

Local Planning Agency
Pinellas County
April 6, 2021 Meeting Minutes

The Local Planning Agency met in regular session (as established by Section 134-12 of the Pinellas County Land Development Code, as amended) at 9:00 AM on this date in the Magnolia Room at the Pinellas County Extension Office, 12520 Ulmerton Road, Largo, Florida.

Present

Steven Klar, Chair
Lari Johnson, Vice-Chair
Rodney Collman
Mattaniah Jahn
Susan M. Reiter
Ronald Schultz

Not Present

Paul Wikle
Charlene Beyer (non-voting School Board representative)

Others Present

Chelsea D. Hardy, Assistant County Attorney
Glenn Bailey, Planning Department Zoning Manager
Kat Carpenter, Board Records Manager
Amelia Hanks, Board Reporter, Deputy Clerk
Other Interested Individuals

CALL TO ORDER

Chairman Klar called the meeting to order at 9:00 AM; whereupon, Attorney Hardy reviewed the procedure for the public hearing and announced that today's case will be heard by the Board of County Commissioners (BCC) on May 25, 2021, and any documents to be reviewed by the BCC should be sent to staff prior to May 18, 2021.

Joel Tew, Palm Harbor, appeared and indicated that he represents the applicant. He presented a request to extend the time of the applicant's testimony from 25 minutes to 45 minutes in order to highlight several areas of expertise; and that if granted, the same

allotment of time should also be granted to County staff for their presentation and analysis so that both parties to the case are treated fairly.

Mr. Schultz moved, seconded by Ms. Reiter and carried unanimously, that the applicant and staff each receive 45 minutes to make their presentations and rebuttal.

MINUTES OF THE MARCH 11, 2021 MEETING

Mr. Schultz moved, seconded by Ms. Reiter and carried unanimously, that the minutes of the March 11 meeting be approved.

PUBLIC HEARING ITEM

Legal notice having been published for the item on the agenda, as evidenced by affidavit of publication filed with the Clerk, public hearing was held on the following item. 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 ORDINANCE AND RESOLUTION AMENDING THE FUTURE LAND USE MAP AND ZONING ATLAS, WITH A DEVELOPMENT AGREEMENT AND ESTABLISHMENT OF A DEVELOPMENT MASTER PLAN

Case No. Z/LU-14-09-19

APPLICATION OF TTGC, LLC THROUGH JOEL R. TEW, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-A, RESIDENTIAL AGRICULTURE, TO RPD, RESIDENTIAL PLANNED DEVELOPMENT, AND A LAND USE CHANGE FROM RECREATION/OPEN SPACE AND PRESERVATION TO RESIDENTIAL LOW AND PRESERVATION, AND A DEVELOPMENT MASTER PLAN FOR AN RPD-ZONED PROPERTY WITH A DEVELOPMENT AGREEMENT

Public hearing was held on the application of TTGC, LLC through Joel Tew for the above zoning and land use changes and a Development Master Plan with a Development Agreement limiting the use on the property to a maximum of 273 single-family detached residential dwelling units and typical residential supporting uses, stormwater retention/detention/treatment, environmental mitigation and/or floodplain compensation areas, and a linear greenway/trail system restricting development to a maximum height of 35 feet, and subject to other development requirements as conceptually set forth on

the associated Development Master Plan, regarding approximately 95.96 acres located at 11832 66th Avenue North in unincorporated Seminole.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey provided information regarding the location of the subject property, the proposed development agreement, and the surrounding land uses, noting that the site is currently vacant and is the former site of the Tides Golf Club. He discussed in detail the history of the property, its related land use, and the existing development rights related to the property.

Mr. Bailey indicated that the proposal would generate approximately 2,600 daily trips; and that new commercial developments must meet certain requirements for treating stormwater runoff; whereupon, Floodplain Administrator Lisa Foster provided input regarding sea level rise projections and the increase in flood risk due to the property's high-risk location on the 100-year Floodplain, noting that the entire parcel is currently considered an Evacuation Zone A; and that the mitigation for sheltering in the proposal is not adequate.

Long Range Planning Manager Scott Swarengen provided background information regarding the Comprehensive Plan and how it is applied when evaluating proposals. Specific to the request, he indicated that the proposed amendment is not compatible with the surrounding area and land use and is inconsistent with the Comprehensive and Countywide Plans; and that staff recommends denial of the application.

Joel Tew, Palm Harbor, conducted a presentation titled *Restoration Bay Pinellas County LPA Hearing – 2021-04-06* and stated that the land has always been zoned residential; that currently it is designated as Residential Agriculture; and that a Recreation and Open Space overlay does not change the property's residential designation. He discussed the surrounding area and the original 1926 plat, stating that it demonstrates that the land was always meant to be a continuation of the surrounding subdivisions.

Mr. Tew noted that the land is privately owned; that the Recreation, Open Space, and Culture Element in the Comprehensive Plan does not prohibit the conversion of privately-owned land to residential land use zoning; and that the applicant's request is consistent with the Comprehensive Plan; whereupon, he invited the following individuals to provide testimony on their areas of expertise in support of the request, and the applicant and principal property owner Ron Carpenter, Seminole, provided input:

Landscape Architect and Planner Clark Lohmiller, Eisenhower Property Group, Tampa
Environmental Scientist Brian Skidmore, Ardurra Group, Tampa
Engineer Steve Henry, Lincks & Associates, Tampa

The meeting was recessed at 10:25 AM and reconvened at 10:36 AM.

In response to queries by Mses. Jahn and Johnson, Mr. Tew related that the entrance to the development may be gated but will be the same entrance to the property on 66th Avenue North as when it was a golf course; whereupon, he discussed the applicant's position that the Comprehensive Plan does not prohibit the requested change to residential zoning.

Mr. Bailey responded to queries by the members and clarified that the Recreation/Open Space overlay does not allow residential uses; that the difference between dedicated and non-dedicated land is whether the land is publicly owned or privately owned; and that while the overlay does allow applicant to request the change, the Comprehensive Plan encourages the retention of non-dedicated recreation open space, and Development Review Services Director Blake Lyon provided input.

Discussion ensued, and upon call by the Chairman for objectors to the application, the following individuals expressed their opinions.

Brian Bolves, Tampa (speaking on behalf of a group; submitted documents)
Susan Finch, Tampa (speaking on behalf of a group; submitted documents)
William Kimpton, Dunedin (speaking on behalf of a group; submitted documents)
Richard Gehring, Dunedin (speaking on behalf of a group; submitted documents)

The meeting was recessed at 11:46 AM and reconvened at 12:48 PM.

Colleen Dannemiller, Seminole
Ronald Stephens, Seminole
Jerry Nichilo, Seminole
Linda Sell, Seminole
Beth Hovind, Tarpon Springs
Clarke Bomonti, Seminole
Cory Sage, Seminole
John Fischer, Seminole
Sarah Tucker, Seminole
Joe Siegel, Seminole
Mary Ellen Haselden, Seminole
Richard Carroll, Seminole

In rebuttal, Mr. Swearngen discussed how the density for the land is established, relating that the density for the property under the current plan would be too high for the Future Land Use Map designation, and reiterated that the proposed development plan is incompatible with the County's Comprehensive Plan. Mr. Tew clarified that the applicant has consulted with residents from the community; that the surrounding homes currently exist in a flood zone; and that the applicant has developed a plan to deal with stormwater retention at the site; whereupon, Chair Klar closed the public hearing.

In response to queries by Ms. Jahn, Mr. Bailey listed the uses allowed in Recreation/Open Space zoning and indicated that an adequate stormwater plan for addressing quantified group materials has yet to be received from the applicant.

Discussion ensued, and upon call by the Chairman, Ms. Jahn moved, seconded by Mr. Schultz and carried unanimously, that the LPA recommend denial of the application to the BCC as it is inconsistent with the Comprehensive Plan based upon the evidence in the staff report and the testimony received by the Board during today's hearing.

ADJOURNMENT

The meeting adjourned at 1:48 PM.