega-church:

Pastor Mark Quattrochi, Chapel of Pinellas, Tarpon Springs
Joe Torrence, Lutz
Glenda Woods, New Port Richey
Jason Starrett, Trinity
Dave Reusch, New Port Richey

Upon the Chairman's call for opponents, the following persons appeared and stated that Oak Hills Acres is a peaceful neighborhood with abundant oak trees, organic gardens, horses, deer, and other wild animals; that they are concerned about pedestrian and animal safety from traffic utilizing the subdivision's roads as a shortcut to the church and school; and that granting the change will create a domino effect and severely diminish the nature and character of their subdivision:

Larry Crow, Tarpon Springs (submitted documents)
Bruce Wirth, Tarpon Springs
Renee Wirth, Tarpon Springs
Michael F. Shull, Tarpon Springs
Richard Heiden, Tarpon Springs
Adam Sharp, Tarpon Springs
Bryan Stuchell, Tarpon Springs
Michelle Black, Tarpon Springs
Chris Marrakos, Tarpon Springs
Leif Eric Musgrave, Tarpon Springs
Marcella Musgrave, Tarpon Springs
Martin Miller, Tarpon Springs
Eric Toncre, Tarpon Springs
Marnie Toncre, Tarpon Springs
Jennifer McClenaghan, Tarpon Springs
Liz Demery, Tarpon Springs
Lawrence McClenaghan, Tarpon Springs
Robert Mattei, Tarpon Springs
Debra Mattei, Tarpon Springs
Daniel Pearch, Tarpon Springs
Robert Laping, Tarpon Springs
Reece Smith, Tarpon Springs
William E Roach, Jr., Tarpon Springs
Terry Burchard, Tarpon Springs
Tondra Struthers, Tarpon Springs

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Chairman Westine indicated that the LPA acts in an advisory capacity, and regardless of the decision today, the matter will still appear before the County Commission.

In rebuttal, Mr. Pressman noted that the applicant has great respect for the neighbors and their concerns, and efforts were made to reach out to help them understand the issues, safeguards, and regulations that are in place. He pointed out that the issue of creep does not apply, as any changes that occur would require approval through the site plan review process.

Discussion ensued, and responding to queries by the members, Mr. Pressman stated that the buffers on the south and east will remain as-is and would not be used for overflow parking; and that the access to Willow Trace would remain closed as part of the proposed site plan, and Pastor Quattrochi confirmed that there is no access. Responding to query by Ms. Murray, Pastor Quattrochi related that outreach to the neighbors occurred after the purchase of the property; that the church has a specific vision for use of the property which it tried to communicate to the neighbors; and that the vision coincides with the deed restrictions of the community.

Chairman Westine closed the public hearing, and discussion ensued wherein Mr. Schultz noted that he lives in the surrounding area and understands the need to preserve its character; that deed restrictions are important; and that he is against the proposed change, and Mr. Klar concurred. Attorney Sadowsky noted that the County does not enforce deed restrictions; and that the focus and basis for decisions should be on other matters; whereupon, in response to query by Ms. Kardash, he related that deed restrictions are private restrictions not in the Land Development Code; and that any disputes regarding deed restrictions are between third parties.

Chairman Westine stated that the adjacent church site is not a part of the Oak Hills Acres plat; that the subject property is a residential lot established in a residential plat; and that she does not support the application.

Thereupon, Mr. Shultz moved, seconded by Ms. Kardash and carried unanimously, that the LPA recommend denial of the application.

PROPOSED AMENDMENTS TO THE PINELLAS COUNTY COMPREHENSIVE PLAN

1. PROPOSED ORDINANCE AMENDING THE TRANSPORTATION, CAPITAL IMPROVEMENTS, AND INTERGOVERNMENTAL COORDINATION ELEMENTS AND CONCURRENCY MANAGEMENT SECTION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Planning Section Manager Elizabeth Freeman related that the proposed amendments were heard by the LPA in the fall of 2014 and approved for transmittal to the State for review, but the amendment package had been held back as several cities were not ready to proceed; and that all parties are ready to proceed at this time; whereupon, she discussed proposed changes to the previously reviewed ordinance, including elimination of the reference to Concurrency Management in Transportation Element Policy 1.1.25, and striking Policy No. 1.3.6 from the ordinance, as staff is not ready to move forward at this time, as well as various minor changes.

Responding to query by Chairman Westine, Ms. Freeman related that the changes to Policies 1.1.25 and 1.3.6 are not included in the proposed ordinance included in today's agenda package; that she is putting them on the record today; and that, if approved by the members, they will be included in the proposed ordinance before it moves forward to the County Commission.

Ms. Kardash moved, seconded by Mr. Schultz and carried, that the LPA recommend approval of the ordinance to the BCC with the changes discussed.

2. PROPOSED ORDINANCE AMENDING THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN, AND AMENDING THE PINELLAS COUNTY FUTURE LAND USE MAP AND MAP LEGEND – CONTINUED TO OCTOBER 8, 2015 MEETING

Mr. Beardslee requested that the item be continued to the October meeting; whereupon, Ms. Murray moved, seconded by Mr. Klar and carried, that the item be continued.

OTHER ITEMS

None.

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ADJOURNMENT

Chairman Westine adjourned the meeting at 12:29 P.M.

Chairman