

Clearwater, Florida, February 12, 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
David Brandon, Vice-Chairman
Cathy Harrelson
Regina Kardash
Steve Klar
Susan Reiter

Not Present:

Ronald Schultz
Clint Herbic (non-voting School Board Representative)

Also Present:

Gordon R. Beardslee, Planning Division Director
John F. Cueva, Planning Department Zoning Manager
Al Bartolotta, Planning Section Manager, Metropolitan Planning Organization
Joseph A. Morrissey, Senior Assistant County Attorney
Chelsea Hardy, Assistant County Attorney
Other interested individuals
Laura M. Todd, Board Reporter, Deputy Clerk

CALL TO ORDER

Chairman Westine called the meeting to order at 9:03 A.M. and reviewed the procedure for the public hearings; whereupon, she announced that any written documentation for consideration by the Board of County Commissioners should be provided to Mr. Cueva by March 10, 2015.

MINUTES OF JANUARY 8, 2015 MEETING - APPROVED; MINUTES OF THE DECEMBER 11, 2014 MEETING – DEFERRED

Chairman Westine presented the minutes of the January 8, 2015 meeting, indicating that the December 11, 2014 minutes are not available at this time; whereupon, Mr.

Brandon moved, seconded by Mr. Klar and carried unanimously, that the minutes of the January 8, 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 persons planning to give testimony were duly sworn by the Deputy Clerk.

PROPOSED RESOLUTION AND ORDINANCE AMENDING THE PINELLAS COUNTY FUTURE LAND USE MAP AND ZONING ATLAS AND A DEVELOPMENT AGREEMENT

APPLICATION OF DENNIS K. BROWN AND DEBORAH K. PENNINGTON THROUGH TODD PRESSMAN, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-3, SINGLE FAMILY RESIDENTIAL, TO C-2, GENERAL RETAIL COMMERCIAL AND LIMITED SERVICES; A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL LOW TO COMMERCIAL GENERAL; A VARIANCE; AND A DEVELOPMENT AGREEMENT (Z/LU-1-1-15) – RECOMMEND APPROVAL AS AMENDED

Public hearing was held on the application of Dennis K. Brown and Deborah K. Pennington through Todd Pressman for the above changes in zoning and land use designation, along with a variance to allow a 50-foot-wide C-2 lot where an 80-foot-wide lot is required, and a Development Agreement restricting use of the property to private storage of domestic passenger vehicles and a private office for the owner of the property not to exceed 50 feet in height (Z/LU-1-1-15), re an approximately 0.23-acre property located at 11787 Walsingham Road in the unincorporated area of Pinellas County, 300 feet east of 119th Street North.

Mr. Cueva referred to aerial photographs and the zoning and land use map, pointed out the location of the subject property, discussed the uses in the surrounding area, provided historical background information regarding the property, and indicated that the variance is for a 50-foot lot where an 80-foot lot is required, noting that the request for a side setback variance is no longer required, as the applicants have revised the concept plan in order to meet the side setback requirement. He related that staff supports the request, specifically with regard to the variance, as the applicants only have a 50-foot-wide lot and cannot acquire additional property to meet the frontage requirements; whereupon, he indicated that no correspondence related to the application has been received.

February 12, 2015

In response to queries by Ms. Harrelson and Mr. Brandon, Mr. Cueva indicated that the property located to the east is 50 feet wide and currently zoned R-3; that staff anticipates supporting the same variance request from that property owner; and that the Development Agreement pertains to the current owners, whose only option is to sell the property if they retire; whereupon, he added that the next owner may come back before the LPA and the Board of County Commissioners to amend the Development Agreement.

During discussion and in response to queries by Chairman Westine and Ms. Harrelson, Mr. Cueva stated that the few telephone calls he has received were from surrounding property owners who were in favor of the request because the property was in such disrepair, noting that the current property owners will have to go through a full site plan review.

Responding to the Chairman's call for the applicant, Todd Pressman, Palm Harbor, referred to a PowerPoint presentation and ground level photographs, pointed out the location of the subject property, and described the surrounding land uses. He related that the proposed use is for the storage of several private passenger vehicles, with an adjoining office for personal use, as described in the Development Agreement, noting that the site had included a house which has since been demolished because it was in significant disrepair; whereupon, he indicated that he is in possession of several letters in favor of the application from the surrounding property owners, and requested that the Board approve the application.

In response to queries by Ms. Reiter and Harrelson, Mr. Pressman clarified that it is the express intent of the applicants to store the vehicles in the interior of the garage; and that the applicants are the owners of the vehicles to be stored. He indicated that the Development Agreement does not specify the word "interior," but the applicants would be amenable to the addition of the word; whereupon, in an effort to alleviate the concerns expressed by Ms. Reiter, Chairman Westine suggested that Section 6.1.3.3 be modified to specify "interior private storage," and no objections were noted.

No one appeared in response to the Chairman's call for citizens wishing to be heard; whereupon, she closed the public hearing.

Mr. Brandon moved, seconded by Mr. Klar and carried unanimously, that the application be approved as amended and as recommended by staff.

PROPOSED AMENDMENT TO THE PINELLAS COUNTY LAND DEVELOPMENT CODE

AN ORDINANCE OF THE COUNTY OF PINELLAS PROVIDING THAT THE ANNUAL CONCURRENCY TEST STATEMENT BE ESTABLISHED FOR PINELLAS COUNTY BY AMENDING CHAPTER 134 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE, AND AMENDING THE LEVEL OF SERVICE CONDITIONS FOR PUBLIC SERVICES AND FACILITIES (LDR-5-2-15) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Mr. Beardslee indicated that the Concurrency Test Statement was brought to the Board in December; and that the transportation component was not included at that time because staff was proceeding with amendments to the Comprehensive Plan and Land Development Code to remove transportation concurrency, noting that the purpose of the Concurrency Test Statement is to identify whether there is sufficient capacity of public services and facilities for development projects going forward. He indicated that some of the municipalities are not ready to remove transportation concurrency from their ordinances and Comprehensive Plans; and that the County wishes to allow them more time, noting that the Plan amendment to remove transportation concurrency may be about six months away from actual adoption by the Board; whereupon, he introduced Mr. Bartolotta to present additional information.

Mr. Bartolotta indicated that he has been meeting with the cities and the Barrier Islands Governmental Council to ensure the municipalities have a chance to amend their ordinances and Comprehensive Plans to eliminate transportation concurrency. He discussed the concurrency corridors that do not meet the current standard and concurrency requirements, noting that development can exceed the 50-percent floor area allowance as long as developers put forth a management plan to address impacts, and reviewed the roads that were added and removed from the list of concurrency corridors this year. In response to queries by Chairman Westine and Mr. Brandon, he stated that the mobility management system is intended to replace transportation concurrency with a more flexible and multi-modal approach to managing traffic impacts of development projects, noting that the city planners and municipalities have had a chance to review the mobility plan; that there is no major opposition to the plan; and that staff has been working the plan through the Metropolitan Planning Organization's advisory committees.

During discussion and in response to queries by Ms. Harrelson, Mr. Bartolotta, with input by Mr. Beardslee, indicated that the ultimate goal of the mobility plan is to allow local governments to implement mobility improvements for residents who are walking, bicycling, or using transit.

February 12, 2015

In response to Ms. Harrelson's queries pertaining to water supply, Mr. Beardslee agreed to provide her with a copy of the Tampa Bay Water master water supply contract and the associated interlocal agreement, and Attorney Morrissey stated that the agreements were designed to be permanent and can only be revised by all members, not just a majority of the members, noting that it would be subject to legislative approval. He indicated that the membership consists of two elected commissioners from Pasco, Pinellas, and Hillsborough Counties and one elected representative from the Cities of New Port Richey, St. Petersburg, and Tampa; and that the agreements were designed to provide a permanent water supply for the regional area.

Attorney Morrissey suggested that if water policy is of interest to the LPA, Mr. Beardslee could invite the General Director of Tampa Bay Water to make a presentation to the Board, and Mr. Beardslee noted that the LPA has stated its intention to request a staff presentation on water policy at a future date when the agenda is light.

Thereupon, Ms. Kardash moved, seconded by Mr. Brandon and carried unanimously, that the proposed annual amendments to the Concurrency Test Statement are consistent with the Pinellas County Comprehensive Plan; and that the LPA recommend that the Board of County Commissioners approve the proposed Concurrency Test Statement.

ADJOURNMENT

Chairman Westine adjourned the meeting at 9:29 A.M.

Chairman