

**NARRATIVE SUMMARY
REZONING FOR FERGUSON & HEMPHILL PROPERTIES
810 & 920 19th STREET
PALM HARBOR**

Owners: Robert & Julie Ferguson
810 19th Street
Palm Harbor, FL 34683

Jerry W Hemphill
c/o John Williams
685 Old East Lake Road
Tarpon Springs, FL 34688

Contract Purchaser/Developer:

Gulfwind Contracting, LLC (dba Gulfwind Homes)
1817 Cypress Brook Drive, #104
Trinity, FL 34655

Representative: Robert Pergolizzi, AICP / PTP
Gulf Coast Consulting, Inc.
13825 ICOT Boulevard, Suite 605
Clearwater, FL 33760

Parcel ID # (Parcel # 01//28/15/88560/121/0001) 2.74 acres
(Parcel # 01/28/15/88560/121/0002) 2.74 acres
(Parcel # 01/28/15/88560/121/0004) 0.97 acres

I. INTRODUCTION

The subject site contains a total of 6.45 acres and is located on the east side of 19th Street ¼ mile south of Nebraska Avenue in unincorporated Pinellas County. The site is immediately north of the Wisconsin Avenue right-of-way which is a 40 foot wide right-of-way containing a sanitary sewer line. The existing land use designation of the subject property per the Future Land Use Plan is Residential Suburban (RS), with some Preservation (P), and Water (W), and the existing zoning is Residential-Agriculture (R-A). After multiple discussions with staff the applicant seeks to amend the Future Land Use Plan to Residential Low (RL) and rezone to R-1 to be completely compatible with the R-1 zoning that exists in the area. Through discussions with staff, it is also believed the Preservation (P) and Water (W) designations are inaccurate and should be corrected as a map change with this application.

II. LAND USE / ZONING

The subject site is presently developed with two large single family homes and the surrounding uses are as follows:

North: Single-Family home with R-A zoning and RS land use unincorporated Pinellas County.

South: Immediately south of the subject is a portion of the Wisconsin Avenue right-of-way and a church property with R-A zoning and Institutional land use.

East: To the east is the Creekview Estates subdivision with single-family homes on land having R-1 zoning and (RS) land use.

West: To the west across 19th Street are single-family homes with R-1 zoning and RL land use in unincorporated Pinellas County.

The rezoning to R-1 is consistent with the large majority of the properties in the immediate area. Land use in the area is primarily a mixture of RS (2.5 units/acre maximum) and RL (5 units/acre maximum). The Countywide Land Use Plan has the area as RLM (10 units/acre maximum) Therefore, a plan amendment to RL is compatible and a Countywide Plan Amendment is not necessary since the maximum density of RL is capped at 5 units/acre. The rezoning to R-1 would require a minimum lot width of 80 feet which is compatible with the lot widths in the area.

FLU Map Change:

The Countywide Land Use Plan map shows the entire site as Residential Low Medium (RLM) which incorporates all FLUM categories between RS (2.5 units/acre and RLM up to 10 units/acre) However, the unincorporated Pinellas County GIS map contains errors which show some Preservation (P) in the southeastern corner of the site, and Water (W) at the extreme north end of the site. Field evaluation by Environmental Consultants, LLC in June 2020 confirmed that the preservation area is located east of the site boundary, and the pond is a man-made upland cut pond. (See attached Technical Memorandum) Therefore, the "P" and "W" designations should be removed to be fully consistent with the Countywide Land Use Map.

IV. AVAILABILITY OF PUBLIC UTILITIES

Water and sewer service to this property is provided by Pinellas County and can easily be modified upon development as needed. Water and sanitary sewer lines are located within the 19th Street ROW.

Transportation impacts are minimal. The adjacent segment of 19th Street is not regulated for levels of service. According to the Forward Pinellas 2019 Level of Service Report the nearest segment of Nebraska Avenue operates at LOS D and the nearest segment of

Tampa Road operates at LOS C. The maximum development of up to 32 homes per the RL category would generate only 302 daily trips, 32 during the PM peak hour. It is more likely given the R-1 standards that fewer than 18 homes would be built.

V. FLOOD ZONE / HURRICANE EVACUATION ZONE

Based on FEMA data the site lies within Flood Zone X which is out of the 500-year floodplain. The property is in a Non-Evacuation Zone for Hurricane Evacuations making it suitable for residential development. There are no wetlands within the boundaries of the area to be rezoned.

VI. CONCLUSION

The land use plan amendment to RL and rezoning of the property from R-A to R-1 is consistent and compatible with adjacent land use zoning districts. The development of this property with single-family detached homes would not affect adversely nearby properties which are also developed with residential homes. The lot width requirement in R-1 is 80 feet which is compatible with the lot widths in the area.



June 9, 2020

Technical Memorandum

To: Robert Pergolizzi, Gulf Coast Consulting, Inc.

From: Bob Upcavage, Environmental Consultants, LLC

Subject: Surface Waters and Wetland Determination
Property IDs # 01/28/15/88560/121/0001, 01/28/15/88560/121/0002 &
01/28/15/88560/121/0004
Pinellas County, Florida

INTRODUCTION

The purpose of this technical memorandum is to provide the results of an in-house and on-site investigation that determined the presence or absence of any wetland or surface water, as defined by Chapter 62-340, Florida Administrative Code, on the subject properties.

The three parcels total approximately 6.5 acres and are generally located north of Tampa Road (CR 752), south of Nebraska Avenue (CR 776), east of 19th Street, and west of Belcher Road (CR 501) in the city of Palm Harbor in Pinellas County, Florida.

METHODOLOGY AND FINDINGS

In-House Data Collection

Environmental Consultants, LLC (ECO) scientists initially reviewed pertinent data prior to conducting the field review. The materials included, but was not limited to Southwest Florida Water Management (SWFWMD) 1999 land use maps, Natural Resource Conservation Service (fka Soil Conservation Service) soil maps, National Wetlands Inventory (NWI) data, and historic and current aerial photographic imagery.

Field Data Collection

A field review was conducted to the property on June 8, 2020. This inspection revealed an approximately one-quarter acre, rectangular-shaped pond with slopes above the water's surface

that were steeper than 4h:1v located along the northwestern portion of the combined properties. Review of historic aerials and the Soil Survey of Pinellas County indicates that the pond was excavated in historic uplands. As a result, most wetland regulatory agencies in Florida consider the pond to be classified as a surface water and not a jurisdictional wetland.

The pond is populated with hydrophytic vegetation, but the dominant species is Peruvian primrosewillow (*Ludwigia peruviana*), a non-native invasive species. On-site evidence suggests year-round inundation {observation of eastern mosquitofish (*Gambusia holbrooki*) and presence of surficial muck located above the current water elevation}. However, casual observation indicates no connectivity to any other surface waters or wetlands.

Additional inspection to the remaining properties indicate that they are all upland, although additional surface waters/wetlands may be present off-site to the east.

DISCUSSION & CONCLUSION

The In-House Data Collection revealed that all of the property was originally upland as follows:

Historic and current aerials of the property are consistent with upland signatures.

The Soil Survey of Pinellas County, Florida (1972, Sheet 5) maps the overall property with a Myakka fine sand (My) soil mapping unit. This mapping unit is considered an upland soil by the State of Florida. However, a very small area of Astor Soil (Au) mapping unit, which is identified as a hydric mapping unit (wetland) by the state, is located in the very southeast corner of the subject properties.

The SWFWMD 2010 land use maps, that use the Florida Land Use, Cover and Forms Classification System (FLUCCS), identifies the property as Residential, Low Density (FLUCCS 110) but does not identify the pond. If it were classified, the pond would be classified as Reservoir (FLUCCS 530). Generally, this classification consists of excavated ponds.

The NWI maps depicts the pond as a Palustrine (freshwater) system with an unconsolidated bottom that was excavated (PUBHx). Also known as an "upland cut pond".