

Clearwater, Florida, July 12, 2018

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 9:07 A.M. on this date with the following members present:

Ronald Schultz, Chairman
Gerald Figurski, Vice-Chairman
Steve Klar
Valerie Murray (alternate)
Susan M. Reiter
Paul Wikle
Charlene Beyer (non-voting School Board Representative)

Not Present:

Bill Bucolo
Regina Kardash

Also Present:

Renea Vincent, Planning Department Director
Michael Schoderbock, Principal Planner
Chelsea Hardy, Assistant County Attorney
Other interested individuals
Jenny Masinovsky, Board Reporter, Deputy Clerk

CALL TO ORDER

Chairman Schultz called the meeting to order at 9:07 A.M. and reviewed the procedure for the public hearings; whereupon, he announced that today's cases will be heard by the Board of County Commissioners (BCC) on August 21, 2018, and any documents to be reviewed by the BCC should be submitted to staff by August 7.

MINUTES OF MAY 9 AND JUNE 13, 2018 MEETINGS – APPROVED

Mr. Wikle moved, seconded by Ms. Murray and carried unanimously, that the minutes of the May 9 meeting be approved; whereupon, Mr. Figurski moved, seconded by Mr. Wikle and carried unanimously, that the minutes of the June 13 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 hearings were 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, A CONDITIONAL USE, AND DEVELOPMENT AGREEMENTS

1. APPLICATION OF VEHICLE RECOVERY SERVICES, INC. THROUGH WAYNE PARKER, REPRESENTATIVE, FOR A CONDITIONAL USE TO ALLOW A FEDERAL AVIATION ADMINISTRATION (FAA) PERMITTED PRIVATE HELIPAD, AND VARIANCES TO ALLOW THE TOUCHDOWN AREA TO BE 37 FEET IN LENGTH AND WIDTH, AND THE PRIMARY SURFACE AREA TO BE 74 FEET IN LENGTH AND WIDTH (CU-10-06-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Vehicle Recovery Services, Inc. through Wayne Parker for the above conditional use and variances (CU-10-06-18), re approximately 0.71 acre located at 4550 35th Street North in Lealman.

Referring to a PowerPoint presentation containing maps, photographs, and a site plan, Mr. Schoderbock pointed out the location of the subject property and discussed surrounding land uses, noting that they are primarily industrial, and the nearest residential property is situated over 600 feet to the south.

Mr. Schoderbock indicated that the helipad was constructed for private use in 2013 pursuant to approval of the site plan by the FAA; that the variances are consistent with the FAA plan; and that the proposal meets the standards for conditional use with regard to traffic, parking, drainage, and distance from the nearest residential property; whereupon, he stated that staff recommends approval of the request, subject to the following conditions:

1. Full site plan review.
2. Site development shall maintain substantial conformance with the associated FAA approved helipad plan.
3. Appropriate FAA licensure shall be maintained for the helipad.

4. No structures are to be placed in the FAA approved landing path.
5. Any changes to the conditions listed shall require approval of the appropriate Board at a public hearing.
6. In the event any of the above conditions are not met or the conditional use becomes a nuisance, its approval may be rescinded.

Responding to queries by Chairman Schultz, Mr. Schoderbock indicated that the subject property owners restore military vehicles for use in parades, fundraisers, and other events; that current County requirements relating to the size of the touchdown area are excessive and outdated; and that in considering similar requests, other jurisdictions defer to FAA standards, which are based on the size of an aircraft.

Upon the Chairman's call for the applicants, Michelle Mullins and Wayne Parker, St. Petersburg, provided information regarding the site, helicopter, and helipad, noting that they restore vehicles at their own expense to be used mainly to support veterans; and that the helipad can also be utilized by law enforcement and Bayflite helicopters.

No one appeared in response to the Chairman's call for proponents or opponents to the application.

Mr. Wikle moved, seconded by Ms. Reiter and carried unanimously, that the LPA recommend approval of the application to the BCC in accordance with the staff recommendation.

2. APPLICATION OF PINELLAS AUTO SALES THROUGH ANEIL BALKISSOON, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-3, SINGLE FAMILY RESIDENTIAL, TO C-2, GENERAL RETAIL COMMERCIAL AND LIMITED SERVICES, AND C-2-CO, GENERAL RETAIL COMMERCIAL AND LIMITED SERVICES – CONDITIONAL OVERLAY, WITH THE CONDITIONAL OVERLAY LIMITING THE USE OF THE NORTHERN 220-FOOT PORTION OF THE PROPERTY TO PARKING OF VEHICLE INVENTORY ONLY; AND A LAND USE CHANGE FROM RESIDENTIAL URBAN TO COMMERCIAL GENERAL (Z/LU-11-06-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Pinellas Auto Sales through Aneil Balkissoon for the above zoning and land use changes (Z/LU-11-06-18), re approximately 0.7 acre located at 6789 Ulmerton Road in the unincorporated area of Largo.

July 12, 2018

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property and described the surrounding area, noting that it contains a variety of land uses.

Mr. Schoderbock provided background information regarding the application and zoning history of the property, indicating that the applicant wishes to expand the existing automobile sales and repair business on the portion of the property requested to be changed to the C-2 zoning designation and utilize the portion requested to be changed to the C-2 with the overlay for vehicle inventory parking, noting that it would be one of the least invasive uses alongside neighboring residential property.

Mr. Schoderbock indicated that the proposed changes are appropriate and consistent with the Pinellas County Comprehensive Plan; and that staff recommends approval of the request.

Upon the Chairman's call for the applicant, Aneil Balkissoon, Largo, displayed photographs of the area and discussed the request, indicating that except for two residential neighbors, most of the properties surrounding the subject property are commercial; that the area requested for parking would not impact the neighbors or create traffic issues; and that he has been storing vehicles there for the last two years, not knowing that it is residential property until he received a citation, noting that the associated charge has been paid.

In response to queries by the members, Mr. Balkissoon indicated that his experience with the residential neighbors has been negative; whereupon, he confirmed that he owns the property requested to be rezoned to the C-2 with the overlay, and it is used solely for inventory parking; and that the Code Enforcement concerns have been addressed.

Ms. Vincent clarified that the requested action is to remedy a code violation; whereupon, she noted for the record that parking, stormwater, and other site-specific requirements would be addressed during site plan review; and that one letter in opposition to the application has been received.

No one appeared in response to the Chairman's call for proponents or opponents to the application.

Mr. Figurski moved, seconded by Mr. Klar and carried unanimously, that the LPA recommend approval of the application to the BCC in accordance with the staff recommendation.

3. APPLICATION OF BAYOU DEVELOPMENT, INC. THROUGH J.J. JENKINS AND ALEX SCHALER, REPRESENTATIVES, FOR A ZONING CHANGE FROM RPD-5, RESIDENTIAL PLANNED DEVELOPMENT, 5 UNITS PER ACRE, TO M-1-CO, LIGHT MANUFACTURING AND INDUSTRY – CONDITIONAL OVERLAY, WITH THE CONDITIONAL OVERLAY LIMITING THE USES ON THE PROPERTY TO SELF-STORAGE FACILITY AND OFFICE, AND PROVIDING FOR A 50-FOOT BUFFER ALONG THE WESTERN PROPERTY LINE THAT MAY BE USED FOR DRAINAGE RETENTION; AND A LAND USE CHANGE FROM RESIDENTIAL LOW TO EMPLOYMENT (Z/LU-12-06-18) – RECOMMEND DENIAL

Public hearing was held on the application of Bayou Development, Inc. through J.J. Jenkins and Alex Schaler for the above zoning and land use changes (Z/LU-12-06-18), re approximately 4.93 acres located at the northeast corner of Missouri Avenue and 9th Street in Palm Harbor.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property and discussed the surrounding uses. He noted that the site consists of two vacant parcels; and that the current zoning would allow 25 residential units.

Mr. Schoderbock referred to the applicant's concept site plan and provided background information regarding the application, indicating that the proposed conditional overlay would limit the use of the property to a self-storage or office building; that there would be at least a 50-foot-wide buffer along the west property line, not including the 9th Street right-of-way; that because the property is within the Coastal High Hazard Area, a residential density increase is not feasible; that the two small wetlands would be recognized on the map as preservation areas; and that the proposed use would generate limited impact with regard to traffic, water, and sewer; whereupon, he stated that staff finds the proposal appropriate and recommends approval.

Responding to queries by the members, Mr. Schoderbock and Ms. Vincent addressed the rationale for including the *office* use in the conditional overlay, noting that if the use changes from the proposed storage facility to an office building, applicable requirements pertaining to traffic, parking, water, and sewer would have to be met; and that there is a need for office space in the county. Mr. Schoderbock clarified that the conditional overlay limits other, more impactful uses allowed under the M-1 zoning; that the applicant's concept site plan is subject to change based on the site plan review and approval of the County and the Florida Department of Transportation with regard to parking, access, stormwater, and other site-specific requirements; and that the entire buffer, including the 50-foot 9th Street right-of-way would extend approximately 100 feet.

July 12, 2018

Upon the Chairman's call for the applicants, James J. Porter, Ackerman LLP, Tampa; Nathan Lee, Kimley-Horn and Associates, Inc., Tampa; and J.J. Jenkins, St. Louis, distributed the concept site plan and other documents to the members, provided information regarding the application, and responded to queries by the members, highlighting the following:

- The project is compatible with the surrounding area and consistent with the Comprehensive Plan.
- The minimum width of the buffer would be 130 feet, as the width of the 9th Street is 80 feet. In addition, a 50-foot buffer would be added on the south side.
- The applicant currently has 13 other storage facilities across six markets. A project in Hillsborough County was recently approved.
- While many residents prefer that the subject property remain undeveloped, it is currently for sale and will potentially be developed.
- The applicant worked with the County and the Department of Transportation and modified the application to address the residents' concerns pertaining to traffic, entrance points, boat ramp access, sight issues, preserving the existing vegetation, and the building appearance.
- The facility would be entirely internal, quiet, climate controlled, not accessible during the night, and would house 800 units of various sizes.
- A storage facility is one of the lowest traffic-generating uses. The proposed facility is expected to generate approximately four to five cars per hour.
- The existing vegetation would remain in the right-of-way area and the 25-foot area along Missouri Avenue. The applicant would meet landscaping requirements and plant additional vegetation to fill the gaps.
- The highest point of the building, the parapet wall on the roof, would be 37 feet high.
- Drive-through would be designed to accommodate primarily a 24-foot box truck.

July 12, 2018

During discussion and responding to queries by the members, Ms. Reiter stressed that the perimeter of the building should be heavily landscaped to block the building from the view of the residents, and Director of Development Review Services Blake Lyon discussed the landscaping requirements and opportunities, noting that they would be addressed during the site plan review process; whereupon, Mr. Klar expressed concern regarding having to make a decision on the case today in the absence of definite information about buffering and landscaping.

Mr. Jenkins indicated that the applicant intends to accommodate the residents and go above the County requirements, and does not plan to utilize the 9th Street right-of-way for an access point. Ms. Vincent noted that there is currently no formal agreement with the applicant; and that the size of the buffers, height restriction, and limiting the use of the right-of-way could be addressed through a development agreement.

No one responded to the Chairman's call for proponents. Upon his call for opponents, the following persons stated their concerns:

Liza Naumann, Crystal Beach
Todd Unbehagen, Palm Harbor (submitted documents)
Scott Fisher, Palm Harbor
Kevin Menendez, Palm Harbor
Kristen Swindle, Palm Harbor
Gayle Johnston, Palm Harbor
Alexandra McGonagill, Palm Harbor
Brian Smith, Ozona, representing Ozona Village Improvement Society
Lesley Klein, Palm Harbor (submitted petitions and indicated that an online petition was signed by 1,666 objectors)
Liz Drayer, Clearwater, representing Suncoast Sierra Club
Tim Tennant, Palm Harbor
Karen Watson, Palm Harbor
Herbert Jakomeit, Palm Harbor
Brian McGonagill, Palm Harbor
Dorothy Voss, Palm Harbor
Chris Clement, Palm Harbor
Linda Bock, Palm Harbor
Richard Smith, Palm Harbor
David Ballard Geddis, Jr., Palm Harbor
Patti Molli, Palm Harbor
John Podelski, Palm Harbor
Edward Cole, Palm Harbor (submitted petitions and also discussed the online petition numbers)
Brien Bourbeau, Palm Harbor
Craig Murtha, Largo
Jasmina Forcan, Clearwater

July 12, 2018

Michele Schrotter, Palm Harbor
Jeffrey Herman, Palm Harbor
Linda Woodhouse, Palm Harbor
Melissa Beem, Palm Harbor
Trent Brendel, Palm Harbor
Peter Kudelich, Crystal Beach
Liza Johnson, Palm Harbor
Chantale Begin, Palm Harbor
Zulema Ramos, Tampa
Richard Mehall, Crystal Beach
Paul Ford, Crystal Beach
Jeff Sterns, Palm Harbor
Scott Neff, Crystal Beach
Maureen Cambier, Palm Harbor

Concerns expressed by objectors with regard to the proposed facility included the following:

- Increased traffic consisting of large vehicles would create safety concerns
- Incompatibility with the neighborhood character
- Narrow streets unable to accommodate more traffic or large vehicles
- Risks associated with the applicant potentially going out of business
- Lack of contribution to the local economy
- The best interest of Palm Harbor, not the County, should be considered
- Proposed facility is too large and tall in comparison with other buildings in the area
- Would set a precedent, leading to future encroachment into residential areas
- Preserving the already scarce green space, including mature vegetation and preventing deterioration of vegetation along the Pinellas Trail
- Creating a passive County park on the property would benefit residents, users of the Pinellas Trail, and tourists
- Overburdening of the current drainage, sewer, and wastewater systems and endangering neighborhoods to increased flooding
- Risks associated with location of the access points, including a curved road, difficulty making turns, close proximity to the Pinellas Trail, and turning around on residential streets if the entrance is missed
- Loss of wildlife, including protected species
- Decline in property values
- Replanting and new vegetation will take a long time to grow
- Light, noise, and air pollution

July 12, 2018

- Inconsistency with the Comprehensive Plan, the Downtown Historic Palm Harbor Master Plan, and the Crystal Beach Overlay
- Moving the facility further away from Missouri Avenue would negatively impact residents of Sutherland Drive
- There should be an independent assessment related to traffic and pollution
- Increase in crime caused by presence of storage facilities in residential areas

During rebuttal, Mr. Porter stated for the record that a quasi-judicial proceeding is not a “popularity contest,” reminding the Board that its decision is to be based on competent and substantial evidence; whereupon, he responded to the concerns of the objectors, indicating that the surrounding area already contains a mix of uses, including an M-1 across the street; and that according to the Comprehensive Plan, residential use is not recommended for the site, given its location in the Coastal High Hazard Area. He reiterated that since the subject property is for sale, it will eventually be developed, stressing that the proposed use is very passive; and that staff has found the use to be consistent with the Comprehensive Plan and the surrounding area. Mr. Lee stated for the record that based on the analysis relating to peak-hour trips, a storage facility has lower trip generation than a residential area; and that the applicant would have to meet the County and State standards pertaining to stormwater and light pollution.

During discussion and responding to queries by the members, Mr. Jenkins indicated that the contract to purchase the subject property is contingent on approval of the proposal and reiterated that the aforementioned issues, including traffic, access, and buffering, would be best addressed by the proposed use. The members expressed concerns, including the narrowness of Alternate U.S. Highway 19, safety of children, and intrusion into the neighborhood, and indicated that policies relating to downtown Palm Harbor contained in the Comprehensive Plan are similar to those of the Old Palm Harbor Vision Statement with regard to Palm Harbor downtown; whereupon, responding to their queries, Ms. Vincent, with input provided by Mr. Lyon, indicated the following:

- Whether the policies in the Downtown Historic Palm Harbor Master Plan are applicable to areas beyond downtown is open to interpretation, but staff has interpreted it as limited to the downtown.
- There are competing policies within the Comprehensive Plan, such as preservation of open spaces and a strong policy regarding directing population concentrations away from the coastal hazard areas and having a density no higher than five units per acre.

July 12, 2018

- Using the property as a park would serve everyone, and while that is not currently being considered, it is possible in the future.
- The type of vehicles involved with the proposed facility is a valid point for the Board's consideration.
- Road improvements, including bike and pedestrian safety measures, are addressed during the site plan review process.
- The width of the right-of-way is the standard 80 feet, which could be expanded, depending on the development proposal.
- It is unlikely that the County would request that the applicant plant additional vegetation.

Following discussion, Chairman Schultz noted that the Board is basing its decision regarding the case on evidence and logic rather than the number of objectors; and that the applicant has done a lot of work to accommodate the residents' requests; whereupon, he shared his observations of the site, including the tightness of Alternate U.S. Highway 19 and the vegetation, and agreed that the proposed facility would be an intrusion into the neighborhood.

Thereupon, Ms. Reiter moved, seconded by Mr. Figurski and carried unanimously, that the LPA recommend denial of the application to the BCC.

* * * *

The meeting was recessed at 12:48 P.M. and reconvened at 12:59 P.M. with all members in attendance; whereupon, Chairman Schultz related that Agenda Item No. 8 would be addressed at this time.

* * * *

8. APPLICATION OF BERATI 2, LLC THROUGH RONALD MORGAN, REPRESENTATIVE, FOR A ZONING CHANGE FROM C-2, GENERAL RETAIL COMMERCIAL AND LIMITED SERVICES, TO R-1, SINGLE FAMILY RESIDENTIAL (WEST 1.2 ACRES) AND A LAND USE CHANGE FROM RESIDENTIAL LOW MEDIUM TO COMMERCIAL GENERAL, WITH A DEVELOPMENT AGREEMENT (Z/LU-17-07-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Berati 2 for the above changes in zoning and land use, with a development agreement limiting the western 1.2 acres to a maximum of two single-family homes limited to the height and intensity permitted by the applicable zoning and land use designations, limiting the eastern 1.5 acres to the indoor, outdoor, and/or covered storage of automobiles, recreational vehicles, and/or boats limited to a maximum floor area ratio of 0.35 and a maximum height of 35 feet, establishing enhanced buffering on the western and southern property lines, and requiring shielded/directional lighting (LU-17-07-18), re approximately 2.7 acres located approximately 380 feet west of U.S. Highway 19 North and 495 feet south of Central Avenue in unincorporated Largo.

Referring to a PowerPoint presentation containing maps, photographs, and a site plan, Mr. Schoderbock pointed out the location of the subject property and discussed the surrounding land uses. He provided background information regarding the application, indicating that the applicant wishes to expand the existing automobile, boat, and RV storage on the eastern portion of the property and develop single-family residential homes on the western portion; that a related case was heard by the LPA in February; that the applicant has now returned with a development agreement that limits uses and addresses the buffering and lighting concerns, pursuant to the Board's recommendations; and that the proposal would eliminate the inconsistency between the commercial zoning and residential land use designations. He stated that staff finds the request appropriate and consistent with the Comprehensive Plan and recommends approval; whereupon, he provided clarification regarding the application in response to queries by the members.

Matt Newton, Johnson Pope Bokor Ruppel & Burns, LLP, Tampa, appeared and indicated that he is the attorney for the applicant. He referred to the zoning and land use map and aerial photographs, provided details regarding the request, and responded to queries by the members, indicating that due to the aforementioned inconsistency between zoning and land use designations, the property has been undevelopable for 30 years; and that he worked with the County Attorney's Office to craft the development agreement restricting the use of the commercial and residential areas. He noted that the proposed commercial use is consistent with the adjacent property to the north; and that there would be a 15-foot

July 12, 2018

ingress/egress easement for the residential area; whereupon, he discussed how the neighbors' concerns would be addressed through robust buffering and indirect shielded site lighting and screening.

No one responded to the Chairman's call for proponents. Upon his call for opponents, the following persons stated their concerns and responded to comments and queries by the members:

Jason Lesser, Clearwater

Richard Gehring, Dunedin, representing other opponents (submitted document)

Theresa Hicks, Clearwater

Marjorie Doty, Clearwater (submitted petitions)

Roberta Hosken, Clearwater, representing the Allen Creek Property Owners Association

Kannon Feshbach, Clearwater

Zsolt Fodor, Clearwater, representing the subdivision

Margaret Cheikelard, Clearwater

Concerns expressed by objectors included the following:

- Staff did not provide complete historical background of the application
- Future commercial encroachment into residential areas
- Proposed buffering does not address concerns of all affected neighbors
- Potential drainage issues
- Bright lights shining into neighboring residents' houses
- Vehicle storage may negatively impact the environment
- Area was clear cut with no permit on Thanksgiving Day 2016
- Applicant has a poor history of meeting conditional overlays
- Loss of wildlife and trees
- Noise disturbance
- Decrease in property values
- Increased traffic
- Falling fencing
- Proposed six-foot fence would not hide two-story yachts from view

Responding to the concerns of the objectors, Mr. Newton indicated that the applicant has not yet placed any lighting on the site; that the existing fencing would be replaced with a new opaque six-foot fence along the west and south borders pursuant to the development agreement; and that access to the residential property would be through the easement rather

than the commercial area; whereupon, he assured the Board that the applicant intends to meet the terms of the agreement.

In response to queries by the members, Mr. Newton pointed out the subject property on a map, indicating that the adjacent commercial property is not owned by the applicant; and that the easement would be improved pursuant to the County code requirements.

Mr. Klar opined that the Board always aims to achieve a compromise acceptable to the neighborhood and the property owner; and that the applicant has done what the Board had previously requested; whereupon, he moved, seconded by Mr. Wikle, that the application be recommended for approval to the BCC. Upon call for the vote, the motion carried 4 to 2, with Mses. Reiter and Murray dissenting.

* * * *

Mr. Figurski left the meeting at 1:45 P.M.

* * * *

4. APPLICATION OF TRUE AUTO REPAIR, LLC THROUGH JAMES AND EMILIA AHRENDT, REPRESENTATIVES, FOR A ZONING CHANGE FROM C-1, NEIGHBORHOOD COMMERCIAL, TO C-2, GENERAL RETAIL COMMERCIAL AND LIMITED SERVICES (Z-13-07-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of True Auto Repair, LLC through James and Emilia Ahrendt for the above zoning change (Z-13-07-18), re approximately 0.34 acre located at 6210 Seminole Boulevard in the unincorporated area of Seminole.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property, described the surrounding area, and provided background information regarding the application, noting that Seminole Boulevard is a major commercial corridor; that there is an existing business on the property; and that there would be limited infrastructure impacts; whereupon, he indicated that the proposed change is appropriate and consistent with the Comprehensive Plan; and that staff recommends approval of the request.

Upon the Chairman’s call for the applicants, James and Emilia Ahrendt, Seminole, referred to photographs of the subject and surrounding properties, provided details regarding the application, and responded to queries by the members, highlighting the following:

July 12, 2018

- All neighbors whom they were able to reach expressed support through a petition and requested that the site be cleaned up.
- Their main goal is to improve and beautify the area, including erecting a new fence, repairing potholes, and replanting grass. Cleanup of the area has already started.
- They wish to conform to nearby properties which are zoned C-2.
- All automobile repair work will be conducted inside the building.
- Entrances to the subject property will be from Seminole Boulevard and 62nd Street.

In response to the Chairman's call for proponents, Laura Fraker, Matthew Morey, and Curtis Jarvis, Seminole, expressed support for the proposed development, noting the benefits it would bring to the community.

In response to the Chairman's call for opponents, Frank Brancaccio, Seminole, expressed his concerns regarding traffic, parking, drainage, and lack of space for a dumpster.

Responding to the concerns of the objectors, the applicants indicated that issues such as parking will be addressed as part of the site plan review process; and that they will abide by all applicable rules; whereupon, responding to query by Mr. Klar, Ms. Vincent noted that in addition to the site plan review, the request would undergo a review by the Building Department with regard to the proposed change of occupancy.

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

* * * *

Mr. Klar left the meeting at 2:05 P.M.

* * * *

5. APPLICATION OF PALM HARBOR FLORIDA, LLC THROUGH TODD PRESSMAN, REPRESENTATIVE, FOR A ZONING CHANGE FROM P-1, PROFESSIONAL OFFICES, TO C-1-CO, NEIGHBORHOOD COMMERCIAL – CONDITIONAL OVERLAY, WITH THE CONDITIONAL OVERLAY LIMITING THE USE TO A COMPOUND PHARMACY; AND A LAND USE CHANGE FROM RESIDENTIAL/OFFICE-GENERAL TO COMMERCIAL NEIGHBORHOOD (Z/LU-14-07-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Palm Harbor Florida, LLC through Todd Pressman for the above zoning and land use changes (Z/LU-14-07-18), re approximately 0.67 acre located at 1003 Virginia Avenue in Palm Harbor.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property, described the surrounding area, and provided background information regarding the application, indicating that the property currently contains a vacant single-family house; and that the proposed conditional overlay would limit the use to a compound pharmacy with no associated retail; whereupon, he indicated that the proposed amendment is consistent with the surrounding uses and appropriate for the area; and that staff recommends approval.

During brief discussion and responding to queries by the members, Ms. Vincent provided information regarding the proposed use, indicating that compound pharmacies provide services relating to unique and specific medications and do not involve retail; and that any type of pharmacy may be allowable on the site.

Upon the Chairman's call for the applicant, Todd Pressman, Palm Harbor, discussed the request, indicating that the subject property is situated along Alternate U.S. Highway 19, which is a major arterial road; that there are many similar uses in the area; and that there are a number of letters from the neighbors in support; whereupon, he defined a *compound pharmacy*, noting that it provides medications that are personalized to individual patients; and that the applicant pharmacy would ship out a third of its products.

No one responded to the Chairman's call for proponents. Upon his call for opponents, the following persons stated their concerns and responded to comments and queries by the members:

Thomas Kava, Palm Harbor
Mary Lou Jackson, Palm Harbor
Scott Fisher, Palm Harbor

Concerns expressed by objectors included the following:

- Increase in traffic on Virginia Avenue
- Existing building may have historical value
- Incompatible with the neighborhood
- Protection of old trees
- Unsafe
- Residents were not informed of the previous rezoning

Responding to the concerns of the objectors, Mr. Pressman pointed out that the current zoning allows uses which are more intensive and impactful in terms of traffic than what is proposed; that the associated traffic would impact Alternate U.S. Highway 19 but not Virginia Avenue; and that the applicants are working with the Florida Department of Transportation to create access to the property from Alternate U.S. Highway 19.

During discussion, Mr. Wikle agreed with the residents that Virginia Avenue is a narrow roadway which is often utilized by travelers to bypass Alternate U.S. Highway 19, suggesting that the area could be improved in that regard, and Ms. Vincent indicated that the matter would be forwarded to the appropriate staff for review. In response to queries by Ms. Murray, Mr. Wikle related that rezoning of the property from residential to Professional Office took place in the 1980s, and Mr. Schoderbock and Ms. Vincent indicated that the existing building is not designated as historical, and the property is not in the Old Palm Harbor district.

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

6. APPLICATION OF GUZEWICZ/WOLFE FAMILY REV TRUST FOR A ZONING CHANGE FROM C-3, COMMERCIAL, WHOLESALE, WAREHOUSING AND INDUSTRIAL SUPPORT, TO C-2, GENERAL RETAIL COMMERCIAL AND LIMITED SERVICES (Z-15-07-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Guzewicz/Wolfe Family Rev Trust for the above zoning change (Z-15-07-18), re approximately 2.34 acres located at 11455 66th Street North in the unincorporated area of Pinellas Park.

July 12, 2018

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property and described the surrounding area, noting that it contains a mixture of uses, most of which are commercial or industrial in nature; that the applicant wishes to expand the current automobile repair and sales business; and that staff finds the amendment consistent with the surrounding uses and the Comprehensive Plan and recommends approval.

Upon the Chairman's call for the applicant, Konrad Guzewicz, Clearwater, confirmed that he wishes to expand the current business.

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

7. APPLICATION OF TBI RESIDENTIAL SERVICES THROUGH LINDA WALKER, REPRESENTATIVE, FOR A ZONING CHANGE FROM A-E, AGRICULTURAL ESTATE RESIDENTIAL, TO IL, INSTITUTIONAL LIMITED, (Z-16-07-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of TBI Residential Services through Linda Walker for the above zoning change (Z-16-07-18), re approximately 2.0 acres located approximately 300 feet west of East Lake Drive and approximately 425 feet north of Keystone Road in East Lake Tarpon (street address: 2563 Keystone Road).

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property and described the surrounding area. He provided background information regarding the application, indicating that the applicant wishes to expand the existing Assisted Living Facility (ALF), which has been onsite and in use for over 20 years, from 20 to 25 beds, without expanding the footprint of the building; and that while the proposed zoning will allow expansion to up to 75 beds, the applicant has no plans to do so; whereupon, he stated that staff finds the proposal appropriate and recommends approval.

Chairman Schultz expressed concern regarding the potential expansion to 75 beds, noting that the Board has approved a number of ALFs in recent years; and that the sentiment in the community is that there are too many ALFs in the area.

Upon the Chairman's call for the applicants, Cathy Buka and John Campbell, TBI Residential Services, Tarpon Springs, provided information regarding the facility and

responded to queries by the members, indicating that they serve a specific population, which is males with traumatic brain injuries resulting from motor-vehicle accidents or from serving in the military; that there is a waiting list due to a shortage of such facilities in the community; and that given the challenges associated with the clientele, the property characteristics, and the agreement with the adjacent church, the applicant will not be adding more beds or increasing the size of the building.

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

9. APPLICATION OF CAPON CORPORATION, JOHN AND BONNIE MILLS, FOR A FIRST AMENDMENT OF A PREVIOUSLY APPROVED DEVELOPMENT AGREEMENT TO EXTEND THE DURATION OF THE AGREEMENT FOR AN ADDITIONAL FIVE-YEAR TERM, TO PROVIDE ADDITIONAL TIME FOR THE DEVELOPMENT OF UP TO 126 RESIDENTIAL UNITS HAVING A MAXIMUM INTENSITY AND HEIGHT AS REQUIRED BY THE PROPERTY'S ZONING AND LAND USE DESIGNATIONS, AND TO AMEND THE CONCEPT PLAN DEPICTED IN EXHIBIT C (DA-18-07-18) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Capon Corporation, John and Bonnie Mills, for the above amendment (DA-18-07-18), re approximately 55.56 acres located on the west side of Alternate U.S. Highway 19 and approximately 515 feet north of Terrace Road in unincorporated Tarpon Springs (street address: 1800 South Pinellas Avenue).

Referring to a PowerPoint presentation containing maps, photographs, and a concept plan, Mr. Schoderbock pointed out the location of the subject property and provided background information regarding the application, indicating that the applicant is seeking (1) a five-year extension to the current development agreement approved by the BCC in 2013, as it is nearing the end of its five-year term, and (2) slight modification of the proposed multifamily building location in order to move it out of the Coastal Storm Area; whereupon, he noted that most of the 55-acre property consists of wetlands.

Mr. Schoderbock indicated that the request is appropriate and consistent with the Comprehensive Plan; and that staff recommends approval.

Upon the Chairman's call for the applicant, John Mills, Tarpon Springs, discussed the request, noting that obstacles in obtaining funding for the project caused the delay in construction; and that there is a tremendous need for senior housing in north county.

July 12, 2018

Responding to query by Ms. Murray, he confirmed that the housing will be intended for the 55 and older age group.

No one responded to the Chairman's call for proponents. Upon his call for opponents, Heather Urwiller, Planning and Zoning Director for the City of Tarpon Springs, expressed concerns regarding the proposed development, including the size, scale, and location of the building, incompatibility with the neighborhood, and the proximity to wetlands, and opined that the extension is not warranted.

During discussion and in response to queries by the members, Ms. Urwiller reiterated that there has not been a demonstrated effort to move forward with the project in a timely manner; and that the proposed size of the building does not fit in with the surrounding residential area, relating that there are additional concerns with respect to high density and the building's proximity to the roadway; and that the City had objected to the original application. The members noted the presence of various retail and commercial structures in the surrounding area, including a warehouse storage, shopping center, hospital, and condominium development, and Ms. Urwiller emphasized that all of the larger structures are located in the opposite direction of the proposed location.

Ms. Vincent provided input, indicating that the subject property is zoned residential; and that the proposed building is six stories over a parking level, noting that there is a significant difference in height limits for residential areas in Tarpon Springs and in the County, which is why the proposed location is in the unincorporated area, and Ms. Urwiller indicated that the City's height limit is 35 feet.

In rebuttal, Mr. Mills addressed the objector's concerns, explaining how time had been lost because of challenges associated with obtaining funding through Florida Housing Finance Corporation and indicating the following:

- The rezoning of the property in 2013 accommodated the County's request with regard to wetlands preservation.
- Traffic generated by the proposed use would be less than it would be under the prior zoning designation.
- Residential neighbors have demonstrated their support for the development through petitions and letters.

July 12, 2018

- The applicant is supportive of providing a pedestrian walkway across Alternate U.S. Highway 19 to provide the residents with access to the Pinellas Trail.
- The height allowed under the Development Agreement is up to 70 feet, which would accommodate a six-story building with a parking level; however, the applicant will probably not build six stories.
- The proposed building would not be visible from residential neighborhoods, as the wetlands provide a 55-acre buffer.
- The applicant will build a bus stop and add more sidewalk area to the site.

During discussion and responding to queries by the members, Ms. Vincent and Mr. Mills explained the challenges associated with the affordable housing funding mechanism through Florida Housing Finance Corporation and obtaining a County funding match and additional private funds, and Mr. Mills indicated that the time extension would allow the use of 2020 Penny for Pinellas surtax funding. Ms. Vincent stated that the need for affordable housing in the county is vast, and for senior housing it is even greater, and Mr. Mills discussed the plans to move forward with the development, contingent on obtaining the funding, noting the definite intention to build senior housing and uphold provisions of the Development Agreement.

Mr. Wikle noted that the development agreement had previously been approved; and that the applicant appears to have invested a lot of time and money into the project; whereupon, he moved, seconded by Ms. Reiter and carried unanimously, that the LPA recommend approval of the application to the BCC.

ADJOURNMENT

There being no further business, Chairman Schultz adjourned the meeting at 3:04 P.M.

Chairman