

**BOARD OF COUNTY COMMISSIONERS**

DATE: May 5, 2015  
AGENDA ITEM NO. 1b.

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

 County Administrator's Signature:


**Subjects:**

Proposed Subthreshold Amendment to the Countywide Plan Map

**Department:**

Planning

**Staff Member Responsible:**

Gordon Beardslee, Director 

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS, SITTING AS THE COUNTYWIDE PLANNING AUTHORITY (CPA), CONDUCT A PUBLIC HEARING AND APPROVE CASE CW 15-9 OF ST. PETERSBURG.

**Summary Explanation/Background:**

Planning Department staff recommends approval of this proposed amendment as described in the Pinellas Planning Council (PPC) documentation. The PAC recommended approval of this case by a vote of 8-0. The PPC recommended approval of this case by a vote of 12-0.

**Fiscal Impact/Cost/Revenue Summary:**

N/A

**Exhibits/Attachments Attached:**

Council Documentation


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www.pinellasplanningcouncil.org

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Commissioner Michael Smith  
Commissioner John Torga

Michael C. Crawford, AICP  
Interim Executive Director

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

THROUGH: Mark S. Woodard, County Administrator

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

DATE: May 5, 2015

SUBJECT: Proposed Subthreshold Amendment to the Countywide Plan Map

**Recommendation:**

THE PINELLAS PLANNING COUNCIL RECOMMENDS THE BOARD OF COUNTY COMMISSIONERS (BOARD), IN YOUR CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY, CONDUCT A PUBLIC HEARING AND APPROVE CASE CW 15-9 AS SUBMITTED BY THE CITY OF ST. PETERSBURG.

**Summary Explanation/Background:**

The Countywide Planning Authority has received one case concerning a subthreshold amendment to the Countywide Future Land Use Plan that was reviewed by the Pinellas Planning Council on April 8, 2015.

**Case CW 15-9 – City of St. Petersburg:**

0.2 acres more or less, located at 9000 4<sup>th</sup> St. N.; proposed to change from Residential Medium to Planned Redevelopment-Mixed Use.

This proposed amendment is submitted by the City of St. Petersburg and seeks to reclassify a 0.2 acre portion of a parcel from Residential Medium to Planned Redevelopment-Mixed Use. This amendment qualifies as a Type A Subthreshold amendment, since it is less than one acre in size.

The subject site contains a portion of a parking lot for the existing Wendy's restaurant. The owner of the property proposes to redevelop the site with a new Wendy's restaurant.

***The PPC, by a vote of 12-0, recommended approval of Case CW 15-9.***

**Fiscal Impact/Cost/Revenue Summary:**

None

**Exhibits/Attachments:**

Proposed Ordinance  
Council Documentation

**PUBLIC HEARING ITEM**

**Case CW 15-9**

**City of St. Petersburg**

ORDINANCE NO. 15-\_\_\_\_

AN ORDINANCE OF THE COUNTY OF PINELLAS, AMENDING THE COUNTYWIDE FUTURE LAND USE PLAN OF PINELLAS COUNTY, FLORIDA, BY ACTION ON CASE NUMBER CW 15-9 INITIATED BY THE CITY OF ST. PETERSBURG 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 acting pursuant to its countywide planning authority; and

WHEREAS, notices of public hearings have been accomplished as required by Chapter 2012-245, Laws of Florida; and

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

WHEREAS, the city of St. Petersburg initiated a proposed amendment which was considered at a public hearing by the Pinellas Planning Council on April 8, 2015 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.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, acting pursuant to its countywide planning authority, in regular meeting duly assembled on May 5, 2015 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, as amended, is amended to reflect the changes adopted as follows:

#CW 15-9      0.2 acres m.o.l., located at 9000 4<sup>th</sup> St. N., from Residential Medium to Planned Redevelopment-Mixed Use

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

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

**AGENDA ITEM:** III B-2.

**MEETING DATE:** April 8, 2015

**SUBJECT:** Amendment of the Countywide Future Land Use Plan Map

**FROM:** Residential Medium (RM)

**TO:** Planned Redevelopment- Mixed Use (PR-MU)

**AREA:** 0.2 Acres m.o.l.

**CASE #:** CW 15-9

**JURISDICTION:** City of St. Petersburg

**LOCATION:** 9000 4<sup>th</sup> St. N.

**RECOMMENDATION:**

Council recommend to the Countywide Planning Authority that the proposed map amendment to Planned Redevelopment-Mixed Use be approved.

**I. BACKGROUND**

This proposed amendment is submitted by the City of St. Petersburg and seeks to reclassify a 0.2 acre portion of a parcel from Residential Medium to Planned Redevelopment-Mixed Use. This amendment qualifies as a Type A Subthreshold amendment, since it is less than one acre in size.

The subject site contains a portion of a parking lot for the existing Wendy's restaurant. The owner of the property proposes to redevelop the site with a new Wendy's restaurant.

**II. FINDINGS**

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

- A. The proposed amendment qualifies as a subthreshold amendment (Type A); and
- B. The proposed amendment to Planned Redevelopment-Mixed Use recognizes the proposed use for the site and is consistent with the criteria for utilization of this category.

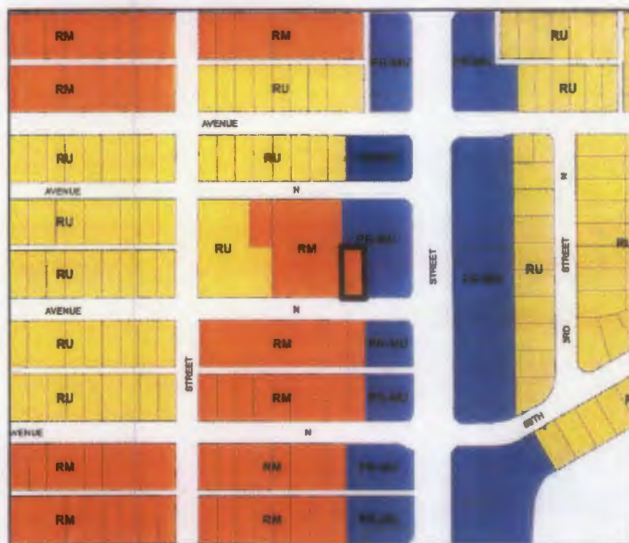
**Please see accompanying attachments and documents in explanation and support of the findings.**

**PINELLAS PLANNING COUNCIL ACTION:**

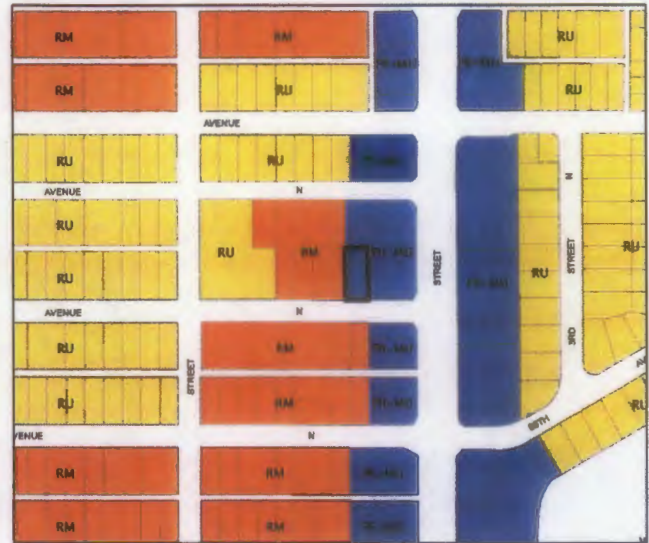
The Council recommended approval of the amendment from Residential Medium to Planned Redevelopment- Mixed Use (vote 12-0).

**COUNTYWIDE PLANNING AUTHORITY ACTION:**

**Map 1 – Current Future Land Use**



**Map 2 – Proposed Future Land Use**



The Council and Countywide Planning Authority (CPA) may, upon a majority vote of members present and constituting a quorum, remove a subthreshold amendment from the subthreshold portion of the agenda for separate consideration, in which event the amendment may be discussed and acted upon at that same meeting or continued to the next available meeting with an analysis of any issues identified by the Council or CPA.

### **III. PLANNERS ADVISORY COMMITTEE (PAC)**

At their March 30, 2015 meeting, the PAC members discussed and recommended approval of the staff recommendation (vote 8-0).

### **IV. LIST OF MAPS & ATTACHMENTS**

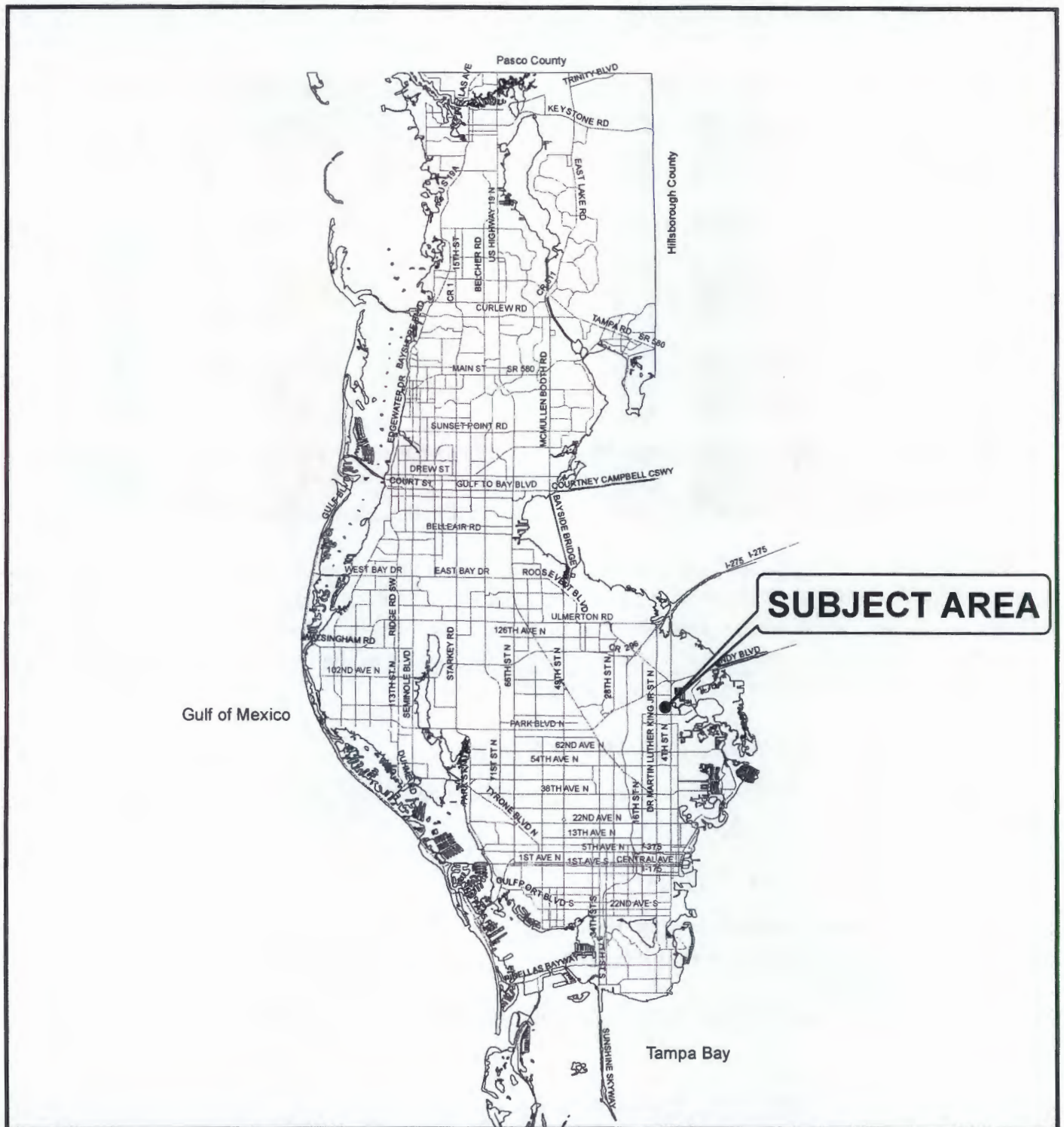
- Map 1 Current Countywide Plan Map
- Map 2 Proposed Countywide Plan Map
- Map 3 Location
- Map 4 Current Countywide Plan & Jurisdiction Map
- Map 5 Aerial

- Attachment 1 Draft PAC Summary Actions Sheet

### **V. SUPPORT DOCUMENTS – available only at [www.pinellasplanningcouncil.org](http://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 3 - Location

FROM: Residential Medium

TO: Planned Redevelopment - Mixed Use

AREA: 0.2 Acres

CASE #: CW15-9

JURISDICTION: City of St Petersburg



1" = 26,000'

**PPC** PINELLAS  
PLANNING  
COUNCIL





## Map 4 - Current Countywide Plan Map & Jurisdictional Map

**FROM:** Residential Medium

**TO:** Planned Redevelopment - Mixed Use

**AREA:** 0.2 Acres

**CASE #:** CW15-9

**Jurisdictions**

**Jurisdiction Name**

☐ St Petersburg

**JURISDICTION:** City of St Petersburg







## Map 5 - Aerial

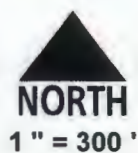
FROM: Residential Medium

TO: Planned Redevelopment - Mixed Use

AREA: 0.2 Acres

CASE #: CW15-9

JURISDICTION: City of St Petersburg



**PPC** PINELLAS  
PLANNING  
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**PAC AGENDA – SUMMARY AGENDA ACTION SHEET**  
**DATE: MARCH 30, 2015**

ITEM	ACTION TAKEN	VOTE
I. <u>MINUTES OF REGULAR PAC MEETING OF MARCH 2, 2015</u>	<u>Approved</u> Motion: Dean Neal Second: Lauren Matzke	8-0
II. <u>REVIEW OF PPC AGENDA FOR APRIL 8, 2015 MEETING</u>	<u>Approved</u> Motion: Robert Klute Second: Gordon Beardslee	8-0
A. <u>Subthreshold Land Use Plan Amendments</u>		
1. Case CW 15-8 – City of St. Petersburg	<u>Approved</u> Motion: Dean Neal Second: Gordon Beardslee	8-0
2. Case CW 15-9 – City of St. Petersburg	<u>Approved</u> Motion: Dean Neal Second: Gordon Beardslee	8-0
B. <u>Regular Land Use Plan Amendments</u> None		
C. <u>CPA Actions – March 2015</u>	<u>No Action – Information Only</u>	
D. <u>Countywide Plan Map Adjustment – Official Acceptance</u>	<u>Recommended Official Acceptance</u> Motion: Second:	8-0
E. <u>Annexation Report – March 2015</u>	<u>No Action – Information Only</u>	
F. <u>Annexation Report – Semi-Annual Update FY 15</u>	<u>No Action – Information Only</u>	
G. <u>One Time Repeal and Replacement of the Countywide Plan per the Special Act</u>	<u>Approved Staff Recommendation</u> Motion: Derek Kilborn Second: Lauren Matzke  Mike Crawford, Evan Johnson of Tindale Oliver and Dave Healey of Healey Consulting Services presented a broad overview of the plan history to current with an explanation of final steps to adoption. A few questions were answered. Some of the local governments offered their thanks to the PPC staff and consultants for all their work on the CWP Update. PPC likewise thanked the PAC, the communities represented and the	9-0

	consultants for their valuable input in getting to this point.	
III. <u>OLD BUSINESS</u>	None	
IV. <u>OTHER PAC BUSINESS/PAC DISCUSSION AND UPCOMING AGENDA</u>	None	
V. <u>ADJOURNMENT</u>	The meeting was adjourned at 2:50 pm.	

Respectfully Submitted,

\_\_\_\_\_  
PAC Chairman

\_\_\_\_\_  
Date

DISCLOSURE OF INTEREST STATEMENT  
PPC COUNTYWIDE MAP AMENDMENT

SUBMITTING GOVERNMENT ENTITY: City of St Petersburg

PPC \* & CITY/TOWN CASE NUMBER: City File: FLUM -26

PROPERTY OWNERS/REPRESENTATIVE:

Owner

Name: Wendy's International, Inc.  
1165 Sanctuary Parkway, Suite 300  
Alpharetta, GA 30009

Representative

Name: Marilyn Healy, Esq.  
Adams and Reese LLP  
101 East Kennedy Boulevard, Suite 400  
Tampa, FL 33602

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

Interests:     \_\_\_     Contingent     \_\_\_     Absolute

Name:           N/A

Specific

Interest

Held:

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

Contract is:     \_\_\_     Contingent             \_\_\_     Absolute

All Parties To Contract:     N/A

Name:

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

All Parties to Option: N/A

Name:

ANY OTHER PERTINENT INFORMATION WHICH APPLICANT MAY WISH TO SUBMIT PERTAINING TO REQUESTED PLAN AMENDMENT:

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\* NUMBER TO BE ASSIGNED BY PLANNING COUNCIL STAFF

APPLICATION FOR COUNTYWIDE FUTURE LAND USE PLAN AMENDMENT

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)  | <u>Residential Medium</u>                |
| 2. Proposed Countywide FLUP Designation(s) | <u>Planned Redevelopment – Mixed Use</u> |

Local Plan Map Information

- |                                         |                                             |
|-----------------------------------------|---------------------------------------------|
| 1. Local Map Amendment Case Number      | <u>FLUM-26</u>                              |
| 2. Current Local Plan Designation(s)    | <u>Residential Medium</u>                   |
| 3. Current Local Zoning Designation(s)  | <u>NSM-1</u>                                |
| 4. Proposed Local Plan Designation(s)   | <u>Planned Redevelopment – Mixed Use</u>    |
| 5. Proposed Local Zoning Designation(s) | <u>CCS-1 (Corridor Commercial Suburban)</u> |

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) | <u>portion of 19-30-17-30690-000-0010</u>    |
| 2. Location                                                                                                              | <u>9000 – 4<sup>th</sup> Street North</u>    |
| 3. Acreage                                                                                                               | <u>0.19 acres</u>                            |
| 4. Existing use(s)                                                                                                       | <u>Wendy's Restaurant</u>                    |
| 5. Existing density and/or floor area ratio                                                                              | <u>N/A</u>                                   |
| 6. Name of project (if applicable)                                                                                       | <u>Wendy's Restaurant (new construction)</u> |

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.                                                                                                                                                                                                 | <u>March 19, 2015</u> |
| 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 for 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. | <u>N/A</u>            |

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.