

Clearwater, Florida, March 14, 2019

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:

Steve Klar, Chairman  
Gerald Figurski, Vice-Chairman  
Regina Kardash  
Susan M. Reiter  
Ronald Schultz  
Valerie Hibbard (alternate)

Not Present

Lari Johnson  
Paul Wikle  
Charlene Beyer (non-voting School Board Representative)

Also Present

Glenn Bailey, Planning Department Zoning Manager  
Michael Schoderbock, Principal Planner  
Rebecca Stonefield, Principal Planner  
Chelsea D. Hardy, Assistant County Attorney  
Other interested individuals  
Jenny Masinovsky, Board Reporter, Deputy Clerk

CALL TO ORDER

Chairman Klar called the meeting to order at 9:03 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 April 23, 2019, and any documents to be reviewed by the BCC should be submitted to staff by April 9, 2019.

MINUTES OF FEBRUARY 13, 2019 MEETING – APPROVED

Mr. Schultz moved, seconded by Ms. Reiter and carried unanimously, that the minutes of the February 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 ZONING ATLAS

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Deviating from the agenda, Chairman Klar indicated that Item No. 2 would be heard at this time.

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- 2. APPLICATION OF J. LONG REALTY GROUP, LLC AND KSK HOMES, INC. THROUGH DAVID B. SINGER, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-R, RURAL RESIDENTIAL, TO R-1, SINGLE FAMILY RESIDENTIAL (Z-06-03-19) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of J. Long Realty Group, LLC and KSK Homes, Inc. through David B. Singer for the above zoning change (Z-06-03-19), re approximately 1.48 acres of two parcels located south of the intersection of 72nd Terrace North and Hubert Street in unincorporated Seminole.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey pointed out the location of the subject property, noting that all surrounding properties are single-family residential with varying densities; and that the proposed R-1 zoning will allow for smaller lot sizes. He provided background information regarding the area, relating that most properties located within the two parcels were rezoned to R-1 in 2005, with the exception of three separate vacant portions which remained in R-R due to ownership disputes; and that since the disputes have been resolved, the applicants are requesting that all properties be consolidated under a common zoning district; whereupon, he stated that the proposed zoning is appropriate, compatible with the surrounding uses, and consistent with the Comprehensive Plan; and that staff recommends approval.

Matt Newton, Shumaker, Loop, and Kendrick, LLP, Tampa, appeared and indicated that he is the attorney for the applicants. He referred to the zoning and land use map and aerial

photographs and provided details regarding the application, emphasizing that the requested change will correct the current split zoning of the parcels that creates problems in planning. No one appeared in response to the Chairman's call for proponents or opponents to the application.

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

1. APPLICATION OF JOYCE M. COUTURE THROUGH JESSICA FLAMMER KOCH, ESQUIRE, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-3, SINGLE-FAMILY RESIDENTIAL, TO RM-CO, MULTI-FAMILY RESIDENTIAL – CONDITIONAL OVERLAY, AND PC, PRESERVATION/CONSERVATION (Z-05-03-19) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Joyce M. Couture through Jessica Flammer Koch for the above zoning change (Z-05-03-19), re approximately 5.4 acres located at 600 Pennsylvania Avenue in Ozona.

Referring to a PowerPoint presentation containing various maps and photographs, Mr. Schoderbock pointed out the location of the subject property, discussed the surrounding uses, and provided background information regarding the application, relating that the property currently contains two single-family homes, and the applicant is proposing to build a 26-unit single-family attached townhouse subdivision. He noted that the proposed zoning will not change the currently allowable density of five units per acre, only the type of development, from single- to multi-family; and that it would have been acceptable to build 26 single-family detached homes on the property in place of 26 townhouses.

Mr. Schoderbock further indicated that the conditional overlay would limit the property use to the townhouses; that the requested designations are appropriate for the upland and wetland areas; that there are adequate capacities available for infrastructure impacts; and that the proposal is compatible with surrounding uses and consistent with the Comprehensive Plan, including policies developed for the Ozona community; whereupon, he stated that staff recommends approval.

Upon the Chairman's call for the applicant, Jessica Flammer Koch, Clearwater, referred to a PowerPoint presentation containing various maps, photographs, and a preliminary concept site plan, provided background information regarding the application, pointed out

the proposed entrance and exit sites, and discussed the surrounding uses and plans concerning the future construction height, drainage, and preservation of wetlands and mangroves on the property. She indicated that the main access to the townhouse development will require extending Ohio Avenue, which currently dead-ends at the subject property line, into the property; whereupon, she relayed that the applicant aspires to create a community atmosphere and will continue working with the County to find the best way to develop the land to ensure the preservation of nature.

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

- Dameron Richard Davis, Palm Harbor
- Brian Smith, Ozona, representing Ozona Village Improvement Society (submitted a letter prior to the meeting)
- Dennis Green, Ozona
- Pam McAloon, Palm Harbor (submitted a petition)
- Stephen Junge, Palm Harbor
- Ronald Volz, Palm Harbor
- Emilia Haasch, Palm Harbor (speaking on behalf of Ozona Elementary School families)
- Wendy S. Armel, Palm Harbor
- James Moller, Palm Harbor
- Shane Barrett, Palm Harbor
- Gary L. Curran, Ozona
- Elton Follett, Ozona
- Darlene Link, Palm Harbor

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

- Increased traffic creating safety concerns, including for children playing in the streets and walking to/from Ozona Elementary School
- Incompatibility with the neighborhood character
- Potential drainage issues and increased flooding resulting from impact on stormwater infrastructure
- Environmental impacts, such as loss of green space and wildlife, including protected species
- Lack of data to support staff's position regarding having adequate infrastructure for the proposed development
- Safety concerns due to bad roads, inadequate street lighting, and lack of sidewalks
- Impact of demolition of the current houses located on the property

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Responding to queries by the members relating to concerns of the objectors, Mr. Schoderbock provided information regarding the impacts of the proposed development on the infrastructure, traffic, demolition, and the environment, noting that most of the raised issues would be handled during the site plan review process, and indicating the following:

- Infrastructure impacts which could result from a change in land use are not applicable in this case. Pinellas County Utilities Department has determined that there is sufficient utility capacity to accommodate the proposed development.
- According to national studies, in general, townhouses have lower trip generation than single-family homes.
- Pertinent state agencies and County departments, including Southwest Florida Water Management District (SWFWMD), Florida Fish and Wildlife Conservation Commission, and the Water and Navigation section of the Environmental Management and Public Works Departments will review impacts on wetlands, wildlife, waterways, and drainage.
- County requirements relating to landscaping and stormwater have become more restrictive; for a 26-unit development, the County will require the property to have 20 percent permeable open space.
- Appropriate permits will need to be obtained and clean-up and remediation requirements satisfied for the demolition.
- Pursuant to County policies, main access to the property has to be positioned on a street with lower capacity, which in this case is Ohio Avenue.
- Offsite mitigation of sidewalks will be considered during the site plan review, and any required sidewalks will be provided.

During further discussion and responding to queries by the members, Mr. Smith, on behalf of the objectors, clarified that developing the property with single-family homes would be acceptable, and opined that it is unlikely that 26 single-family homes would fit on it; whereupon, Messrs. Schoderbock and Bailey provided information regarding the applicable height and fill requirements.

In rebuttal, Ms. Koch addressed the concerns expressed by the objectors and responded to queries by the members, highlighting the following:

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- A townhouse development is less impactful than a single-family development in terms of traffic and number of residents.
- The applicants intend to preserve green space in the northern portion of the property as much as possible, but the eastern portion will need to be cleared to provide access.
- The applicant's decision on how to develop the property involved a great deal of consideration. Family members have begun the process of relocating the gopher tortoises and working with SWFWMD to address any potential flooding issues.
- The dock no longer exists.
- In addition to retention ponds, one to two feet of fill will be placed, where needed, for drainage.

Mr. Schultz related that upon visiting the area, he found that it was dark and tight; and that a multifamily development would change its character; whereupon, he moved that the LPA recommend denial of the application to the BCC, and the motion died for lack of a second.

Responding to query by Ms. Hibbard, Mr. Schultz reiterated that other multifamily properties located nearby stand out, and indicated that he would not want the responsibility of making a decision regarding altering the characteristics of the neighborhood.

Noting the complexity of the case, Ms. Kardash stated that the applicants have provided evidence of meeting the rezoning requirements; whereupon, she moved, seconded by Mr. Figurski, that the LPA recommend approval of the application to the BCC. Upon call for the vote, the motion carried 4 to 2, with Mr. Schultz and Ms. Hibbard casting the dissenting votes.

#### PLAN PINELLAS – COMPREHENSIVE PLAN STATUS UPDATE

Referring to a PowerPoint presentation titled *PLANPinellas Status Update*, Ms. Stonefield provided information regarding the ongoing process of updating the Comprehensive Plan and discussed the background and reasons for the update, the multiphased evaluation approach, desired outcome, and next steps, highlighting the following:

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- Update is intended to streamline and organize the existing lengthy and disconnected plan document to provide a focused vision and ensure consistency with the emerging trends and challenges, mainly associated with the County redevelopment.
- *Policy Consolidation Phase* has been completed, resulting in a major classification of over 1,100 existing policies into approximately 300. Goals and objectives were reorganized, and strategies identified.
- *Guiding Principles Phase* has been completed, and the public confirmed its support for the guiding principles promoting sustainable future, healthy communities, strong local economy, housing options, multimodal transportation, protecting natural resources, best practices, and responsible regionalism.
- *Plan Revisions Phase* has recently begun. Staff is working with internal departments to evaluate the plan and ensure that it represents and supports their current and planned programs.
- Final plan will be web-based, allowing for quick navigation by staff and the public, and emphasizing the interrelationships across policies and topics.
- Next steps will involve potential drafting of new policies and coordinating reorganization with the County and the State.

#### ADJOURNMENT

There being no further business and upon motion by Ms. Reiter, seconded by Ms. Hibbard and carried unanimously, the meeting was adjourned at 10:27 A.M.

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Chairman