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
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 4th 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 4th 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 [Signature]
Attorney
AGENDA ITEM: 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 4th 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:
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 (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
Map 4 - Current Countywide Plan Map & Jurisdictional Map

FROM: Residential Medium

TO: Planned Redevelopment - Mixed Use

AREA: 0.2 Acres

CASE #: CW15-9

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
PAC AGENDA – SUMMARY AGENDA ACTION SHEET  
DATE: MARCH 30, 2015

<table>
<thead>
<tr>
<th>ITEM</th>
<th>ACTION TAKEN</th>
<th>VOTE</th>
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<tbody>
<tr>
<td>I. MINUTES OF REGULAR PAC MEETING OF MARCH 2, 2015</td>
<td>Approved Motion: Dean Neal Second: Lauren Matzke</td>
<td>8-0</td>
</tr>
<tr>
<td>II. REVIEW OF PPC AGENDA FOR APRIL 8, 2015 MEETING</td>
<td>Approved Motion: Robert Klute Second: Gordon Beardslee</td>
<td>8-0</td>
</tr>
<tr>
<td>A. Subthreshold Land Use Plan Amendments 1. Case CW 15-8 – City of St. Petersburg</td>
<td>Approved Motion: Dean Neal Second: Gordon Beardslee</td>
<td>8-0</td>
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<td>2. Case CW 15-9 – City of St. Petersburg</td>
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<td>B. Regular Land Use Plan Amendments None</td>
<td>No Action – Information Only</td>
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<td>C. CPA Actions – March 2015</td>
<td>No Action – Information Only</td>
<td></td>
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<td>D. Countywide Plan Map Adjustment – Official Acceptance</td>
<td>Recommended Official Acceptance Motion: Second:</td>
<td>8-0</td>
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<tr>
<td>E. Annexation Report – March 2015</td>
<td>No Action – Information Only</td>
<td></td>
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<tr>
<td>F. Annexation Report – Semi-Annual Update FY 15</td>
<td>No Action – Information Only</td>
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<td>G. One Time Repeal and Replacement of the Countywide Plan per the Special Act</td>
<td>Approved Staff Recommendation 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</td>
<td>9-0</td>
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consultants for their valuable input in getting to this point.

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<th>III. OLD BUSINESS</th>
<th>None</th>
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<td>IV. OTHER PAC BUSINESS/PAC DISCUSSION AND UPCOMING AGENDA</td>
<td>None</td>
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<tr>
<td>V. ADJOURNMENT</td>
<td>The meeting was adjourned at 2:50 pm.</td>
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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.
        Address:  1165 Sanctuary Parkway, Suite 300
                 Alpharetta, GA 30009

Representative  Name:  Marilyn Healy, Esq.
                     Address:  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:


* 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) 
   Residential Medium
2. Proposed Countywide FLUP Designation(s) 
   Planned Redevelopment – Mixed Use

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

**Site and Parcel Information**
1. Parcel number(s) of area(s) proposed to be amended - Sec/Twp/Rng/Sub/Blk/Lot portion of 19-30-17-30690-000-0010
2. Location 
   9000 – 4th Street North
3. Acreage 
   0.19 acres
4. Existing use(s) 
   Wendy’s Restaurant
5. Existing density and/or floor area ratio 
   N/A
6. Name of project (if applicable) 
   Wendy’s Restaurant (new construction)

**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. 
   March 19, 2015
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. 
   N/A

**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.
5. Staff report.
6. Local plan and zoning maps showing amendment area.
7. If applicable, proposed demarcation line for environmentally sensitive areas.

Forms available online at [www.pinellasplanningcouncil.org/amendment.htm](http://www.pinellasplanningcouncil.org/amendment.htm)