

No.  
BCC  
2:02 P.M.

8-18-15  
Todd/BARTLETT

- #34 Resolution No. 15-82 adopted approving the application of Sergio Heritos, through Todd Pressman, Pressman and Associates, Inc., for a change of zoning from A-E-W, Agricultural Estate Residential-Wellhead Protection Overlay, to IL-W, Institutional Limited-Wellhead Protection Overlay (4.08 acres), and P/C-W, Preservation Conservation-Wellhead Protection Overlay (0.92 acre), with a variance to allow one parking space per three beds, and a Development Agreement limiting the maximum number of beds to 80, limiting the height to one story at a maximum of 35 feet, and prohibiting drug rehabilitation and mental health services; and Ordinance No. 15-33 adopted amending the Future Land Use Map of Pinellas County by changing the land use designation from Residential Rural to Institutional (4.08 acres) and Preservation (0.92 acre) on approximately five acres located on the south side of Keystone Road, 1,960 feet east of East Lake Road in the unincorporated East Lake Tarpon area (Z/LU-13-6-15). Public hearing was properly advertised. Affidavit of Publication has been received for filing. Fourteen letters in support of and seven letters in opposition to the application have been received.

Planning Department Zoning Manager Glenn Bailey referred to an aerial photograph and the land use map, pointed out the location of the subject area, described surrounding land uses, and provided a brief overview of the application; whereupon, he related that the proposed land use and zoning amendments are appropriate with the surrounding area; and that the 80-bed Assisted Living Facility (ALF) will have minimal impact on infrastructure.

Referring to the East Lake Tarpon Overlay, Mr. Bailey related that the preservation of 0.92 acre of open space, the limitations included in the Development Agreement, and other requests are in keeping with the intent and parameters of the overlay. He indicated that the Local Planning Agency recommended approval of the proposed Development Agreement and the Future Land Use Map and Zoning Atlas amendments, but recommended denial of the variance because parking was not shown on a concept plan; whereupon, he noted that the variance request now aligns with recent changes to the Countywide Plan; and that staff is recommending approval of all components of the proposal.

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During discussion and in response to queries by the members, Mr. Bailey stated that the restrictions within the Development Agreement will transition to any future property owners; that the agreement is effective for five years and will revert the property to its present zoning if construction has not commenced; and that a deed restriction is required to hold the restrictions in perpetuity. He noted that an ALF's residents do not drive; that the impact on traffic will include an estimated 131 extra trips per day from visitors and staff; and that the impact is minimal during peak hours and spread out during the day.

In response to the Chairman's call for the applicant, Todd Pressman appeared and, referring to elevations and a site plan, provided an overview of the proposal, introduced Cheryl and Eric Moore, and presented photographs of their previous ALFs in Pinellas County. He indicated that the proposed ALF will be a memory care facility; that the typical patient will be an elderly Alzheimer's or dementia patient needing assistance with daily activities; and that preservation, forestation, and water features will provide a buffer for the adjacent Woodfield community.

Mr. Pressman related that the applicants have met with the Council of North County Neighborhoods twice; that two meetings were held a month apart with the citizens of Woodfield; and that the restrictions in the Development Agreement are based on feedback from those meetings. He noted that 400 to 500 notices were provided to the Woodfield Homeowners Association which distributed them to its 450 residents; that traffic during peak hours is projected to minimally increase by 0.76 to 1.25 percent; and that the proposed ALF will have no access from the Woodfield entrance.

Cheryl Moore, Trinity, stated that she is a physical therapist and has owned ALFs in Dunedin and Palm Harbor; that her facilities offer home-like environments, excellent care, and clean facilities; that ALFs in the area are primarily on the west side of Lake Tarpon; and that there is a need for ALFs in the East Lake Tarpon corridor; whereupon, Eric Moore, New Port Richey, related that 12 percent of senior citizens are affected by Alzheimer's; that 45 percent of those affected are not diagnosed; that of the 31,000 residents in the East Lake Tarpon corridor, about 800 would fall into the 12 percent; and that there are currently no memory care facility beds in the entire corridor.

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Mr. Moore indicated that their plans include increasing the distance of the deceleration lane leading to the right-turn entrance to the facility and increasing parking spaces to 40 (one parking space per two beds); whereupon, responding to queries by the members, he stated that an 80-bed facility matches the surrounding community as opposed to building a 153-bed facility which would be allowed; that as a dedicated memory care facility, they will maintain three levels of security; and that unlike many other facilities, they will accept Medicaid for their patients.

Upon the Chairman's call for persons wishing to speak in support of the application, the following individuals appeared and indicated their appreciation of the Moores, discussed the need for memory care facilities, and noted their general support for the proposed facility:

Lisa Rose, Tarpon Springs  
Carolyn Johnston, Clearwater  
John Robinson, Tarpon Springs  
Charlie Ragghianti, Tarpon Springs  
Stephanie Moore, Trinity  
Fred Rezler, Tampa  
Maria Roman, Dunedin  
Amanda Tonery, Tarpon Springs  
Jason Davis, Clearwater  
Eric Dodson, Palm Harbor

Upon the Chairman Morrioni's call for persons wishing to speak in opposition to the application, the following individuals appeared and related that their concerns pertain to traffic, noise, home resale values, and flooding; that notifications of the public hearing failed to reach all interested parties; that the request violates the spirit and intent of the East Lake Tarpon Overlay; and that the Board should deny all aspects of the petition:

Frank Kriz, Tarpon Springs (spoke on behalf of a group of five persons in attendance)  
Joseph Smith, Tarpon Springs  
Ron Delp, Tarpon Springs  
Susan Rushing, Tarpon Springs  
Karen Russo, Tarpon Springs  
Al Ciccirdello, Tarpon Springs  
Jorge Andino, Tarpon Springs

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In rebuttal, Mr. Pressman stated that there is no known opposition from the Woodfield Homeowners Association; that the Development Agreement addresses many of the local concerns regarding the facility; and that supporters outnumber those in opposition. Responding to queries by the members, he indicated, with input from Mr. Moore, that the Council for North County Neighborhoods has indicated no opposition to the project; that County staff has made a finding that the project meets the standards of the East Lake Tarpon Overlay; and that the proposed ALF is designed exclusively for memory care.

In response to queries by the members, Planning Director Gordon Beardslee related that restrictions in the Development Agreement ensure the project's compatibility with the overlay; that semi-public and institutional uses to the west and east nullify the possibility of spot-zoning; that deed restrictions must be in place prior to occupancy; and that the proposed ALF could not expand without the Board's approval, and discussion ensued.

Responding to a request by Commissioner Eggers, Assistant County Administrator Jake Stowers clarified that the plan and elevations presented by Mr. Pressman could be added to the Development Agreement only as a concept plan, and Mr. Woodard noted that the project will be subject to the normal site plan review process; whereupon, Mr. Bailey recommended language amending the Development Agreement with reference to the concept plan, and Attorney Bennett provided input.

Chairman Morroni noted that many people in the community worked with the County to establish the East Lake Tarpon Overlay, but there has been no contact from any of them in opposition to the application.

Motion	–	Commissioner Long
Second	–	Commissioner Seel
Vote	–	7 – 0