

BOARD OF COUNTY COMMISSIONERS

DATE: May 6, 2014

AGENDA ITEM NO. *1a.-d.*

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature *[Signature]*

Subject:

Proposed Regular Amendments to the Countywide Future Land Use Plan (FLUP)

Department:

Planning and Development Services

Staff Member Responsible:

Jacob Stowers, Executive Director

Recommended Action:

IT IS RECOMMENDED THE BOARD OF COUNTY COMMISSIONERS (BOARD), SITTING AS THE COUNTYWIDE PLANNING AUTHORITY (CPA), ACCEPT THE REQUEST FROM THE CITY OF ST. PETERSBURG TO WITHDRAW CASE CW 14-07, AND TO ADOPT THE PROPOSED ORDINANCES APPROVING CASE CW 14-11 OF PINELLAS PARK, CASE CW 14-12 OF CLEARWATER, AND CASE CW 14-13 OF PINELLAS COUNTY.

Summary Explanation/Background:

The Board has received a request to withdraw one case and three proposed regular amendments to the FLUP that were reviewed by the Pinellas Planning Council (PPC or Council) on April 9, 2014.

Case CW 14-07 was submitted by the City of St. Petersburg for 7.3 acres that includes the property located on the northeast corner of 34th Street North and 13th Avenue North. The proposal would amend the FLUP from Industrial Limited (IL) and Water/Drainage Feature (W/DF) to Planned Redevelopment-Mixed Use (PR-MU). At the March 18, 2014 meeting, the Board continued this case to the May 6, 2014 CPA meeting at the request of the City. The City of St. Petersburg has now requested that this case be withdrawn. The PPC accepted the City's request for withdrawal and it would be appropriate, therefore, for the CPA to also accept the withdrawal of this case.

Case CW 14-11 is a submittal by the City of Pinellas Park for 3.1 acres that includes the property located at 7600-78th Avenue North, from Residential Urban (RU), up to 7½ units an acre, to Residential Medium (RM), up to 15 units an acre. The proposed amendment would allow expansion of the existing assisted living facility located on the subject property. If approved, this request would enable the site to accommodate an additional 77 beds over what is currently developed on the property. County staff concurs with the PPC recommendation to approve the proposed FLUP amendment.

Case CW 14-12 is a submittal by the City of Clearwater for 1.4 acres that includes the property located at 2730 Curlew Road, from Residential Urban (RU), up to 7½ units an acre, to Residential Low Medium (RLM), up to 10 units an acre. The site is currently developed with a 26-bed assisted living facility - Curlew Care of Clearwater. The proposed amendment would allow the site to accommodate an additional nine (9) beds over what is currently developed on the property. County staff concurs with the PPC recommendation to approve the proposed FLUP amendment subject to the amendment being considered an exception to the Scenic/Non-Commercial Corridor "Residential" subclassification. The PPC further recommends that the City of Clearwater give special consideration to the improvement of the site with respect to the buffering and landscaping guidelines of the Scenic/Noncommercial Corridor Master Plan.

Case CW 14-13 is a submittal by Pinellas County for 4.8 acres located at 2355 Nebraska Avenue, from Institutional to Residential/Office/General. The property is currently occupied by the Palm Harbor Montessori Academy. At this time, there are no plans to close the school; however, the property owner would like to market the site for future office use. County staff concurs with the PPC recommendation to approve the proposed FLUP amendment.

Fiscal Impact/Cost/Revenue Summary:

None

Exhibits/Attachments Attached:

Ordinances
County Board Minutes
Council Documentation

TO: The Honorable Chairman and Members of the Board of County Commissioners, in Your Capacity as the Countywide Planning Authority

THROUGH: Robert S. LaSala, County Administrator

FROM: Michael C. Crawford, Interim Executive Director
Pinellas Planning Council

SUBJECT: May 6, 2014 Countywide Planning Authority Agenda
Part I – Public Hearing Agenda Re: Regular Plan Map Amendments

DATE: May 6, 2014

RECOMMENDATION: THE PINELLAS PLANNING COUNCIL RECOMMENDS THE BOARD, IN YOUR CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY, ACCEPT THE REQUEST FROM THE CITY OF ST. PETERSBURG TO WITHDRAW CASE CW14-07 AND TO APPROVE CASES CW 14-11, CW 14-12, AND CW 14-13.

DISCUSSION: The Countywide Planning Authority has received four (4) cases concerning regular amendment of the Countywide Plan Map as described below:

Case CW 14-07 – City of St. Petersburg:

7.3 acres m.o.l., generally located on the northeast corner of 34th Street North and 13th Avenue North, proposed to change from Industrial Limited and Water/Drainage Feature to Planned Redevelopment-Mixed Use.

At the March 12, 2014 PPC meeting, the City of St. Petersburg requested this item be continued to April 9, 2014.

At their April 9, 2014 PPC meeting, the Pinellas Planning Council, by a vote of 11-0, accepted a request for withdrawal of this case from the City of St. Petersburg and recommended the Countywide Planning Authority also accept this request from the City of St. Petersburg to withdraw Case CW 14-07.

Case CW 14-11 – City of Pinellas Park:

3.1 acres m.o.l., located at 7600 – 78th Avenue N., proposed to change from Residential Urban to Residential Medium.

The site is developed with a 39 bed assisted living facility that is currently operating as a non-conforming use. The applicant proposes to expand the use and bring the future land use and zoning into conformity. Under the current Residential Urban category, the site would be allowed up to 58 beds and under the proposed Residential Medium, the site would be allowed up to 116 beds, an increase of 77 beds over what is presently developed on the site.

The Pinellas Planning Council, by a vote of 11-0, recommended approval of Case CW 14-11.

Case CW 14-12 – City of Clearwater:

1.4 acres m.o.l., located at 2730 Curlew Road., proposed to change from Residential Urban to Residential Low Medium.

The site is developed with Curlew Care of Clearwater, a 26 bed assisted living facility. The applicant proposes to expand this use. Under the current Residential Urban category, the site would be allowed up to 26 beds and under the proposed Residential Low Medium, the site would be allowed up to 35 beds, an increase of 9 beds over what is presently developed on the site.

The Pinellas Planning Council, by a vote of 11-0, recommended approval of Case CW 14-12.

Case CW 14-13 – Pinellas County

4.8 acres m.o.l., located at 2355 Nebraska Avenue, proposed to change from Institutional to Residential/Office General.

The site is developed with the Palm Harbor Montessori Academy, a private school. The property owner would like to market the property for future office use and currently has no plans to close the school.

The Pinellas Planning Council, by a vote of 11-0, recommended approval of Case CW 14-13.

BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, FEBRUARY 25, 2014 – 2:02 P.M.

#19b Resolution No. 14-19 adopted approving the application of Palm Harbor Montessori School through Christine Varkas, Representative, for a change of zoning from IL, Institutional Limited, to P-1, General Professional Office; Ordinance No. 14-13 adopted approving a change in land use designation from Institutional to Residential/Office General (Z/LU-2-1-14), re approximately 4.78 acres located on the north side of Nebraska Avenue, 575 feet west of U.S. Highway 19 North, Palm Harbor (street address: 2355 Nebraska Avenue). The Local Planning Agency recommended approval of the application based on the staff report. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Latvala
Second	-	Commissioner Welch
Vote	-	7 – 0

ORDINANCE NO. 14-_____

AN ORDINANCE AMENDING THE COUNTYWIDE FUTURE LAND USE PLAN OF PINELLAS COUNTY, FLORIDA, BY ACTION ON CASE NUMBER CW 14-13 INITIATED BY PINELLAS COUNTY AND TRANSMITTED TO THE BOARD IN ACCORDANCE WITH THE SPECIAL ACT; PROVIDING FOR AMENDMENT TO THE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a proposed amendment to the Countywide Future Land Use Plan, which is an element of the Countywide Comprehensive Plan of Pinellas County, Florida, has been presented at a public hearing to the Board of County Commissioners in their capacity as the Countywide Planning Authority; and

WHEREAS, notices of public hearings have been accomplished as required by Chapter 73-594, Laws of Florida, as amended; and

WHEREAS, procedures of the Special Act and County Charter have been followed concerning the Pinellas Planning Council and the Countywide Planning Authority for proposed amendments to the Countywide Future Land Use Plan; and

WHEREAS, Pinellas County initiated a proposed amendment which was considered at a public hearing by the Pinellas Planning Council on April 9, 2014, with recommendations made by the Council that are documented in the Council reports referred to as Exhibit A; and

WHEREAS, the Board has conducted a public hearing and taken action that is documented by ordinance for approvals or partial approvals and partial denials and by resolution for denials, with both documents including the relevant Council reports as attached; and

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, acting as the Countywide Planning Authority in regular meeting duly assembled on May 6, 2014, as follows:

Section 1 – Amending the Countywide Future Land Use Plan

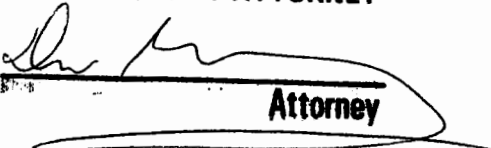
The Countywide Future Land Use Plan for Pinellas County adopted in Section 3(a) of Ordinance 89-4 is amended to reflect the change adopted as follows:

#CW 14-13 4.8 acres located at 2355 Nebraska Avenue, from Institutional to Residential/Office General.

Section 2. Severability If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by a Court of Competent Jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 3. Filing of Ordinance; Effective Date A certified copy of this ordinance shall be filed with the Secretary of State with the Ordinance and Exhibit A to be filed with the Clerk of the Circuit Court. This Ordinance shall take effect upon filing with the Department of State.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney

Case CW 14-13

Pinellas County

PINELLAS PLANNING COUNCIL AGENDA MEMORANDUM

AGENDA ITEM: III B-4.

MEETING DATE: April 9, 2014

SUBJECT: Amendment of the *Countywide Future Land Use Plan Map*
FROM: Institutional (I)
TO: Residential/Office General (R/OG)
AREA: 4.8 Acres m.o.l.
CASE #: CW 14-13
JURISDICTION: Pinellas County
LOCATION: 2355 Nebraska Avenue

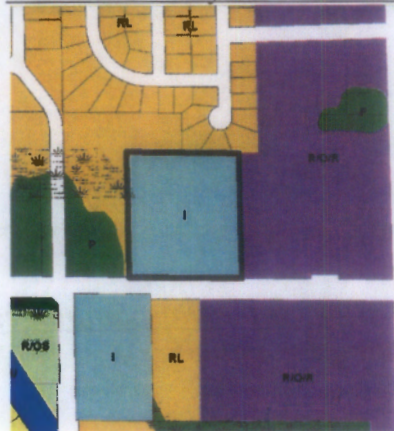
RECOMMENDATION: Council Recommend To The Countywide Planning Authority That The Proposed Map Amendment To Residential/Office General Be Approved.

I. BACKGROUND

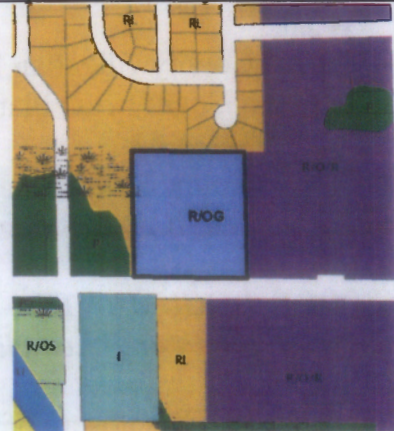
This proposed amendment is submitted by Pinellas County and seeks to reclassify a 4.8 acre parcel from Institutional to Residential/Office General.

The site is developed with the Palm Harbor Montessori Academy, a private school. The property owner would like to market the property for future office use and currently has no plans to close the school.

Current Countywide Plan Map



Proposed Countywide Plan Map



PINELLAS PLANNING COUNCIL ACTION:

The Council recommended approval of the amendment from Institutional to Residential/Office General (vote 11-0).

COUNTYWIDE PLANNING AUTHORITY ACTION:

SUBJECT: Case CW 14-13 – Pinellas County

II. FINDINGS

Staff submits the following findings in support of the recommendation for approval:

- A. The Residential/Office General category recognizes the use of the site and is consistent with the criteria for utilization of this category; and
- B. The proposed amendment either does not involve, or will not significantly impact, the remaining relevant countywide considerations.

In consideration of and based upon a balanced legislative determination of the Relevant Countywide Considerations, as they relate to the overall purpose and integrity of the Countywide Plan, it is recommended that the proposed Residential/Office General Countywide Plan Map category be approved.

Please see accompanying attachments and documents in explanation and support of the findings.

III. PLANNERS ADVISORY COMMITTEE (PAC)

At their March 31, 2014 meeting, the PAC members discussed and recommended approval of staff recommendation (vote 10 – 0).

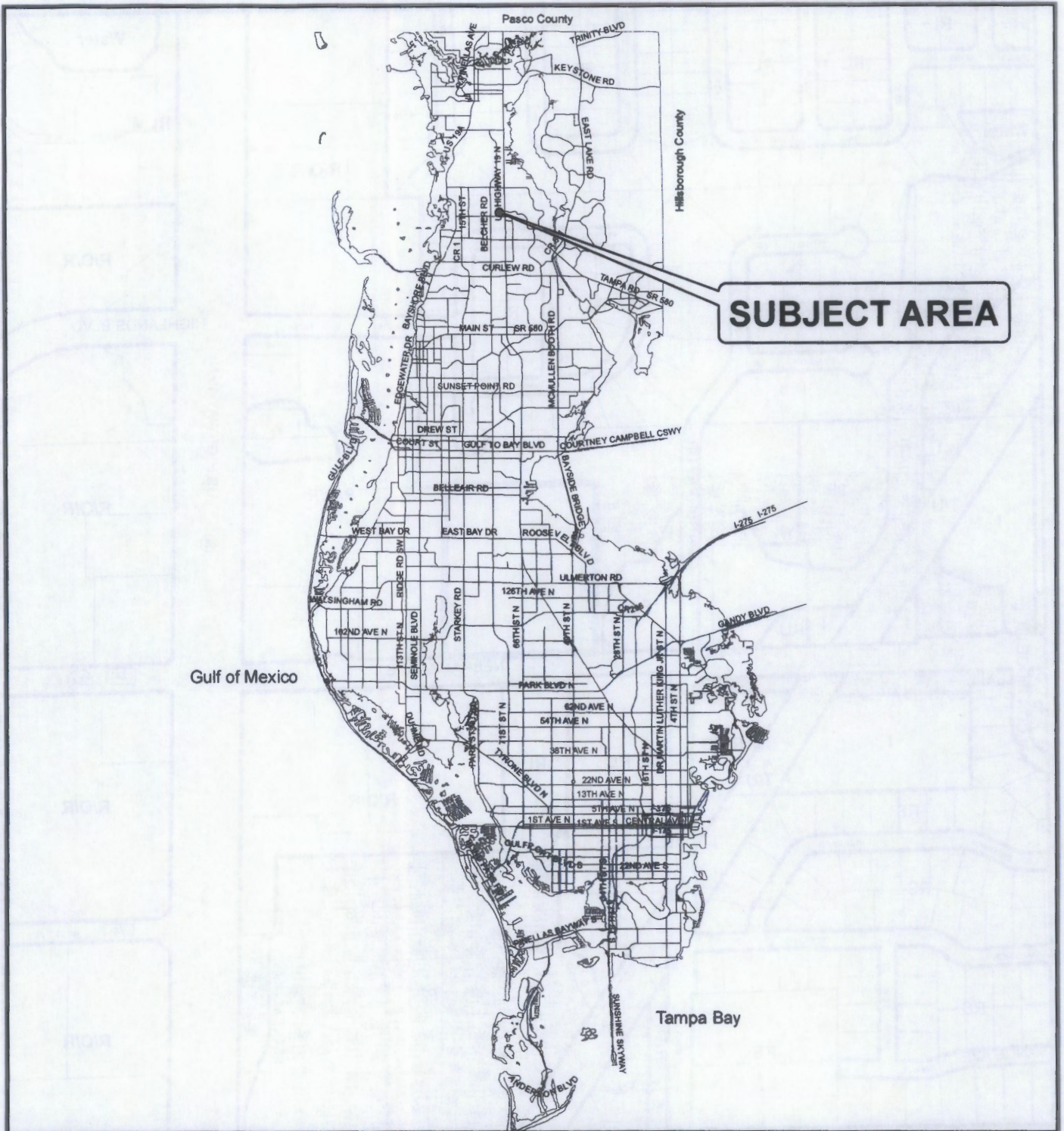
IV. LIST OF MAPS & ATTACHMENTS

- Map 1 Location
- Map 2 Current Countywide Plan & Jurisdiction Map
- Map 3 Aerial
- Map 4 Current Countywide Plan Map
- Map 5 Proposed Countywide Plan Map

- Attachment 1 Council Staff Analysis
- Attachment 2 Draft PAC Summary Actions Sheet

V. SUPPORT DOCUMENTS – available only at www.pinellasplanningcouncil.org (see April Agenda and then click on corresponding case number).

- Support Document 1 Disclosure of Interest Form
- Support Document 2 Local Government Application



Map 1 - Location

FROM: Institutional

TO: Residential/Office General

AREA: 4.8 Acres

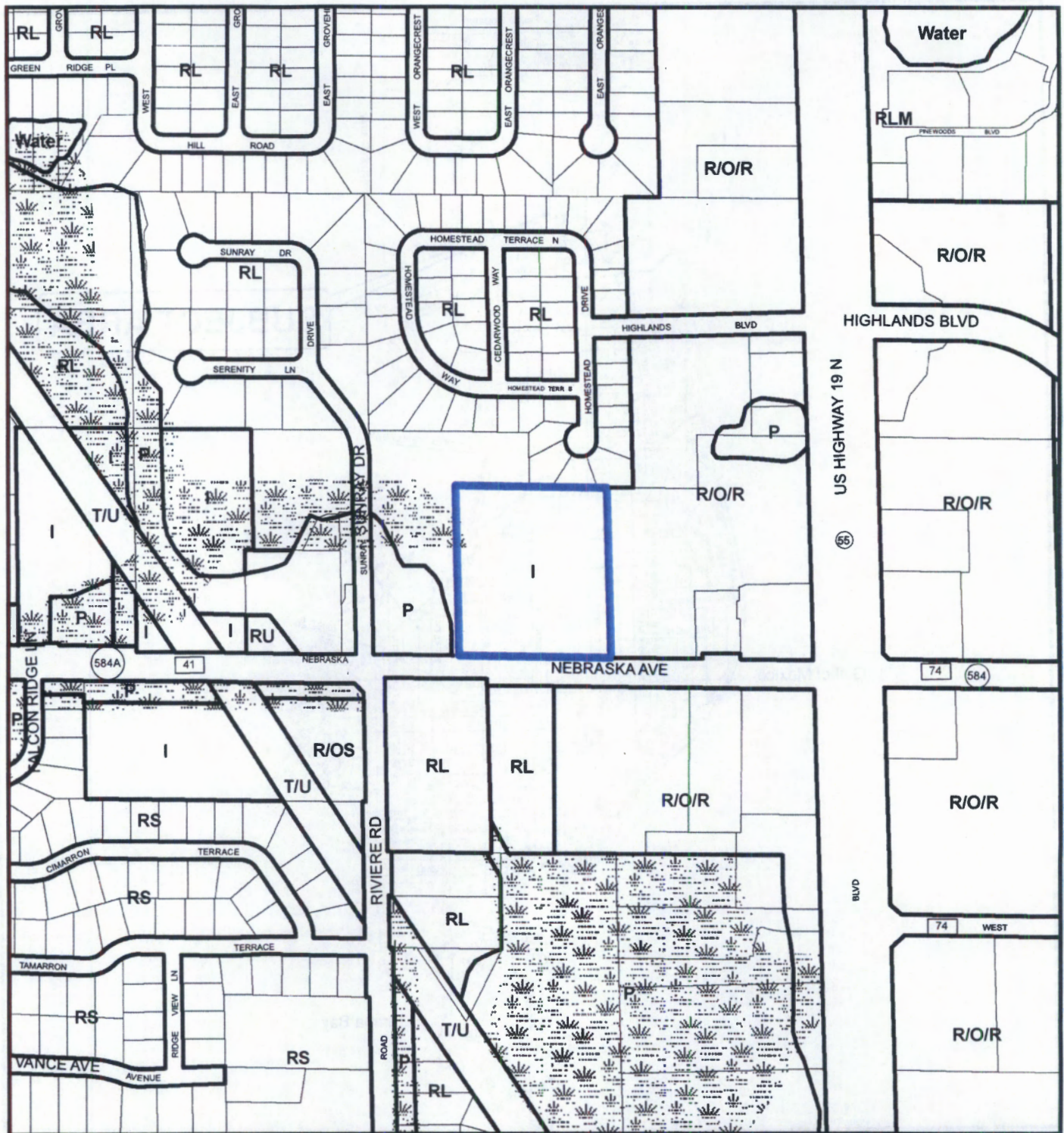
CASE #: CW14-13

JURISDICTION: Pinellas County



1" = 26,000'

PRC PINELLAS
PLANNING
COUNCIL



Map 2 - Current Countywide Plan Map & Jurisdictional Map

FROM: Institutional

TO: Residential/Office General

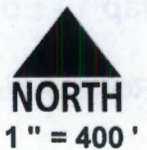
AREA: 4.8

CASE #: CW14-13

Jurisdictions

UNINCORPORATED

JURISDICTION: Pinellas County





Map 3 - Aerial

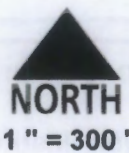
FROM: Institutional

TO: Residential/Office General

AREA: 4.8

CASE #: CW14-13

JURISDICTION: Pinellas County



PPC PINELLAS
PLANNING
COUNCIL



Legend			
Residential		Mixed Use	
Residential Suburban	Residential Low Medium	Residential / Office / Retail	Institutional
Residential Low	Residential Medium	Public / Semi-Public	Transportation / Utility
Residential Urban		Preservation	Special Designations
		Recreation / Open Space	Water
			Water/Drainage Feature Overlay

Map 4 - Current Countywide Plan Map

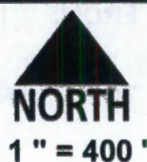
FROM: Institutional

TO: Residential/Office General

AREA: 4.8

CASE #: CW14-13

JURISDICTION: Pinellas County





Legend			
Residential	Mixed Use	Public / Semi-Public	Special Designations:
Residential Suburban	Residential/Office/Retail	Preservation	Water
Residential Low	Residential/Office General	Recreation/Open Space	Water/Drainage Feature Overlay
Residential Urban		Institutional	
Residential Low Medium		Transportation/Utility	
Residential Medium			

Map 5 - Proposed Countywide Plan Map

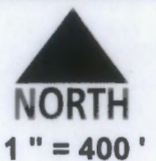
FROM: Institutional

TO: Residential/Office General

AREA: 4.8

CASE #: CW14-13

JURISDICTION: Pinellas County



**Council Staff Analysis
Case CW 14-13: Pinellas County
April 9, 2014, PPC Meeting**

Relevant Countywide Considerations:

- 1) **Consistency with the Countywide Plan and Rules** – The subject site is developed with the Palm Harbor Montessori Academy, a private school. The property owner would like to market the property for future office use and currently has no plans to close the school. The site is adjoined by single-family homes on the north and west, office and retail uses on the east, and retail and public library on the south (across Nebraska Ave.).

The current Institutional (I) category is used to depict areas that are primarily well-suited for educational, health, public safety, civic, religious and like institutional uses required to serve the community. The educational use on site is consistent with the current category.

It is the purpose of the Residential/Office (R/OG) category “*to depict those areas of the county that are now developed, or appropriate to be developed, in an office and/or medium density residential use; and to recognize such areas as primarily well-suited for mixed-use of an office/residential character consistent with the surrounding uses, transportation facilities and natural resource characteristics of such areas.*”

Additionally, the locational characteristics contained in the Countywide Rules state that the R/OG category is “*generally appropriate to locations where it would serve as a transition from an urban activity center or more intensive nonresidential use to low density residential or public/semi-public use; and in areas where the size and scale of office and residential use is appropriate to free standing office, medium density residential or a combination thereof. These areas are typically in proximity to and served by the arterial and major thoroughfare highway network, as well as by mass transit.*”

This site is consistent with the Purpose of the R/OG category in that the site is part of a larger area that is “*primarily well-suited for an office and/or medium density residential use; and to recognize such areas as primarily well-suited for mixed-use of an office/residential character.*” The area surrounding the subject site contains a mix of residential, nonresidential, and public/semi-public uses. The proposed R/OG on this site would fit the character of the surrounding uses and serve as an appropriate transition parcel from higher to lower density intensity from US Highway 19 to the

west along Nebraska Ave. Lastly the current school use on the site is consistent with the R/OG category.

The site is consistent with the Locational Characteristics of R/OG it that the site can serve as a transition from “*an urban activity center or more intensive nonresidential use to low density residential or public/semi-public use.*” The proposed R/OG on this site can serve as a step-down from the higher intensity office and retail uses to the east fronting US Highway 19 to the low density single-family homes to the west and north. Additionally, the site is not “*in proximity to an urban activity center,*” the site is near the intersection of US Highway 19 and Nebraska Ave., which contains a mix of urban activity uses. Furthermore, the site is located on a major collector (Nebraska Ave.) and is “in proximity” to on a major arterial (US Highway 19), which also has access to a Pinellas Suncoast Transit Authority bus route.

This amendment is deemed consistent with the purpose statement and locational characteristics found in the Countywide Rules and the proposed amendment can be considered consistent with this Relevant Countywide Consideration.

- 2) **Adopted Roadway Level of Service (LOS) Standard** – The amendment area will not impact a roadway with a LOS below “D.”
- 3) **Location on a Scenic/Non-Commercial Corridor (SNCC)** – The amendment area is not located on a SNCC, so these policies are not applicable.
- 4) **Coastal High Hazard Areas (CHHA)** – The amendment area is not located in a CHHA, so these policies are not applicable.
- 5) **Designated Development/Redevelopment Areas** – The amendment area is not located in, nor does it impact, designated development or redevelopment areas.
- 6) **Adjacent To or Impacting An Adjoining Jurisdiction or Public Educational Facility** – The amendment area is not located adjacent to another jurisdiction.

Additionally, the amendment area does not adjoin, nor will it impact, a public educational facility. Therefore, this request can be considered consistent with this Relevant Countywide Consideration.

Conclusion:

On balance, it can be concluded that the requested amendment from Institutional to Residential/Office General is deemed consistent with the Relevant Countywide Considerations found in the Countywide Rules.

PAC AGENDA – SUMMARY AGENDA ACTION SHEET

DATE: March 31, 2014

ITEM	ACTION TAKEN	VOTE
I. <u>MINUTES OF REGULAR PAC MEETING</u> <u>MARCH 3, 2014</u>	<u>Approved</u> Motion: Dean Neal Second: Fred Metcalf	9 – 0
II. <u>REVIEW OF PPC AGENDA FOR APRIL 9, 2014</u> A. <u>Subthreshold Land Use Plan Amendments</u>		
B. <u>Regular Land Use Plan Amendments -</u> 1. Case CW 14-07: City of St. Petersburg (continued from February)	<u>Withdrawn</u> Motion: Second:	
2. Case CW 14-11: City of Pinellas Park	<u>Approved</u> Motion: Fred Metcalf Second: Dean Neal	11 – 0
3. Case CW 14-12: City of Clearwater	<u>Approved</u> Motion: Dean Neal Second: Fred Metcalf	11 – 0
4. Case CW 14-13: Pinellas County	<u>Approved</u> Motion: Dean Neal Second: Fred Metcalf	11 – 0
C. <u>Minor Plan Change: Case CW-10-21(SAP Change</u> <u>No. 1-2014): City of Tarpon Springs</u>	<u>Approved</u> Motion: Dean Neal Second: Fred Metcalf	11 – 0
D. <u>Amended Development Agreement: Case CW-10-</u> <u>11 – City of Clearwater</u>	<u>Approved</u> Motion: Dean Neal Second: Derek Kilborn	11 – 0
E. <u>Annexation Report – Semi-Annual Update FY-14</u>	<u>No Action – Information Only</u>	
F. <u>Annexation Report – March 2014</u>	<u>No Action – Information Only</u>	
G. <u>CPA Actions March 2014</u>	<u>No Action – Information Only</u>	
H. <u>MPO/PPC Unification Update</u>	<u>No Action – Information Only</u>	
I. <u>Countywide Plan and Transportation Update</u> 1. Countywide Rule Amendment – Preliminary Draft	<u>No Action – Information Only</u>	
2. Schedule/Timing	<u>No Action – Information Only</u>	

DISCLOSURE OF INTEREST STATEMENT
PINELLAS COUNTY PLANNING COUNCIL CASE NUMBERSUBMITTING GOVERNMENT ENTITY: PINELLAS COUNTYPPC OR CITY/TOWN CASE NUMBER: Z/LU 2-1-14

PROPERTY OWNER(S):

Name: Palm Harbor Montessori SchoolName: N/AAddress: c/o Christine Varkas1961 East Lake RoadPalm Harbor, FL 34685Address: N/A

ANY OTHER PERSONS HAVING ANY OWNERSHIP INTEREST IN THE SUBJECT PROPERTY:

Interest:

Contingent:

Absolute:

Name: N/A

A specific interest held:

INDICATION AS TO WHETHER A CONTRACT EXISTS FOR SALE OF SUBJECT PROPERTY, IF SO:

Contract is: N/A Contingent N/A Absolute

All Parties to Contract:

Name: _____

Name: _____

INDICATION AS TO WHETHER THERE ARE ANY OPTIONS TO PURCHASE SUBJECT PROPERTY, IF SO:

All Parties to Option:

Name: N/AName: N/AANY OTHER PERTINENT INFORMATION WHICH APPLICANT MAY WISH TO SUBMIT PERTAINING TO
REQUESTED PLAN AMENDMENT:

NUMBER TO BE ASSIGNED BY PLANNING COUNCIL STAFF

APPLICATION FOR COUNTYWIDE FUTURE LAND USE PLAN AMENDMENTS

Please include all information below to ensure the application for Countywide Plan Map amendment can be processed. If additional space is needed, please number and attach additional sheets.

Countywide Plan Map Information

- | | | |
|----|---|----------------------------|
| 1. | Current Countywide FLUP Designation(s) | Institutional |
| 2. | Proposed Countywide FLUP Designation(s) | Residential/Office General |

Local Plan Map Information

- | | | |
|----|--------------------------------------|----------------------------------|
| 1. | Local Map Amendment Case Number | Z/LU 2-1-14 |
| 2. | Current Local Plan Designation(s) | Institutional |
| 3. | Current Local Zoning Designation(s) | IL, Institutional Limited |
| 4. | Proposed Local Plan Designation(s) | Residential/Office General |
| 5. | Proposed Local Zoning Designation(s) | P-1, General Professional Office |

Site and Parcel Information

- | | | |
|----|--|--|
| 1. | Parcel Number(s) of area(s) proposed to be amended – Sec/Twp/Rng/Sub/Blk/Lot
(and/or legal description, as necessary) | 06/28/16/00000/240/0400 |
| 2. | Location | Approximately 4.78 acres located on the north side of Nebraska Avenue 575 ft. west of US 19 N., with the street address being 2355 Nebraska Avenue, Palm Harbor. |
| 3. | Acreage | 4.78 |
| 4. | Existing use(s) | Private School |
| 5. | Existing density and/or floor area ratio | N/A |
| 6. | Name of project (if applicable) | N/A |

Local Action

- | | |
|----|---|
| 1. | Date local ordinance was considered at public hearing and authorized by an affirmative vote of the governing body for transmittal of, and concurrence with, the local government future land use plan map amendment. |
| 2. | If the local government chooses to submit a development agreement in support of this application, the date the agreement was approved at public hearing by the legislative body. Any development agreement submitted as part of an application of Countywide Plan Map amendment may become a condition of approval of the amendment and will be subject to the provisions of Section 5.1.4 of the Countywide Rules. |

Other Items to Include:

- | | |
|----|--|
| 1. | Cover letter or email to the Executive Director indicating the request for Countywide Plan Map amendment, including, ordinance number, ordinance status, and local action to date. |
| 2. | Copy of local ordinance. |
| 3. | If applicable, a copy of the development agreement approved by the legislative body and executed by the applicant property owner and other private party(ies) to the agreement. |
| 4. | Disclosure of Interest Statement. |
| 5. | Staff report. |
| 6. | Local plan and zoning maps showing amendment area. |
| 7. | If applicable, proposed demarcation line for environmentally sensitive areas. |