

City of Tarpon Springs, Florida
STAFF REPORT

January 3, 2018

TO: MAYOR AND BOARD OF COMMISSIONERS

FROM: PLANNING AND ZONING DEPARTMENT

HEARING DATES: JANUARY 9, 2018 (BOARD OF COMMISSIONERS)

SUBJECT: Approve compromise proposed by Forward Pinellas to amend 9.3 acres of property located at the northwest corner of Rainville Road and Pinellas Avenue from Residential Low Medium to Employment and Preservation and authorize the City Manager to sign the approval letter

I. CHANGES REQUIRED BY FORWARD PINELLAS

Forward Pinellas has proposed a compromise to the requested Countywide Map Amendment for the northwest corner of Rainville Road and Pinellas Avenue. Two wetland areas internal to the 9.3 acre parcel shall be amended to (P) Preservation. Per Section 6.2.1 of the Countywide Rules the Local Government Legislative Board must formally approve the compromise and then send a formal approval letter before Forward Pinellas can adopt the required ordinance change.

II. STAFF RECOMMENDATION

Staff recommends approval of the proposed compromise. Attached is a copy of the revised City's Comprehensive Plan Map Amendment recognizing the proposed compromise.

III. BACKGROUND

The Board of Commissioners conducted a public hearing on Ordinance 2017-28 and Ordinance 2017-29 on November 3, 2017. A Countywide Map amendment was then requested by the City on behalf of the applicant. On December 13, 2017 the Pinellas Planning Council held a public hearing and approved a compromise for the proposed Countywide Map Amendment. The 9.3 acre parcel at the northwest corner of Rainville Road and North Pinellas Avenue was amended to Employment and Preservation. Two internal wetlands were identified and placed in the Preservation category.



City of Tarpon Springs, Florida

324 EAST PINE STREET
POST OFFICE BOX 5004
TARPON SPRINGS, FLORIDA 34688-5004
(727) 938-3711
FAX (727) 937-8199

OFFICE OF
CITY MANAGER

January 9, 2018

Whit Blanton, Executive Director
Forward Pinellas 310 Court Street
Clearwater, FL 33756

RE: Acceptance of Alternative Compromise for CW-17-15 (Ordinance 2017-28 & Ordinance 2017-29)

Dear Whit Blanton,

On January 9, 2018, the City of Tarpon Springs Board of Commissioners voted to accept the alternative compromise proposed by Forward Pinellas. Approximately 9.3 acres of property located on the northwest corner of Rainville Road and North Pinellas Avenue is to be amended from Residential Low to Medium to Employment and Preservation on the Countywide Map. Attached is a copy of the modified amendment to the City's Future Land Use Map. The City requests that item CW-17-15 be placed on the February 6, 2018 Countywide Planning Authority agenda.

Respectfully,

Mark LeCouris
City Manager

FORWARD PINELLAS

P: (727) 464.8250

F: (727) 464.8212

forwardpinellas.org

310 Court Street

Clearwater, FL 33756



December 15, 2017

Mayor Chris Alahouzos
City of Tarpon Springs
PO Box 5004
Tarpon Springs, FL 34688-5004

Re: Case CW 17-15

Dear Mayor Alahouzos:

Forward Pinellas, in its role as the Pinellas Planning Council, considered at public hearing on December 13, 2017 the application from the City of Tarpon Springs referenced above for amendment of the Countywide Plan Map. The board recommended an alternative compromise amendment to Employment and Preservation as outlined in the accompanying agenda memoranda and maps.

Case CW 17-15 is hereby referred back to the City of Tarpon Springs to act on the alternative compromise recommendation, as set forth in the accompanying form titled "NOTIFICATION OF LOCAL GOVERNMENT ACTION ON FORWARD PINELLAS'S ALTERNATIVE COMPROMISE RECOMMENDATION FOR COUNTYWIDE PLAN MAP AMENDMENT." The alternative amendment will be advertised for public hearing before the Countywide Planning Authority (CPA) on February 6, 2018, unless the City requests additional time to consider the alternative compromise recommendation. Should the City of Tarpon Springs not concur with the alternative amendment, the original amendment will need to go forward to the CPA with the Forward Pinellas recommendation for denial.

A copy of the applicable section of the Countywide Rules, Sec. 6.2.1 is also enclosed, providing a more complete explanation of this process and timetable. Action by your city on the alternative recommendation is required within 45 days unless an extension of time is needed and requested.

Should the City of Tarpon Springs not concur with the alternative compromise recommendation, and the case proceed to the CPA with Forward Pinellas's recommendation to deny, you will be separately advised of the City's right to appeal for administrative hearing, as provided for in Sec. 6.1.5 of the Rules

Thank you and your staff for your assistance in the coordination of our countywide planning process. Should you have any questions or need additional guidance, please feel free to contact Rodney Chatman, AICP, Planning Division Manager at (727) 464-8214.

Sincerely,

Whit Blanton, FAICP
Executive Director

cc: Mark LeCouris, City Manager
Heather Urwiller, AICP, Planning & Zoning Director

Enclosures

December 13, 2017

6C5. Case CW 17-15 –Tarpon Springs



SUMMARY

From: Residential Low Medium
To: Employment
Area: 9.3 acres m.o.l.
Location: NW Corner of Rainville Road and North Pinellas Avenue

This proposed amendment is submitted by the City of Tarpon Springs and seeks to amend a property totaling approximately 9.3 acres from Residential Low Medium (used to depict areas that are primarily well-suited for suburban, low density or moderately dense residential uses at a maximum density of 10 dwelling units per acre) to Employment (used to depict areas that are developed with, or appropriate to be developed with, a wide range of employment uses, including primary industries (i.e., those with a customer base that extends beyond Pinellas County), allowing for flex space, and for uses that have minimal external impacts).

The subject property is vacant. If approved, this amendment will be consistent with the City of Tarpon Spring's Comprehensive Plan.

FINDINGS

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

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

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

LIST OF MAPS & ATTACHMENTS:

- Map 1 Locator Map
- Map 2 Site Map
- Map 3 Aerial Map
- Map 4 Current Countywide Plan Map
- Map 5 Proposed Countywide Plan Map
- Map 6 Coastal High Hazard Area Map
- Map 7 Alternative Recommendation

Attachment 1 Forward Pinellas Staff Analysis

MEETING DATES:

Planners Advisory Committee, December 4, 2017 at 1:30 p.m.

Forward Pinellas, December 13, 2017 at 1:00 p.m.

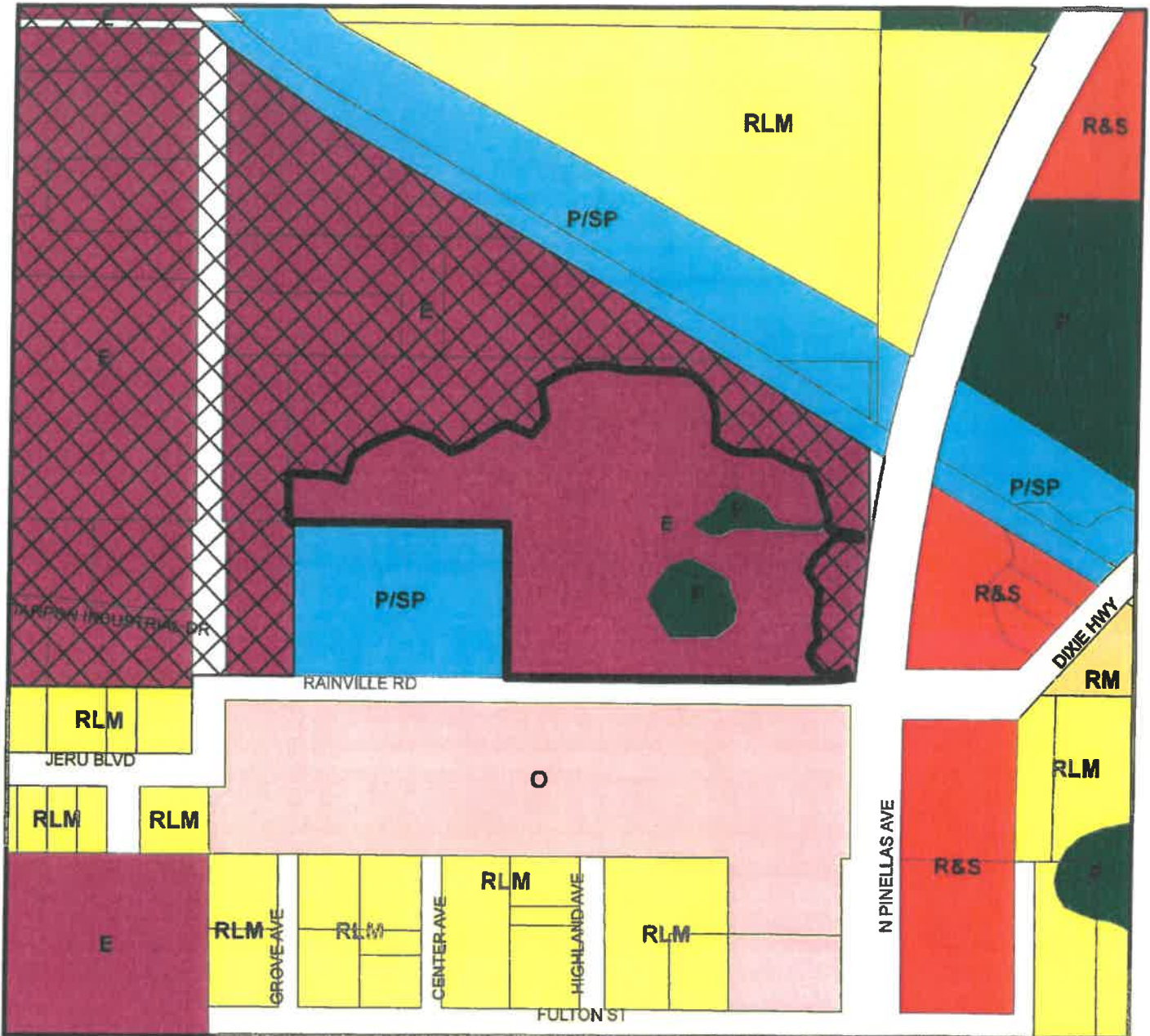
Countywide Planning Authority, January 9, 2018 at 9:30 a.m.

ACTION: Board, in its role as the Pinellas Planning Council, to recommend approval or denial of the requested amendment to the Countywide Planning Authority.

STAFF RECOMMENDATION: The staff recommends to the board that it recommend approval of an alternative compromise to Employment and Preservation.

ADVISORY COMMITTEE RECOMMENDATION(S): The Planners Advisory Committee met on December 4, 2017 and voted 12-0 to approve an alternative compromise to Employment and Preservation.

FORWARD PINELLAS BOARD RECOMMENDATION: The Board met on December 13, 2017 and voted 11-0 to recommend an alternative compromise amendment to Employment and Preservation.



Countywide Plan Map Categories

- | | | |
|---|---|--|
|  Target Employment Centers |  Office |  Public/Semi-Public |
|  Residential Low Medium |  Retail & Services |  Preservation |
|  Residential Medium |  Employment | |

Map 7 - Alternative Compromise Recommendation

CASE #: CW17-15

FROM: Residential Low Medium

AREA: 9.3 Acres

JURISDICTION: Tarpon Springs

TO: Employment



DIV. 6.2 COUNTYWIDE PLAN MAP AMENDMENTS / SPECIAL ACTION.

With respect to any recommendation for an alternative compromise recommendation or request to continue, withdraw, resubmit, or modify an amendment to the Countywide Plan Map which has been submitted for consideration, the provisions as set forth following shall govern.

SEC. 6.2.1 ALTERNATIVE COMPROMISE RECOMMENDATION.

Pursuant to Section 10(3)(b) of Chapter 2012-245, Laws of Florida, as amended, the PPC shall forward recommendations for Countywide Plan Map amendments to the applicant local government when said action by the PPC constitutes denial with an alternative compromise recommendation. The process for referral to and action by the governing body shall be as hereinafter set forth.

- 6.2.1.1** The PPC shall transmit any such denial with an alternative compromise recommendation for amendment to the applicant local government within five days of action by the PPC.
- 6.2.1.2** The applicant governing body shall consider the alternative compromise recommendation of the PPC at an official meeting of the governing body and take formal action to accept or reject the PPC recommendation. The governing body action to accept or reject the PPC recommendation shall be as is determined necessary by the governing body to lawfully accomplish such action, and in the form required by the PPC.
- 6.2.1.3** The governing body action to accept or reject the PPC recommendation shall be transmitted to the PPC within forty-five days of receipt of the PPC recommendation, except as the governing body may require additional time to lawfully accomplish such action and shall request an extension as set forth below within the forty-five days.
- 6.2.1.4** If the governing body accepts the recommendation of the PPC, and transmits said acceptance in the requisite form within the required forty-five days, or as same may be extended, the PPC staff shall advertise and notice the amended application for Countywide Plan Map amendment in accordance with Section 6.1.5.6 for public hearing by the CPA, and forward the compromise amendment to the CPA with the PPC recommendation for approval.
- 6.2.1.5** Upon approval of the alternative compromise amendment by the CPA, the local governing body shall conform the ordinance amending the local government future land use map with the action of the CPA on the alternative compromise amendment to the Countywide Plan Map.
- 6.2.1.6** If the governing body does not accept the recommendation of the PPC as forwarded, or fails to take action in the requisite form or within the required forty-five days, or as same may be extended, the PPC staff shall advertise and notice the original application for Countywide Plan Map amendment in accordance with Section 6.1.5.6 for public

SEC. 6.2.5 MODIFICATION.

Any request by a local government to modify an amendment to the Countywide Plan Map shall require the original amendment to be withdrawn as set forth in Section 6.2.3, and the modified amendment to be submitted as for a new amendment, as required in Section 6.1, including action by the applicant governing body as required in Sections 6.1.1, 6.1.2, and 6.1.4 to initiate the modified amendment, and consideration and recommendation by the PPC after public hearing.

| |
|--|
| DIV. 6.3 COUNTYWIDE PLAN MAP AMENDMENTS / SUBTHRESHOLD. |
|--|

SEC.6.3.1 PURPOSE.

It is the purpose of this subthreshold process to recognize and provide for Tier II amendments of the Countywide Plan Map that are minor in nature and have relatively minimal intergovernmental impact or affect on the policies and objectives of the Countywide Plan. In particular, this process shall be designed to accomplish the following objectives:

1. Comply with the legal requirements for public notice and hearing under Division 6.8;
2. Provide a fail-safe mechanism that preserves the legislative prerogative of the PPC and CPA; and
3. Minimize staff and public time and expense.

SEC. 6.3.2 PROCEDURE.

The procedure for subthreshold Countywide Plan Map amendments shall be conducted in accordance with the requirements of Division 6.1 and the process outlined herein.

6.3.2.1 Official Acceptance. Action by the PPC and CPA for subthreshold amendments shall be considered according to this “official acceptance” process.

6.3.2.2 Action by PPC and CPA. Subthreshold amendments shall be separately identified on the public hearing portion of the PPC and CPA agenda. The PPC and 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 PPC or CPA.

SEC. 6.3.3 DETERMINATION.

6.3.3.1 Considerations. In the determination of the type(s) of subthreshold Countywide Plan Map amendment, it is the objective of these Countywide Rules to properly reflect the following considerations:

NOTIFICATION OF LOCAL GOVERNMENT ACTION ON
FORWARD PINELLAS'S
ALTERNATIVE RECOMMENDATION FOR
COUNTYWIDE PLAN MAP AMENDMENT

On December 13, 2017, Forward Pinellas, in its role as the Pinellas Planning Council, took action on Case No. CW 17-15: City of Tarpon Springs

The Board, pursuant to Sec. 6.2.1 of the Rules, approved an "Alternative Compromise Recommendation", as set forth in the accompanying agenda memorandum and maps.

The City of Tarpon Springs hereby officially acknowledges that it has:

_____ Accepted; or

_____ Rejected

the Forward Pinellas Board Alternative Compromise Recommendation on Case No. CW 17-15: City of Tarpon Springs

This official acknowledgement by the City of Tarpon Springs is pursuant to the following action of the Tarpon Springs City Commission, a copy of which is attached hereto.

Type of Action: _____

Date: _____

Signed: _____

Title: _____

Date: _____

ORDINANCE 2017-28

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP, FOR APPROXIMATELY 9.27 ACRES OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF RAINVILLE ROAD AND NORTH PINELLAS AVENUE (APP-17-95), FROM RLM, (RESIDENTIAL LOW MEDIUM), TO IL, (INDUSTRIAL LIMITED) AND P, PRESERVATION; PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of said property totaling 9.27 acres, MOL, has applied to amend the future land use map designation of the property from RLM (Residential Low Medium) designation to IL (Industrial Limited) and P (Preservation) designation; and

WHEREAS, Forward Pinellas proposed an alternative compromise pursuant to Sections 6.2.1.2 to 6.2.1.4 of the Countywide Rules and the Board of Commissioners accepted said compromise to include the wetland areas as Preservation of the City's Future Land Use Map and on the Countywide Map: and

WHEREAS, the permitted uses within the IL, Industrial Limited Future Land Use designation are compatible with the surrounding and existing land uses; and,

WHEREAS, the property owner has also applied to re-zone the property to IR, Industrial Restricted; and

WHEREAS, the Planning and Zoning Board conducted a public hearing on this application on October 16, 2017; and

WHEREAS, this Ordinance has been duly advertised in accordance with the requirements of Chapter 171, F.S. and the Tarpon Springs Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

Section 1. FINDINGS

1. That the Board of Commissioners finds that this Ordinance is consistent with Chapter 163, Part II, Florida Statutes.
2. The approval of this amendment does not in any way relieve the future developer of the site from meeting all required transportation concurrency management requirements of the City of Tarpon Springs Comprehensive Land Development Code, including provisions for appropriate access for this property.

3. The Board of Commissioners finds that this amendment to IL, Industrial Limited land use designation is appropriate.

Section 2. LAND USE PLAN DESIGNATION

The Future Land Use Map of the Future Land Use Plan Element of the Tarpon Springs Comprehensive Plan is hereby amended for the property described in Attachment A.

Section 3. EFFECTIVE DATE

That this Ordinance shall be effective upon approval of a Countywide Land Use Amendment, at second reading and approval of Ordinance 2017-29

ATTACHMENT "A"

A parcel of land being a portion of Lots 51 and 52, TAMPA & TARPON SPRINGS LAND COMPANY as recorded in Plat Book H1, Page 116 of the Public Records of Pinellas County, Florida, lying in Section 1, Township 27 South, Range 15 East, Pinellas County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 1, Township 27 South, Range 15 East; thence S.89°39'58"E., along the South line of the Northeast 1/4 of the Southwest 1/4 of said Section 1 (being the basis of bearings for this legal description), for 593.44 feet; thence leaving said South line of the Northeast 1/4 of the Southwest 1/4 of Section 1, N.00°38'53"W., for 25.00 feet to the POINT OF BEGINNING; thence continue N.00°38'53"W., for 306.42 feet to the point of intersection with the North line of Lot 52, TAMPA & TARPON SPRINGS LAND COMPANY as recorded in Plat Book H1, Page 116 of the Public Records of Pinellas County, Florida; thence N.89°37'52"W., along said North line of Lot 52, for 437.09 feet; thence N.00°38'53"W., along a line 156.33 feet East of and parallel with the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 1, for 97.17 feet; thence N.89°21'07"E., for 14.77 feet; thence S.79°30'52"E., for 16.01 feet; thence S.88°18'17"E., for 55.30 feet; thence S.68°25'31"E., for 27.86 feet; thence N.17°25'20"E., for 51.94 feet; thence N.56°32'35"E., for 45.36 feet; thence N.66°03'19"E., for 39.09 feet; thence N.72°38'57"E., for 39.57 feet; thence S.71°06'56"E., for 47.09 feet; thence S.54°19'02"E., for 49.24 feet; thence N.69°24'34"E., for 44.75 feet; thence N.55°57'26"E., for 44.28 feet; thence N.62°34'53"E., for 35.11 feet; thence S.66°24'02"E., for 55.69 feet; thence N.38°13'29"E., for 44.75 feet; thence N.09°31'02"W., for 65.93 feet; thence N.59°14'43"E., for 49.37 feet; thence N.72°15'16"E., for 31.62 feet; thence N.85°11'19"E., for 52.09 feet; thence S.79°31'01"E., for 48.96 feet; thence N.89°13'20"E., for 30.02 feet; thence S.85°45'35"E., for 23.27 feet; thence S.88°16'13"E., for 57.53 feet; thence S.71°26'43"E., for 27.56 feet; thence S.43°23'21"E., for 42.89 feet; thence S.18°14'26"E., for 12.17 feet; thence S.16°39'00"E., for 33.39 feet; thence S.01°31'59"W., for 53.71 feet; thence S.60°31'47"E., for 42.31 feet; thence S.84°22'00"E., for 28.44 feet; thence S.89°23'14"E., for 49.97 feet; thence S.62°56'10"E., for 40.50 feet; thence S.68°37'28"E., for 40.34 feet; thence S.31°13'38"E., for 34.58 feet; thence S.17°06'29"E., for 25.19 feet; thence S.20°18'13"E., for 45.97 feet; thence S.34°34'40"W., for 11.87 feet; thence S.38°03'54"E., for 17.84 feet; thence S.82°12'01"E., for 42.16 feet; thence S.73°41'21"E., for 18.20 feet; thence S.01°19'53"E., for 7.50 feet; thence N.84°14'45"W., for 50.74 feet; thence S.43°28'10"W., for 33.80 feet; thence S.50°40'16"W., for 21.67 feet; thence S.25°48'10"W., for 33.70 feet; thence S.31°39'45"E., for 46.96 feet; thence S.06°42'36"W., for 58.64 feet; thence S.07°58'02"E., for 43.42 feet; thence S.61°08'31"W., for 11.81 feet; thence S.22°13'49"W., for 23.11 feet; thence S.30°30'26"E., for 24.19 feet; thence S.48°16'01"E., for 19.79 feet; thence S.81°37'13"E., for 31.58 feet; thence N.55°55'47"E., for 20.75 feet; thence S.01°05'07"E., for 8.69 feet; thence S.54°54'56"E., for 12.51 feet; thence S.78°49'23"W., for 26.73 feet; thence S.88°17'02"W., for 69.87 feet; thence N.89°39'58"W., along a line 25.00 feet North of and parallel with said South line of the Northeast 1/4 of the Southwest 1/4 of Section 1, for 593.00 feet to the POINT OF BEGINNING.

Containing 9.27 acres, more or less.

TAX PARCEL NUMBERS:
1-27-15-89136-000-0510