

Largo, Florida, September 9, 2020

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 using the Zoom virtual meeting platform and in person at the Pinellas County Extension Office, 12520 Ulmerton Road, Largo, Florida at 9:01 A.M. on this date with the following members present:

Steven Klar, Chairman
Gerald Figurski, Vice-Chairman
Mattaniah Jahn
Lari Johnson
Susan M. Reiter
Ronald Schultz
Paul Wikle

Not Present

Charlene Beyer (non-voting School Board Representative)

Also Present

Glenn Bailey, Planning Department Zoning Manager
Chelsea D. Hardy, Assistant County Attorney
Michael D. Schoderbock, Principal Planner
Other interested individuals
Sitara Coyle, Board Reporter

CALL TO ORDER

Chairman Klar called the meeting to order at 9:01 A.M.; whereupon, he reviewed the procedure for the public hearings and announced that today's cases will be heard by the Board of County Commissioners (BCC) on October 20, 2020, and any documents to be reviewed by the BCC should be submitted to staff by October 6, 2020.

MINUTES OF AUGUST 13, 2020 MEETING – APPROVED

Mr. Schultz moved, seconded by Ms. Johnson and carried unanimously, that the minutes of the August 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 a Deputy Clerk.

PROPOSED ORDINANCES AND RESOLUTIONS AMENDING THE FUTURE LAND USE MAP AND ZONING ATLAS

1. APPLICATION OF ROBERT AND JULIE FERGUSON AND JERRY HEMPHILL THROUGH ROBERT PERGOLIZZI, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-A, RESIDENTIAL AGRICULTURE, TO R-1, SINGLE FAMILY RESIDENTIAL, AND A LAND USE CHANGE FROM RESIDENTIAL SUBURBAN AND PRESERVATION TO RESIDENTIAL LOW (Z/LU-20-07) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION
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Public hearing was held on the application of Robert and Julie Ferguson and Jerry Hemphill through Robert Pergolizzi for the above zoning and land use changes (Z/LU-20-07), re approximately 6.45 acres located at the northeast corner of the intersection of 19th Street and Wisconsin Avenue in Palm Harbor.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Schoderbock provided information regarding the location of the subject property, the surrounding land uses, and additional information regarding the site, indicating that the amendments are compatible with the surrounding area and consistent with the Comprehensive Plan and Countywide Plan Map; and that staff recommends approval of the application.

Responding to queries by the members, Mr. Schoderbock related that the site would realistically accommodate up to 20 units; that staff has reviewed the property with the applicant; and that flooding concerns will be addressed during site plan review.

Robert Pergolizzi, Palm Harbor, appeared and indicated that he represents the applicants. He noted that the zoning in the surrounding area is predominately R-1; that the applicants are intending to build no more than 18 single-family homes on the property; and that the property is located in a non-evacuation zone and not in a flood zone.

September 9, 2020

No one appeared in response to the Chairman's call for proponents. Upon his call for opponents, the following citizens stated their concerns regarding traffic, environmental impacts, and pedestrian safety:

Lynn Price, Palm Harbor
Junia Anderson, Palm Harbor
Unidentified male, Palm Harbor
Barbara Foster, Palm Harbor
Michael Johnson, Palm Harbor

In rebuttal, Mr. Pergolizzi addressed the opponent's concerns, noting that many of the issues will be addressed during site plan review.

Responding to queries by Ms. Jahn, Mr. Pergolizzi stated that the applicants did not communicate with the neighbors prior to today's hearing; and that they are agreeable to a maximum of 18 units on the property. Mr. Schoderbock indicated that a level-one traffic study has been completed, and Attorney Hardy noted that setting a conditional approval for a maximum number of units could be considered during site plan review.

In response to queries by Mr. Schultz, Attorney Hardy stated that the land use and zoning must remain consistent; and that the Board can recommend approval or denial of zoning and land use either together or separately.

Mr. Wikle moved that the LPA recommend approval of the application to the BCC in accordance with the findings of fact set forth in the staff recommendation, and the motion died for lack of a second.

Mr. Schultz moved that the LPA recommend approval of the zoning change and denial of the change in land use, effectively capping the density on the property at 15 units, and the motion died for lack of a second.

Responding to query by Chairman Klar, Attorney Hardy stated that the Board's goal is to provide a recommendation to the BCC; that the Chairman could allow for further discussion on the matter; and that if a consensus cannot be reached, the case would be forwarded to the BCC without a recommendation.

Discussion ensued, and Mr. Pergolizzi provided input. Chairman Klar indicated that the difference between 15 and 18 units is small; and that it should not stop the Board from making a recommendation.

Ms. Johnson stated that she is willing to reconsider the original motion, recommending approval of the application to the BCC in accordance with the staff recommendation. Attorney Hardy noted that it would be best to remake the motion, referring to the associated findings of fact; whereupon, Chairman Klar closed the hearing and accepted Ms. Johnson's comments as a motion, which was seconded by Ms. Reiter.

Upon call for the vote, the motion carried 6 to 1, with Mr. Schultz dissenting.

2. APPLICATION OF PINELLAS COUNTY LAND ASSEMBLY TRUST – LEALMAN HOUSING FINANCE AUTHORITY AS TRUSTEE THROUGH BRIAN LOWACK, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-4, ONE, TWO, AND THREE FAMILY RESIDENTIAL, TO RM, RESIDENTIAL, MULTIPLE FAMILY (3.95 ACRES), AND A LAND USE CHANGE FROM RESIDENTIAL URBAN TO RESIDENTIAL LOW MEDIUM (5.7 ACRES) (Z/LU-20-08) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Pinellas County Land Assembly Trust – Lealman through Brian Lowack for the above zoning and land use changes (Z/LU-20-08), re approximately 5.7 acres located on the south side of 58th Avenue North and adjacent to both sides of 40th Street North in Lealman.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey provided information regarding the location of the subject property and the surrounding land uses, relating that the proposed changes are compatible with the surrounding area; that the proposed use as apartments is consistent with the objectives of the Lealman Community Redevelopment Area and the County's Comprehensive Plan; and that staff recommends approval of the application.

In response to queries by Mr. Schultz, Mr. Bailey clarified that the proposed land use change could generate 37 fewer vehicle trips at base density and 155 additional trips if the affordable housing density bonus is applied. He related that studies show apartments tend to have fewer vehicle trips than single-family homes.

Responding to query by Ms. Johnson, Community Development Manager Bruce Bussey provided information about affordable housing criteria and the goals of the project, and Mr. Bailey stated that site plans are open for public review.

September 9, 2020

No one appeared in response to the Chairman's call for proponents or opponents of the application; whereupon, 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, finding it is consistent with the Comprehensive Plan.

ADJOURNMENT

Upon motion by Mr. Schultz, seconded by Mr. Wikle and carried unanimously, the meeting was adjourned at 10:10 A.M.

Chairman