



DRAFT

Ms. Renea Vincent
Pinellas County
440 Court Street, 3rd Floor
Clearwater, FL 33756

**Re: Restoration Bay
Parcel 33-30-15-00000-240-0100
Resubmittal to Comment/Response #1**

Dear Renea:

In response to your letter dated September 13, 2019, your comments and/or questions are listed below in bold and the Applicant's responses follow:

Application Form

1. Question 4 - please add Development Agreement.

Response: This has been added.

2. Question 4 - please add Development Master Plan if you are pursuing one at this time.

Response: This has been added.

3. Question 9 - other components of the submittal materials reference a small portion of the subject property being currently covered by the Residential Low (RL) land use category. If this is the case, please include RL here.

Response: Any references to RL as an existing land use category have been removed.

4. Item 16 e) - please provide a recent survey of the subject property.

Response: A copy of the Applicant's existing boundary survey for the subject property is included with this resubmittal package.

5. Item 16 b) - please provide certification of ownership from a duly licensed title or abstract company, or a licensed attorney-at-law, showing that the applicant is the current title holder of record.

Response: A certification of ownership from Robert L. Barnes, Jr., attorney at law in good standing with The Florida Bar, is included with this re-submittal to confirm fee ownership of the subject property by the Applicant.

4921 Memorial Highway, Suite 300 | Tampa, FL 33634 | 813.880.8881 | www.ardurra.com



6. **Item 16 g) - please provide Floodplain information such as, but not limited to, the current flood elevation and flood zone designation on the attached Development Master Plan. For those lots located within the flood zone please indicate anticipated method of construction, such as stilt homes, import of fill to elevate slabs, stem walls, etc. Please note that if the minimum detached lot of sixty feet in width is to be used with a six (6) foot side yard setback in a flood zone, the home will not be able to accommodate any mechanical equipment or electric meters on the side of the proposed homes due to the fact that the required elevated platforms would violate the setback requirements.**

Response: The requested information has been added to the Development Master Plan.

Justification Statement & Support Documents

7. **1.0 *Introduction*, pages 1-3 - this section describes various public benefit components of the project (e.g. improving stormwater management /water quality for the area watershed, a publicly-accessible open space linear greenway and trail system) and pledges a commitment to them, but there are insufficient details in the submitted Development Agreement to memorialize this.**

Attached as Attachment A to this re-submittal is a summary of the public benefit components as requested. In addition, these details have been added to the draft of the proposed Development Agreement which also is re-submitted herewith.

8. **2.1 *Future Land Use Map*, page 4 - this section mentions 0.3 acre of the subject property being covered by the RL land use. This does not match the County's records. If there is RL currently on the property, please clearly depict it on all relevant maps and exhibits and amend the first paragraph in subsection 2.1 to reference RL as a current zoning category on the subject property.**

Response: All references to such 0.3 acre RL have been removed.

9. **2.2 *Zoning District Map Amendment; Concurrent Land Use, Zoning, Development Agreement and Brownfield Applications*, page 4 - this section indicates a desire to process various components of the request concurrently, with final approval of all items occurring simultaneously. Please be advised that per Section 138-395.3 of the Pinellas County Land Development Code (LDC), the requested RPD zoning district requires a Development Master Plan (DMP) pursuant to Chapter 138, Article II, Division 11. If the desire is to process every required component of the request concurrently and approve them simultaneously, a complete DMP must be included. It is noted that a DMP is included in the submittal package. This item as submitted, however, is incomplete. Section 138-263(a) of the LDC requires a DMP to have a series of framework plans that include 1) a transportation framework plan, 2) a land use framework plan, 3) an open space framework plan, and 4) a utilities and stormwater framework plan. As a 95+ acre project, the request does**



not qualify for the small district option, where the required elements of a DMP may be displayed on a single plan sheet. Please note that a DMP must be approved by the Board of County Commissioners at a public hearing prior to site plan approval.

Response: The required information has been added to the Development Master Plan

10. **2.2 Zoning District Map Amendment; Concurrent Land Use, Zoning, Development Agreement and Brownfield Applications, page 4 -As stated the desire is to pursue all items occurring simultaneously, as such, please submit a written waiver for the associated processing timelines associated with the Zoning application and the Brownfield application, which have strict processing timelines unless waived by the applicant.**

Response: Please see the attached waiver confirming extended processing timelines in recognition of the concurrent review of all applications.

11. **3.0 Brownfield Consideration and Public Benefits, page 5 - An evaluation of the Brownfield application and completeness review will be provided under separate cover by the County staff evaluating that portion of the application.**

Response: Acknowledged.

12. **4.1 Historical Perspective; Surrounding Communities, page 6 - the first paragraph includes information that is sequentially out of order. The statement about a 1926 plat should come before the reference of clearing the land in 1940.**

Response: The narrative has been revised.

13. **4.1 Historical Perspective; Surrounding Communities, page 6 - the last paragraph makes reference to the property being "approved to be developed for residential use", which is not accurate. The property was platted for residential use, but no approvals were obtained for residential uses on the subject property.**

Response: The Applicant's land use counsel disagrees with the foregoing interpretation of the historical facts related to the property, and Applicant believes its characterization in the Application was and remains correct. In addition, this is the Applicant's application so it has the right to present its position on this historical fact. Clearly, the acceptance and recordation of a residential plat lawfully authorized residential use for such property at that time, as a matter of law.

14. **5.0 Consistency with County Plan Standards and Policies, page 9 - the paragraph at the bottom of this page describes the portions of the property that will remain Preservation. Please note that the areas reflected as Preservation should follow recently established wetland jurisdictional (JD) lines. The Preservation areas as currently depicted on the Future Land Use Map do not necessarily follow the wetland lines as they exist today. Exhibit E, Proposed Future Land Use, should be**



updated to reflect recently established JD lines and acreages should be amended as applicable.

Response: The preservation areas have been updated to reflect the latest linework depicted on the attached boundary/wetland survey.

- 15. 5.2 Consistency with fulfillment of Comprehensive Plan Policies, page 12 - the first paragraph under Transportation Element states that a traffic analysis will be conducted to support the application. This traffic analysis was not provided to the County by the agreed upon date of September 6. The Traffic Mitigation Plan submitted on September 12 is inadequate as it is not a full traffic study.**

Response: As requested, the Applicant's transportation consultant, Lincks & Associates, has met with County transportation staff, agreed on the methodology for, and has conducted the required analysis and prepared the traffic impact study attached as Attachment B to this re-submittal.

- 16. 5.2 Consistency with fulfillment of Comprehensive Plan Policies, page 14 - the last paragraph under Natural Resource Conservation and Management Element states that the applicant has committed to providing native vegetation throughout the redevelopment. This commitment is not currently memorialized in the Development Agreement or the DMP? Please specify how it will be memorialized.**

Response: As requested, attached as Attachment C to this re-submittal is a more detailed summary of the environmental and vegetative management commitments. In addition, these details have been added to the draft Development Agreement which is also provided incident to this re-submittal.

- 17. 5.2 Consistency with fulfillment of Comprehensive Plan Policies, page 14 - the last paragraph under Housing Element describes a split of the project into north and south components, with the northern portion having smaller lots. These north and south areas should be depicted on the DMP and the different lots sizes for both areas should be shown on the DMP, including dimensions, setbacks, etc.**

Response: Please see the revised Development Management Plan.

- 18. 5.2 Consistency with fulfillment of Comprehensive Plan Policies, page 16, the last paragraph under Surface Water Management Element mentions a public-private partnership. How will this be memorialized and what are the specific elements to this partnership?**

Response: References to the public-private partnership assumed the County might desire to participate in certain external, area-wide enhancements which could be implemented as part of the Applicant's project. However, if the County does not wish to participate to help achieve a more broad, area-wide benefit to the historic storm water issues in the surrounding areas, the Applicant nevertheless will implement such reasonable measures as can be accomplished within the subject property, only, and



which measures still will have material external benefit upon surrounding areas. Please see Attachment A to this re-submittal for a summary of such benefits. In addition, the proposed on-site measures have now been included in the proposed Development Agreement which is included with this re-submittal.

19. **6.0 *Environmental Considerations*, page 20 - the last paragraph under Environmental Benefits and Recreational Amenities mentions the enhancement of onsite wetlands. Where is this memorialized?**

Response: Please see the revised Development Management Plan. In addition, these measures have been included in the proposed Development Agreement included in this re-submittal.

20. **7.1 *Traffic*, page 22 - details on traffic impacts are not complete.**

Response: Please see the response to # 15, above.

21. **7.1 *Traffic*, page 22 - note that two primary access points are required for developments that exceed 555 daily trips, per LDC section 154-198. The DMP should reflect the two entrances.**

Response: As requested, the Applicant's transportation consultant has identified and analyzed two (2) potential locations for a second primary access to the subject property (in addition to the primary access from 66th Street (the pre-existing primary access location). The traffic impact study included with this re-submittal provides the data and analysis for the County to identify and designate which of the two (2) potential, additional primary access points would be most practical and effective. The Applicant is willing to utilize whichever of the additional access points is/are deemed most appropriate by the County.

22. **7.2 *Stormwater Management System*, page 22 - the first paragraphs states 'See Support Document No 2'. Where is this? Is it Appendix A?**

Response: The nomenclature has been revised.

23. **7.2 *Stormwater Management System*, page 22 - the third paragraph mentions that these improvements will be constructed and maintained by the applicant. Maintenance will most likely be the responsibility of the Homeowners Association, not the applicant. Where are the public stormwater benefits mentioned in this section memorialized?**

Response: See response to # 7 and # 18, above, Attachment A, and the revised Development Agreement.

24. **Exhibit D, *Existing Future Land Use* - please clearly show where the existing RL category is located on the subject property.**



Response: The RL category reference has been removed.

- 25. Exhibit E, *Proposed Future Land Use* - the Preservation land use needs to coincide with existing wetland JD lines. Why not leave the trails and buffer areas as Recreation/Open Space?**

Response: The exact location of the proposed trails and buffers will be determined incident to the detailed design and engineering process with the County staff; therefore, it would be premature to designate the specific areas with that level of specificity at the zoning stage of the approval process. However, the Applicant has no objection to creation of a conservation/recreation/drainage easement for such trail and buffer areas, once specifically designed by the Applicant and approved by County staff, in the subsequent development approval process. The Applicant would propose that such agreed areas be designated at the time of platting (i.e., when they are final), with the appropriate conservation/recreation/drainage easement then to be recorded consistent with such platted areas, to ensure the perpetual use of these areas only for such stated easement purposes (i.e., not for other development purposes). This procedural commitment has been added to the proposed Development Agreement included with this re-submittal.

- 26. Exhibit F, *Concept Plan* - the concept plan does not match the development master plan. Consistency is necessary. The DMP should show all of these components through its various framework plans. Furthermore, in the DMP framework for either transportation or land use there should be a reference to the maximum 600 foot block length as stated in Section 154. 126.**

Response: Please see the revised DMP.

- 27. Exhibit G, *Roadway Connections & Utilities Stub-Out Area* - the figure does not seem to depict this, rather it appears to be a copy of the vacated plat superimposed on the project area.**

Response: Exhibit G has been removed and depicted on the DMP.

Development Agreement

- 28. The Development Agreement needs to include the concept plan and/or the DMP as an exhibit and it/they need to be referenced in the wording, perhaps in sections 5.1and/or6.1.3.4.**

See revised Development Agreement included with this re-submittal.

- 29. Recital E lists current land use designations as including Residential Low (RL). Our records do not show this. Please indicate where on the property this designation occurs on the applicable exhibits.**

The reference to RL designation has been removed.



30. **Recital E (ii) - the land use designation was changed in 1975, not 1985.**

The Applicant's source for the 1985 date was the actual meeting minutes from the 1985 BCC meeting. If the staff has other evidence of the correct date, which supersedes the BCC minutes, please provide such documents to the Applicant. At any rate, the date is whatever date the land use designation in fact was legally adopted. The date has been left blank in the revised Development Agreement, pending such confirmation.

31. **Please add 'detached' to single family in Recital Hand in Section 6.1.3.1.**

See revised Development Agreement included in this re-submittal.

32. **Section 5.2 - if the duration is proposed to be 10 years, rather than 5 years, Sections 6.1.2. and 6.2.2 need to be changed to state that development shall comply with the County's Code applicable at the time of development. If this is not acceptable, Section 5.2 needs to be changed to 5 years.**

See revised Development Agreement included in this re-submittal.

33. **Section 6.1.3.2. - this is not specific enough. Need more detail on the specific parameters of these many items, and how these things will be accomplished. The public benefit items need to be better memorialized. This should include stormwater obligations, habitat restoration and monitoring obligations, operations and maintenance obligations, trail maintenance obligations, etc.**

See revised Development Agreement included with this re-submittal.

34. **Section 6.1.3.4. - the height, intensity, etc. is based on the DMP. The DMP needs to be referenced.**

See revised Development Agreement included with this re-submittal.

35. **Section 6.1.6. - the traffic mitigation improvements were not provided by the agreed upon deadline date of September 6. The document provided on the afternoon of September 12 lists proposed sidewalks and crosswalks on 1161 H Street and 661 H Avenue. No traffic study, with trip distribution, discussion of secondary entrances into the project, etc. has been submitted. The traffic analysis is therefore incomplete.**

See response to # 15, # 21, and Attachment B. The Applicant also agrees to further revise the Development Agreement to incorporate the access points as determined by the County, and the other off-site mitigation measures agreed to by the County and the Applicant, after the County's review of Attachment B.



- 36. Please refer to LDC section 134-294 regarding Development Agreement requirements. In particular, a legal description needs to be attached, a description of any reservations or dedications of land for public purposes needs to be included, and certification of title is required.**

See revised Development Agreement included with this re-submittal. Also see the response to # 5, above.

- 37. Please add page numbers to this document.**

See revised Development Agreement included with this re-submittal.

Please review the information provided and call me at (813) 880-8881 if you have any questions.

Sincerely,

Clark C. Lohmiller, PLA
Planning and Landscape Architecture
Group Leader

CCL/lag

cc: Joel Tew, Tew & Associates
Ron Carpenter, Carpenter Companies
Steven Henry, Lincks & Associates, Inc.
Cynthia D. Spidell, Ardurra
Brian K. Skidmore, Ardurra
File No. 00121/2019-0195

APPLICATION FORM



PLANNING DEPARTMENT

Application for a Zoning and/or Land Use Change,
and/or Consideration of a Development Agreement

Zoning Land Use Zoning/Land Use/Type 3 Use Development Agreement

for office use only:

CASE NO. _____ FILED: _____ BY: _____

PARCEL ID NO. 33-30-15-00000-240-0100 FILING FEE: \$ 3,990 FILING DEADLINE: 07/24/19

PRE-APP MTG: _____ LPA HEARING: _____ BCC HEARING: _____

Notice to applicant: Please read the following:

To assist you in completing this application and providing sufficient information upon which to base a decision on your request, please read the following:

1. Read the Application and instructions thoroughly; prior to filing this Application, the applicant and/or authorized representative is encouraged to call (727-464-3401) or visit the Zoning Division (located at 440 Court Street, 3rd Floor, downtown Clearwater, FL) to review the application and proposal with staff.
2. All items in the Application must be completed. Additional documents (see item 16 in the application) and a filing fee are required. Checks may be made payable to the Board of County Commissioners. Note that once the application is advertised, filing fees will not be returned (information on filing fees is online at <http://www.pinellascounty.org/Plan>).
3. The current owner of the property for which the Application is being made must sign the Application. These signatures must be notarized prior to submittal.
4. The applicant is encouraged to file the application well in advance of the filing deadline. Note that Applications received past the deadline will be processed on the next scheduled cycle. Deadlines, hearing schedules, filing fees and other information are available online at <http://www.pinellascounty.org/Plan> or call (727) 464-3401 for more information.
5. The applicant or his or her authorized representative must be present at the public hearing(s). Failure to appear may result in a denial of the request.
6. It is recommended that the applicant or authorized representative contact the Zoning Section at (727) 464-3401 to schedule a Pre-Application meeting to discuss the proposed zoning and/or land use change or development agreement prior to submitting an application.

All information and documents required in the application, as well as the filing fee must be submitted at the time of application (see attached Fee Schedule). Incomplete applications will not be accepted by the Zoning Division of Planning & Development Services Department for processing. Please contact the Zoning staff at (727) 464-3401 if you need additional assistance or information in order to complete the application.

Thank you!

The Board of County Commissioners assembly room provides a variety of presentation formats for your convenience.

On hand is a 3'X3' presentation table with an overhead camera for TV monitor presentation of photographs, overheads, poster boards, maps, etc., (easels are no longer needed).

This equipment is designed to be user and audience friendly and will enhance your audio/visual presentations.

County staff will be on hand to assist you with the set-up of your presentation and with the operation of this equipment.

Filing Fees for Zoning, Land Use and Development Agreement Requests:

Zoning Change Only

0 – 5 acres:	\$1,370
5.01 – 10 acres:	\$1,525
10.01 – 15 acres:	\$1,685
15.01 acres & up:	\$1,845

Land Use Change Only

0 – 5 acres:	\$1,700
5.01 – 10 acres:	\$1,860
10.01 – 15 acres:	\$2,240
15.01 acres & up:	\$2,390

Zoning & Land Use Change

0 – 5 acres:	\$2,585
5.01 – 10 acres:	\$2,740
10.01 – 15 acres:	\$3,080
15.01 acres & up:	\$3,240

Review/Revise Development Agreements

Any acreage:	\$1,500
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Advertising Fee

Less than 10 acres:	\$350
10 acres & up:	\$750

Continuance request:	\$350
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For filing deadlines, hearing dates and other information, please call Pinellas County Land Use & Zoning at (727) 464-3401 or visit www.pinellascounty.org/Plan.

1. Owner: TTGC LLC
Mailing Address: 142 W. Platt Street, Suite 116
City: Tampa State: FL Zip Code: 33606 Daytime Phone: (____) _____
Email: ron@carpentercofl.com

2. Representative's Name: Joel R. Tew
Company Name: Tew & Associates
Mailing Address: 35595 US Highway 19 N #921
City: Palm Harbor State: FL Zip Code: 34684 Daytime Phone: (727) 216-6575
Email: jtew@tewlaw.us

3. Disclosure information (This information must be supplied pursuant to County Ordinance No. 74-15):

A. If the owner is a corporation, partnership, or trust, list all persons (i.e. partners, corporate officers, all members of the trust) who are a party to such as well as anyone who may have a beneficial interest in the property which would be affected by any ruling on their application.

N/A

Specify interest held: _____

B. Is there an existing contract for sale of subject property: _____ Yes No
If yes, list names of all parties to the contract including all partners, corporate officers, and members of any trust:

Is contract conditional or absolute? _____ Conditional _____ Absolute

C. Are there any options to purchase on subject property? _____ Yes No
If so, list names of all parties to option including all partners, corporate officers and members of any trust:

4. This hearing is being requested to consider: Zoning and Land Use Amendment - see attached Narrative, Development Agreement, and Development Master Plan.

5. Location of subject property (street address): 11832 66th Avenue, Seminole, FL 33772

6. Legal Description of Property: (attach additional documents if necessary)
See attached.

7. Size of Property: _____ feet by _____ feet, 95.96 acres

8. Zoning classification Present: R-A, Residential Agriculture Requested: RPD (Residential Planned Development)

9. Future Land Use Map designation Present: R/OS & P Requested: RL (Residential Low) & P (Preservation)

10. Date subject property acquired: 11/22/2016

11. Existing structures and improvements on subject property:
All existing structures on the Property, which were part of the prior golf course operation (now permanently closed) are being demolished pursuant to County permits.

12. Proposed structures and improvements will be:
See attached RPD Plan.

13. I/We believe this application should be granted because (include in your statement sufficient reasons in law and fact to sustain your position.) (Attach a separate sheet if necessary).
See attached Narrative.

14. Has any previous application relating to zoning or land use on this property been filed within the last year?
 Yes x No When? In whose name?

If so, briefly state the nature and outcome of the hearing:

15. Does applicant own any property contiguous to subject property? _____ Yes X No
If so, give complete legal description of contiguous property:

16. The following data and exhibits must be submitted with this application and they become a permanent part of the public records:

- a) Plat, if it will have particular bearing on the subject application.
- b) Certification of Ownership: submit a certificate of a duly licensed title or abstract company, or a licensed attorney-at-law, showing that each applicant is the present title holder of record.
(Warranty deeds, title insurance documents, tax receipts, etc. are not acceptable as proof of ownership.)
- c) A concept plan is not required for zoning and land use applications, but may be submitted as supplemental information.
- d) Development Agreement: If the Application includes consideration of a Development Agreement, a completed draft of the Agreement must be submitted with this application. Please contact the County Attorney's Office at (727) 464-3354 to obtain the approved form for a Development Agreement.
- e) A recent survey.
- f) If the request is for a Future Land Use Map amendment for residential density over 5.0 units per acre in the 100-year floodplain, the following information is required:
 - Impact on the demand for shelter space.
 - Meets County Floodplain, Flood Protection & Stormwater Regulations.
 - Approved water shed plan.
 - Comparable compensation pertaining to floodplain storage.
- g) Additional information may be required by Staff, such as but not limited to, verification of adequate access to the subject area, documentation that the mandatory rules regarding transferable development rights or density/intensity averaging are being adhered to, compliance with Airport zoning regulations, etc.

CERTIFICATION OF OWNERSHIP

I hereby certify that I have read and understand the contents of this application, and that this application together with all supplemental data and information is a true representation of the facts concerning this request, that this application is made with my approval, as owners and applicant, as evidenced by my signature appearing below. It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request and further that if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and rules and regulations pertaining to the use of the subject property, while under my ownership. I am aware that attendance by me or my authorized representative at all public hearings relative to this request is required and that failure to attend may result in a denial of the request. It shall be my responsibility to determine time and location of all hearings.



Signature of Owner, Trustee, or
Officer or Registered Agent of
Corporation

Date: July 23, 2019

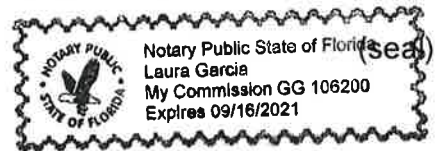
STATE OF FLORIDA, COUNTY OF PINELLAS

Before me this 23 day of July, 20 19

personally appeared Ronald H. Carpenter
who, being duly sworn, deposes and says that the above is a true and correct certification.

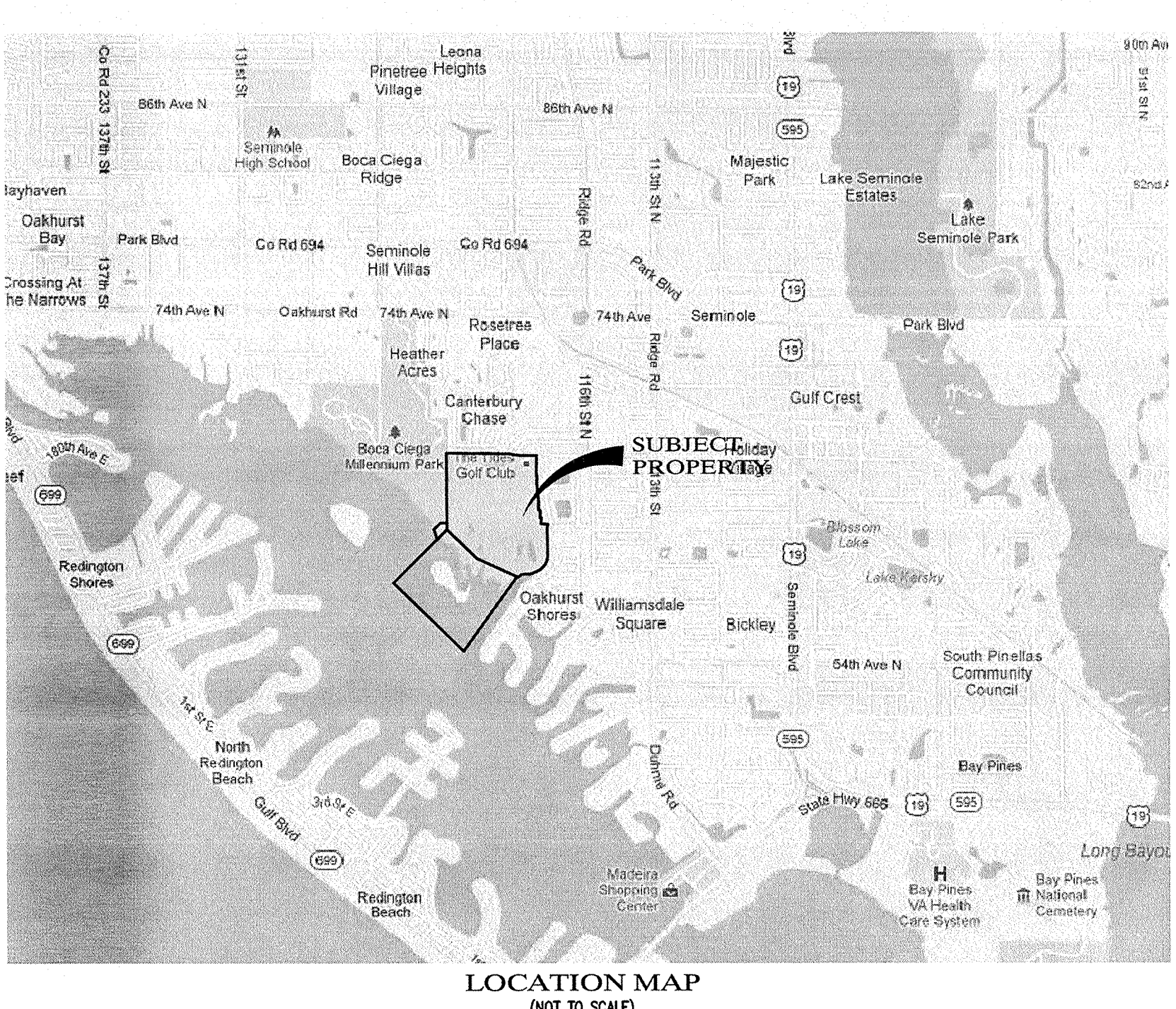


(signature) NOTARY PUBLIC



*Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.

SECTION 33, TOWNSHIP 30 SOUTH, RANGE 15 EAST
PINELLAS COUNTY, FLORIDA



LEGAL DESCRIPTION: (PER COMMITMENT)

Parcel 1: A portion of Section 33, Township 30 South, Range 15 East, Pinellas County, Florida, being described as follows: Commence at the Northwest corner of Lot 12, Block 35 of Section B Seminole Estates for a POINT OF BEGINNING, proceed South 01° 08' 22" West, 391.13 feet; thence South 88° 51' 39" East, 10.00 feet; thence South 01° 08' 22" West, 150.00 feet; thence South 05° 42' 12" East, 121.02 feet; thence South 01° 08' 22" West, 30.00 feet; thence South 88° 51' 39" East, 4.50 feet; thence South 01° 08' 22" West, 30.00 feet; thence South 05° 48' 04" East, 151.11 feet; thence South 01° 08' 22" West, 146.27 feet; thence South 00° 47' 39" East, 30.00 feet; thence North 89° 12' 21" East, 28.70 feet; thence South 00° 07' 39" East, 30.00 feet; thence South 00° 00' 29" East, 120.00 feet; thence North 89° 59' 32" East, 19.27 feet; thence South 00° 00' 29" East, 58.59 feet; thence North 11° 48' 19" West, 51.00 feet; thence South 83° 24' 57" East, 132.86 feet; thence 50.28 feet along the arc of a curve to the right radius 736.67 feet, chord South 08° 29' 38" West, 50.27 feet; thence North 88° 50' 33" West, 5.47 feet; thence South 54° 01' feet; thence 377.26 feet along the arc of a curve to the right, radius 317.02 feet; chord South 34° 05' 32" West, 355.39 feet; thence South 68° 11' 02" West, 144.02 feet; thence North 89° 57' 30" West, 134.22 feet; thence South 68° 11' 02" West, 33.27 feet; thence 105.22 feet along the arc of a curve to the left, radius 340.00 feet, chord South 59° 14' 01" West, 105.80 feet; thence North 00° 08' 29" East, 17.76 feet; thence along the government meander line North 65° 03' 45" West, 850.03 feet; thence North 45° 03' 45" West, 790.22 feet; thence North 00° 18' 27" East, 1464.36 feet; thence South 88° 47' 05" East, 1221.57 feet; thence 182.85 feet along the arc of a curve to the left, radius 550.00 feet, chord South 79° 18' 51" East, 182.01 feet; thence South 88° 50' 33" East, 324.45 to the POINT OF BEGINNING; and

Parcel 2: A portion of Government Lot 2, Section 33, Township 30 South, Range 15 East, Pinellas County, Florida, being described as follows: Commence at the Southwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 33 for a POINT OF BEGINNING, said POINT OF BEGINNING being on the Northern boundary line of Government Lot 2, thence South 00° 18' 27" West, 124.93 feet; thence South 46° 00' 00" West, 270.00 feet More or Less to Point "A", said Point "A" being on the approximate Mean High Water Line; thence return to the POINT OF BEGINNING, thence North 88° 50' 33" West 120.30 feet; thence South 46° 00' 00" West, 170.00 feet More or Less to a point on the approximate Mean High Water Line, thence meandering in a Southeastly direction along the approximate Mean High Water Line 210 feet More or Less to Point "A" as previously described; and

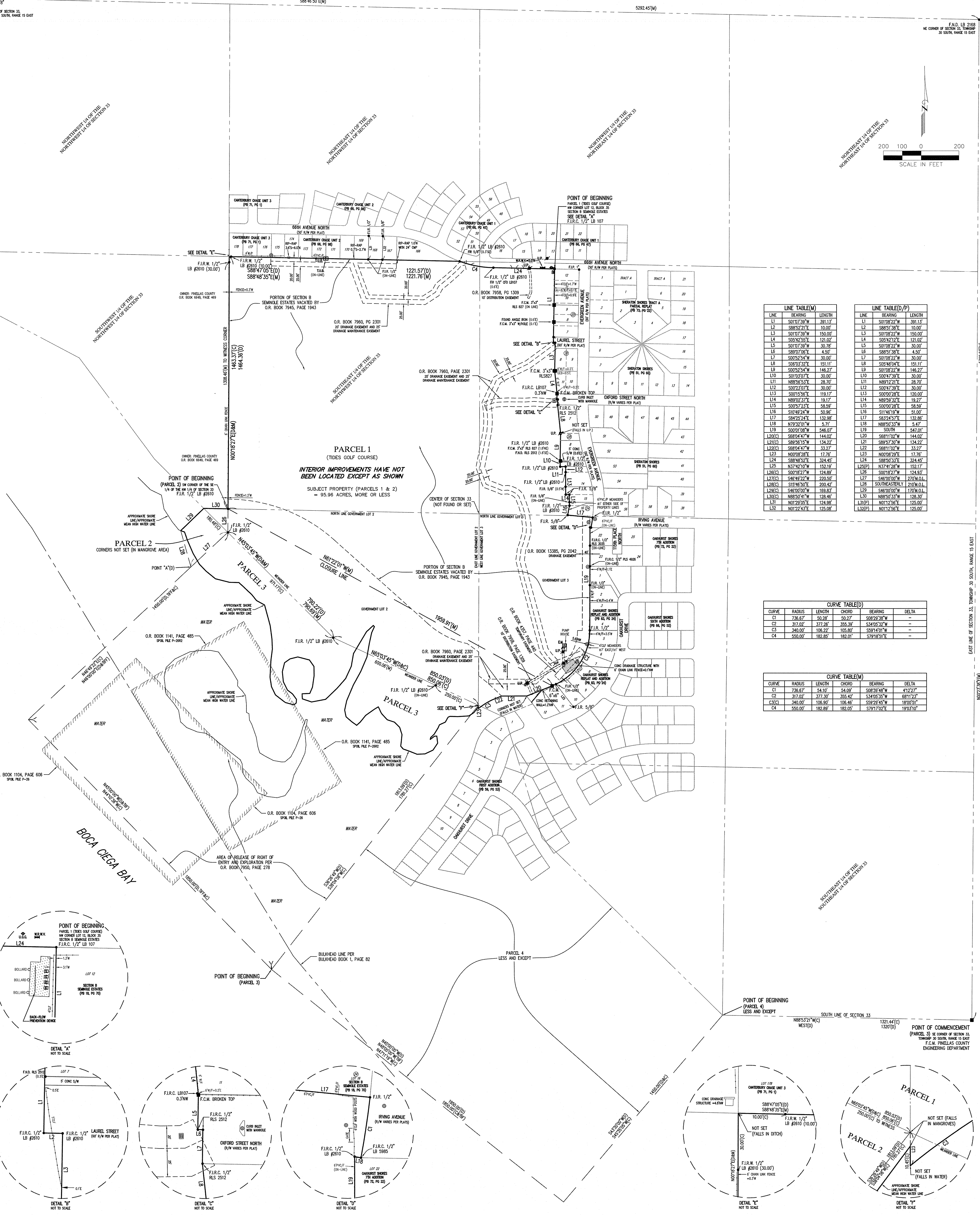
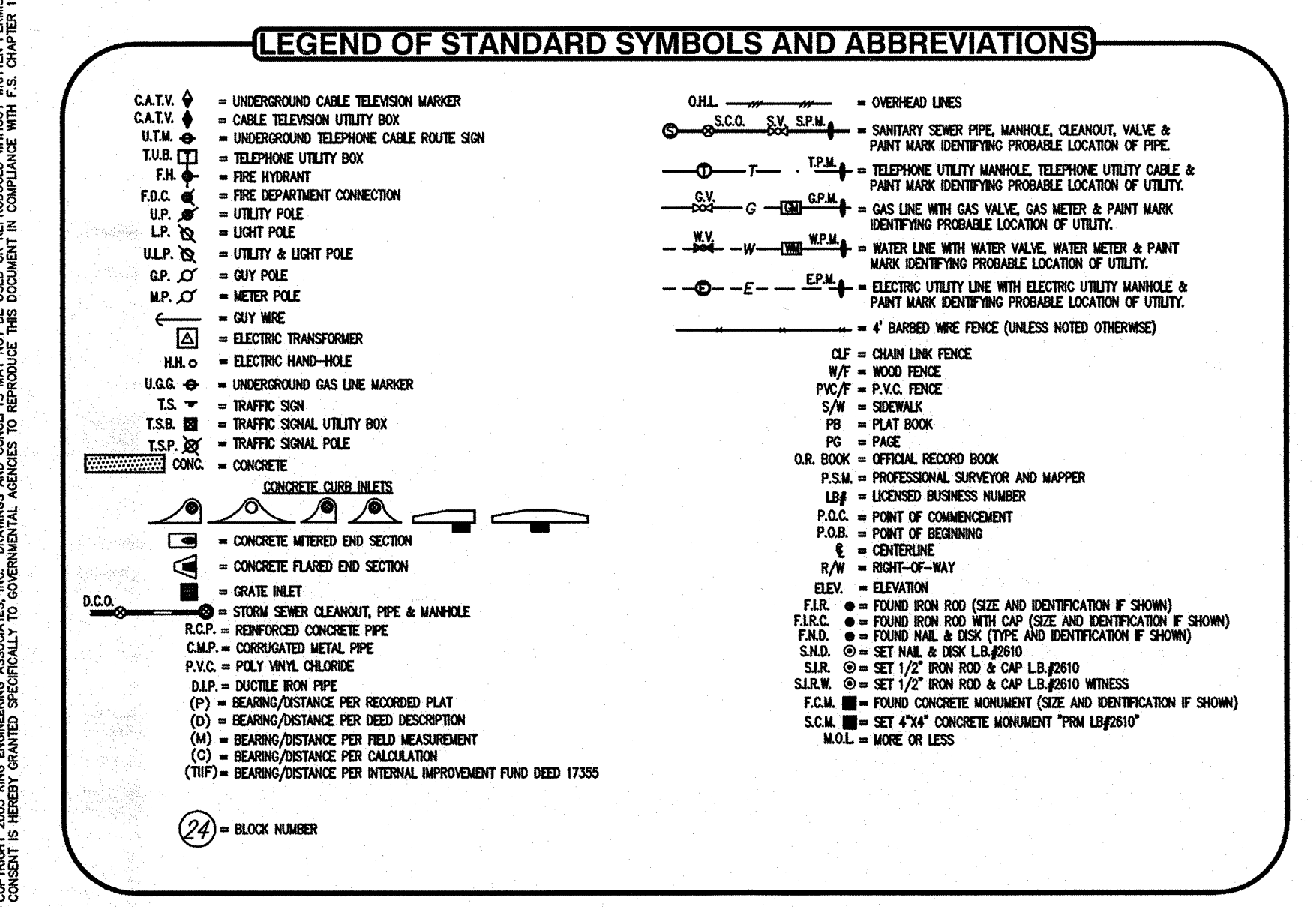
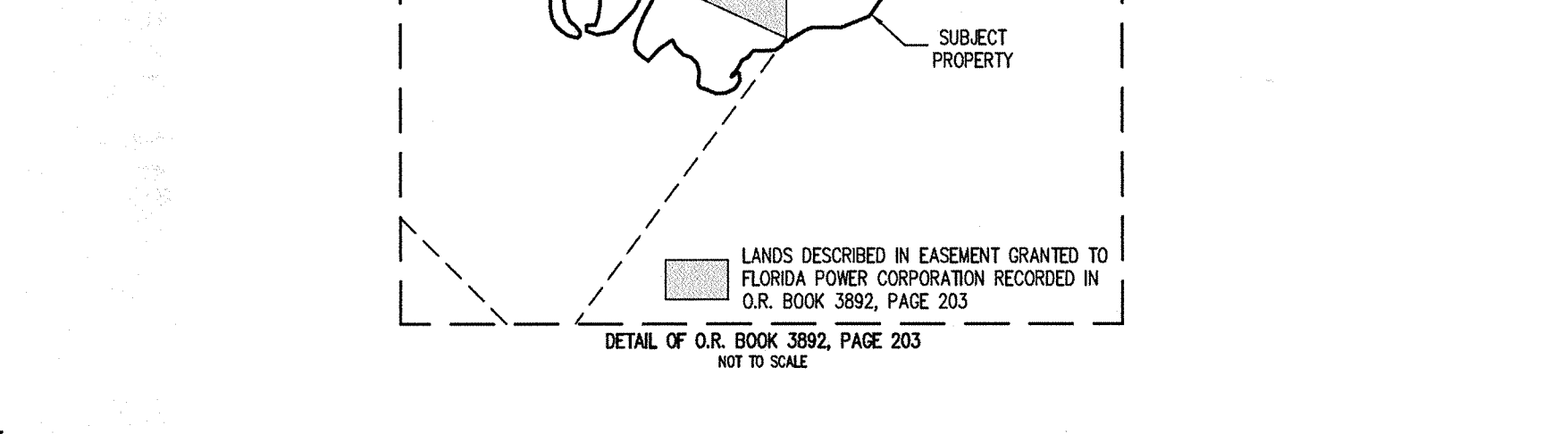
Parcel 3: Government Lot 2, together with any accretions to Government Lot 2, which lies within the following described tract: From the Southwest corner of Section 33, Township 30 South, Range 15 East, Pinellas County, Florida, Section line, 1320 feet; thence South 43° 30' 00" West, 1450.00 feet; thence North 45° 00' 00" West, 1950.00 feet to a POINT OF BEGINNING; continue North 45° 00' 00" West, 1850.00 feet (dead); (calculated) 1882.82 feet; thence North 48° 00' 00" East 1450.00 feet; thence Southeastly following the Government meander line of Boca Ceiga Bay to a point where Government Lot 2 and Government Lot 3 intersect; thence South 36° 26' 49" West, 1813.09 feet, more or less to the POINT OF BEGINNING.

Parcel 4: Those certain submerged lands lying in Pinellas County, Florida described as follows, to-wit: From the Southeast (SE) corner of Section 33, Township 30 South, Range 15 East, Pinellas County, Florida; running West along the Section line 1320 feet to average high tide on East (hereafter incorrectly written West but corrected by Deed of Conveyance in the cause referred to in Deed Book 588, Page 261 of the Public Records of Pinellas County, Florida) shore of Boca Ceiga Bay to POINT OF BEGINNING; running thence at right angles to shore line South 43° 30' West 1450 feet; thence North 48° West 1850 feet; thence thence running in a Northeastly direction to the shore line to a point where Government Lots 2 and 3 intersect; thence running in a Southeastly direction following the meanderings of Boca Ceiga Bay to the POINT OF BEGINNING.

LESS AND EXCEPT that portion as conveyed in Deed Book 588, Page 261, of the Public Records of Pinellas County, Florida, being described as those certain submerged lands described as follows:

From the Southeast corner of Section 33, Township 30 South, Range 15 East, Pinellas County, Florida; running West along the Section line 1320 feet to average high tide on East (hereafter incorrectly written West but corrected by Deed of Conveyance in the cause referred to in Deed Book 588, Page 261 of the Public Records of Pinellas County, Florida) shore of Boca Ceiga Bay to POINT OF BEGINNING; running thence at right angles to shore line South 43° 30' West 1450 feet; thence running North 48° West 1850 feet; thence thence running in a Northeastly direction to the shore line to a point where Government Lots 2 and 3 intersect; thence running in a Southeastly direction following the meanderings of Boca Ceiga Bay to the POINT OF BEGINNING.

NOTE: PARCEL 4 IS NOT INCLUDED IN THIS SURVEY.



SCHEDULE B, SECTION II: (PER COMMITMENT)

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment. NOT A SURVEY MATTER
2. Taxes and assessments for the year 2016 and subsequent years, which are not yet due and payable. NOT A SURVEY MATTER
3. Standard Exceptions:
 - A. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
 - B. Rights or claims of parties in possession not shown by the public records. NOT A SURVEY MATTER
 - C. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records. NOT A SURVEY MATTER
 - D. Taxes or assessments which are not shown as existing liens in the public records. NOT A SURVEY MATTER
4. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for sewer by any water, sewer or gas system supplying the insured land. NOT A SURVEY MATTER
5. The nature, extent or existence of riparian rights is not insured. NOT A SURVEY MATTER
6. Rights of others to use the waters of any water body extending from the insured land onto other lands. NOT A SURVEY MATTER
7. The inalienable rights of the public to use the navigable waters covering the lands described on Schedule A. NOT A SURVEY MATTER
8. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land. NOT A SURVEY MATTER
9. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling of such lands. NOT A SURVEY MATTER
10. Rights, if any, of the public to use as a public beach or recreation area any part of the land lying between the body of water abutting the subject property and the natural line of vegetation, bluff, extreme high water line, or other apparent boundary line separating the publicly used area from the upland private area. NOT A SURVEY MATTER
11. Reservations in favor of the State of Florida, as set forth in the Deed No. 17355 from the Trustees of the Internal Improvement Fund of the State of Florida, recorded December 11, 1925, in Deed Book 370, Page 177; as affected by right of entry recorded in Official Records Book 7950, Page 278, all of the Public Records of Pinellas County, Florida. (affects Parcel 4) THE LANDS DESCRIBED THEREIN INCLUDE PARCEL 4. RELEASE OF RIGHT OF ENTRY PER OFFICIAL RECORDS BOOK 7950, PAGE 278 SHOWN HEREOF.
12. Covenants, conditions, restrictions and matters contained in Warranty Deed recorded in Deed Book 1518, Page 201, and Warranty Deed recorded in Official Records Book 1136, Page 510, all of the Public Records of Pinellas County, Florida. (affects Parcels 1, 2 & 3) WAITING ON ATTORNEY COMMENT.
13. Covenants, conditions, restrictions and matters contained in documents recorded in Official Records Book 592, Page 107; as amended by Official Records Book 737, Page 335; Official Records Book 761, Page 193; and Official Records Book 911, Page 393, all of the Public Records of Pinellas County, Florida. (affects Parcels 1, 2 & 3) WAITING ON ATTORNEY COMMENT.
14. Trustee of the Internal Improvement Fund of the State of Florida Permanent Spill Disposal Easement No. 22696 recorded in Official Records Book 1104, Page 608, of the Public Records of Pinellas County, Florida. (affects Parcel 4). SHOWN HEREOF.
15. Bulkhead Line as evidenced by and Easement(s) granted to West Coast Inland Navigation District, a special taxing district of the State of Florida by Easement recorded in Official Records Book 1141, Page 485, of the Public Records of Pinellas County, Florida. (affects Parcel 4). SHOWN HEREOF.
16. Intentionally deleted. (underwriting P/L/dw)
17. Easement(s) granted to Florida Power Corporation recorded in Official Records Book 3892, Page 203, of the Public Records of Pinellas County, Florida. (affects Parcel 1) SEE DETAIL THIS SHEET.
18. Easements granted to Pinellas County, Florida as contained in document recorded in Official Records Book 4357, Page 440, of the Public Records of Pinellas County, Florida. (affects Parcel 1) SHOWN HEREOF.
19. Any loss or damage occasioned by claims, demands, interests or rights asserted by others that prevent the insured from using or maintaining the Land other than as a golf course or that affect the design of the Land or the improvements or landscaping thereon. (affects Parcels 1, 2 & 3) NOT A SURVEY MATTER.
20. Easements and matters contained in Resolution No. 92-154 recorded June 22, 1992, in Official Records Book 7945, Page 1943, of the Public Records of Pinellas County, Florida. (affects Parcels 1 & 3) SHOWN HEREOF.
21. Distribution Easement recorded July 2, 1992, in Official Records Book 7958, Page 1309, of the Public Records of Pinellas County, Florida. (affects Parcel 1) SHOWN HEREOF.
22. Drainage Easement Agreement recorded February 7, 1992, in Official Records Book 7960, Page 2296, of the Public Records of Pinellas County, Florida. (affects Parcel 1) SHOWN HEREOF.
23. Drainage Easement recorded February 20, 2004, in Official Records Book 13385, Page 2042, of the Public Records of Pinellas County, Florida. (affects Parcel 1) SHOWN HEREOF.

SURVEYOR'S NOTES

1. TYPE OF SURVEY: BOUNDARY SURVEY. ANY USE OF THIS SURVEY FOR PURPOSES OTHER THAN THAT IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE PREPARED BY BAYSHORE TITLE INSURANCE AGENCY, LLC, FILE NUMBER 5887861, EFFECTIVE DATE AUGUST 24, 2016 at 7:00AM.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FOUND OR PURSUED BY THE UNDERGROUND UTILITY ENGINEER OTHER THAN THOSE SHOWN HEREOF. EASEMENTS OR RESTRICTIONS OF RECORD OTHER THAN THOSE SHOWN HEREOF MAY EXIST.
4. NO EXCAVATION WAS PERFORMED TO VERIFY THE LOCATION OR EXISTENCE OF ANY UNDERGROUND IMPROVEMENTS, STRUCTURES, OR FOUNDATIONS. UNDERGROUND UTILITIES SHOWN HEREOF ARE SHOWN PER ABOVE GROUND EVIDENCE AND/OR RECORD DRAWINGS OR MUNICIPAL ATLAS INFORMATION AND THE LOCATION OF ALL UNDERGROUND UTILITY LINES ARE APPROXIMATE ONLY. THIS DOCUMENT SHOULD NOT BE RELIED UPON FOR EXCAVATION OR CRITICAL DESIGN FUNCTIONS WITHOUT FIELD VERIFICATION OF UNDERGROUND UTILITY LOCATIONS. UTILITIES OTHER THAN THOSE SHOWN HEREOF MAY EXIST.
5. THE SURVEY DEPICTED HEREOF IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY WETLAND OR JURISDICTIONAL AREAS, OR AREAS OF PROTECTED SPECIES OF VEGETATION EITHER NATURAL OR CULTIVATED.
6. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
7. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
8. ADJOINING PROPERTY OWNERS AND PLATTED LOTS SHOWN HEREOF ARE BASED ON INFORMATION OBTAINED FROM THE COUNTY PROPERTY APPRAISER WEB SITE AND IS FOR INFORMATIONAL PURPOSES ONLY.
9. BEARINGS SHOWN HEREOF, AND QUALIFIED AS (M) FOR MEASURED ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, APPLICATION ZONE, NAD 83 (2007 ADJUSTMENT) AND ARE DERIVED BY MULTIPLE REAL-TIME KINEMATIC GPS OBSERVATIONS. BEARINGS SHOWN HEREOF, AND QUALIFIED AS (D) FOR DEED OR (P) FOR PLAT ARE A MEANS TO REFERENCE THE SURVEYED PARCEL TO THE DEED OR PLAT OF RECORD. THE BEARING BASIS IS THE EAST LINE OF SECTION 33, TOWNSHIP 30 SOUTH, RANGE 15 EAST, AS BEING NORTH 00°23'38" EAST, AS SHOWN HEREOF.
10. THE GEOMETRY FOR SECTION 33, TOWNSHIP 30 SOUTH, RANGE 15 EAST, AS SHOWN HEREOF, IS BASED ON FOUND SECTION CORNERS TOGETHER WITH THE PINELLAS COUNTY ENGINEERING DEPARTMENT COORDINATE SHEET.
11. BY SCALED DETERMINATION THE SUBJECT PROPERTY APPEARS TO LIE IN FLOOD ZONE "VF" (EL. 14), ZONE "AE" (EL. 11, 12 AND 13) AND ZONE "X" PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 1210301836, MAP EFFECTIVE DATE SEPTEMBER 3, 2003. AN ACCURATE ZONE DETERMINATION SHOULD BE MADE BY THE PREPARER OF THE MAP, THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OR THE LOCAL GOVERNMENT AGENCY HAVING JURISDICTION OVER SUCH MATTERS PRIOR TO ANY JUDGMENTS BEING MADE FROM THE ZONE AS NOTED.
12. THE AERIAL PHOTO SHOWN ON PAGE 2 OF 2 WAS TAKEN FROM GOOGLE EARTH AND IS NOT AN ORTHO-IMAGE.
13. THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS SET FORTH IN CHAPTER SJ-17 F.A.C.
14. THE SURVEYED PARCEL DEPICTED HEREOF IS THE SAME LAND DESCRIBED IN EXHIBIT A OF THE COMMITMENT REFERENCED IN SURVEYOR'S NOTE 2.
15. DISTANCES SHOWN HEREOF ARE IN U.S. SURVEY FEET.
16. LAST DATE OF FIELD SURVEY: 9/15/2016

KING ENGINEERING ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NO. LB 2610

CERTIFIED TO:
Taylor Morrison of Florida, Inc., a Florida corporation
Rodus FL Properties, LLC, a Delaware limited liability company
Commonwealth Land Title Insurance Company
Gray Robinson, P.A.
Fowler, White & Boggs, P.A.

FLORIDA LICENSE - LS #5189

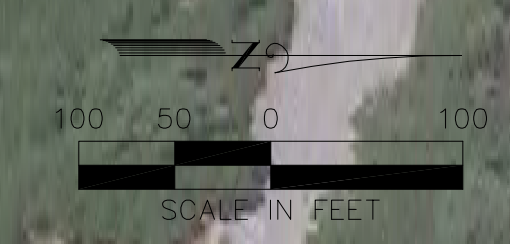
NO.	DATE	REVISIONS	BY
3	9/22/2016	UPDATE SURVEY	
2	10/12/2012	REVISE PER ATTORNEY COMMENTS	
1	9/25/2012	REVISE PER ATTORNEY COMMENTS	

King
ENGINEERING ASSOCIATES, INC.

4921 MEMORIAL HIGHWAY
ONE MEMORIAL CENTER, SUITE 300
TAMPA, FLORIDA 33634
PHONE 813-880-0881
FAX 813-880-0882
E-MAIL: king@kingengineering.com

TIDES GOLF COURSE

BOUNDARY SURVEY



BOCA CIEGA BAY

AREA OF RELEASE OF RIGHT OF ENTRY AND EXPLORATION PER O.R. BOOK 7950, PAGE 278

PARCEL 2

FLOOD ZONE LINE PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 130350000G, MAP EFFECTIVE DATE, SEPTEMBER 3, 2009 (TYPICAL)

ZONE "AE" (EL. 11)

ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 300-YEAR FLOODPLAIN)

ZONE "AE" (EL. 13)

ZONE "AE" (EL. 12)

ZONE "X" (AREAS OF 500-YEAR FLOOD, AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTH OF FEET, FROM 1 FEET TO 4 FEET, DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD)

ZONE "VE" (EL. 14)

PARCEL 1 (TIDES GOLF COURSE)

INTERIOR IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SHOWN

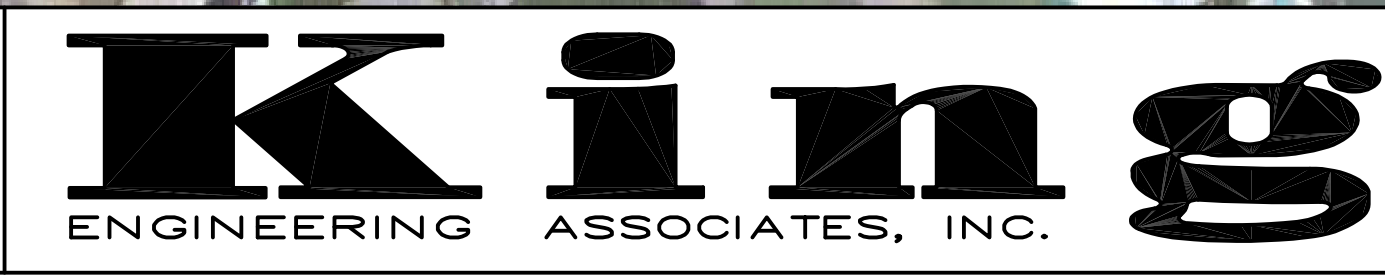
SUBJECT PROPERTY (PARCELS 1 & 2) = 95.96 ACRES, MORE OR LESS

ZONE "AE" (EL. 11)

ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 300-YEAR FLOODPLAIN)

ZONE "AE" (EL. 12)

ZONE "X" (AREAS OF 500-YEAR FLOOD, AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTH OF FEET, FROM 1 FEET TO 4 FEET, DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD)



TIDES GOLF COURSE

BOUNDARY SURVEY

DATE	DESCRIPTION	BY	CHK
9/22/2016	UPDATE SURVEY		
10/12/2012	REVISE PER ATTORNEY COMMENTS		
9/25/2012	REVISE PER ATTORNEY COMMENTS		

King Engineering Associates, Inc. is an Equal Opportunity Employer. Minorities and women are encouraged to apply.

The Law Offices of
ROBERT L. BARNES, JR., P.L.

a Professional Limited Liability Company

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Tampa, Florida 33609

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e-mail: rbarnes@rbarneslaw.com

November 11, 2019

Ms. Renea Vincent
Pinellas County
440 Court Street, 3rd Floor
Clearwater, FL 33756

**Re: Restoration Bay
Parcel 33-30-15-00000-240-0100**

Certification of Ownership

Dear Ms. Vincent:

With regard to the above-referenced matter and the Application that has been submitted, it is my understanding that Pinellas County requires a certification of ownership from a licensed attorney-at-law showing that the Applicant is the current fee title holder of record of the property described in the Application. Please be advised that I am an attorney at law in good standing with The Florida Bar. I have reviewed the transaction whereby the Applicant, as Grantee, acquired title to the property by way of a Special Warranty Deed dated November 22, 2016, from Redus FL Properties, LLC, as Grantor. I also have reviewed the title insurance policy issued by Fidelity National Title Insurance Company in connection with TTGC's acquisition of the subject property. Based on the above, it is my professional opinion that TTGC is the record fee owner of the property described in the Application and that the Applicant has the requisite authority to pursue the pending Application.

Very truly yours,

Robert L. Barnes, Jr., PL


Robert L. Barnes, Jr.

INSERT DEVELOPMENT MASTER PLAN HERE

JUSTIFICATION STATEMENT & SUPPORT DOCUMENTS

Comprehensive Plan Amendment Application
Justification Statement and Support Documents



RESTORATION BAY
Pinellas County, Florida

July 24, 2019

Comprehensive Plan Amendment Application Justification Statement and Support Documents

Prepared for:

Restoration Bay

Prepared by:



**Ardurra Group, Inc.
4921 Memorial Highway – Suite 300
Tampa, FL 33634**

and

**Tew & Associates
35595 U.S. Highway 19, N., #921
Palm Harbor, FL 34684**

July 24, 2019

Project No. 2019-0195-00

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Exhibits

- Exhibit A – Location Map
- Exhibit B – Aerial with Site Acreage
- Exhibit C – Existing Zoning
- Exhibit D – Existing Future Land Use
- Exhibit E – Proposed Future Land Use
- Exhibit F – Concept Plan
- Exhibit G – Roadway Connections & Utilities Stub-Out Area
- Exhibit H – Surrounding Development

Attachments

- Attachment 1 – Sheraton Shores Plat

Appendices

- Appendix A – Preliminary Drainage Analysis
- Appendix B – Listed Species Survey & Habitat Evaluation Report
- Appendix C – Cultural Resource Assessment Survey
- Appendix D – Development Agreement

1.0 INTRODUCTION

The proposed amendment to the Future Land Use category for Restoration Bay is designed to result in a unique, environmentally responsible, residential redevelopment which is compatible with existing, surrounding uses and provides the opportunity to remediate pre-existing storm water and environmental issues arising from historical brownfield activities within and outside the subject property.

1.1 Project Overview

The proposed land use amendment for this property will allow for the development of residential, recreational and conservation uses in accordance with the original plat approved for the property prior to the development of the former golf course. Redevelopment of the Property is complicated by environmental issues associated with the historic use and operation of the Property as a golf course, as well as adverse impacts from external, untreated stormwater from adjacent properties flowing into Boca Ciega Bay. The Applicant is interested in redeveloping the Property under the Florida Brownfields Redevelopment Program to facilitate the cleanup of any environmental issues. The previous Tides Golf Course operation has been closed since summer of 2018, and the facilities have been (are being) demolished pursuant to County permits.

Low Density Residential Redevelopment; Prior Platted Density; No Prior Transfer of Density; Plan Consistency

The current Future Land Use Classifications are R/OS, Recreation/Open Space and P, Preservation. The current Zoning Classification is R-A, Residential Agriculture. However, the land previously was approved by the County and platted for a residential subdivision consistent with the other surrounding subdivisions, including the stub-out of the required interconnecting subdivision streets to the property boundary to facilitate such residential plat.

Significantly, there was never any “transfer of density” or use of density from the golf course land in order to support approved density for any other land area, either within or outside the boundaries of the subject property (as was the case for most other golf course projects in Pinellas County). In other words, the underlying residential density for this property, which was approved in the prior plat, was never “stripped” from the property; instead, the R/OS land use designation simply was overlaid on the property to recognize its then-existing, actual use for a golf course. Consequently, the original, underlying density that was allocated for this property was never utilized and remains available for redevelopment of this brownfield site as a residential project with environmentally beneficial improvements to the ecosystem of Boca Ciega Bay. Hence the project name: Restoration Bay.

This application therefore seeks to restore the property use to the type of residential development for which density was allocated, approved, platted, and intended for it prior to the golf course use. The residential plat approved for the property prior to the golf course use was for 273 lots (**Attachment 1**). The Applicant simply requests that this same, pre-existing density level be re-established for the property.

Based upon the acreage within the property, the County’s land use category which would apply for such density is the Residential Low (RL) land use category, and the corresponding zoning amendment category will be Residential Planned Development District (RPD). The RPD zoning district is compatible with the RL land use category per the Pinellas County Comprehensive Plan FLUM Category Descriptions and Rules. Furthermore, the proposed

density is entirely consistent with the surrounding residential development pattern (**Exhibit D & E**).

Technically, the RL land use and RPD zoning category could result in a greater allowable number of dwelling units for the property; however, as set forth below, the Applicant will voluntarily limit its maximum density rights to 273 lots, to exactly match the prior, platted approval for the property, via a Development Agreement, conditional use overlay, or other regulatory mechanism acceptable to the County, as it is the property owner's desire only to restore the prior, approved density for the property, nothing more and nothing less.

Environmentally Responsible Development; Brownfield Designation

The applicant is also seeking to have the property designated as a Brownfield Area in accordance with Section 376.80, Florida Statutes to help facilitate the assessment and cleanup of any environmental issues due to historic golf course operations. A Brownfield Area generally refers to property that is difficult to redevelop due to actual or perceived environmental issues. As more particularly discussed herein, designating the property as a Brownfield Area will allow the redeveloper to enter into a Brownfield Site Rehabilitation Agreement with the Florida Department of Environmental Protection. As a part of the redevelopment and the implementation of the Brownfield Site Rehabilitation Agreement, environmental impacts resulting from the former golf course operation will be assessed and remediated to the standards required by the Florida Department of Environmental Protection.

Another key public benefit of the proposal is that storm water runoff will be retained and treated to improve the quality of water discharged to Boca Ciega Bay -- both from the subject site and from existing residential development in the adjacent neighborhoods which all are part of the contributing Tides watershed. Thus the redevelopment of the property will produce substantial, area-wide public benefits from an environmental perspective. Further environmental enhancement (i.e., public benefit) will be achieved through the removal of invasive vegetation in favor of native species; creation and preservation of upland coastal habitat and the establishment of a wetland buffer adjacent to the bay, where none exists today.

Publicly Accessible Open Space; Millenium Park Connection; Trail System

The proposed concept plan that will govern the redevelopment of this site provides for a significant portion of the site to be set aside for a linear greenway and trail system accessible to the public; hence another public benefit which can be achieved from the redevelopment of the property.

In addition to preserving some ten (10) acres of the site in open space that can be used by the public, the open space also is designed to serve as a buffer to the adjoining residential areas. Importantly, this public open space also will provide pedestrian access connectivity from the County's Millenium Park to the fringe of Boca Ciega Bay. Again, the park, trail and open space connectivity for the existing Millenium Park and for the adjacent neighborhoods to the waterfront area are additional public benefits which can be achieved from the redevelopment of the property.

Public Interest Served; Commitment to Plan Concepts

In summary, the proposed concept plan for the property has been designed to address the larger public interest in a number of ways, including the allocation of a significant portion of the site: 1) to improving storm water management/water quality for the area watershed (the land area that drains to and/or through it); 2) for an open space linear greenway and trail system that provides public access and serves as a buffer to the adjoining residential neighborhoods;

and 3) maximizing the beneficial reuse of vacant and abandoned properties in a manner that contributes to economic vitality, community revitalization, community health, and environmental improvement.

The proposed redevelopment will yield a quality project that is consistent with the prior density that was platted and approved for this property and which also is consistent with the surrounding neighborhoods, while addressing environmental impacts caused by its historic operation as a golf course and thus benefiting public safety and welfare. Each unique aspect is described more completely in the accompanying application materials.

Finally, the property owner is prepared to commit to these public benefits by memorializing them in a Development Agreement, conditional use overlay, or other appropriate regulatory document as determined by the County, and by a concurrent Brownfield Area designation for the property.

See Accompanying Concept Plan (**Exhibit F**).

2.0 THE AMENDMENT REQUEST

This application is for amendment of the County Future Land Use Map as noted on the accompanying application form and as set forth herein.

2.1 Future Land Use Map

The Future Land Use Map of the Comprehensive Plan is proposed to be amended from Recreation/Open Space (R/OS) and Preservation (P) to Residential Low (RL) and Preservation (P) land use categories.

The current County Plan Map identifies approximately 86.17 acres of the 95.96 acre site in Recreation/Open Space (R/OS) and 9.79 acres in Preservation (P).

The FLU amendment would result in 88.27 acres classified as Residential Low (RL) and 11.94 acres of Preservation (P).

See Accompanying **Exhibits D & E**.

2.2 Zoning District Map Amendment; Concurrent Land Use, Zoning, Development Agreement and Brownfield Applications

A zoning district amendment to RPD Residential Planned Development is being filed concurrent with this comprehensive plan amendment. The Applicant proposes to process the plan amendment, zoning amendment, development agreement, and brownfield designation concurrently, with the final approval hearing on all items to occur simultaneously. In this manner, the Applicant, the County and the public can be assured that the global proposal, with all commitments, entitlements, and obligations, is in force and effect at the same time for the full protection of all parties.

3.0 BROWNFIELD CONSIDERATIONS AND PUBLIC BENEFITS

A plan has been prepared based on a careful environmental and engineering assessment of existing conditions that has guided the proposed layout in a manner best-suited to the site and its surrounding built and natural environment.

Particular attention has been given to the site's relationship to Boca Ciega Bay, enhancing stormwater quality treatment, addressing environmental impacts (such as soil and/or groundwater issues), removing invasive vegetative species, and identifying and preserving the wetland edge adjacent to the bay.

The resultant development plan provides for a clustered development pattern around a series of stormwater management ponds, generous separation distances and open space buffers in relationship to existing residential use, and provision for public access to a linear greenbelt connecting Millennium Park to Boca Ciega Bay.

In brief, the plan for this property will (i) add an inter-generational, quality residential community to the County's housing stock, (ii) provide on-site recreational amenities for both the new project residents and the surrounding, pre-existing community-at-large, (iii) remediate environmental impacts associated with the property's former golf course operations, (iv) improve water quality discharge to Boca Ciega Bay, (iv) eliminate the continued contamination of the bay by the subject property and the surrounding communities, and (v) provide publicly-accessible open space.

The overall development or concept plan is illustrated in the accompanying **Exhibit F**.

4.0 PROPERTY BACKGROUND

It is important to understand the history of prior authorizations for use, previous zoning, plan, and plat approvals for the property, and the basis therefore, and their chronology in relationship to surrounding properties, to fully demonstrate (i) the consistency of this application with the Comprehensive Plan and (ii) its compatibility with the surrounding communities.

4.1 Historical Perspective; Surrounding Communities

The subject property was classified on the earliest County Future Land Use Plan maps as Low Density Residential and zoned R-1 and R-2. The property subsequently was platted on September 11, 1926 for 273 residential subdivision lots. The current site was cleared in the 1940's for ranching purposes.

A brief outline of the subsequent actions affecting the use and categorization of the property is set forth as follows:

- The golf course was approved by the County as a Special Exception in 1969 under the R-1 and R-2 zoning districts (See Sheraton Shores, Inc. J.J. Wilson, Representative/BA 10/9/69). Significantly, the underlying land use designation and zoning category for the property was not changed to accommodate the golf course alternative use, and no residential density was transferred from the land.
- The golf course was developed and opened in the early 1970's.
- Prior to 1975, the County Future Land Use Plan continued to identify the property as Low Density Residential, notwithstanding the golf course special exception use over the underlying residential land use and zoning designations.
- The 1975 Future Land Use Plan showed the property as Recreation/Open Space for the first time, in spite of the fact that it continued to be zoned R-1 and R-2 and remained platted for residential use.
- In 1985, the County (not the property owner) initiated a rezoning action to rezone the property from R-1 and R-2 to A-E and AL (Z3468 – 10/22/85).¹
- In 1992, the subdivision plat for the property was vacated, subject to a reservation for drainage easement rights and provision for release thereof. (Resolution No. 92-154, O.R. Bk. 7945, Pg. 1943-48).

In brief, the property was originally classified by the County and approved to be developed for residential use; it was subsequently approved for golf course use as a special exception while still remaining classified and zoned for residential use; subsequently the County identified the property on the County plan map as R/OS to reflect the actual golf course use; then not until ten years later did the County amend the zoning, purportedly to be consistent with the R/OS plan designation. This application now proposes simply to restore a residential plan and zoning designation on the property in order that it may be used for its original intended purpose, and as the land originally was designated in the County's first Comprehensive Plan and zoned.

¹ **Note:** The County represented that the County-initiated rezoning was pursuant to the Board's direction to rezone existing golf courses and was intended to "bring zoning into conformance with the Comprehensive Land Use Plan" – which had been changed to R/OS some ten years previously. The representative of the property owner objected to the rezoning on the basis that it was no more consistent with the plan than the current zoning, that the only basis for the R/OS plan category was the existing golf course use, and that the R/OS designation inappropriately restricted the owner's legal property rights to consider a change to the use of

the property. The County replied at the public hearing that “if the property owner wants to utilize the golf course for some other use, then an application for a change in zoning and an amendment to the land use plan could be submitted to be heard by the Board”. (Z3468 – Minutes of 10/22/85 Hearing).

4.2 Relationship to Adjoining Property; No Covenants or Restrictions; No Common Plan of Development; No Transfer of Density; No Lawful Reliance on Prior Use

It is fundamentally important to understand that the properties which adjoin the subject site were not planned or developed in concert with, or as part of, the golf course. Simply stated, there never was any common plan of development for the subject property and any of the surrounding residential communities.

The subject property also is not subject to or governed by any deed restrictions, covenants, homeowner’s association, or other title documents which restrict its use to golf course, promise the golf course as a recreational amenity for any adjacent property, or otherwise restrict the use of the property for the benefit of any other person or property owner. Nor was any of the residential density that had been placed on the subject property by its first County Comprehensive Plan designation and zoning category ever transferred or otherwise “stripped” from the subject property for use within any of the surrounding residential communities.

These facts clearly distinguish the subject property and this application from other requests to repurpose other failed golf course properties which either (i) were part of a master-planned community and hence a planned amenity for others, or (ii) had its density stripped from the golf course land to increase the allowable density in surrounding properties. This is a critical and controlling fact.

In addition, platting records and aerial photography clearly establish that the majority of the adjacent subdivisions along Evergreen Avenue to the east and north of 66th Avenue North were platted and largely developed prior to the golf course being placed in operation on the subject property in the early 1970’s.

A listing of the specific plats in close proximity to the subject property, the developers, and their approval dates are as follows:

- Sheraton Shores - Oakhurst Developers, December, 1958
- Canterbury Chase Unit 1 - Gildevco (W.O. Gillenwaters), June, 1970
- Canterbury Chase Unit 2 - Gildevco (W.O. Gillenwaters), March, 1971
- Canterbury Chase Unit 3 - Gildevco (W.O. Gillenwaters), May, 1973
- Sheraton Shores Tract A Partial Replat - Automobile Machine, Inc., Sept, 1979
- Leach Estates - Frank Homes, Inc., Nov. 1984
- Oakhurst Shores - Sabalo Development Co., Inc., March 1957
- Oakhurst Shores, First Add. - Sabalo Development Co., Inc., August, 1963
- Oakhurst Shores, Second Add. - Sabalo Development Co., Inc., June, 1964
- Oakhurst Shores, Fourth Add. - Sabalo Development Co., Inc., January, 1962
- Oakhurst Shores, Seventh Add. – Thomas O. Huff Realty, Inc., May, 1974

Consequently, it is very clear that the residential neighborhoods adjoining the golf course were not developed in reliance upon or as part of the golf course, which did not even exist at the time the majority of these properties were platted and developed. To the contrary, the subject

property had a residential land use, residential zoning, and residential plat that looked exactly like the surrounding residential neighborhoods at the time.

4.3 Consistent and Compatible Adjacent Density; Identical Subdivision Pattern.

The foregoing plat history of the subject property and all of the surrounding communities demonstrates that (i) the subject property, in fact, was originally planned and approved by the County for the same exact type of residential subdivision development as each of the adjacent, surrounding communities; (ii) the density that originally was approved for the subject property (and which is requested to be re-established by this application) was entirely consistent with the platted, and now fully developed, density in each of the surrounding subdivisions; and (iii) the subdivision street pattern was expressly intended to be interconnected between the surrounding communities and the subject property, as simply another platted subdivision community exactly like the others (**Exhibit G**).

Even more importantly, the densities actually platted and developed in the surrounding subdivisions are entirely consistent and compatible with the proposed density for the subject property, which is restoration of the prior 273 platted units (**Exhibit H**).

Finally, the County Commission acknowledged at the public hearing in rezoning the property in 1985 that it was doing so only to reflect the actual golf course use and then-current plan designation, and that in so doing, it did not preclude the right of the property owner to seek approval for a use other than the golf course at a future date. Certainly the re-establishment of the precise residential density which had been approved and platted by the County for the subject property, prior to the interim special exception use for the golf course operation, is a reasonable request by the current property owner now that the gold course operation has ceased, the golf course infrastructure has been demolished, and such special use no longer exists and will not be re-established.

5.0 CONSISTENCY WITH COUNTY PLAN STANDARDS AND POLICIES

One consideration for the FLU amendment is the manner and extent to which the request is consistent with the policies of the County Comprehensive Plan and the land development regulations that have been adopted to implement the Plan.

This section of the application demonstrates that the proposed amendment is consistent with the relevant policies and standards of the plan and regulations, and identifies the specific supporting policies and regulations.

5.1 Consistency with Proposed Plan Categories

First and foremost, the application for the plan map amendment is consistent with the requested Residential Low (RL) and Preservation (P) County Future Land Use Plan categories. ² The application is consistent with the purpose, use characteristics, locational characteristics, standards and zoning compatibility provisions of the Residential Low Future Land Use category as follows:

- Purpose – This application is for an area *“of the County that is now developed, or appropriate to be developed, in a low density residential manner; and to recognize such areas as primarily well suited for residential uses that are consistent with the low density, non-intensive qualities and natural resource characteristics of such areas”*.
- Use Characteristics – The proposed use for residential purposes is consistent with an identified *“Primary”* use of this category, i.e. *“Residential”*.
- Locational Characteristics – The subject site is in an area *“where use and development characteristics are low density residential in nature,”*
- Standards – The proposed density is consistent with, and in fact substantially less than, the maximum *“five (5) dwelling units per acre”* standard for this category.
- Zoning Compatibility – The proposed zoning district, *“RPD Residential Planned Development District”*, is specifically identified as a district *“compatible with the Residential Low (RL) land use category”*.

Significantly, although the RL land use category theoretically would allow up to five (5) units per acre of residential density, the Applicant through the Development Agreement (or other regulatory documents preferred by the County) will voluntarily limit the maximum residential density for the subject property to 273 dwelling units, to match the prior, approved plat for the property, which is a net density yield of only 3.1 units per acre, or approximately 62% of the allowable RL plan category density.

Also note that a very small portion of the Preservation (P) area (approximately 2.1 acres) is proposed to be amended to Residential Low (RL); however, this is to accommodate the proposed changes in open space and buffering as a result of the attached concept plan. It should be noted that there are still many open space and buffer areas, these simply are being relocated and incorporated to achieve a more cohesive and functional concept plan. The remaining portions of the site which presently are classified as Preservation (P) shall remain as such and reflects the purpose of this category to recognize and preserve the natural wetland conditions determined by jurisdictional survey to exist. The Use Characteristics, Locational

Characteristics, Standards and Zoning Compatibility of the Preservation category reflect and are consistent with this portion of the site proposed to remain in its natural condition.

² **Note:** Future Land Use and Quality Communities Element, Appendix C, Future Land Use Map Category Description and Rules, Part I, pp. 4 and 29.

5.2 Consistency with Fulfillment of Comprehensive Plan Policies

In addition to being consistent with the Future Land Use categories proposed for the site as enumerated above, the amendment also is consistent with and furthers key goals, objectives and policies of the County’s Comprehensive Plan. Relevant examples of such consistency from among the County Plan Elements are as follows:

Future Land Use and Quality Communities Element

The proposed Residential Low (RL) land use category and the overall development plan implemented through the RPD Residential Planned Development District is supported by several goals, policies and objectives of the Comprehensive Plan, as follows:

Brownfield Program

1.16. Objective: Pinellas County will implement its Brownfield Program to maximize the beneficial reuse of vacant and abandoned properties in a manner that contributes to economic vitality, community revitalization, community health, and environmental improvement.

1.16.1. Policy: Pinellas County will implement its Brownfield Program in both the unincorporated County and within those municipalities who wish to participate in the County’s program.

1.16.2. Policy: The Pinellas County Brownfield Program will work with public and private entities, landowners and purchasers to assess the impacts of previous site uses and to facilitate cleanup of eligible properties in order to return them to a productive economic purpose and desirable community use.

1.16.3. Policy: The Pinellas County Brownfield Program will utilize, and leverage, private, local, state and federal funding resources and incentives to recycle Brownfield properties for a beneficial economic and community purpose.

1.16.4. Policy: The Pinellas County Brownfield Program will facilitate the clean-up and beneficial reuse of contaminated properties and remove them as a threat to community health and safety.

1.16.5. Policy: The process of designating a Brownfield under the County’s Brownfield Program will include a review for consistency with the principles, goals, objectives and policies of the Pinellas County Comprehensive Plan.

Concurrent with the rezoning and land use amendment for the property, the Applicant has requested that Pinellas County designate the property as a Brownfield Area to facilitate cleanup and redevelopment under the Florida Brownfields Redevelopment Program. Designation of the Property as a Brownfield Area will allow for the Applicant to enter into a voluntary cleanup agreement with the Florida Department of Environmental Protection –

referred to as a Brownfield Site Rehabilitation Agreement - in order to complete site rehabilitation and redevelopment of the brownfield site.

The Brownfield Site Rehabilitation Agreement sets forth the requirements of both the redeveloper and the Florida Department of Environmental Protection for the redevelopment of a Brownfield Site, including, but not limited to the requirement to assess and cleanup any discharges/releases from the property, to contract with qualified environmental professionals to complete the assessment and cleanup activities, and to meet periodically with an advisory board to discuss the progress of the redevelopment and receive feedback.

The proposed Brownfield Area designation will facilitate the redevelopment of a vacant and underutilized property while addressing the complexities associated with redeveloping a golf course. The proposed redevelopment, which includes residential, community, and open space uses achieves the County's desired goal of implementing a Brownfields Program that contributes to economic vitality, community revitalization, community health, and environmental improvement. Finally, designating the property as a Brownfield Area concurrent with the proposed land use amendment, ensures that the consistency requirements of the County's Brownfield Program and the Pinellas County Comprehensive Plan are followed.

Other Supporting Goals, Objectives and Policies of the Comprehensive Plan

“GOAL ONE: THE PATTERN OF LAND USE IN PINELLAS COUNTY SHALL PROVIDE A VARIETY OF URBAN ENVIRONMENTS TO MEET THE NEEDS OF A DIVERSE POPULATION AND LOCAL ECONOMY, CONSERVE AND LIMIT DEMANDS ON NATURAL AND ECONOMIC RESOURCES TO ENSURE SUSTAINABLE BUILT AND NATURAL ENVIRONMENTS, BE IN THE OVERALL PUBLIC INTEREST, AND EFFECTIVELY SERVE THE COMMUNITY AND ENVIRONMENTAL NEEDS OF THE POPULATION.”

The proposed Future Land Use amendment, the rezoning application, the concept plan, and the proposed brownfield designation for this property specifically address the unique environmental conditions and issues related to this site and in fact, improve upon them consistent with Goal Three of this Element, Objective 3.1 and the relevant policies thereunder, including Policies 3.1.1, 3.1.2, 3.1.3, which include the following:

“GOAL THREE: PINELLAS COUNTY’S PLAN SHALL PROMOTE A BALANCED RELATIONSHIP BETWEEN THE NATURAL ENVIRONMENT AND DEVELOPMENT.”

“3.1 Objective: The Pinellas County Land Development Code shall be applied in a manner that ensures compatibility between the Future Land Use Map, existing environmental conditions and constraints, as well as environmental management goals.”

The plan is also consistent with Objective 3.2 and the relevant policies thereunder, including Policies 3.2.5, 3.2.6, cited below:

“3.2 Objective: Pinellas County shall continue its proactive program for managing the impacts of development upon the County’s natural resources (including wetlands, uplands, and the marine environment), and shall continue to ensure that these resources are successfully integrated into the urban environment such that the overall function and viability of these areas is maintained, or where practical, enhanced or restored.”

The careful management and integration of this development with the natural conditions not only protects, but does in fact enhance and restore, these conditions.

The proposed amendments and the accompanying overall development plan and development agreement specifically address and are consistent with Goal Four, Objectives 4.1, 4.2 and 4.3 and the relevant policies thereunder, including Policies 4.1.1, 4.2.2, 4.2.3, 4.2.4, 4.3.1. Goal 4 reads as follows:

“GOAL FOUR: PINELLAS COUNTY SHALL WORK TOWARD A LAND USE PATTERN THAT CAN BE SUPPORTED BY THE AVAILABLE COMMUNITY AND PUBLIC FACILITIES THAT WOULD BE REQUIRED TO SERVE THAT DEVELOPMENT.”

All requisite support facilities will meet the County’s concurrency management standards.

Coastal Management Element

The proposed amendments to the plan proposed zoning categories and the accompanying overall development plan have been prepared to comport with and further the policies of this Element. In particular, they are consistent with Objective 1.3, and the relevant policies thereunder, including Policies 1.3.1, 1.3.2, 1.3.4 and 1.3.5. In particular, Policies 1.3.5, 1.3.10 and 1.3.11 are applicable as follows:

“1.3.5 Policy: Pinellas County shall not approve any request to amend the future Land Use Map (FLUM) to designate parcels of land within the coastal storm area with a FLUM category that permits more than 5.0 dwelling units per gross acre.”

The proposed density for this site is less than 3.0 dwelling units per acre.

Transportation Element

A traffic analysis will be conducted to support the application for the zoning amendment. This analysis will demonstrate that the addition of the project traffic will meet the County’s concurrency management standards for roadways.

Furthermore, the proposed concept development plan demonstrates consistency with Objective 1.6 under Bicycle and Pedestrian Travel noted below, based on the extensive internal and publicly-accessible pedestrian pathway system:

“1.6. Objective: Encourage bicycle use and pedestrian activity throughout Pinellas County for recreational and non-recreational purposes.”

The proposed Master Plan for the RPD Zoning application depicts a Greenway Trail System around the development that could ultimately connect Boca Ciega Bay to the adjacent Boca Ciega Millenium Park, which offers passive recreational opportunities such as kayaking/canoeing, picnicking, bird watching, and a ¼ mile nature trail. The Greenway Trial is a compatible and complementary use to the neighboring passive park. Additionally, by having the Greenway Trail around the development, it serves as part of the 50-foot land use buffer to the adjacent residential development.

Lastly, the traffic analysis will demonstrate consistency with Objective 1.8 and Policy 1.8.1 and 1.8.2 under Safety, Efficiency and Goods Movement which read as follows:

“1.8 Objective: Pinellas County’s transportation system should provide for safety and efficiency in the movement of people and goods.”

“1.8.1. Policy: Pinellas County shall continue to implement access management standards as identified in the Access Management Section of the Land Development Code, through the application of the Pinellas County Site Plan Review Process and Concurrency Management System for development projects adjacent to County roads.”

“1.8.2 Policy: Pinellas County shall continue monitoring signalized intersections to coordinate signal timing along major County and State facilities.”

The main entrance will be off 66th Avenue North. The entrance will be gated. Any other potential egress points out of the community will be emergency access only. Therefore, there will be minimal disruption to the neighboring communities. Additionally, pedestrian safety measures will be included at the entrance to ensure cross access to Boca Ciega Millenium Park.

Natural Resource Conservation & Management Element

While many of the goals, objectives and policies of this Plan Element are directed at initiatives the County will undertake or support, and some are not applicable to the subject property, the project is consistent with policies directed at removing non-native and ecologically undesirable vegetation, and improving water quality follows:

“GOAL TWO: PINELLAS COUNTY WILL CONSERVE, PROTECT, RESTORE AND APPROPRIATELY MANAGE ITS NATURAL SYSTEMS AND LIVING RESOURCES (to sic) ENSURE THE HIGHEST ENVIRONMENTAL QUALITY POSSIBLE.”

“2.1.4. Policy: Pinellas County shall continue to require that development of a site require maintenance or improvement of existing native vegetative communities and shall continue to require the removal of ecologically undesirable non-native vegetation.”

“2.1.5. Policy: The removal of ecologically-undesirable non-native vegetation will be required, to the degree feasible, in conjunction with County projects; native species and intact habitat will be protected or enhanced, and landscaping will, at a minimum, be 80 percent native species selected to suit the individual site and to meet Florida Yards and Neighborhoods standards.”

“GOAL SIX: PINELLAS COUNTY WILL PRESERVE, PROTECT, RESTORE AND MANAGE THE NATURAL RESOURCES OF ITS FLOODPLAINS TO MAINTAIN OR ENHANCE WATER QUALITY, PLANT AND ANIMAL DIVERSITY, AND AQUATIC PRODUCTIVITY, TO PROTECT THE FLOOD STORAGE VALUE AND PURPOSE, AND TO PROTECT THE PUBLIC AND MINIMIZE PROPERTY DAMAGE.”

“6.1. Objective: Pinellas County shall continue to protect floodplains, flood ways, and all other natural areas having functional hydrological characteristics in order to minimize adverse impacts on the

natural system, public safety and investment, and floodplain function and purpose.”

The operation of a golf course can have impacts to waterbodies, groundwater, and soil resulting from the application of pesticides and herbicides. As a part of the proposed redevelopment, environmental impacts resulting from the former golf course operation will be assessed and remediated to the standards required by the Florida Department of Environmental Protection. In addition, the proposed layout of the ponds and swales will provide an opportunity for stormwater treatment before the water reaches Boca Ciega Bay, which will further improve water quality in the area.

Further, the landscaping used on the former golf course included non-native vegetation, and the continued growth of these species may result in impacts to local habitat and wildlife. The Applicant has committed to providing native vegetation throughout the redevelopment to ensure a healthy and vibrant natural corridor. The Applicant further proposes to preserve the scenic view corridor of the property through the conservation of land and promotion of such land for public use and enjoyment.

Housing Element

The plan for residential redevelopment is consistent with Objective 1.1 and the relevant policies thereunder, in particular Policies 1.1.2, and 1.1.4 of this Plan Element, which follows:

“1.1. Objective: Support the provision of dwelling units in a variety of types, locations and costs so that housing supply matches the projected housing need in Pinellas County while encouraging development that is consistent with the Future Land Use and Quality Communities Element.”

“1.1.2. Policy: Support a land use pattern and land use decisions that provide for housing opportunities at varying densities and at appropriate locations consistent with the Future Land Use and Quality Communities Element.”

“1.1.4. Policy: Pinellas County shall continue to consider ways to maximize use of permitted densities on vacant residential land, where consistent with Policies 1.2.3 and 1.2.4 of the Future Land Use and Quality Communities Element, in recognition that urban land is becoming too scarce a resource to tolerate significant underutilization.”

The project will essentially be split out into two (2) parts, the north and south. The southern portion will have larger lots and the northern portion will have relatively smaller lots. As such a variety of price points and housing opportunities at varying densities will be provided. The southern portion is intended to provide opportunities for retirement, family, and “move-up” home market. The southern portion will maximize the environmental aspect by reducing the development footprint and will provide options for the high-end luxury market.

Recreation, Open Space & Culture Element

The proposed amendment and accompanying development plan address and are consistent with the relevant policies in this Element. First, the proposal preserves a significant portion of the site in open space and provides for public access to this portion of the site. Second, it

proposes to improve this open space by providing a greenway trail system that will link and provide pedestrian access from Millenium Park to Boca Ciega Bay. Thirdly, it provides on-site recreational amenities including clubhouse, swimming pool and tennis courts for the residents of the new development.

Specifically, it is consistent, under the Provision of Recreation and Open Space section of this Plan Element, with Goal One, Policy 1.1, Objectives 1.2 and 1.6 which read as follows:

“1.1.1 Policy: Pinellas County shall maintain a minimum level of service standard of 14.0 acres of parks and environmental lands, in combination, for every 1,000 residents within the County through the Year 2025.”

“1.2 Objective: Pinellas County shall continue to coordinate efforts with all levels of government and the private sector to increase the availability of public resource-based parklands and open space acreage to meet the adopted level of service standard defined in Policy 1.1.1.”

This project is an excellent example of a public/private partnership in specific furtherance of this objective.

“1.6 Objective: Pinellas County shall continue to improve public access to County parks and other facilities including County beach access parks, multi-use trails and boat ramp facilities.”

The proposed development plan provides for public pedestrian access from the property to the shoreline at Boca Ciega Bay where it does not exist for the general public today, the provision of which is consistent with Goal Three under the section of the plan entitled “Strengthening Connections to the Water” that reads as follows:

“GOAL THREE: TO STRENGTHEN PUBLIC CONNECTIONS TO PINELLAS COUNTY WATERS AND WATERWAYS THROUGH THE MAINTENANCE, PROMOTION AND ENVIRONMENTALLY-SENSITIVE EXPANSION OF RECREATIONAL ACCESS.”

The proposed development plan is further consistent with this Plan Element under the Facility-Based Recreation section, Goal Four, Objective 4.2 and Policy 4.2.1 which read as follows:

“4.2 Objective: Pinellas County shall continue to encourage the provision of facility-based recreation opportunities, where feasible, by public agencies, private enterprise and private developers.”

“4.2.1 Policy: In association with the update to the Land Development Code, Pinellas County will evaluate existing regulations to consider new incentives or requirements for the provision of on-site recreational amenities by developers.”

This project proposes to do exactly what these policies identify as important County initiatives.

Surface Water Management

A significant part of the proposed development plan has been designed to address surface water improvements consistent with the County’s public policy priorities. The plan is specifically designed to (i) provide additional stormwater retention and water quality treatment for existing

off-site deficiencies caused by runoff from adjacent but external properties, (ii) , retain and meet current stormwater level of service standards for the site itself, and (iii) by virtue of the foregoing combination, provide a substantial improvement to the water quality being discharged to Boca Ciega Bay from the surrounding area watershed -- and in turn to improve the water quality of the bay itself.

The surface water management provisions of this proposed project are directly on-point and consistent with this Plan Element as noted below:

“GOAL ONE: SURFACE WATERS SHALL BE MANAGED TO PROVIDE FLOOD PROTECTION FOR THE CITIZENS OF PINELLAS COUNTY, TO PRESERVE AND ENHANCE THE WATER QUALITY OF RECEIVING WATER BODIES, AND FOR THE PURPOSES OF NATURAL RESOURCE PROTECTION, ENHANCEMENT AND RESTORATION, PLANT AND WILDLIFE DIVERSITY, AND ESTUARINE PRODUCTIVITY.”

“1.1 Objective Stormwater deficiencies that are the responsibility of the Board of County Commissioners (BCC) shall be identified through the watershed planning process and a schedule of actions to correct these deficiencies will be developed by 2020.”

“1.1.1 Policy: The implementation of projects to correct existing stormwater deficiencies, shall be given primary importance.”

“1.4 Objective: Stormwater deficiencies and flood control improvements will be identified during the development of individual watershed plans.”

“1.6 Objective: Stormwater management decisions and permits will require consideration of the most current regulations and technical data, models, and plans available, including any approved watershed management plan, as well as other resource management objectives. [10-57]”

“1.8 Objective: The surface waters of Pinellas County will be managed to preserve and enhance the water quality of receiving water bodies, and to protect, enhance and restore natural resources, plant and wildlife diversity and estuarine productivity.”

“1.11 Objective: Pinellas County will continue to coordinate with other federal, state, regional and local agencies in the development of plans and programs that will provide for the protection of natural resources by protecting and improving the quality of the surface waters of the County.”

“1.11.6 Policy: Pinellas County shall participate with the Florida Department of Environmental Protection in the development of the Boca Ciega Bay and Pinellas County Aquatic Preserves Management Plans, as they are scheduled by the State.”

The proposed redevelopment of this site and its provisions for stormwater management and improved water quality is another example of a public-private partnership designed to meet the public policy needs of the County.

5.3 Plan Consistency Summary

The proposed future land use amendment is consistent with the applicable provisions of the County's Comprehensive Plan, and furthers the purpose and standards of the County's Comprehensive Plan, and have been tailored to the unique conditions and attributes of the subject site.

6.0 ENVIRONMENTAL CONSIDERATIONS

This section of the application identifies existing and post-development conditions including site characteristics and use, types of vegetative cover and wildlife species. The examination, mapping and recording of these environmental features was conducted by qualified ecologists as part of the analysis leading to the preparation of the proposed concept plan.

6.1 Existing Site Conditions

General Setting and Existing Land Use

The primary geographic feature in the vicinity of this property is Boca Ciega Bay, which marks the southern landward edge of the property, and influences the on-site topography and drainage patterns. Land elevations on the property range from approximately 25' (NGVD) in the northeast portion of the property (up to nearly 30' at the northeast corner/primary project entrance), to approximately elevation 0.5' along the tidal interface with the bay.

The subject property was developed as a golf course in the early 1970's; however, due to the substantial decline in the golf industry nationwide and locally over the prior decade, the prior golf course operation was closed permanently in 2018, and the clubhouse, maintenance and supporting facilities now have been/are being demolished pursuant to County demolition permit approval.

Prior to closure and permanent discontinuation of the golf course operation, turf grasses dominated the landscape, and the course was managed and maintained (e.g., mowing, fertilizing, etc.) on a regular basis. The golf course turf extended all the way to the mangrove shoreline, with no natural upland buffer present.

Vegetative Description

Patches of vegetation, which include planted ornamentals as well as some native species, exist within interior portions of the property. Native tree species that occur onsite include live oak, slash pine, longleaf pine, cabbage palm, sweet gum and southern magnolia. Several non-native, exotic tree species also occur on-site, including the invasive Brazilian Pepper, Carrotwood, Bottlebrush and Australian Pine, among others.

Drainage from on-site and off-site contributing areas (including the surrounding, development subdivisions) is conveyed through ditches, pipes and constructed ponds directly toward and into Boca Ciega Bay to the south. Some of these ditches and swales are un-vegetated with sandy or silty bottoms, while others are vegetated with grasses, low-growing emergent vegetation or submerged vegetation. The onsite surface water ponds and ditches were constructed with the golf course in the early 1970's; however, one of these open water ponds was constructed later (2005), and serves as a reclaimed water reservoir that receives reclaimed water from off-site sources controlled by Pinellas County. For the most part, the on-site ponds are open-water in nature with little to no emergent vegetation.

A narrow band of Mangrove Swamp habitat occupies the southern shoreline of the property, and serves to define the water-land interface. Mangrove swamps are dominated by white mangrove, black mangrove and red mangrove. Exotic, invasive species such as Brazilian Pepper and Carrotwood also occur in these areas, and in a few cases have crowded out the mangroves to dominate the vegetative cover. Due to the dense canopy coverage exhibited by these low-growing tree species, there is minimal coverage of groundcover vegetation. Some

portions of the mangrove swamp shoreline have apparently been subject to periodic trimming, as evidenced by the pruned condition (e.g., removal of smaller side branches and foliage) of the lower trunk area of these stands which has resulted in a relatively open view corridor between roughly two and eight feet above the substrate. The open water area that occurs beyond the mangrove swamps at the shoreline is part of Boca Ciega Bay.

Listed Species Occurrence – During field reconnaissance of the property by Ardurra Group, Inc. (f/k/a King Engineering Associates, Inc.) Ecologists, the following conspicuous vertebrate fauna were observed on-site: Raccoon, Grey Squirrel, Muscovy Duck, Great Blue Heron, Great Egret, **Wood Stork**, Common Crow, Mockingbird, Black-headed Gull, Florida Duck, **Tricolored Heron**, Crested Cormorant, Blue Jay, Boat-tailed Grackle, Mourning Dove, **White Ibis**, **Little Blue Heron**, Florida Cooter, Softshell Turtle, Red-eared Slider, Green Sailfin Molly and Mosquitofish.

Wading birds such as the Wood Stork, Tricolored Heron, White Ibis and Little Blue Heron were observed individually or in small groups foraging along the margins of onsite surface water ponds. Like most Florida wading birds, these species commonly forage along lake margins, shallow marshes and pools within forested wetlands, and they typically nest in colonies or “rookeries” within large contiguous forested wetland systems or on isolated treed islands along the coast. No evidence of nests or nesting activities was noted on the subject property, and it is likely that these species utilize the subject property only on a transient basis for foraging purposes. Review of available GIS data (from Florida Fish and Wildlife Conservation Commission and Florida Natural Areas Inventory databases) revealed that there are no documented wading bird rookeries in the vicinity of the project site.

6.2 Proposed Conditions

Overview of Conceptual Redevelopment Plan

The project will include single-family residential home sites, along with supporting residential amenity facilities. The primary project entrance will be at the northeast corner of the property, from 66th Avenue (the existing property entrance). A secondary access for emergency services use or evacuation, only, also will be provided at one of the existing public roadway interconnects from the adjacent subdivision to the east, where directed and required by the County. A central roadway loop system will provide internal traffic circulation and access to residential lots and associated internal connector streets. Two (2) large lakes are proposed in the center of the property, surrounded by residential lots. Two (2) primary development areas are anticipated, with larger estate lots anticipated near the waterfront, and smaller lots for inter-generational housing product (young families, work force professionals, and retirement market segments) contemplated for the portion of the site more removed from the waterfront.

Linear Park and Buffer

As indicated above, future site plans will include green space buffers and/or a “linear park” along the property boundaries on the north and east sides of the property. This buffer/connectivity zone is intended to provide a physical and visual buffer transition between the proposed development and existing adjacent residential homes, and will also serve to provide a passive recreational use area and trail system for both project residents and public use, with proposed pedestrian connectivity to the Boca Ciega Millenium Park to the west, and thereby also connecting Millenium Park to Boca Ciega Bay at the southeast corner of the property.. The trail system will also be accessible to the surrounding residential neighborhoods, through planned access areas to the north and east.

Environmental Benefits and Recreational Amenities

A number of lakes, ponds and flow-ways are also proposed within the green space buffer areas. These features will be utilized to provide supplemental treatment of the historical, pre-existing stormwater runoff entering the property from off-site areas. Routing of stormwater runoff from off-site sources (e.g., surrounding roads and residential neighborhoods) through a series of proposed on-site ponds, swales and filter marshes will aid in removal of stormwater pollutants before these waters reach and are discharged into Boca Ciega Bay.

Existing large oak and pine trees or other significant or specimen trees that occur within the buffer/linear park area will be incorporated into the overall design by configuring the proposed lakes and trail system with consideration of these features.

There is also potential to extend the pedestrian trail network at the southeast corner of the property, near the tidal mangrove fringe, by creating an elevated boardwalk or viewing platform that could provide pedestrian access to observe these natural amenities, and to promote passive recreational opportunities such as hiking and wildlife viewing. Placement of educational signage at "interpretive stations" would add to the pedestrian experience within the park and trail system by educating trail users about various features of the park, such as the stormwater treatment features, native landscaping and habitat enhancement areas surrounding natural areas, and the environmental benefits derived from these features. The interpretive trail would serve as an extension of the Boca Ciega Millenium Park trail system, and could also be utilized as an outdoor classroom for local school students and other groups attending Millenium Park.

In the re-developed condition of the property, the majority of the existing man-made ponds and drainage ditches will be abandoned or removed in favor of creating new ponds and stormwater infrastructure. Consequently, the design for the stormwater system that will serve the proposed residential community will be in conformance with current regulatory and engineering design criteria. The developer will incorporate use of low-impact development design and treatment features where practicable. Additionally, separate ponds and treatment facilities will be created within the development area that will provide supplemental treatment of (largely untreated) stormwater runoff from the surrounding neighborhoods and roadways.

The re-development plan will also include removal of exotic and invasive vegetation from on-site upland and wetland habitats. Primary targets for enhancement of on-site wetland habitats will be in the vicinity of the southern shoreline and along the western property boundary. Enhancement of mangrove swamp wetlands would likely involve removal of exotic vegetation such as Brazilian Pepper and Carrotwood, combined with selective planting of native saltmarsh species and/or mangrove trees. The exact type, location and extent of exotic/nuisance vegetation removal and habitat enhancement will be determined following more detailed site planning, identification of degraded habitats and completion of functional assessments, all of which would be accomplished during the design and permitting phase of the project.

Anticipated Wildlife Utilization

The proposed establishment of the linear park and green space around the property perimeter, in combination with proposed additional ponds, filter marshes, native landscaped areas, exotic species removal and habitat enhancement, will afford significant opportunities for utilization by various wildlife species. Expansion of stormwater ponds throughout the property will provide increased shorelines and shallow foraging habitat for waterfowl and for wading birds, including those species listed as threatened or endangered species.

Removal of exotic and invasive vegetation (e.g., Brazilian Pepper and Carrotwood) from on-site mangrove swamps and adjacent areas will serve to improve habitat for birds and other wildlife that utilize these habitats for cover and foraging. Similarly, replacement of the existing turfgrass with naturally vegetated buffers along the mangrove shoreline will provide improved wildlife habitat and will aid in wildlife movement along the shoreline.

Wildlife surveys will be conducted prior to any development activity as required by code. If relocation of any nests are required as a result of the surveys, such relocation shall be completed prior to any site clearing or construction activities. A Migratory Bird Nest Removal Permit can be obtained, in accordance with guidelines published by the Florida Fish and Wildlife Conservation Commission. This permit would allow nest removal and relocation (outside the nesting season) prior to commencement of project clearing and construction. The replacement nest structure is generally required to be located in the general vicinity of the original nest site.

7.0 SERVICE-RELATED CONSIDERATIONS

In addition to the foregoing description and assessment of the application's compliance with the applicable plan and regulatory policies and standards, a summary of the relevant service considerations and reference to supplemental support documentation is set forth below.

7.1 Traffic

Primary vehicular access to the site is now, and will continue to be, from 66th Avenue North, a County residential collector roadway that connects to 113th Street less than one-quarter mile to the east. 66th Street North is a two-lane minor collector street east of 116th Street and a local major street west of 116th Street. 113th Street (Duhme Road) is a six-lane, divided minor arterial north-south County road connecting to principal east-west arterials on the north at Park Boulevard and the south at Bay Pines/Tyrone Boulevard. The Applicant proposes some safety improvements to 66th Avenue North, within and as limited by existing, available right-of-way, which will be set forth in the Development Agreement.

Public access to the publicly-accessible open space linear greenway will be provided at the northeastern corner of the site from 66th Avenue North, and neighborhood pedestrian access also can be provided at Irving Avenue, Oxford Street, and Laurel Streets.

Any secondary/emergency vehicular access required by the County for emergency services or evacuation purposes, can be provided on the eastern property boundary at one of the foregoing, existing public roadway interconnects, if and as directed by the County.

The internal roadway system (potentially gated access) will consist of a private continuous loop system connecting the individual residential clusters around the series of stormwater retention and open space features. The private roadway network will be designed and built to meet County standards.

A detailed traffic analysis will be prepared in conjunction with the accompanying Zoning amendment. The Traffic Circulation Assessment will evaluate the traffic implications both in relationship to the zoning amendment, and relative to the County's concurrency management provisions.

7.2 Stormwater Management System

An extensive stormwater management study has been conducted by Ardurra and has been a major determinant in the overall design of the project. The study is submitted as part, and in support, of this application. (See Appendix A).

The stormwater management system has been designed to address two separate matters: (i) to accommodate existing deficiencies in the larger adjoining watershed, and (ii) to upgrade existing on-site retention and water quality to meet current standards.

The design of the site provides for a series of retention ponds surrounded by open space on the north and east portions of the property to accept and accommodate stormwater runoff from the adjoining developed neighborhoods to the north and east that do not meet today's stormwater management standards. This will not only add to the capacity of the stormwater system to help mitigate stormwater flooding, but also will substantially improve water quality that ultimately discharges to Boca Ciega Bay. These improvements, essentially a contribution

to the public stormwater system, will be constructed and maintained by the applicant, while reserving the right of the County to access and maintain, should that prove necessary.

The second component of the overall stormwater management system is the separate, but interconnected, series of retention ponds and related improvements that will meet the stormwater capacity and water quality standards for the project itself.

This dual-purpose design has required an extensive commitment of space and expense on the part of the applicant to meet not only the needs of the project, but also to improve the system for the overall area watershed which is in the larger public interest.

7.3 Utilities

The utility services for the proposed project include potable water, wastewater, reclaimed water for irrigation, electric and cable.

Pinellas County Utilities will provide retail water service to this site in the unincorporated Seminole area under and pursuant to its agreement with Tampa Bay Water. Tampa Bay Water must, by Interlocal Agreement and Master Water Supply Contract, meet the member governments, including Pinellas County's, water supply needs over a twenty year planning horizon. Specific water demand and design determinations will be made at the design and construction stage and will meet the County's concurrency management standards.

Pinellas County Utilities will also provide wastewater collection services through its regional wastewater system and the South Cross Bayou Water Reclamation Facility. The South Cross Bayou Facility is a state-of-the-art advanced wastewater treatment and reclamation facility with capacity to serve this project given current and projected demand relative to the plant's capacity.

Reclaimed water from Pinellas County, from the County's retail reclaimed system, will be designed to serve this project as available.

Electric and cable service to the site will be designed to be placed underground consistent with County requirements.

All required utility services have the capacity to serve the proposed project.

7.4 Public Schools

Future residents' public school needs will be served by the Pinellas County School District in accordance with the District's school assignment policy.

As stated in the County's Public School Facilities Element – Future Facilities for Future Needs (p. 3-7):

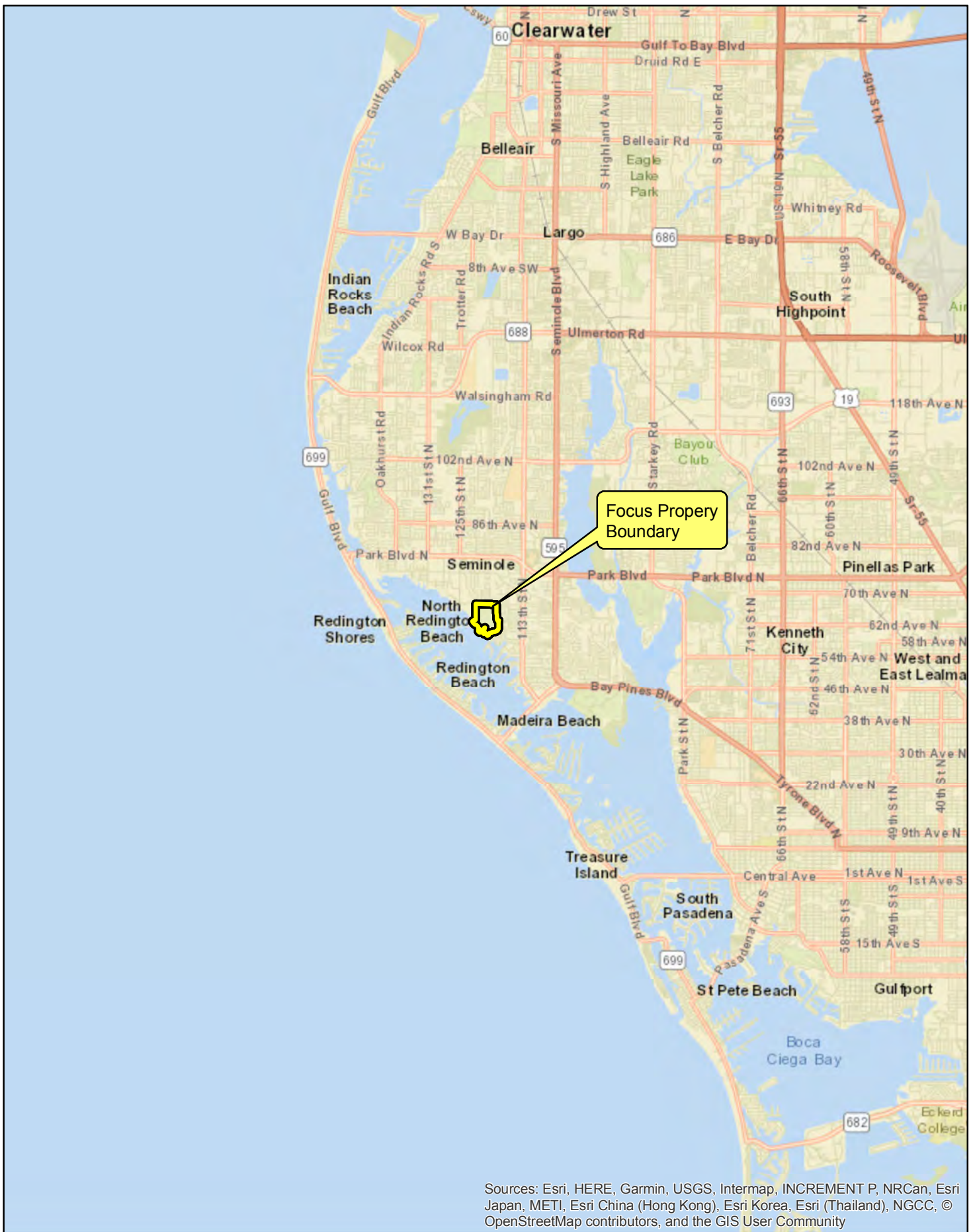
“Because the School District anticipates only a slight increase in the number of public school students in the coming years, and the maintenance and replacement of existing public school facilities are anticipated to be able to provide for those students, there are no current plans for the construction of additional public school facilities to be constructed over either the short range or the long range planning period. As needs arise, the School District will consult with the State Department of Education to discuss the potential construction of additional public school facilities; however, such additional facilities are not being planned at this time.”

Those public elementary, middle and high schools in closest proximity to Restoration Bay include the following:

- Elementary
 - Bauder Elementary
 - Seminole Elementary
 - Orange Grove Elementary
- Middle
 - Seminole Middle
 - Osceola Middle
- High
 - Seminole High
 - Osceola High

The area is also served by Madeira Beach Fundamental School.

Exhibit A
Location Map



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

- LEGEND -


 Focus Property Boundary



EXHIBIT A
 LOCATION MAP
 RESTORATION BAY
 Comprehensive Plan Exhibits

JOB NO:	00121-2019-0195
DATE:	5/30/2019
SCALE:	1" = 2 Miles




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Exhibit B
Aerial with Site Acreage



Site Acreage:
±95.96 Acres

- LEGEND -

 Focus Property Boundary


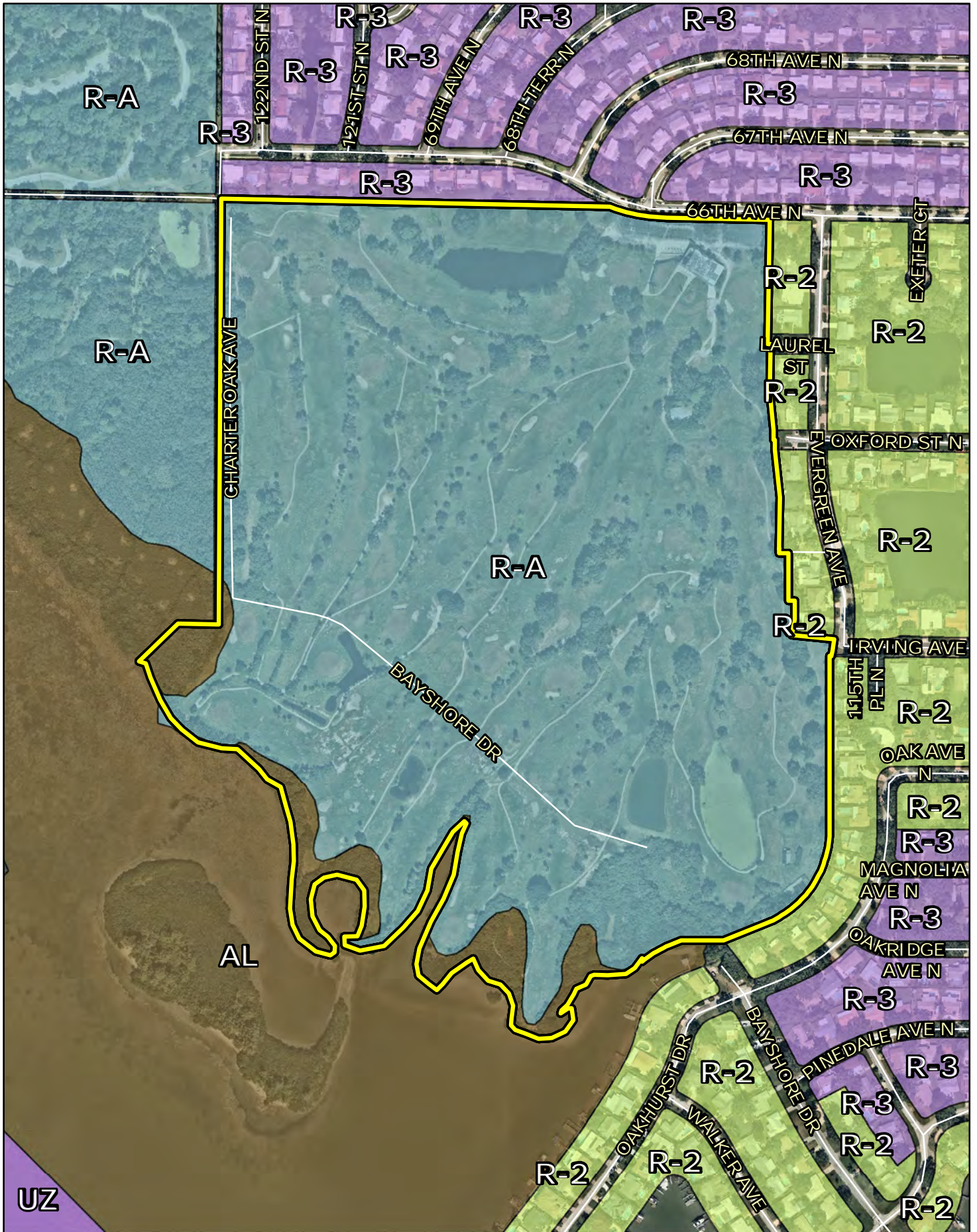
 Pinellas County Parcel Data

EXHIBIT B
AERIAL MAP
RESTORATION BAY
Comprehensive Plan Exhibits

JOB NO:
00121-2019-0195
DATE:
5/30/2019
SCALE:
1" = 400 Feet



Exhibit C
Existing Zoning



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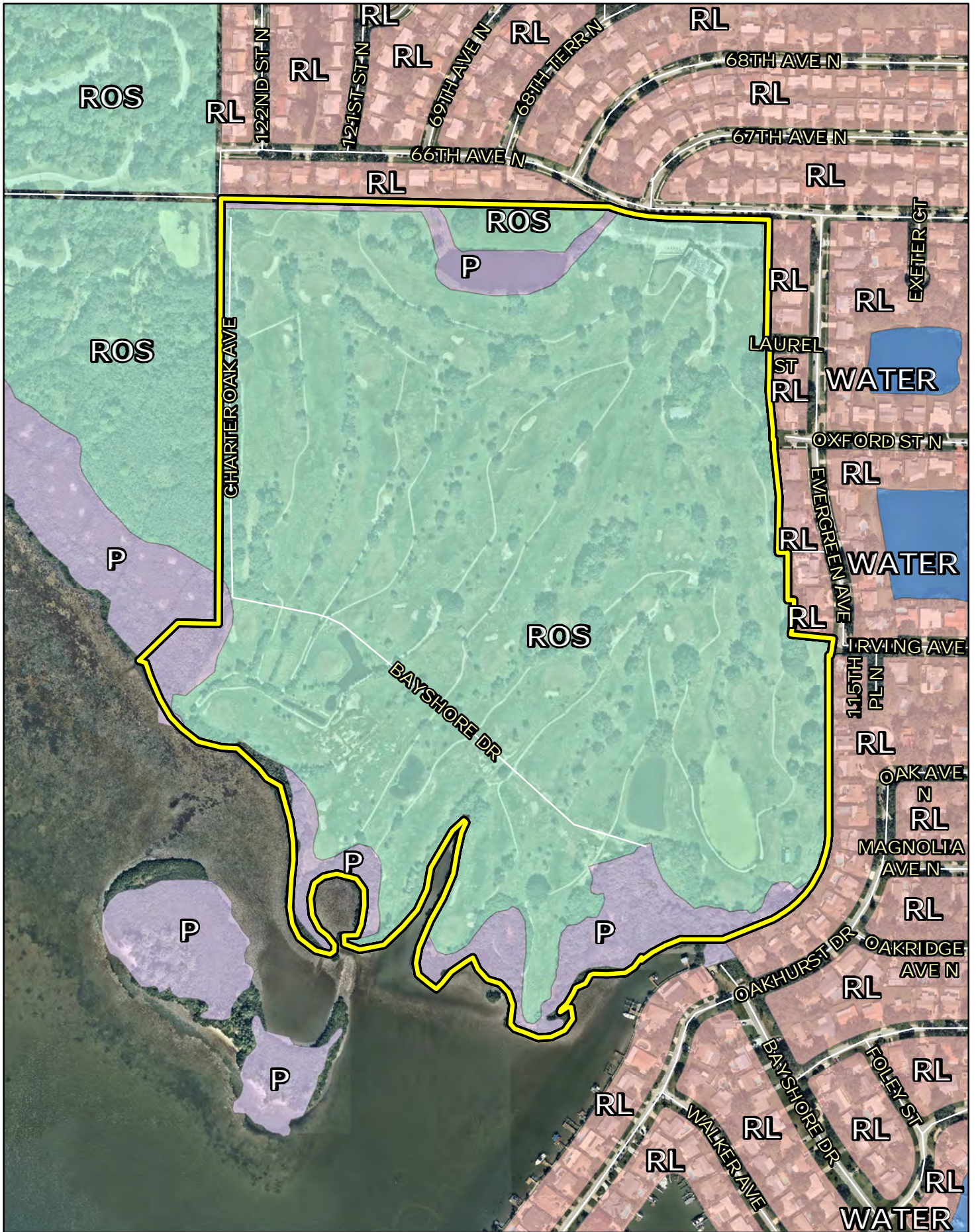
- LEGEND -		
Focus Property Boundary	Zoning Categories	R-3
	AL	R-A
	R-2	

EXHIBIT C
EXISTING ZONING
RESTORATION BAY
 Comprehensive Plan Exhibits

JOB NO: 00121-2019-0195
DATE: 5/30/2019
SCALE: 1" = 400 Feet



Exhibit D
Existing Future Land Use



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- LEGEND -

Focus Property Boundary

FLU Categories

P
 RL

ROS
 WATER

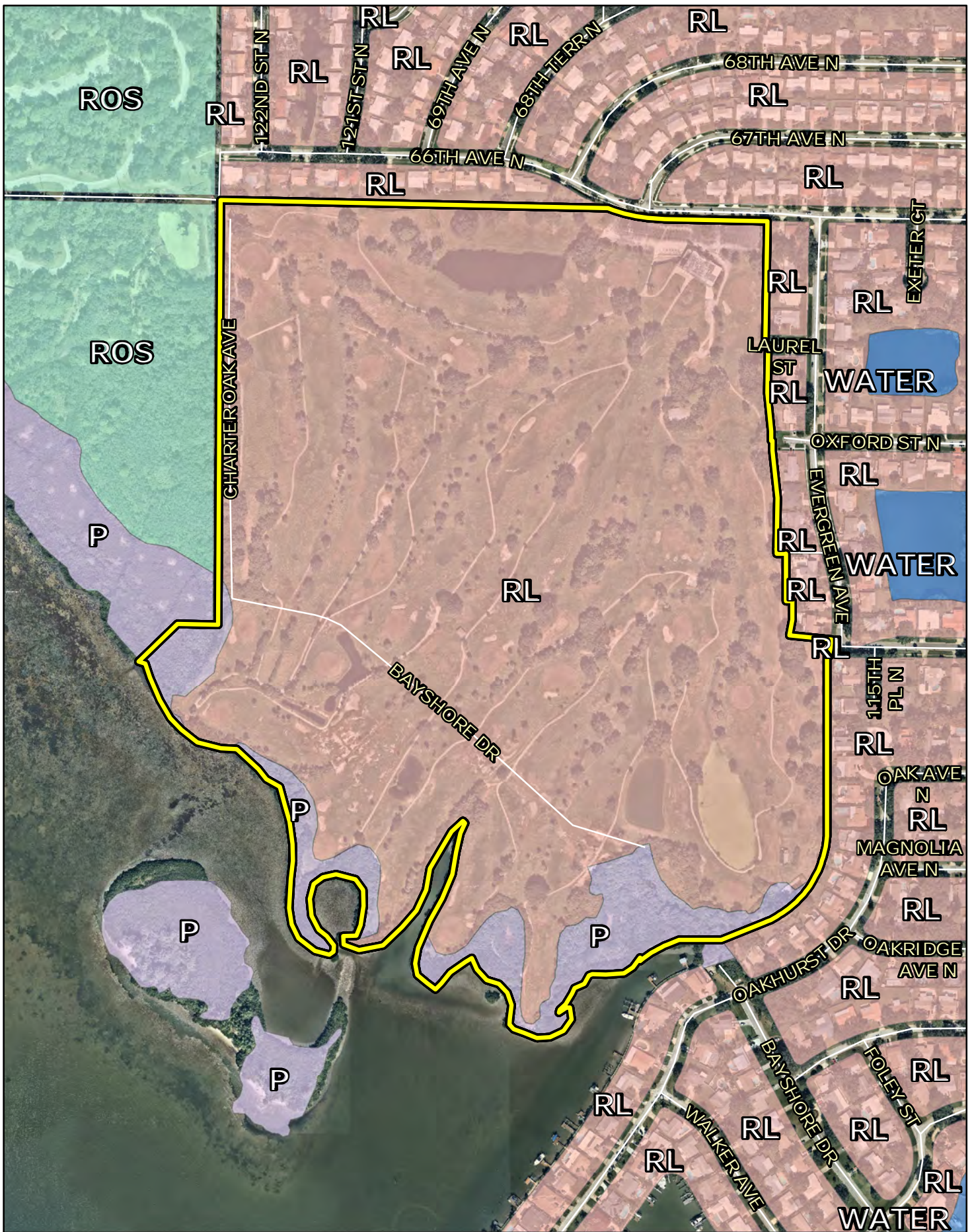
EXHIBIT D

EXISTING FUTURE LAND USE
RESTORATION BAY
 Comprehensive Plan Exhibits

JOB NO:
00121-2019-0195
 DATE:
5/30/2019
 SCALE:
1" = 400 Feet



Exhibit E
Proposed Future Land Use



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- LEGEND -

Focus Property Boundary

FLU Categories

P
 RL

ROS
 WATER

EXHIBIT E

PROPOSED FUTURE LAND USE
RESTORATION BAY
Comprehensive Plan Exhibits

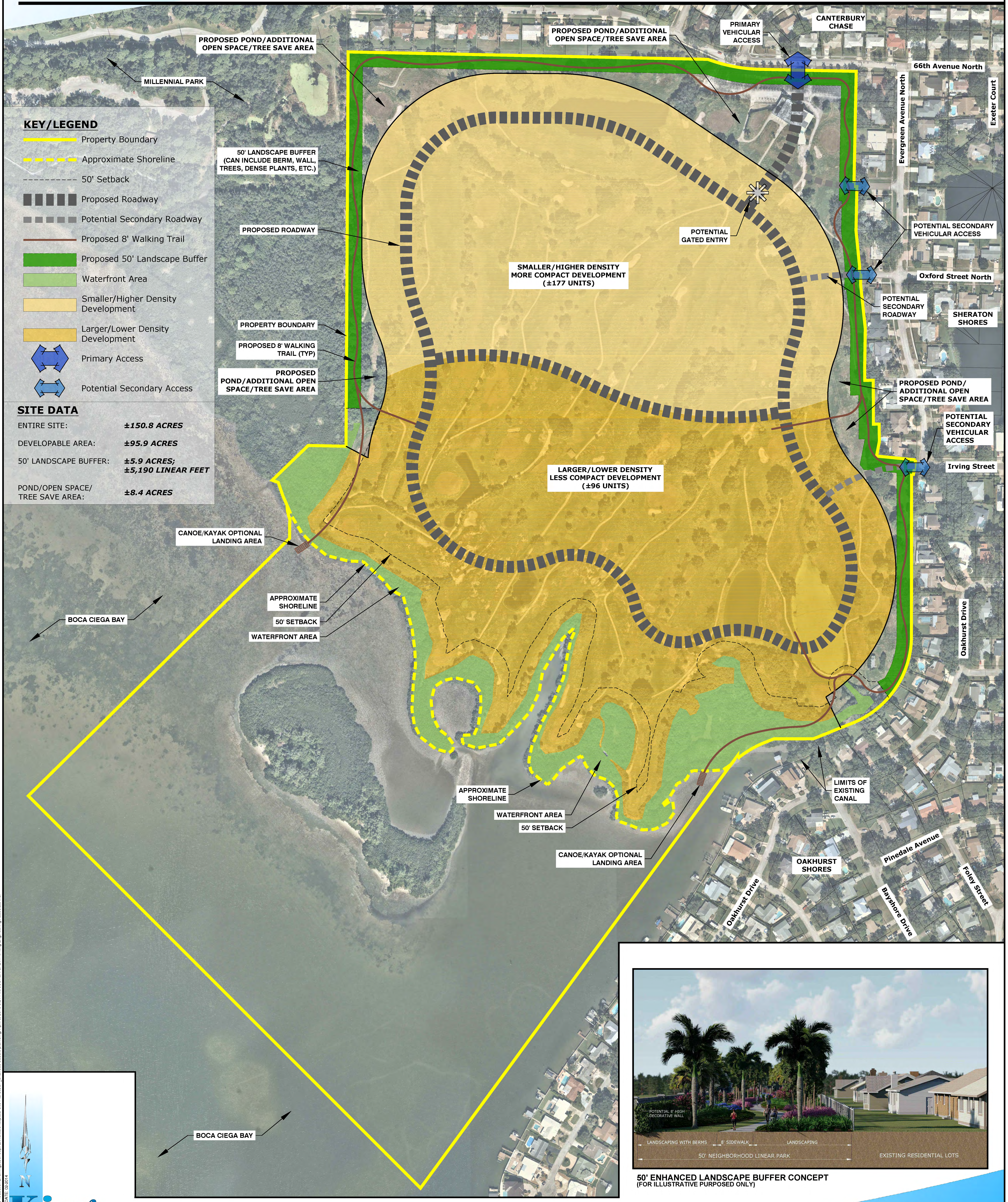
JOB NO:
00121-2019-0195
DATE:
5/30/2019
SCALE:
1" = 400 Feet



Exhibit F
Concept Plan

THE TIDES

PRELIMINARY CONCEPT PLAN



KEY/LEGEND

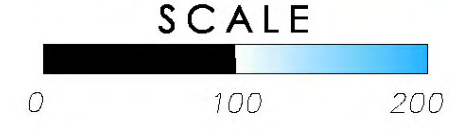
- Property Boundary
- Approximate Shoreline
- 50' Setback
- Proposed Roadway
- Potential Secondary Roadway
- Proposed 8' Walking Trail
- Proposed 50' Landscape Buffer
- Waterfront Area
- Smaller/Higher Density Development
- Larger/Lower Density Development
- ↔ Primary Access
- ↔ Potential Secondary Access

SITE DATA

ENTIRE SITE:	±150.8 ACRES
DEVELOPABLE AREA:	±95.9 ACRES
50' LANDSCAPE BUFFER:	±5.9 ACRES; ±5,190 LINEAR FEET
POND/OPEN SPACE/ TREE SAVE AREA:	±8.4 ACRES



50' ENHANCED LANDSCAPE BUFFER CONCEPT (FOR ILLUSTRATIVE PURPOSES ONLY)



PINELLAS COUNTY

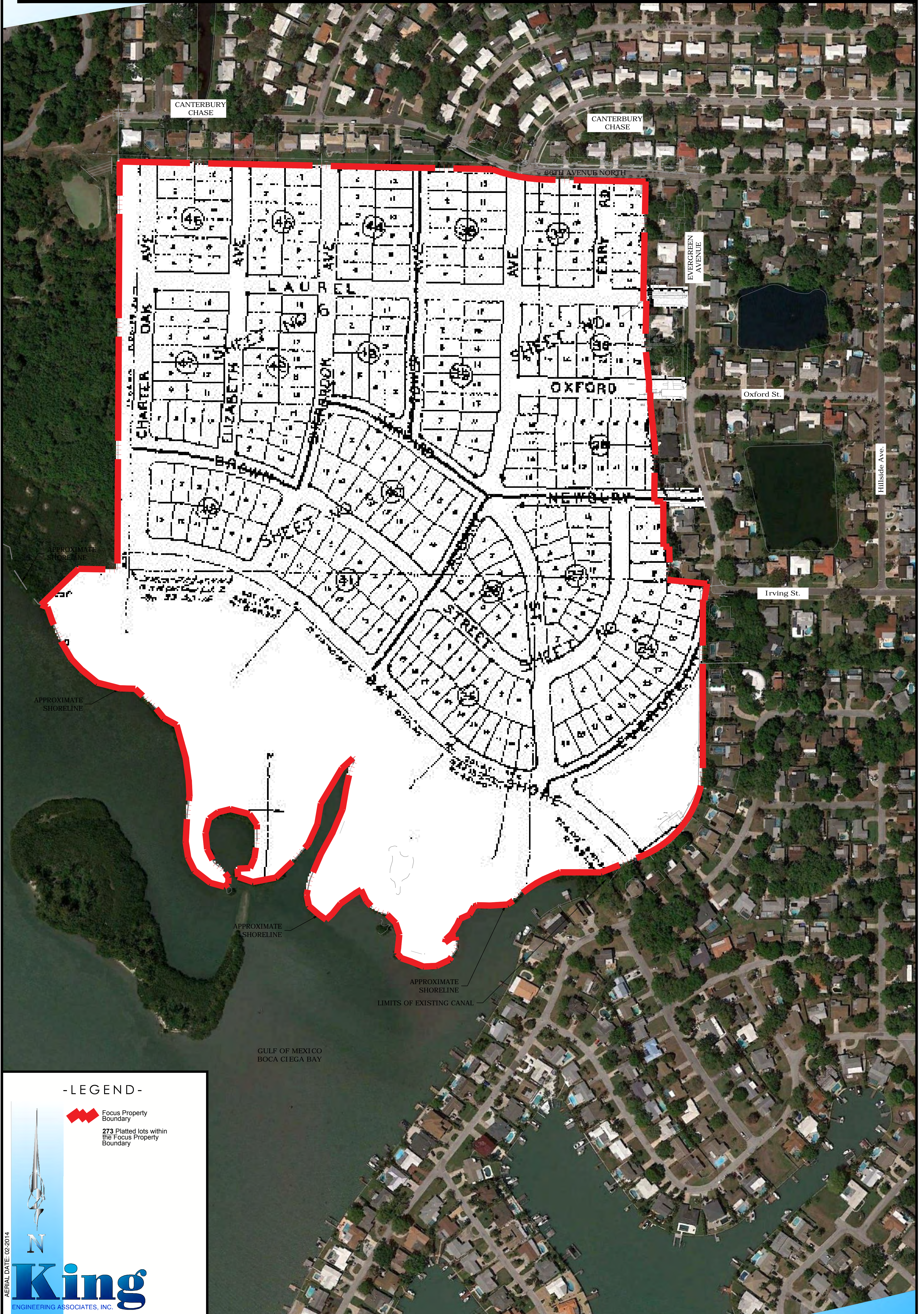
GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

FILE NAME: W:\Projects\2019\20190401\20190401_PrelimConceptPlan\20190401_PrelimConceptPlan.dwg, April 8, 2019 9:54 AM, JOSHLUA G. EVITT, King Engineering Associates, Inc.
 ABRIL/DRE 02/2019



Exhibit G
Roadway Connections &
Utilities Stub-Out Area

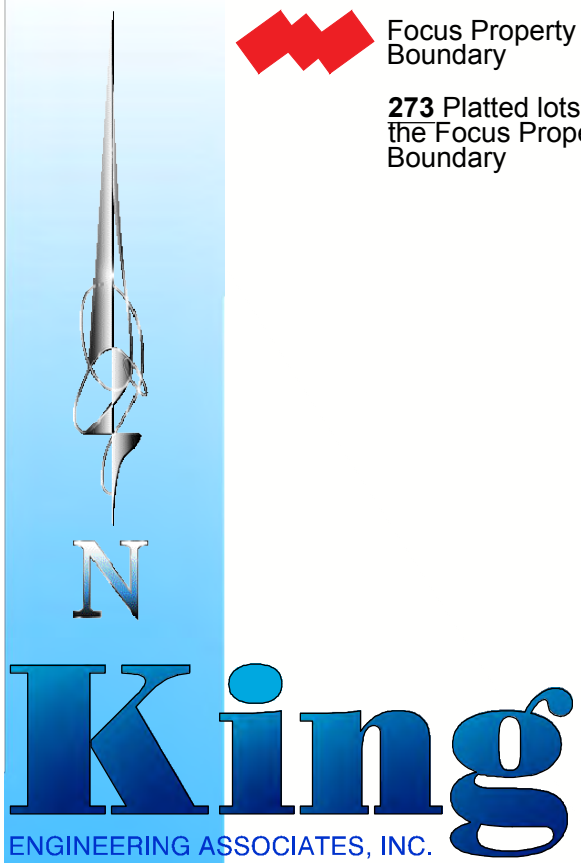
THE TIDES

HISTORICAL PLAT OVERLAY



-LEGEND-

-  Focus Property Boundary
-  273 Platted lots within the Focus Property Boundary



ENGINEERING ASSOCIATES, INC.
Austin, Texas - 512.462.4921
Miami, Florida - 305.807.6068
Sarasota, Florida - 941.358.6500
Tampa, Florida - 813.880.8881
www.kingengineering.com

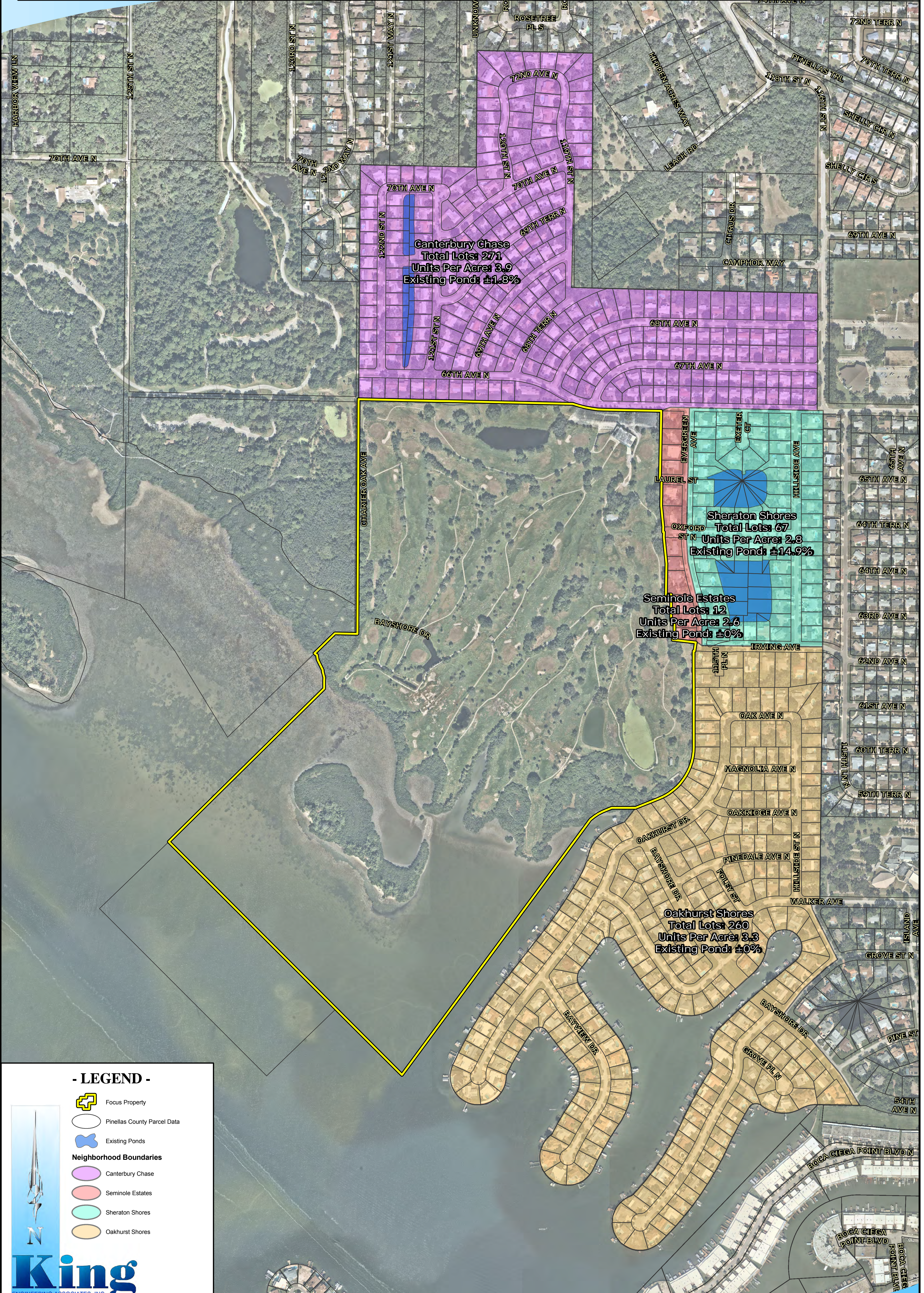


PINELLAS COUNTY

GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

Exhibit H
Surrounding Development

THE TIDES



Canterbury Chase
 Total Lots: 271
 Units Per Acre: 3.9
 Existing Pond: ±1.8%

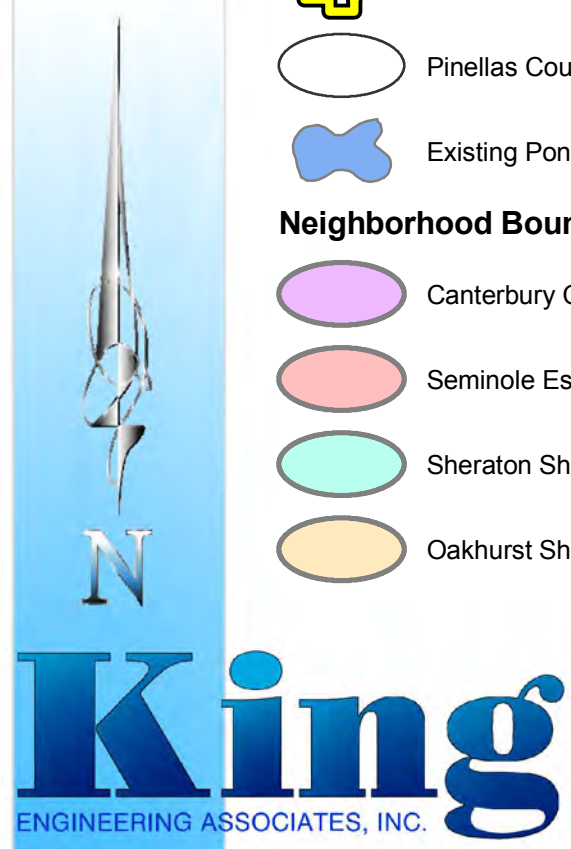
Sheraton Shores
 Total Lots: 67
 Units Per Acre: 2.8
 Existing Pond: ±14.9%

Seminole Estates
 Total Lots: 12
 Units Per Acre: 2.6
 Existing Pond: ±0%

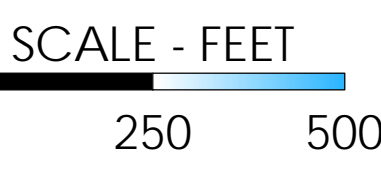
Oakhurst Shores
 Total Lots: 260
 Units Per Acre: 3.3
 Existing Pond: ±0%

- LEGEND -

- Focus Property
- Pinellas County Parcel Data
- Existing Ponds
- Neighborhood Boundaries**
- Canterbury Chase
- Seminole Estates
- Sheraton Shores
- Oakhurst Shores



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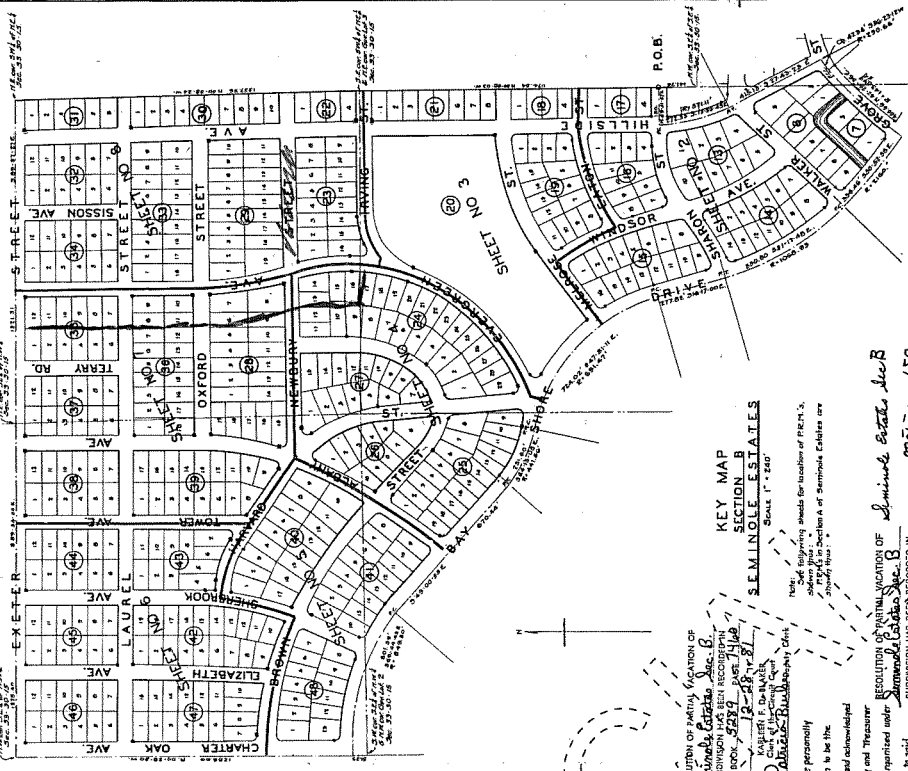


PINELLAS COUNTY

GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

FILE DATE: 2/26/2019 AERIAL DATE: 02/2015 H:\PLANNING\proj\348426\0001\Production\Basel\GIS\TheTides.mxd

Attachment 1
Sheraton Shores Plat



**SECTION B
SEMINOLE ESTATES**
PINELLAS COUNTY - FLORIDA

SHEET 3 OF 6 SHEETS

KEY MAP
SECTION B
SEMINOLE ESTATES
Scale 1" = 240'

Note: See adjoining sheets for location of P.E.N.'s.
and other data in Section A of Seminole Estates are
shown here.

RESOLUTION OF PARTIAL VACATION OF
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RESOLUTION OF PARTIAL VACATION OF
SEMINOLE ESTATES, Sec. B
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DESCRIPTION: A part of Lots 2, 3, and the S.E. 1/4 of the N.W. 1/4, and part of the S.E. 1/4 of the S.E. 1/4, all in Sec. 33, T. 30S., R. 18E., and more particularly described as follows:

Begin at a point on the east line of Lot 3, Sec. 33, T. 30S., R. 18E., from which point the N.W. corner of the S.E. 1/4 of the S.E. 1/4 of Lot 3 bears S. 0°00'00"E. 141.74 ft., thence S. 89°51'57"W. 150.00 ft. along the radius of a curve to the P.C., thence southeasterly along said curve, described as follows: Radius 571.11 ft., Central Angle 27°55'30", Long Chord 5.15°23'14"E. 772.95 ft. to the P.T., thence S. 77°45'23"E. 415.23 ft. to the P.C. of a curve, the radius of which is the continuation of this line, thence southeasterly along said curve described as follows: Radius 230.00 ft., Central Angle 117°46'50", Long Chord 2.58°25'12"W. 47.34 ft. to P.C.C. thence southeasterly along a curve described as follows: Radius 1430.00 ft., Central Angle 10°50'11", Long Chord 5.21°26'30"W. 400.65 ft. to the P.T., thence southeasterly along a curve at right angles to the preceding curve and described as follows: Radius 230.00 ft., Central Angle 91°27'59", Long Chord 4.50°52'50"W. 358.48 ft. to a P.C.C., thence northeasterly along a curve described as follows: Radius 1005.93 ft., Central Angle 28°51'27", Long Chord 4.31°12'45"W. 950.00 ft. to the P.T., thence N. 18°17'00"W. 277.62 ft. to a P.C., thence northeasterly along a curve described as follows: Radius 694.77 ft., Central Angle 68°00'17", Long Chord 4.471°34'11"W. 722.02 ft. to a P.E.F., thence northeasterly along a curve described as follows: Radius 441.56 ft., Central Angle 30°24'37", Long Chord 4.18°11'00"W. 277.62 ft. to the P.T., thence N. 49°00'54"W. 670.44 ft. to a P.C., thence northeasterly along a curve described as follows: Radius 549.50 ft., Central Angle 41°27'35", Long Chord 1.68°44'43"W. 601.39 ft. to a point on the west line of the S.E. 1/4 of the N.W. 1/4 of said Sec. 33, from which point the N.W. corner of said S.E. 1/4 of the N.W. 1/4 bears S. 00°28'30"E. 51.25 ft., thence S. 00°28'30"E. 1200.00 ft. along the west line of said S.E. 1/4 of the N.W. 1/4 to the N.W. corner, thence thence S. 09°28'40"E. 1322.40 ft. along the north line of said S.E. 1/4 of the N.W. 1/4 to the N.E. corner, thence thence S. 09°28'40"E. 1322.40 ft. along the north line of the S.W. 1/4 of the N.E. 1/4 of said Sec. 33, to the N.E. corner, thence thence S. 00°28'30"E. 51.25 ft. along the east line of said S.E. 1/4 of the N.W. 1/4 to the S.E. corner, thence thence S. 00°08'03"E. 1174.54 ft. along the east line of Lot 3 to a P.C.

I hereby certify that the above described property has been surveyed and staked, and that the bearings and distances shown are correct, and that permanent reference monuments have been set as shown!

John D. Stokess
Surveyor
September 1936

Accepted and approved for the Board of County Commissioners of Pinellas County, Florida, this 14th day of September 1936.

John D. Stokess
County Surveyor

STATE OF FLORIDA
COUNTY OF PINELLAS

I hereby certify that on this 14th day of September 1936 before me personally appeared John D. Stokess and that in and to the best of my knowledge and belief they are respectively the Vice President and the Secretary and Treasurer of the Seminole Estates Development Co., a corporation organized under the laws of the State of Florida and that the said officers are duly qualified and authorized to execute on behalf of said corporation by instrument in the corporate seal of the said corporation and that said convenience was executed on behalf of said corporation by authority of its Board of Directors, and that said convenience is the true and legal act and deed of said Corporation.

John D. Stokess
Vice President

Frank T. Redman
Secretary

Edwin P. Riddle
Witness

Helena Perry
Witness

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My commission expires April 28-1937



My commission expires April 28-1937

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254901
Bldg-107079

Appendix A
Preliminary Drainage Analysis

RESTORATION BAY: PRELIMINARY DRAINAGE ANALYSIS

The 95.9 acre Restoration Bay project site, a former golf course known as The Tides, is located in unincorporated Pinellas County near the City of Seminole (Section 33, Township 30 South, Range 15 East). 66th Avenue North forms the northern boundary of the site, which is bounded on the east by residential lots and Evergreen Avenue North, on the west by Pinellas County's Boca Ciega Millennium Park, and on the south by Boca Ciega Bay (a Pinellas County Aquatic Preserve). The site is within the Coastal Zone 5 drainage basin, sub-basin 28_00_15, per the Pinellas County Master Drainage Plan. The focus property lies within the Coastal High Hazard Area (CHHA) and flood zones X, AE, and VE as designated by FEMA on FEMA Flood Panel 12103C0108G dated September 3, 2003. Updated Preliminary FIRM maps have been completed by FEMA for this area which designate flood zones X (shaded and unshaded) and VE for the project site.

EXISTING CONDITIONS

The Restoration Bay property generally slopes southward from the northern boundary along 66th Ave North to the southern terminus of the site at Boca Ciega Bay. Elevations range from 25-30 (NGVD) in the northeast corner down to approximately elevation 1.0 (NGVD) at the interface with Boca Ciega Bay. Topography is slightly undulating and sculpted, typical of a golf course, and drains southward towards the bay. One large existing pond is located on the northern edge of the property, near the former clubhouse, and a series of smaller ponds exist along the southern portion of the site. Onsite runoff is directed, either via the topography or through an onsite conveyance system consisting of ditches and pipes/culverts, to the southern ponds. These ponds provide minimal water quality benefits, as they served to attenuate runoff to be used for onsite irrigation of the golf course.

As is the case throughout much of Pinellas County, which has nearly reached its build-out capacity, the residential area surrounding Restoration Bay was developed before stormwater and environmental regulations were put in place. Untreated stormwater runoff from a substantial portion of this surrounding area currently flows onto and/or through the site, via the northern and eastern boundaries, before discharging to Boca Ciega Bay.

- The northern onsite pond, adjacent to the former club house, receives untreated stormwater runoff from approximately 64.05 acres of offsite drainage area. The pond discharges to a ditch behind the residential lots on the south side of 66th Ave North, which itself receives untreated stormwater runoff from an additional 11.6 acres of offsite area. The ditch then flows westward to the property boundary and onto and through the County's Millennium Park before reaching Boca Ciega Bay. The nutrient and pollutant loads transported to Boca Ciega Bay through this system is further exacerbated by the degraded state of the conveyance ditch. It is apparent that County staff are unable to access the ditch (located behind private residences) with the proper equipment to perform maintenance, as the ditch is overgrown and suffering from extended erosive patterns due

to high flows. The ditch banks are sloughing off and this sediment material is then conveyed downstream as well.

- The eastern site boundary receives runoff from approximately 104 acres of offsite drainage area from three separate piped outfalls. This runoff is predominantly untreated, although small portions are first routed through small localized ponds before mingling with the remaining flows and discharging to the site. The two northern outfalls are piped onsite and discharge to surface conveyance features (ditches) which meander through the golf course before discharging to one of the existing southern onsite ponds. The third and southernmost discharge on the eastern boundary is conveyed via underground pipe to an onsite concrete sump before discharging to Boca Ciega Bay. It has been noted that high velocities and sediment/trash transport are an issue with this conveyance, and that the current configuration of the sump hinders the County's access and successful maintenance. A remnant swale also exists along the eastern boundary of the property which appears to have been intended to capture the runoff from the rear yards of the adjacent residential lots. Stormwater now ponds/stages in the rear yards and flows between the houses as the swale has largely filled with accumulated sediment over time.

In total, untreated runoff from ±180 acres of offsite urbanized/developed area flows into/through the site. Further analysis and basin delineation may indicate that runoff from additional offsite areas may flow to and/or through the property. Untreated stormwater runoff from urban development, especially runoff which does not receive appreciable water quality treatment, is known to accelerate eutrophication in receiving surface waters – this is evidenced by the condition of the onsite ponds and the water bodies within the County's adjacent Millennium Park. The lack of treatment for onsite runoff further contributes to the pollutant and nutrient loads leaving the property. The high velocities of the offsite flows, coupled with the flow volumes, transport considerable sediment and particulate pollutants and promote erosion of the surface conveyances, which further contributes to the sediment loading. The current drainage configuration of onsite and offsite flows conveys sediment and nutrient loading either directly or indirectly (through Millennium Park) to Boca Ciega Bay, a Pinellas County Aquatic Preserve.

PROPOSED CONDITIONS

To paraphrase the Pinellas County Stormwater Manual, *'each redevelopment project provides an opportunity to incrementally contribute to the County's goals of addressing stormwater infrastructure needs, reducing pollutant loadings, restoring impaired waters, and enhancing wetlands and wildlife habitats (sic)'*. Restoration Bay, as the name suggests, presents an ideal set of circumstances to help the County achieve progress towards each of these goals. Surrounded by, and receiving untreated stormwater runoff from, built-out residential areas on two sides, the site conveys flow west to the County's Millennium Park and south to Boca Ciega Bay (a Pinellas County Aquatic Preserve). Although the former golf course is currently not in use as such, the sloping and undulating topography affords additional opportunities for creative and innovative approaches relative to site layout and aesthetics. Design efforts will emphasize a holistic stormwater management and site planning approach which evaluates all of the proverbial tools in the Best Management Practices (BMP) toolbox along with Green Infrastructure (GI) and Low Impact Development (LID) techniques and practices. The resulting design elements will

maximize the water quality treatment/benefits achieved, mimic natural process, be integrated with the landscape, and be both aesthetically pleasing and highly functional.

Offsite Flows

Untreated stormwater runoff from ±180 acres of surrounding built-out residential area is conveyed to/through the site to Boca Ciega Bay. Providing water quality treatment for this runoff is paramount, as the project site is the most “downstream” location in the drainage basin with redevelopment potential (the remainder is either residential neighborhood or the County’s Millennium Park), and this runoff conveys nutrients/pollutants/sediments directly to the Aquatic Preserve. The treatment train approach will be used to maximize the benefits of the systems and elements selected to address both the north-side and east-side offsite flows. It is not possible for this project to treat the offsite runoff at or near to its source, which would be ideal, so the optimal solution is to begin the treatment train at the locations where this runoff enters the site.

Offsite flows from the area north of the site, as previously described, flow to and through the northern pond adjacent to the former clubhouse and the conveyance ditch located along the northern property boundary. The following treatment train is currently under consideration:

- Hydrodynamic separators and/or baffle boxes installed on the incoming pipe discharges to slow velocities and trap/filter out particulates, trash, debris, and sediments. These elements would be situated to be accessible for proper maintenance.
- A linear east-west wet detention pond running parallel with the northern project boundary. This proposed wet detention pond would incorporate multiple design features to enhance both functionality and aesthetics. Ideally, the east and west “ends” of the pond would be deep pools to maximize residence time, while the center “connecting” segment would be a shallow littoral zone with appropriate plantings to maximize nutrient uptake prior to discharge. In addition to accepting the discharge from the hydrodynamic separators/baffle boxes, the pond itself would replace the existing conveyance ditch and serve to attenuate, treat, and convey flow to the west via an outfall structure. The pond shape and banks would undulate on the southern (downhill) side, similar to the current golf course topography, to follow existing contours and provide visual relief. Siting constraints at this location may dictate that this BMP be split into two hydraulically-connected elements. The inflow/outflow control elevations of this pond will be carefully configured to maintain or lower the current hydraulic grade line (HGL) of the respective upstream systems to prevent adverse offsite impacts (flooding/back-up upstream).
- A raingarden or bioswale behind the offsite northern private residences in the current approximate location of the conveyance ditch. This element would capture and provide treatment for runoff from the rear yards (and any overland flow conveyed from the street) before discharging into the wet pond. Plantings in the rain garden or bioswale would be a marked improvement from the current eroded ditch, creating an attractive façade with the undulating pond immediately behind.
- An up-filter system will be considered for the pond outfall, which could drastically increase the nutrient removal capacity of the system. The pond outfall would slow/control discharge west to Millennium Park under normal operating conditions and provide high-capacity outflow for larger storm events.

Offsite flows from the area east of the site enter the site via three separate discharge pipes. Two of these discharges are then conveyed, via surface conveyance ditches, through the site before discharging into one of the southern ponds and subsequently to Boca Ciega Bay. The third discharge is conveyed via underground pipe to a concrete sump before discharging to Boca Ciega Bay. The following treatment train is currently under consideration:

- Hydrodynamic separators installed on the northern incoming pipe discharges (currently discharge to onsite conveyance ditches) to slow velocities and trap/filter out particulates, trash, debris, and sediments. These elements would be situated to be accessible for proper maintenance.
- Large-volume baffle box installed on the southern incoming pipe discharge (currently conveyed via underground pipe) to slow velocities and trap/filter out particulates, trash, debris, and sediments. A baffle-box type solution is likely appropriate for this discharge due to the noted high velocities and high-volume of debris. This element would also be situated to be accessible for proper maintenance.
- Three stepped/cascading wet detention ponds – one to accept flow from each of the incoming pipes. Ponds configured as a smaller/shorter version of the pond proposed for the northern boundary, with deep pools at either end and a shallow littoral zone in the middle to maximize both residence time and nutrient uptake. The inflow/outflow control elevations of these ponds will be carefully configured to maintain or lower the current hydraulic grade line (HGL) of the respective upstream systems to prevent adverse offsite impacts (flooding/back-up upstream).
- An up-filter system will be considered for each pond outfall, which could significantly increase the nutrient removal capacity of the system.
- Pond outfalls designed to take advantage of the sloping topography with cascading outfalls to a created conveyance feature. These “cascades” would be visually interesting and fun as well as provide aeration/oxygenation to the discharged water and promote sediment deposition and pollutant removal.
- Created surface conveyance to accept pond discharges. Designed to safely accept and convey the discharge from the ponds during all storm events, this created conveyance may also be planted and made to meander/wander through the site in a manner reminiscent of a natural stream. If siting and topographic constraints allow, cascade features may also be incorporated into the conveyance feature along with shallow pool areas to hold/slow water during normal conditions, create additional diverse environments and provide additional water quality polishing and sediment deposition.
- Rain gardens and/or bioswales may be incorporated into the eastern-most edge of the property, behind the existing residences, to replace the rear-yard swale and provide treatment, limited attenuation, and conveyance to the surface conveyance feature (or directly to the ponds as topography and configuration details dictate). Plantings in the rain gardens/bioswales would provide visual appeal as well as water quality treatment.

- Sump and/or stormwater harvesting pond at downstream end of created conveyance feature prior to discharge to Boca Ciega Bay. Ideally the conveyance feature would discharge to a stormwater harvesting pond, which would further reduce velocities, increase residence time in the system, and allow sediment deposition. Removal of runoff from the system for irrigation will be a preferred option (thus removing any pollutant/nutrient loads in the water reused from Boca Ciega Bay loading). At a minimum a sediment sump, which could be designed to resemble a deep pool in the “stream,” would be incorporated.

The proposed treatment trains, integrated into the landscape along the edges of the site, will provide much-needed treatment for the offsite flows resulting in a myriad of benefits for the water quality of Boca Ciega Bay, the aesthetic appeal of the site, and current and future residents and visitors. The proposed elements will slow velocities, remove sediments and solids (trash, debris, particulates, etc.), moderate the temperature of water discharged, and significantly reduce the nutrient and pollutant loading to the Aquatic Preserve. Further water quality benefits can be realized by harvesting the stormwater to offset irrigation needs. The proposed BMPs also address the necessary maintenance requirements for successful and long-lived functionality. Full quantification of the water quality benefits (estimates of sediment, nutrients, and pollutants removed, degree to which peak flows are reduced, etc.) will be dependent on siting constraints and final configuration, but will greatly exceed the “net improvement” standard and may approach the demanding parameters associated with the Aquatic Preserve, which enjoys the same protections afforded to Outstanding Florida Waters (OFW).

Proposed Onsite Flows

The stormwater management approach for the proposed portion of the project will employ the same holistic approach, but with the added benefit of being able to incorporate site planning aspects as well as treating runoff as close as possible to its source. Stormwater quality treatment will be provided as required per OFW standards, but actual treatment provided may exceed these requirements depending on BMP selection and configuration. For the northern/upper portion of Restoration Bay, the following elements are under consideration:

- Pervious/porous pavement sidewalks and driveway sections to “break-up” and reduce Directly Connected Impervious Areas (DCIA). Strategic placement will reduce overall runoff volumes and allow smaller localized BMPs to provide water quality treatment and limited attenuation.
- Curb-cuts to reduce the volume and velocity of stormwater runoff from streets and direct it to smaller localized BMPs to provide water quality treatment and limited attenuation.
- Pervious/porous pavement or cellular paving system for parking areas, maintenance roads, and/or special limited-use access points.
- Small “local” BMPs to provide initial treatment and limited attenuation for discrete drainage areas. These may include rain gardens and/or bioswales (including potential median

placement), interceptor trees, hydrodynamic separators, and specialized soil media depending on application and placement. These “local” BMPs would serve the dual role of stormwater treatment/attenuation while also serving to meet landscaping requirements and provide aesthetic value.

- One or more deep-pool wet detention ponds designed to maximize residence time and nutrient uptake. Potential inclusion of “fountain” amenity would also serve to aerate/oxygenate the water and provide mixing of the water column within the pond. Up-flow filters will be considered for the outfall(s).
- In lieu of the above, the topography and siting conditions may be conducive to a more localized approach. Multiple small, linear wet detention ponds or rain gardens/bioswales designed to treat runoff from small, discrete drainage areas (e.g. one for each block) before discharging to the central conveyance feature (either piped or surface) from the northern portion of the site.
- Discharge from the pond(s) would be conveyed to the southern portion of the project either by underground piping or, preferably, by a created surface conveyance similar to that proposed for the eastern offsite flows. The created surface feature would be designed to safely convey flows from all storm events, receive flow from additional BMPs as it traverses the site, and to take advantage of the sloping topography by including small shallow pools immediately upstream of cascade features to hold/slow water during normal conditions, create additional diverse environments and provide additional water quality polishing and sediment deposition. Whether piped or conveyed via a surface conveyance feature, runoff from the upper portion of the site would be directed to a sump/stormwater harvesting pond (ideally the same sump/stormwater harvesting pond that the eastern offsite flows are conveyed to) before discharging to Boca Ciega Bay.

The following elements are under consideration for the southern portion of Restoration Bay:

- One or more deep-pool wet detention ponds designed to maximize residence time and nutrient uptake. Potential inclusion of “fountain” amenity would also serve to aerate/oxygenate the water and provide mixing of the water column within the pond. Up-flow filters will be considered for the outfall(s).
- In lieu of the above, the topography and siting conditions may be conducive to a more localized approach. Multiple small, linear wet detention ponds or rain gardens/bioswales designed to treat runoff from small, discrete drainage areas (e.g. one for each block) before discharging to the central conveyance feature (either piped or surface) from the northern portion of the site.
- The local BMPs, pervious/porous pavement sidewalks, and curb cut strategies detailed for the northern portion of the site will be utilized in the southern portion as well.
- Hydraulically connected linear BMPs will be implemented along the edges of the property to prevent stormwater runoff from discharging, untreated, directly to Boca Ciega Bay. This

may include a series of rain gardens, swales, or bioswales which discharge to the internal stormwater management system (where possible).

- Stormwater harvesting pond/sump at the downstream confluence of the stormwater conveyance system prior to discharge to Boca Ciega Bay. Ideally, the entire onsite stormwater system and the flows conveyed from the eastern offsite system would be directed to a single stormwater harvesting pond. Designed to also function as a sediment sump and allow equipment access for maintenance, considerable quantities could be used from this pond for site irrigation demands. Actual usage/removal amounts (and thus nutrient/pollutant removal efficiencies and quantities) will be dependent on final configuration and analysis. At a minimum, a properly-sized and designed sediment sump will be incorporated at the downstream end of the onsite stormwater system.

SUMMARY

The project site is bordered on two sides by residential/urban areas that were developed prior to stormwater and environmental regulations. Untreated stormwater runoff from these areas mixes with onsite runoff and is conveyed either directly to Boca Ciega Bay, or indirectly to the bay via the County's Millennium Park. Existing onsite ponds, designed to attenuate stormwater for golf course irrigation, provide no measurable water quality benefits. Existing stormwater infrastructure on and immediately adjacent to the site suffers from erosion, lack of required maintenance, and lack of water quality measures. The site is no longer maintained or in-use as a golf course, which serves to amplify and exacerbate issues related to erosion and maintenance. Untreated runoff, laden with nutrients/pollutants from the ±180 acres of offsite residential area, is discharged to the site at high/erosive velocities. This offsite runoff combines with untreated onsite runoff in the various conveyances and ponds before entering Boca Ciega Bay, a Pinellas County Aquatic Preserve.

The proposed Restoration Bay project is located at the downstream end of its drainage basin in the midst of a built-out environment devoid of substantive water quality treatment. Discharging directly to Boca Ciega Bay, and adjacent to the County's Millennium Park, the site presents a unique opportunity to showcase the potential benefits that redevelopment projects can provide. Restoration Bay will utilize a stormwater management/site planning approach consistent with the County's, and will serve as a benchmark for future projects. GI, LID, and conventional stormwater BMPs and techniques/practices will be implemented throughout all aspects of the project design to facilitate a functional, integrated, aesthetically appealing system. Offsite flows will be separated from onsite flows throughout their respective treatment trains until discharge. The proposed BMP treatment trains and associated GI/LID practices will meet or exceed OFW water quality requirements for onsite runoff and will greatly exceed the "net improvement" goal (and may approach OFW requirements) for the offsite flows entering the site.

The stormwater management system envisioned for Restoration Bay will reduce velocities, remove nutrients/pollutants/sediments, incorporate a wide variety of conventional and non-conventional BMPs, and provide crucial water quality treatment for discharges to Boca Ciega Bay. Beyond the water quality benefits to be achieved, the proposed systems will also serve as amenities as they will create varied and diverse habitats for wildlife, support attractive and

functional plantings, utilize the existing topography to maintain and enhance the current undulating terrain, and provide opportunities for public education/recreation/interaction. Restoration Bay will further the County's stated goals for redevelopment projects of reducing pollutant loadings (BMP treatment trains for onsite and offsite flows), play a role in the restoration of impaired water bodies (Boca Ciega Bay), addressing stormwater infrastructure needs (replacing existing inadequate conveyance for offsite flows), and enhancing wetland and wildlife habitats (creation of varied habitats, resultant improvement to water bodies in Millennium Park by treatment of northern offsite flows). Restoration Bay will do its part to restore Boca Ciega Bay, and should be views as a "win" for the environment, the community, the County, and the Aquatic Preserve.

Appendix B
Listed Species Assessment

**RESTORATION BAY
ECOLOGICAL ASSESSMENT
Listed Species Survey and Habitat Evaluation
Report**

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September 2019

Project No. 2019-0195-00

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LIST OF EXHIBITS

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Exhibit 2	Aerial Map
Exhibit 3	GIS Land Use (FLUCS) Map
Exhibit 4	Topographic Map
Exhibit 5	Soils Map
Exhibit 6	Web-based Data Search Map

ENVIRONMENTAL RESOURCE EVALUATION

1.0 METHODOLOGY

Ardurra Group, Inc. (Ardurra) Ecologists conducted field reconnaissance of the subject property on September 4, 2019. The purpose of this field review was to characterize the onsite vegetative community types and extents, to identify existing natural resources on or in the vicinity of the project site relative to regulatory agency requirements and permitting implications, as well as to identify conspicuous evidence of state and/or federally protected wildlife species on the property.

The project site is located on approximately 100 acres of land that was previously occupied by a golf course and is situated along the northeast shoreline of Boca Ciega Bay. The property is located south of 66th Avenue North and west of 133th Street, within Section 33, Township 30S, Range 15E, Pinellas County (**Exhibit 1**). An aerial map of the property is provided with **Exhibit 2**.

Upland and wetland habitats within the subject property were surveyed on the ground via meandering pedestrian and vehicular transects. Special attention was given to detecting the presence of listed species such that while transecting the site, frequent stops were made to survey the surrounding area for signs (i.e., tracks, nests, vocalizations) of listed species.

The land use/habitat types that occur on the property were characterized and adjusted (from the original SWFWMD GIS mapping) where appropriate based on field reconnaissance and observed conditions, and were classified using nomenclature provided in "The Florida Land Use, Cover, and Forms Classification System" (FLUCS) published by the Florida Department of Transportation (1999 Edition). These land use types (see **Exhibit 3**) are further described under Section 2.3 below.

With respect to the evaluation of onsite protected species occurrence, Ardurra initially reviewed the document entitled "Florida's Endangered Species, Threatened Species and Species of Special Concern, Official Lists" published by the Florida Fish and Wildlife Conservation Commission (FWC). This list was then cross-referenced with the known range of occurrence of each species relative to the property location and was also evaluated with respect to the available onsite habitat types and the listed species that can be expected to utilize or depend on such cover types. These data sources were then utilized to develop a "potential presence" list for the site. A review of the standard literature and available web-based data on those "potentially present" listed species was made including specific searches as follows:

- An automated search was made of the FWC website Waterbird Colony Locator records to identify any documented Waterbird breeding colonies in the vicinity of the property.

- An automated search was made of the current FWC website Bald Eagle Nest Location Data Records to identify any documented Bald Eagle nests in the vicinity of the property.
- Current FWC Wildlife Observation Records GIS Database.
- 1999 Florida Natural Areas Inventory (FNAI) Element Occurrence GIS Records.

Additional data sources referenced as part of this evaluation included:

- 1942, 1951 and 1957 series historic aerial photography
- USGS Quadrangle Topographic Maps
- SWFWMD GIS Topographic Maps (5' contours)
- SWFWMD 1977 Aerial Topographic Maps (1' contours)
- SCS (NRCS) Soils Mapping
- FEMA Flood Map
- SWFWMD 2005 FLUCS Mapping GIS Database
- FWC Wood Stork Core Foraging Areas
- FWC Wading Bird Rookeries, 1999
- USFWS Critical Habitat Polygons

Plant and wildlife species scientific names are provided only with their initial usage in the text. The results of this site assessment are provided in the following sections.

2.0 SITE CHARACTERISTICS

2.1 Topography and Drainage

The primary physical land feature in the vicinity of this property is Boca Ciega Bay, which marks the southern landward edge of the property, and influences the onsite topography and drainage patterns. Land elevations on the property range from approximately 25' (NGVD) in the northeast portion of the property (up to nearly 30' at the site of the clubhouse building), down to approximately elevation 1' along the tidal interface with the bay. Topographic change is relatively gradual on the property with exception of areas in the northeastern portion of the site where the ground surface slopes down relatively rapidly from the remnant building and parking areas. Drainage from on- and offsite contributing areas is conveyed through ditches, pipes and constructed ponds toward the bay. A topographic map is provided with **Exhibit 4**.

2.2 Soils

Based on review of the S.C.S. Soils Map for Pinellas County, there are a number of different mapped soil types that occur on the property (see **Exhibit 5**). In consideration that the subject property was previously cleared and developed as a golf course, it has been subject to grading or re-working of surface soils. Therefore, it is not clear to what extent the natural (mapped) soil profiles have remained intact. A separate, more detailed report of existing onsite subsurface conditions was prepared by a Geotechnical Engineer HAS. Each of the mapped soils units on the property is described below.

One of the most common mapped soil type by areal extent is **Myakka Fine Sand**. This soil type occurs primarily in the western portion of the property, above elevation 5' NGVD. In its natural condition, this is a nearly level, poorly drained soil that occurs on broad flats/flatwoods between sloughs or swamps. The water table typically occurs at a depth of 10-30 inches, occasionally rising to the surface during the wet season, or dropping below 30 inches during dryer periods.

Immokalee Fine Sand is also prevalent on the subject property. This soil type occurs primarily in the eastern portion of the property, above elevation 5' NGVD. In its natural condition, this is a nearly level, poorly drained soil that occurs on broad flats/flatwoods between sloughs or swamps. The water table typically occurs at a depth of 10-40 inches, rising to within 10 inches of the surface during the wet season.

A small area mapped as **Orlando Fine Sand, wet variant** occurs in the north-central portion of the property. Similar to the two adjacent soils mapping units described above, this soils unit is a nearly level, and somewhat poorly drained sandy soil that occurs on low ridges in the flatwoods or near the base of slopes on the upland ridge. The water table typically occurs at a depth of 10-40 inches, rising to within 10 inches of the surface during the wet season, or dropping below 40 inches during dryer periods.

Oldsmar Fine Sand is the soils unit that is mapped in the southern portion of the property, and which is generally coincident with uplands lying between the bay shoreline and elevation 5' NGVD. This is a nearly level, poorly drained sandy soil that naturally occurs on broad, low ridges in the flatwoods. The water table is at a depth of less than 10 inches during the wet season, and drops to between 10 and 30 inches during dryer times of the year.

Soils mapped as **Made Land** occur in the southern portion of the property, and are apparently coincident with linear "spits" of spoil material that border one of the tidal channel cuts along the bay interface in this area.

Made land soils may consist of clay, shell fragments, rock and/or sand, and typically result from local dredging activities. The soil composition below the spoil material may differ depending on the native soil type(s) in place prior to the disturbance.

Soils mapped as **Tidal Swamp** occur along the landward boundary of the bay in the southern portion of the property. This soil type typically occurs in low, broad coastal areas that are covered with sea water, with water level varying based on tides. Tidal swamps are typically vegetated with mangroves and may be subject to wave action.

The small island(s) present just off the southern landward boundary of the property are mapped as **Spoil Banks**. Similar to the Made Land soils described above, these spoil islands were created as a result of local dredging activity where material (of varying composition) was disposed of in tidal portions of the coast or bay.

2.3 Land Use and Habitat Types

Upland Land Use Types

The subject property was developed as a **Golf Course (FLUCS Code 182)** in the early 1970's and had been under operation until recently. The property still bears most of the features inherent to the golf course use, but with elimination of standard maintenance (mowing, etc.) has begun to transition to fallow land. This land use type occupies the entire upland portion of the property. Appurtenant features of the golf course that remain include the cart path system that traverses the property, as well as the clubhouse facility and various out-buildings (e.g., maintenance shed, pump house, shelters, etc.).

Patches of vegetation, which may include planted ornamentals as well as native and "volunteer" species, exist within interior portions of the golf course. Native tree species observed onsite include live oak (*Quercus virginiana*), slash pine (*Pinus eliottii*), longleaf pine (*Pinus palustris*), cabbage palm (*Sabal palmetto*), sweet gum (*Liquidambar styraciflua*) and southern magnolia (*Magnolia grandiflora*). Non-native, exotic tree species observed include Brazilian pepper (*Schinus terebinthifolius*), carrotwood (*Cupaniopsis anacardioides*), bottlebrush (*Callistemon* sp.), oleander and Australian pine (*Casuarina equisetifolia*). Groundcover species within these areas include primarily weedy and opportunistic colonizers such as dog fennel (*Eupatorium capillifolium*), Spanish needles (*Bidens alba*), caesarweed (*Urena lobata*), groundsel bush (*Baccharis halimifolia*), tasselflower (*Emilia sagittata*), saltmarsh aster (*Symphotrychum subulatum*) and balsam apple (*Charantia momordica*).

Surface Water and Wetland Land Use Types

The designation of open water polygons and habitat classifications largely depends on the scale and resolution of the aerial photography that is used as a basis for land use mapping on a particular site. Generally, the **Streams and Waterways (FLUCS Code 510)** cover type includes rivers, creeks, canals and other linear water bodies. On the subject property, the streams and waterways land use type is associated with the surface water ditches that occur within the property, and which serve to convey stormwater runoff from both onsite and offsite sources. These ditches convey flow between pipes and culverts, drains and stormwater ponds toward the bay waters to the south. Some of these ditches and swales are unvegetated with sandy or silty bottoms, while others are vegetated with grasses, low-growing emergent vegetation or submerged vegetation.

The onsite surface water ponds, most of which were constructed with the golf course to provide water storage and treatment, can be classified as man-made **Reservoirs Less than 10 acres which are Dominant Features (FLUCS Code 534)**. One of the open water ponds serves as a reclaimed water reservoir, which receives reclaimed water from offsite sources controlled by Pinellas County. For the most part, onsite ponds are open-water in nature with little to no emergent vegetation, or with mats of floating vegetation such as water lettuce (*Pistia stratiotes*).

Mangrove Swamp (FLUCS Code 612) occupies the southern shoreline of the property and serves to define the water-land interface. Mangrove swamps are dominated by white mangrove (*Laguncularia racemosa*), black mangrove (*Avicennia germinans*) and red mangrove (*Rhizophora mangle*). Exotic, invasive species such as Brazilian pepper and carrotwood also occur extensively in these areas, and in a few cases have crowded out the mangroves to dominate the vegetative cover. Due to the dense canopy coverage exhibited by these low-growing tree species, there is minimal coverage of groundcover vegetation. It is expected that the spoil island that occurs just south of the shoreline includes a similar vegetative composition to that described above, possibly with some higher elevations that lie above the zone of regular tidal inundation. Australian pine are also visible on the island.

Some portions of the mangrove swamp shoreline have apparently been subject to periodic trimming, as evidenced by the pruned condition (e.g., removal of smaller side branches and foliage) of the lower trunk area of these stands which has resulted in a relatively open view corridor between roughly two and eight feet above the substrate. The canopy portion of these trees has remained intact with healthy foliage, suggesting that this trimming activity and pattern were established years ago.

The open water area that occurs beyond the mangrove swamps at the shoreline is part of Boca Ciega Bay, and can therefore be classified under the **Bays and Estuaries (FLUCS Code 540)** land use category.

3.0 HISTORIC CONDITIONS AND LAND USE ACTIVITIES

Ardurra reviewed historic aerial photography of the subject property, including 1942, 1951 and 1957 black and white aerials, as well as the 1970 series SCS soils overlay aerials and the 1977 Southwest Florida Water Management District (SWFWMD) topographic aerials.

The historic aerial photography reveals that the property was in an undeveloped condition in 1942, with exception of possible conversion to pasture or rangeland of the uplands. Natural drainage sloughs, evident as darker “signatures” on the aerial, occur in the north portion of the property and extend across the eastern third of the property toward the bay. Much of the southern third of the property appears to be treed and the shoreline appears to be intact with no evidence of ditching or spoil deposition. Surrounding lands are also undeveloped, but areas to the north and east were already in agricultural use (e.g., citrus and row crops) by this time.

In the 1951 aerial photography, with exception of what appears to be more intensive agricultural use of lands to the north and east, and some new road construction further to the north, little change is evident in the property vicinity.

In review of the 1957 aerial photography, some additional land clearing activities are evident on the subject property, with apparent conversion to open pasture areas and channelization of the easternmost drainage slough. Linear trails are also evident on the 1957 aerial. Lands to the east exhibit continued agricultural use, and also some new residential development, including a roadway network.

The 1970 aerial photograph (taken from the Pinellas County SCS Soil Survey) reveals that the property remained undeveloped, but likely under continued agricultural use. The drainage channel/ditch is mapped on the soil survey and the spoil islands (shown as two distinct, but adjacent features) are evident. While property to the west remains undeveloped, lands to the east exhibit extensive new residential development, including street patterns and areas where dredging and spoil deposition apparently created more waterfront residential development land along the bay. It is likely that the spoil islands to the south of the property were created as a result of related dredging activities.

The 1977 SWFWMD aerial photography reveals that the golf course was already present, suggesting that it was constructed in the early 1970's. Residential development had expanded to the north of the subject property, but the lands to the west (currently the County park property) remained mostly undeveloped.

The surface water drainage ditches and ponds are evident on the 1977 aerial photography, but the reclaimed water reservoir (present on the property today) did not yet exist.

Recent aerial photographs (Google Earth images) were also reviewed, including images from 1995, 1998, 2002, 2004, 2006, 2007, 2010, 2011 and 2012. A summary of changes since 1977, and from 1995 to present time are itemized below:

- By 2002, a new roadway network, parking areas, ponds, trails and boardwalk had been constructed at the County park (Boca Ciega Millenium Park) to the west.
- In 2004 clearing is evident in the location of the reclaimed water reservoir.
- By 2006 the reclaimed water reservoir was in place and functional. The existing stormwater treatment vault in the southeast corner of the property, constructed along with a local (offsite) street drainage improvement project, was also present.

4.0 LISTED SPECIES ASSESSMENT

4.1 Web-based Listed Species Data Search Results

Preliminary review of the project area via query of available web-based and GIS data sources that included FWC Wildlife Observation Records, Strategic Conservation Habitat Areas, Water Bird Nesting Atlas and 1999 FNAI Element Occurrence Records databases were conducted. **Exhibit 6** depicts the composite results of the web-based listed species occurrences.

The database search revealed no documented listed species observations on the subject property. Observations notes within a one mile radius of the property included Oystercatcher (a non-listed shorebird species) and a number of West Indian Manatee mortality data points in the open water portions of Boca Ciega bay.

Review of the 2006 FWC Wildlife Observation Records and FNAI Element Occurrence Records databases, reveals that the property is located within the USFWS Manatee Consultation Area, which covers most of the Pinellas County coastal zone area.

4.2 Observed and Potentially Occurring Listed Species

During field reconnaissance of the property by Ardurra Ecologists, the following conspicuous vertebrate fauna were observed onsite: Great Egret, Mockingbird, Anhinga, Blue Jay, Ground Dove, Osprey, Red-shouldered Hawk, Loggerhead Shrike, White Ibis, **Little Blue Heron**, **Snowy Egret**, Mosquitofish.

In addition, a relatively large stick nest, which appears to be an Osprey nest, was observed in the east-central portion of the property in a large dead pine tree. Species identified above in bold text are state or federally listed species that were observed onsite. Those observed listed species, along with those listed species which may be expected to occur onsite based on existing habitats and known range of occurrence, are discussed in more detail below.

4.2.1 Wood Stork (*Mycteria americana*) - Potential

The Wood Stork is a state and federally listed wading bird species that is commonly observed within wetlands, ponds and ditches throughout south and central Florida. This species was not observed during the recent field assessment but is expected to occur onsite occasionally based on the availability of shallow foraging habitats along the margins of onsite ponds and ditches. Wood Storks typically nest in colonies called “rookeries”, which generally consist of clusters of shrubs or trees in the middle of a forested swamp or floodplain pond. Review of available GIS data on active wading bird colonies revealed that there are no documented Wood Stork rookeries in the immediate vicinity of the project site. Additionally, review of the USFWS map of Core Foraging Areas for Wood Storks in the central Florida region reveals that the project site does not fall within a designated Core Foraging Area, and so impacts to this species would likely not be implied as a result of site development. In consideration that there will likely be an increase in surface water features in the post-development condition of the project, it is expected that Wood Storks will be afforded even greater opportunity to utilize the property for foraging purposes.

4.2.2 Tricolored Heron (*Egretta tricolor*) - Potential

4.2.3 Little Blue Heron (*Egretta caerulea*) - Observed

4.2.4 Snowy Egret (*Egretta thula*) - Observed

These wading birds have been observed foraging along the margins of onsite ponds. These wading birds are listed as Threatened Species by the FWC. Like other Florida wading birds, these birds commonly forage along lake margins, shallow marshes and pools within forested wetlands, and they typically nest in colonies or “rookeries” within large contiguous forested wetland systems or on isolated treed islands along the coast. No evidence of nests or nesting activities was noted on the subject property. It is likely that these species utilize the subject property on a transient basis for foraging purposes and will continue to do so in the post-development condition within constructed stormwater ponds and coastal wetland habitats.

4.2.5 Osprey (*Pandion haliaetus*) - Observed

During the field reconnaissance effort, an Osprey was observed flying over the central portion of the site and a single Osprey nest was observed in the east-central portion of the property. Ospreys are not listed as a state or federally listed species in this part of the state. However, Ospreys and their nests are protected by the Migratory Bird Treaty Act.

The observed Osprey nest is located in a standing dead pine tree within a tree/shrub cluster between golf holes. At the time of the site visit, there were no Ospreys observed in the vicinity of the nest. However, because the site visit was conducted later in the year than the recognized nesting season for Ospreys which extends from January through July, the activity status of the nest could not be determined. The nest did, however, appear to be largely intact.

If the nest site is located within the proposed development footprint, it will need to be removed/relocated prior to commencement of site clearing and construction activities. In accordance with the published guidelines, any replacement nest structure should be erected as near as possible to the original nest site.

Because only "inactive" Osprey nests, (i.e., nests that are unattended and do not include eggs or young birds) may be removed, the relocation activity would need to be conducted outside of the recognized breeding season. There are specific guidelines for relocating and/or erecting new Osprey nest platforms, as well as specific clearances/permits to be obtained through the FWC and USFWS prior to commencement of nest relocation or project clearing and construction.

5.0 SUMMARY

In summary, the Restoration Bay property is situated along the shoreline of Boca Ciega Bay. The property has been subject to prior clearing and development and was operated as a golf course for over 40 years. Aside from the tidal, mangrove shoreline, the property does not possess intact native vegetative communities. While the site does support certain avian listed species such as wading birds and Osprey, habitats are not present that would support other upland-dependent listed species. Aside from the single Osprey nest observed in the east-central portion of the site, no evidence of nesting or denning by Threatened or Endangered species was observed on the property. In consideration of the observed conditions and review of available current and historic data for the property, it does not appear that development of the property would result in adverse impacts to listed species or sensitive habitats in this region.

EXHIBIT 1

LOCATION MAP

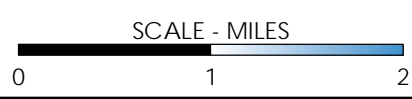
RESTORATION BAY

LOCATION MAP



PROPERTY BOUNDARY

- LEGEND -
Property Boundary



PINELLAS COUNTY

GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

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EXHIBIT 2
AERIAL MAP

RESTORATION BAY

Aerial Map



- LEGEND -

 Project Area



ARDURRA
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SCALE - FEET

0 400 800

PINELLAS COUNTY

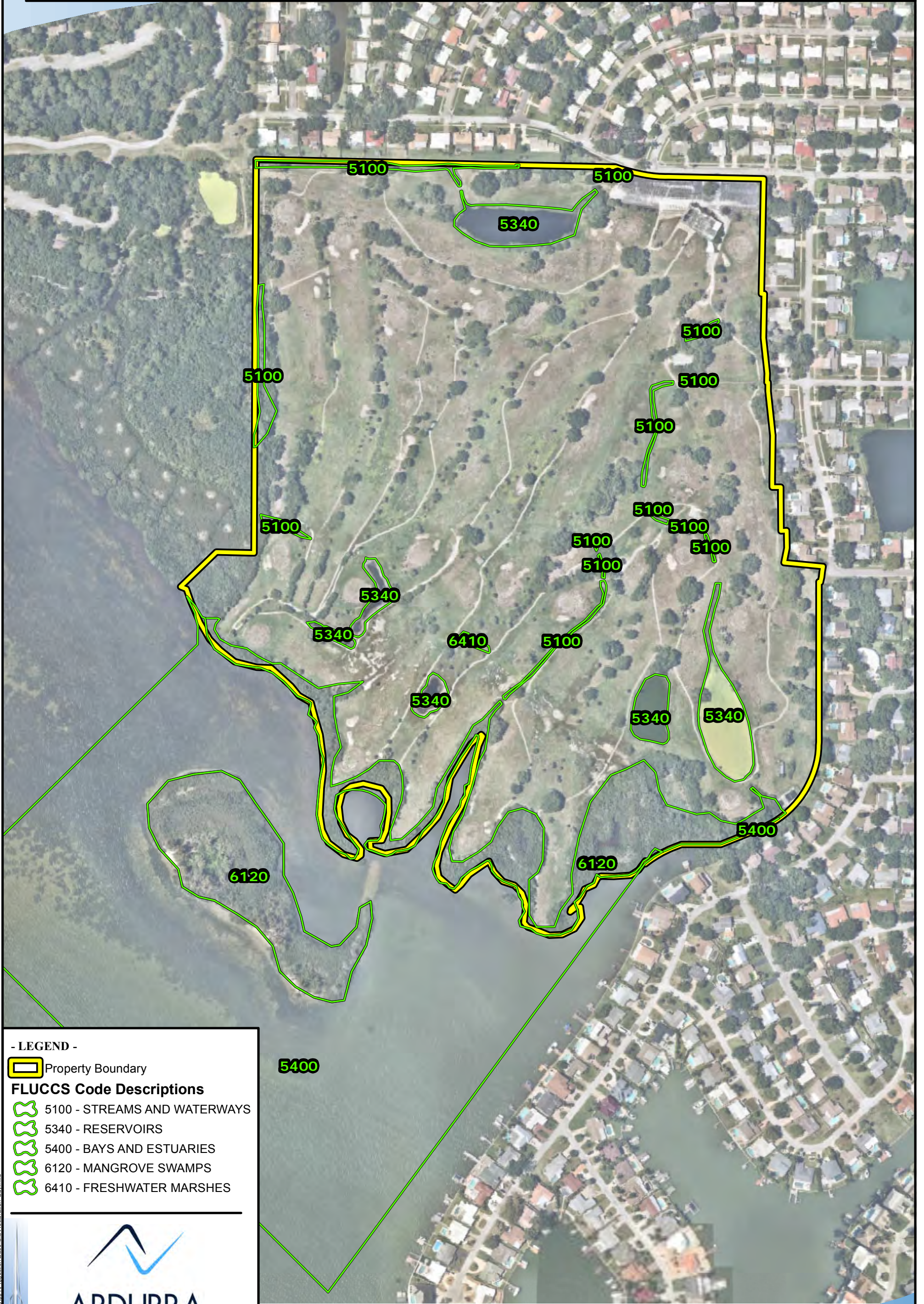
GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

EXHIBIT 3

GIS LAND USE (FLUCS) MAP

RESTORATION BAY






FLUCCS MAP



- LEGEND -

 Property Boundary

FLUCCS Code Descriptions

-  5100 - STREAMS AND WATERWAYS
-  5340 - RESERVOIRS
-  5400 - BAYS AND ESTUARIES
-  6120 - MANGROVE SWAMPS
-  6410 - FRESHWATER MARSHES



SCALE - FEET

0 300 600

PINELLAS COUNTY

GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY




EXHIBIT 4
TOPOGRAPHIC MAP

RESTORATION BAY

1' CONTOUR MAP (LIDAR)



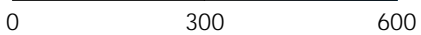
- LEGEND -

-  Property Boundary
-  1' Contours
-  5' Contours



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SCALE - FEET



PINELLAS COUNTY

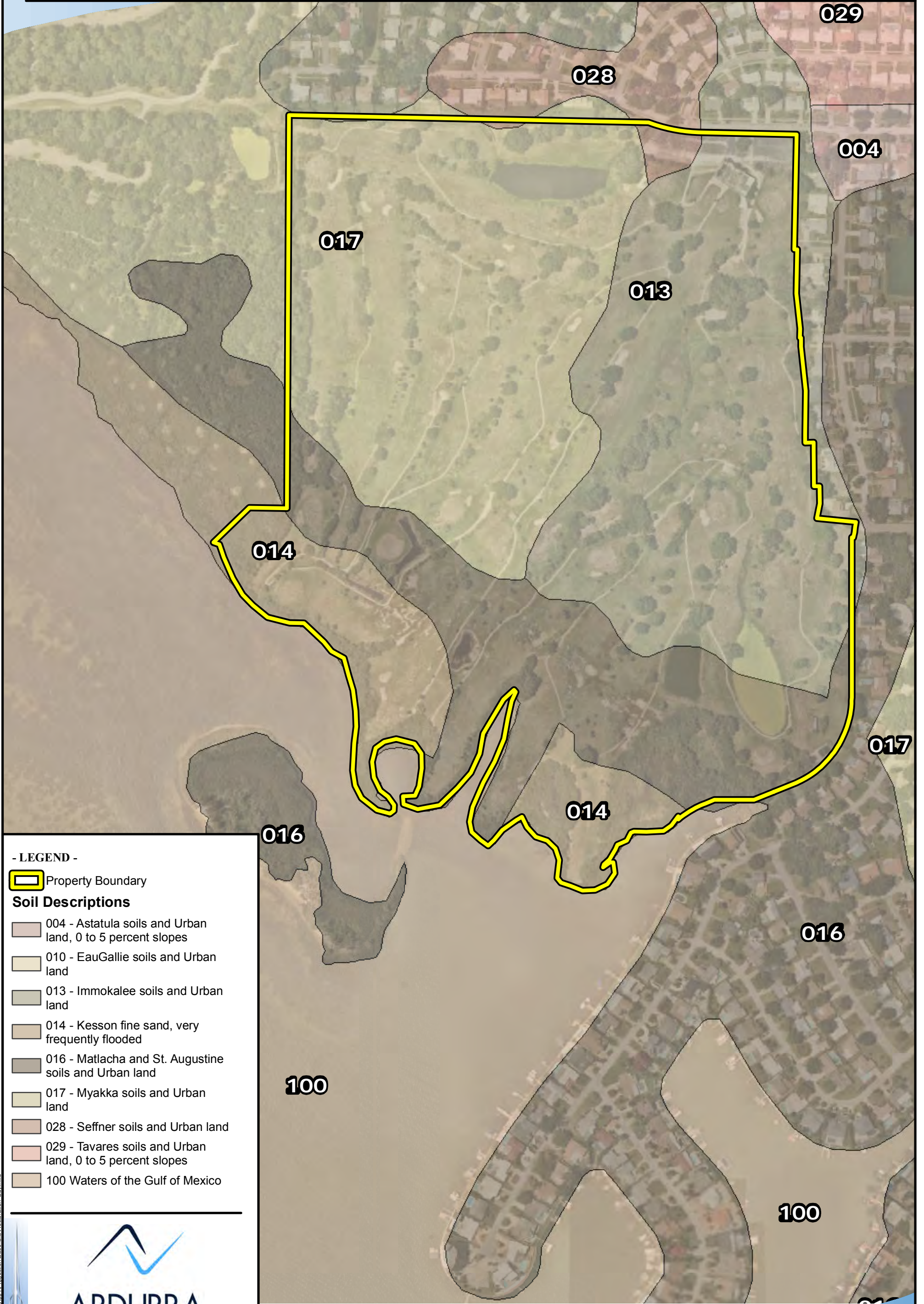
GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

EXHIBIT 5

SOILS MAP

RESTORATION BAY










SOILS MAP



- LEGEND -

 Property Boundary

Soil Descriptions

-  004 - Astatula soils and Urban land, 0 to 5 percent slopes
-  010 - EauGallie soils and Urban land
-  013 - Immokalee soils and Urban land
-  014 - Kesson fine sand, very frequently flooded
-  016 - Matlacha and St. Augustine soils and Urban land
-  017 - Myakka soils and Urban land
-  028 - Seffner soils and Urban land
-  029 - Tavares soils and Urban land, 0 to 5 percent slopes
-  100 Waters of the Gulf of Mexico



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SCALE - FEET



PINELLAS COUNTY

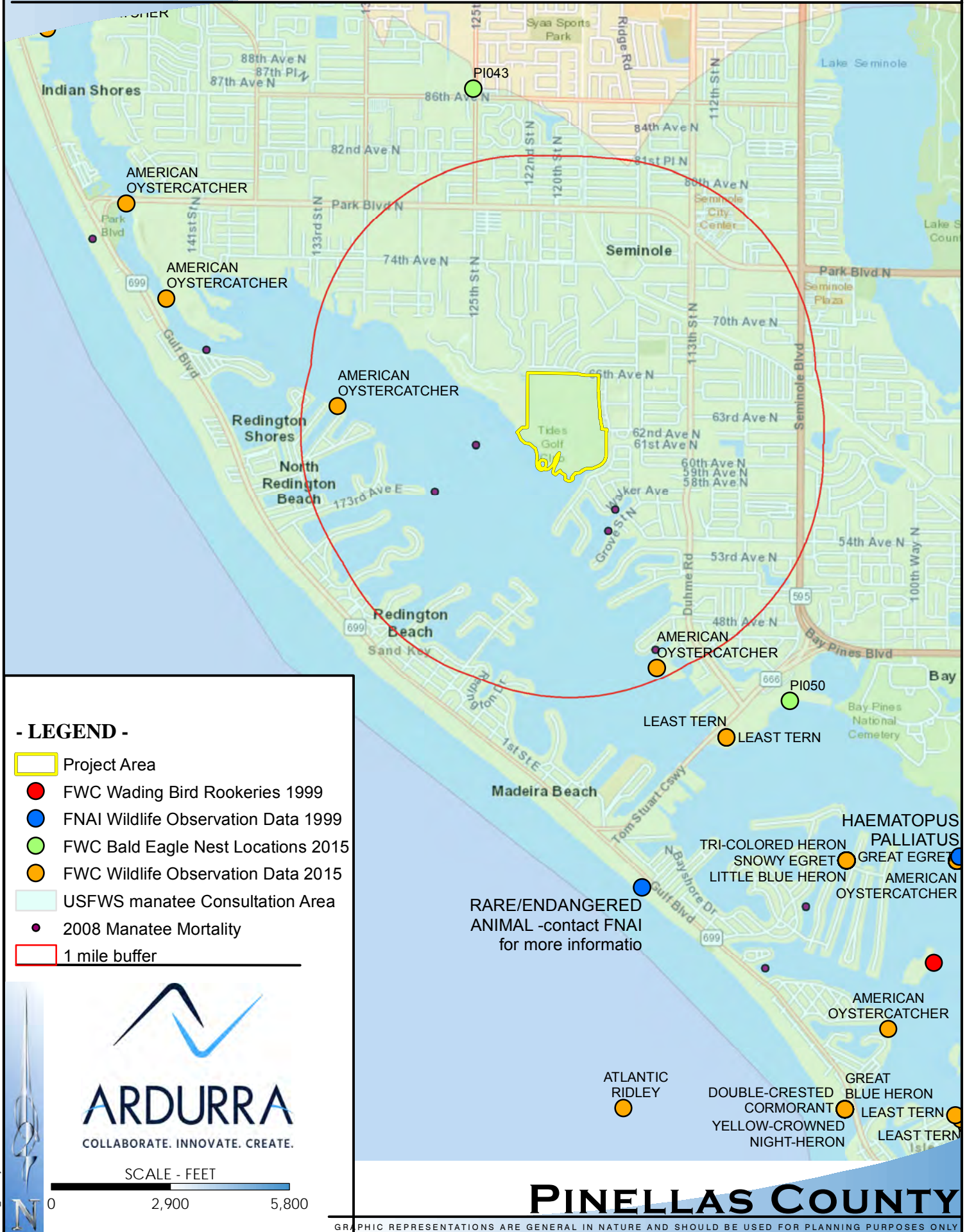
GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

EXHIBIT 6

WEB-BASED DATA SEARCH MAP

RESTORATION BAY

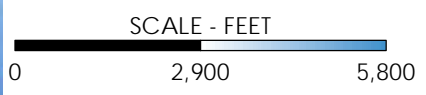
GIS Wildlife Data Search



- LEGEND -

- Project Area
- FWC Wading Bird Rookeries 1999
- FNAI Wildlife Observation Data 1999
- FWC Bald Eagle Nest Locations 2015
- FWC Wildlife Observation Data 2015
- USFWS manatee Consultation Area
- 2008 Manatee Mortality
- 1 mile buffer

RARE/ENDANGERED ANIMAL -contact FNAI for more info



PINELLAS COUNTY

GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

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Appendix C
Cultural Resource Assessment Survey



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Ms. Joan Deming
Archaeological Consultants, Inc.
8110 Blaikie Court, Suite A
Sarasota, Florida 34240

December 5, 2012

Re: DHR Project File No.: 2012-04938 / Received by DHR: November 1, 2012
Cultural Resource Assessment Survey of the Tides Golf Course Property, Pinellas County, Florida

Dear Ms. Deming:

We note that in September 2012, Archaeological Consultants, Inc. (ACI) conducted the above referenced survey for Taylor Morrison of Florida, Inc. in anticipation of a request by the Florida Division of Historical Resources for a cultural resource assessment survey. Our office proceeded to review this report with the expectation that Taylor Morrison of Florida, Inc. will be engaging in permitting processes that will require this office to comment on possible adverse impacts to cultural resources listed or eligible for listing in the National Register of Historic Places (NRHP), or otherwise of historical, architectural, or archaeological significance. We recommend at the time such actions are taken, a copy of this letter be forwarded to the permitting agency(ies) with the application. This may eliminate the permitting agency(ies) from having to submit an application to the Division of Historical Resources for review, or, if applications are forwarded to the Division with this letter, it would facilitate our review.

ACI did not identify any cultural resources within the project tract during the investigation. One previously recorded site (8PI134) was plotted within the project area, but may be located outside of the property.

ACI determined that the proposed development will have no effect on cultural resources listed, or eligible for listing, in the NRHP, or otherwise of historical, archaeological, or architectural value. ACI recommends no further investigation of the subject parcel.

Based on the information provided, our office concurs with these determinations and finds the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*.

DIVISION OF HISTORICAL RESOURCES
R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: 850.245.6300 • Facsimile: 850.245.6436 • www.flheritage.com
Commemorating 500 years of Florida history www.fla500.com



Ms. Deming
December 5, 2012
Page 2

For any questions concerning our comments, please contact Rudy Westerman, Historic Preservationist, by electronic mail at Rudy.Westerman@DOS.MyFlorida.com, or by phone at 850.245.6333. We appreciate your continued interest in protecting Florida's historic properties.

Sincerely,



DSHPO
For

Robert F. Bendus, Director
Division of Historical Resources
and State Historic Preservation Officer

Appendix D
Development Agreement

**DEVELOPMENT AGREEMENT
RESTORATION BAY RE-DEVELOPMENT PROJECT
Pinellas County, Florida**

This Development Agreement ("Agreement") is dated _____, 20__, effective as provided in Section 5 of this Agreement, and entered into between TTGC, LLC, a Florida limited liability company ("Owner") and Pinellas County, Florida, a political subdivision of the State of Florida acting through its Board of County Commissioners, the governing body thereof ("County").

R E C I T A L S :

- A. Sections 163.3220 – 163.3243, Florida Statutes, which set forth the Florida Local Government Development Agreement Act ("Act"), authorize the County to enter into binding development agreements with persons having a legal or equitable interest in real property located within the unincorporated area of the County.
- B. Under Section 163.3223 of the Act, the County has adopted Chapter 134, Article VII of Part III, the Pinellas County Land Development Code ("Code"), establishing procedures and requirements to consider and enter into development agreements.
- C. Owner is the owner of approximately ninety-six (96) acres m.o.l. of real property ("Property") located adjacent to 66th Avenue North on the Property's northern boundary,, the County's existing Boca Ciega Millennium Park on the Property's western boundary, and Boca Ciega Bay on the Property's southern boundary, in the unincorporated area of the County, more particularly described on Exhibit "A" attached hereto.
- D. Owner desires to re-develop and re-purpose the Property as a Brownfield Site (as defined in Section 376.79(4), Florida Statutes, to include, inter alia, single-family residential uses, a master storm water system to help address historic, pre-existing area-wide storm water retention-detention issues and water quality discharge issues into Boca Ciega Bay, and the creation of a linear greenway/trail system to connect Millennium Park via a publicly-accessible trail and/or boardwalk system for passive viewing of environmental areas fronting Boca Ciega Bay.
- E. Various portions of the Property currently have land use designations of Recreation/Open Space (R/OS), Preservation (P), and Residential Low (RL), and is zoned A-E and AL; however, historically the County has taken the following actions with regard to the Property:
 - (i) The Property originally was provided a Residential Low (RL) land use designation, and R-1 and R-2 zoning categories, and was platted for 273 single-family residential lots, consistent with the land use, zoning, and actual uses now adjacent to the Property;
 - (ii) The Property's land use designation was changed in 1985 to Recreation/Open Space (R/OS) to reflect its then-current use as a golf

course, and the zoning category was unilaterally changed by the County to A-E and AL; however, the plat for 273 residential lots was not vacated by the County and the BCC acknowledged at the time that the Property owner could request a future zoning modification for other uses; and

- (iii) The residential plat for the Property was not vacated until 1992.
- F. The Property was not previously developed in concert with any surrounding properties or any other project, was not a part of any master development plan or planned unit development with any other surrounding properties, and no density attributed to the Property under its original Residential Low (RL) land use category was ever transferred out of the Property or otherwise used to justify any density increase for development of any other surrounding properties. Consequently, neither the current owner nor the former owners/developers of the Property ever derived any income, profit, or other financial return based upon the unrelated, separate development by others of any surrounding residential communities, nor from the transfer or use of any density related thereto.
- G. The Property was never deed restricted by any governmental action, private deed restriction, homeowner's association master declaration of covenants, development agreement or any other legal use restriction upon the Property.
- H. Owner has requested that the County reinstate the original land use designations of Residential Low (RL) and Preservation (P), and approve a zoning designation of RPD (Residential Planned Development) on the Property, with a voluntary limit by the Owner on the maximum density of 273 residential single-family lots, consistent with the prior, recorded plat density of 273 lots and prior R-2 Zoning density for the Property.
- I. The residential density otherwise available to the Owner under the RL land use and RPD zoning categories cannot legally be limited without a voluntary development agreement under applicable law, and the County cannot justify the requested action absent the restrictions contained in this Agreement and in the deed restriction required in Section 6.1.4, and the County supports the change in zoning and land use designation based upon the provisions of the Agreement.
- J. The County and Owner have determined that it would be mutually beneficial to enter into a development agreement governing the matters set forth herein and have negotiated this Agreement in accordance with the Code and the Act.
- K. The County has found that the terms of this Agreement are consistent with the Pinellas County Comprehensive Plan and the Code.

STATEMENT OF AGREEMENT

In consideration of and in reliance upon the premises, the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto intending to be legally bound and in accordance with the Act, agree as follows:

Section 1. Recitals. The above recitals are true and correct and are a part of this Agreement.

Section 2. Incorporation of the Act. This Agreement is entered into in compliance with and under the authority of the Code and the Act, the terms of which as of the date of this Agreement are incorporated herein by this reference and made a part of this Agreement. Words used in this Agreement without definition that are defined in the Act shall have the same meaning in this Agreement as in the Act.

Section 3. Property Subject to this Agreement. The Property is subject to this Agreement.

Section 4. Ownership. The Property is owned in fee simple by Owner.

Section 5. Effective Date/Duration of this Agreement.

5.1. This Agreement shall become effective as provided for by the Act and shall be contingent upon obtaining final approval, and effectiveness of the land use designation of Residential Low (RL) and Preservation (P), and a zoning designation of RPD (Residential Planned Development), as requested for the Property.

5.2. This Agreement shall continue in effect until terminated as defined herein but for a period not to exceed ten (10) years.

Section 6. Obligations under this Agreement.

6.1. Obligations of the Owner.

6.1.1. Binding Obligations. The obligations under this Agreement shall be binding on Owner, its successors or assigns, and shall run with the land.

6.1.2. Development Review Process. At the time of development of the Property, Owner will submit such applications and documentation as are required by law and shall comply with the County's Code applicable at the time of the effective date of this Agreement.

6.1.3. Development Restrictions. The following restrictions shall apply to development of the Property.

6.1.3.1 The Property shall be platted and used for not more than 273 single-family residential dwelling units.

- 6.1.3.2 The only other uses allowed for the Property shall be storm water retention/detention/treatment, environmental mitigation and/or flood plain compensation areas, a linear greenway/trail system to connect Millenium Park to the Boca Ciega Bay frontage area, typical homeowner's association recreational and common areas, and such excavation, fill, remediation, water quality filtration/treatment system and other site work related to the Florida Brownfields Redevelopment Program identified in Section 6.1.5, below (collectively the "Residential Supporting Uses").
- 6.1.3.3 There shall be no multi-family use, nor any commercial, office or other non-residential uses for the Property.
- 6.1.3.4 Development Intensities. In addition to the 273-unit lot maximum for the Property, Owner shall comply with the building intensities and height required by the Property's zoning and land use designations, unless otherwise modified by this Agreement.
- 6.1.4 Recording of Deed Restriction. Prior to the approval of a site plan or issuance of a development permit for the Property, Owner shall record a deed restriction encumbering the Property in the official records of Pinellas County, Florida and deliver a copy of such recorded deed restriction to the Director of the County Planning Department or his designee. The deed restriction shall be approved as to form by the County Attorney (which approval shall not be unreasonably withheld) and shall generally describe the development limitations of this Agreement. The deed restriction shall be perpetual and may be amended or terminated only with the consent of the County, which consent shall not be unreasonably withheld.
- 6.1.5 Participation in Brownfield Program. Owner has voluntarily requested that the Property be designated as a Brownfield Area under the Florida Brownfields Redevelopment Program pursuant to Sections 376.77 – 376.84, F.S. The Owner shall submit such application request, and the County shall process same for consideration and approval by the County concurrent with the pending land use and zoning applications. Such acceptance of the Property as a Brownfield Area under the Florida Brownfields Redevelopment Program shall be contingent upon, and effective concurrent with, the approval of the new land use designation, zoning category, and this Development Agreement on the terms and conditions set forth herein.
- 6.1.6 Traffic Mitigation Improvements; Access Points. Owner has proposed the implementation of certain pedestrian, bicycle, and vehicular traffic

improvements to mitigate the potential traffic impacts from development of the Property consistent with this Development Agreement. Attached as Schedule 1 is a list of the required mitigation improvements, including the typical streetscape/cross-section for 66th Avenue, which shall be the primary public access to the Property (the “Traffic Mitigation Improvements”). Owner shall design, permit and construct the Traffic Mitigation Improvements, at Owner’s sole cost and expense, concurrent with the site development work on the Property, and shall complete same prior to issuance of the certificate of occupancy for the first dwelling unit within the Property. The number and location for the required secondary and/or emergency access points for the Property shall be as determined by the County at the time of site plan approval, from the available public access connection points presently existing adjacent to the Property.

6.2 Obligations of the County.

6.2.1 Concurrent with the approval of this Agreement, the Board hereby amends the land use and zoning designation for the Property as set forth in Recital H above, and hereby designates the Property as a Brownfield Area under the Florida Brownfields Redevelopment Program.

6.2.2 County will process preliminary and final site plan applications for the Property that are consistent with the Plan and this Development Agreement, and that meet the requirements of the Code at the time of the effective date of this Agreement.

6.2.3 The final effectiveness of the re-designation referenced in Section 6.2.1 is subject to:

6.2.3.1 The provisions of Chapter 125 and 163, Florida Statutes, as they may govern such amendments; and

6.2.3.2 The expiration of any appeal periods or, if an appeal is filed, at the conclusion of such appeal.

Section 7. Public Facilities to Service Development. The following public facilities are presently available to the Property from the sources indicated below. Development of the Property will be governed by and must satisfy the concurrency ordinance provisions applicable at the time of the effective date of this Agreement.

7.1. Potable water from Pinellas County.

7.2. Sewer service from Pinellas County.

7.3. Fire protection from Pinellas County.

7.4. Drainage facilities for the parcel will be provided by Owner.

Section 8. Required Local Government Permits. The required local government development permits for development of the Property include, without limitation, the following:

8.1. Site plan approval(s) and associated utility licenses and right-of-way utilization permits;

8.2. Construction plan approval(s);

8.3. Building permit(s); and

8.4. Certificate(s) of occupancy.

Section 9. Consistency. The County finds that development of the Property consistent with the terms of this Agreement is consistent with the Pinellas County Comprehensive Plan.

Section 10. Termination.

10.1. In the event of termination pursuant to Section 10.2 or failure to commence the development of the subject property within the duration of the Agreement as defined in Section 5 above, the Property shall return to its current land use and zoning designations. Owner agrees to cooperate and not contest any administrative procedures necessary to implement restoration of the land use and zoning designations in such event. This obligation survives the termination of the Agreement for the time necessary to accomplish the re-designations.

10.2. If Owner's obligations set forth in this Agreement are not followed in a timely manner, as reasonably determined by the County Administrator, after notice to Owner and an opportunity to be heard, existing permits shall be administratively suspended and issuance of new permits suspended until Owner has fulfilled its obligations. Failure to timely fulfill its obligations may serve as a basis for termination of this Agreement by the County, at the discretion of the County and after notice to Owner and an opportunity for Owner to be heard.

Section 11. Other Terms and Conditions. Except in the case of termination, until ten (10) years after the effective date of this Agreement, the Property shall not be subject to subsequently adopted laws and policies unless the County has held a public hearing and determined:

11.1. They are not in conflict with the laws and policies governing the Development Agreement and do not prevent development of the land uses, intensities, or densities in this Agreement;

11.2. They are essential to the public health, safety, or welfare, and expressly state that they shall apply to a development that is subject to a development agreement;

11.3. They are specifically anticipated and provided for in this Agreement;

11.4. The County demonstrates that substantial changes have occurred in pertinent conditions existing at the time of approval of this Agreement; or

11.5. This Agreement is based on substantially inaccurate information provided by Owner.

Section 12. Compliance with Law. The failure of this Agreement to address any particular permit, condition, term or restriction shall not relieve Owner from the necessity of complying with the law governing such permitting requirements, conditions, terms or restrictions.

Section 13. Notices. Notices and communications required or desired to be given under this Agreement shall be given to the parties by hand delivery, by nationally recognized overnight courier service such as Federal Express, or by certified mail, return receipt requested, addressed as follows (copies as provided below shall be required for proper notice to be given):

If to Owner: TTGC, LLC
111 S. Armenia Avenue
Suite 201
Tampa, FL 33609

With copy to: Joel R. Tew, Esquire
Tew & Associates
35595 U.S. Highway 19, North
921
Palm Harbor, FL 34684

If to County: Pinellas County Board of County Commissioners
c/o County Administrator
315 Court St.
Clearwater, FL 33756

With copy to: David S. Sadowsky, Esquire
Senior Assistant County Attorney
Pinellas County Attorneys Office
315 Court Street
Clearwater, Florida 33756

Properly addressed, postage prepaid, notices or communications shall be deemed delivered and received on the day of hand delivery, the next business day after deposit with an overnight courier service for next day delivery, or on the third (3rd) day following deposit in the United States mail, certified mail, return receipt requested. The parties may change the addresses set

forth above (including the addition of a mortgagee to receive copies of all notices), by notice in accordance with this Section.

Section 14. Right to Cure. Owner will not be deemed to have failed to comply with the terms of this Agreement until Owner shall have received notice from the County of the alleged non-compliance and until the expiration of a reasonable period after receipt of such notice to cure such non-compliance. Whether the time period has been reasonable shall be based on the nature of the non-compliance and shall be determined in the sole judgment of the County Administrator, reasonably exercised.

Section 15. Minor Non-Compliance. Owner will not be deemed to have failed to comply with the terms of this Agreement in the event such non-compliance, in the judgment of the County Administrator, reasonably exercised, as a minor or inconsequential nature.

Section 16. Covenant of Cooperation. The parties shall cooperate with and deal with each other in good faith and assist each other in the performance of the provisions of this Agreement and in achieving the completion of development of the Property.

Section 17. Approvals. Whenever an approval or consent is required under or contemplated by this Agreement, such approval or consent shall not be unreasonably withheld, delayed or conditioned. All such approvals and consents shall be requested and granted in writing.

Section 18. Completion of Agreement. Upon the completion of performance of this Agreement or its revocation or termination, the Owner or his successor in interest shall record a statement in the official records of Pinellas County, Florida, signed by the parties hereto, evidencing such completion, revocation or termination, and shall forthwith deliver a copy of this document to the Director of the County Building and Development Review Services Department or his designee.

Section 19. Entire Agreement. This Agreement (including any and all Exhibits attached hereto, all of which are a part of this Agreement to the same extent as if such Exhibits were set forth in full in the body of this Agreement), constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof.

Section 20. Construction. The titles, captions and section numbers in this Agreement are inserted for convenient reference only and do not define or limit the scope or intent and should not be used in the interpretation of any section, subsection or provision of this Agreement. Whenever the context requires or permits, the singular shall include the plural, and plural shall include the singular and any reference in this Agreement to Owner includes Owner's successors or assigns. This Agreement was the production of negotiations between representatives for the County and Owner and the language of the Agreement should be given its plain and ordinary meaning and should not be construed against any party hereto. If any term or provision of this Agreement is susceptible to more than one interpretation, one or more of which render it valid and enforceable, and one or more of which would render it invalid or unenforceable, such term or provision shall be construed in a manner that would render it valid and enforceable.

Section 21. Partial Invalidity. If any term or provision of this Agreement or the application thereof to any person or circumstance is declared invalid or unenforceable, the remainder of this Agreement, including any valid portion of the invalid term or provision and the application of such invalid term or provision to circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and shall with the remainder of this Agreement continue unmodified and in full force and effect. Notwithstanding the foregoing, if such responsibilities of any party thereto to the extent that the purpose of this Agreement or the benefits sought to be received hereunder are frustrated, such party shall have the right to terminate this Agreement upon fifteen (15) days notice to the other parties.

Section 22. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida without regard to the conflict of laws principles of such state.

Section 23. Counterparts. This Agreement may be executed in counterparts, all of which together shall continue one and the same instrument.

IN WITNESS WHEREOF, the parties have hereto executed this Agreement the date and year first above written.

End of Substantive Provisions, Signature Page to follow

WITNESSES:

OWNER:

TTGC, LLC,
a Florida limited liability company

By:

Printed Name: _____

Printed Name: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____,
2011, by _____, who is personally known to me or who produced
_____ as identification.

Notary Public

By:

Print Notary Name
My Commission Expires:

ATTEST:

PINELLAS COUNTY, FLORIDA

KEN BURKE, CLERK

Deputy Clerk

By:

Chairman
Board of County Commissioners

APPROVED AS TO FORM:

County Attorney

**Schedule 1
Developer's Transportation Mitigation Improvements**

**[List of 66th Street Improvements, Typical Cross-Section, and Designated Project
Primary & Secondary Access Points To Be Finalized By Developer's Transportation
Consultant and County Transportation Staff Prior to LPA Hearing]**

CAO Doc No.: 71733



DRAFT

Ms. Renea Vincent
Pinellas County
440 Court Street, 3rd Floor
Clearwater, FL 33756

**Re: Restoration Bay
Parcel 33-30-15-00000-240-0100**

Dear Renea,

In response to your comment number 10, Item 2.2 on the Application Form, please see Ardurra's response below.

In recognition of the simultaneous review of the Zoning District Map Amendment, the Land Use Amendment, the Development Agreement and the Brownfield application, the applicant hereby waives any strict processing timelines set forth by Florida Statute and is willing to work the County to create a mutually acceptable timeline as allowed by Florida Statute.

Please let me know if you have any further comments. Thank you.

Sincerely,

Cynthia, D. Spidell, MBA, AICP
Principal Planner

CDS/lag

cc: Clark C. Lohmiller, Ardurra

ATTACHMENT A
STORMWATER AND WATER QUALITY

ATTACHMENT A

Pertaining to stormwater and water quality:

- The first element in the water quality treatment train for the offsite flows would ideally be located offsite in the public right of way (hydrodynamic separators and/or baffle boxes). This would require public/private cooperation and coordination relative to easements and construction permits, as well as potential maintenance obligations.
- Public/private cooperation will be required to facilitate the abandonment of the currently existing onsite reclaimed water pipe and pond.
- Public/private cooperation and coordination will be required to modify the currently existing onsite public drainage easements to reflect and capture the appropriate post-project drainage and conveyance configuration.
- All onsite stormwater BMPs and conveyance systems, including those dedicated to the treatment and conveyance of offsite flows, will be operated and maintained by **the HOA** as required by the associated ERP permits.
- Water quality treatment will be provided for onsite flows using a holistic stormwater management and site planning approach which meets or exceeds the demanding requirements of the Aquatic Preserve to which it discharges.
- Water quality treatment will be provided for the largely untreated stormwater runoff from the surrounding residential neighborhoods which currently flows to/through the site, comingling with onsite runoff, and discharges to Boca Ciega Bay. A treatment train approach will commence with hydrodynamic separators and/or baffles boxes, localized rain gardens or bioswales, and progress through a wet detention pond with deep pool(s) and littoral zone(s) and potential up-filter system. These ponds, located along the northern and eastern perimeter of the site, will then discharge to a constructed surface conveyance feature which incorporates cascades, shallow pools, and plantings before entering a large sediment sump (which may also serve as a stormwater harvesting pond) before discharging to Boca Ciega Bay.
- The stormwater treatment ponds within the linear stormwater park will incorporate native wetland vegetation – consisting of emergent, submergent and floating aquatic species - in appropriate hydrozones, and native shrubs and trees established on slopes and on bank to the extent possible.
- The BMPs dedicated to the offsite flows will provide greater attenuation, treatment, and conveyance capacity than the currently existing onsite ditches and eutrophic ponds.
- The BMPs dedicated to the offsite flows will slow velocities, keep offsite flows separated from onsite flows, remove sediments and solids, moderate the temperature of the water discharged, and greatly reduce the nutrient and pollutant loads conveyed to Boca Ciega Bay and Millennium Park. Full quantification of the water quality benefits to be achieved will be dependent on final configuration and site constraints but will greatly exceed the “net improvement” standard and may approach ERP requirements.

- The stormwater treatment and conveyance systems will be integrated into the landscape, mimic natural processes, and be both highly functional and aesthetically pleasing. This will provide educational opportunities to showcase the benefit of holistic site planning and LID/GI methodologies.
- The stormwater treatment systems will greatly enhance/improve the water quality of discharges to Boca Ciega Bay from the site and to/through Millennium Park.

Water Quality Benefits – Help Improve Water Quality in Boca Ciega Bay

- Removal of Pollutants from Offsite Stormwater Runoff (see details by Mike Peck)
 - Proposed new stormwater ponds will treat runoff from surrounding neighborhoods
 - Largely untreated in existing condition
 - Potential to remove approximately 350 lbs/year of Nitrogen (>7 tons over 40 years)
Note: these #s based on previous calculations... need to verify or remove
 - Potential to remove approximately 115 lbs/year of Phosphorous
 - Treatment of other offsite areas also possible with proposed system
- Remove Existing onsite (golf course) Ponds
 - Get rid of pollutant-laden sediments accumulated over 40+ years
- New Stormwater Ponds to be Designed in Conformance with Current Regulations
 - Higher standards for treatment and pollutant removal
 - Subject to required regular maintenance and upkeep
 - Must provide 1.5 times typical level of treatment (Outstanding Florida Water)
 - Entire development area will be subject to treatment requirements
- Discontinue Unregulated Fertilizer Use
 - Re-developed community will comply with current County fertilizer code

ATTACHMENT B
TRAFFIC STUDY



September 12, 2019

Ms. Renea Vincent
Pinellas County
440 Court Street, 3rd Floor
Clearwater, FL 33756

DELIVERY VIA EMAIL W/PDF ATTACHMENTS
rvincent@co.pinellas.fl.us

Dear Renea:

Attached is the traffic/pedestrian mitigation plan which was referenced in our draft Development Agreement as Schedule 1. This is the last item for the supplemental package that was delivered to you last week.

I have attached a bullet point list identifying the changes.

If you have any further questions or concerns, do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Clark C. Lohmiller", with a long horizontal flourish extending to the right.

Clark C. Lohmiller, PLA
Planning and Landscape Architecture
Group Leader

CCL/lag

Attachments:

cc: Joel Tew, Tew & Associates
Ron Carpenter, Carpenter Companies
Steve Henry, Lincks & Associates
Cynthia D. Spidell, Ardurra
2019-0195-00



RESTORATION BAY TRANSPORTATION MITIGATION PLAN

- Proposed crosswalk across 116th Street (from 74th Avenue, N.)
A pedestrian crosswalk with landscape enhancements using CPTED standards along with MUTCD approved signage delineating the wide-block crossing location.
- Proposed 5-foot sidewalk west side of 116th Street
A +/- 2,000 l.f. 5-foot wide sidewalk is proposed along the west side of 116th Street to provide walkability to the Seminole City Park, as well as direct connection to the Pinellas Trail.
- Proposed crosswalk across 116th Street (from 66th Avenue, N.)
A pedestrian crosswalk with landscape enhancements using CPTED standards along with MUTCD approved signage delineating the wide-block crossing location.
- Proposed 5-foot sidewalk north side of 66th Avenue
A +/- 1,150 l.f. 5-foot wide sidewalk is proposed along the north side of 66th Avenue to provide walkability to the Blessed Sacrament Catholic Church, as well as access out to 113th Street.
- Proposed 5-foot sidewalk south side of 66th Avenue
A +/- 1,160 l.f. 5-foot wide sidewalk is proposed along the south side of 66th Avenue to provide walkability from 113th Street and the surrounding neighborhoods to Boca Ciega Millennium Park.



TRANSPORTATION MITIGATION PLAN

74th AVE. N.

PROPOSED CROSSWALK
ACROSS 116th STREET

PROPOSED 5' SIDEWALK
WEST SIDE OF 116th ST

116th STREET

69th AVE. N.

PROPOSED CROSSWALK
ACROSS 116th STREET

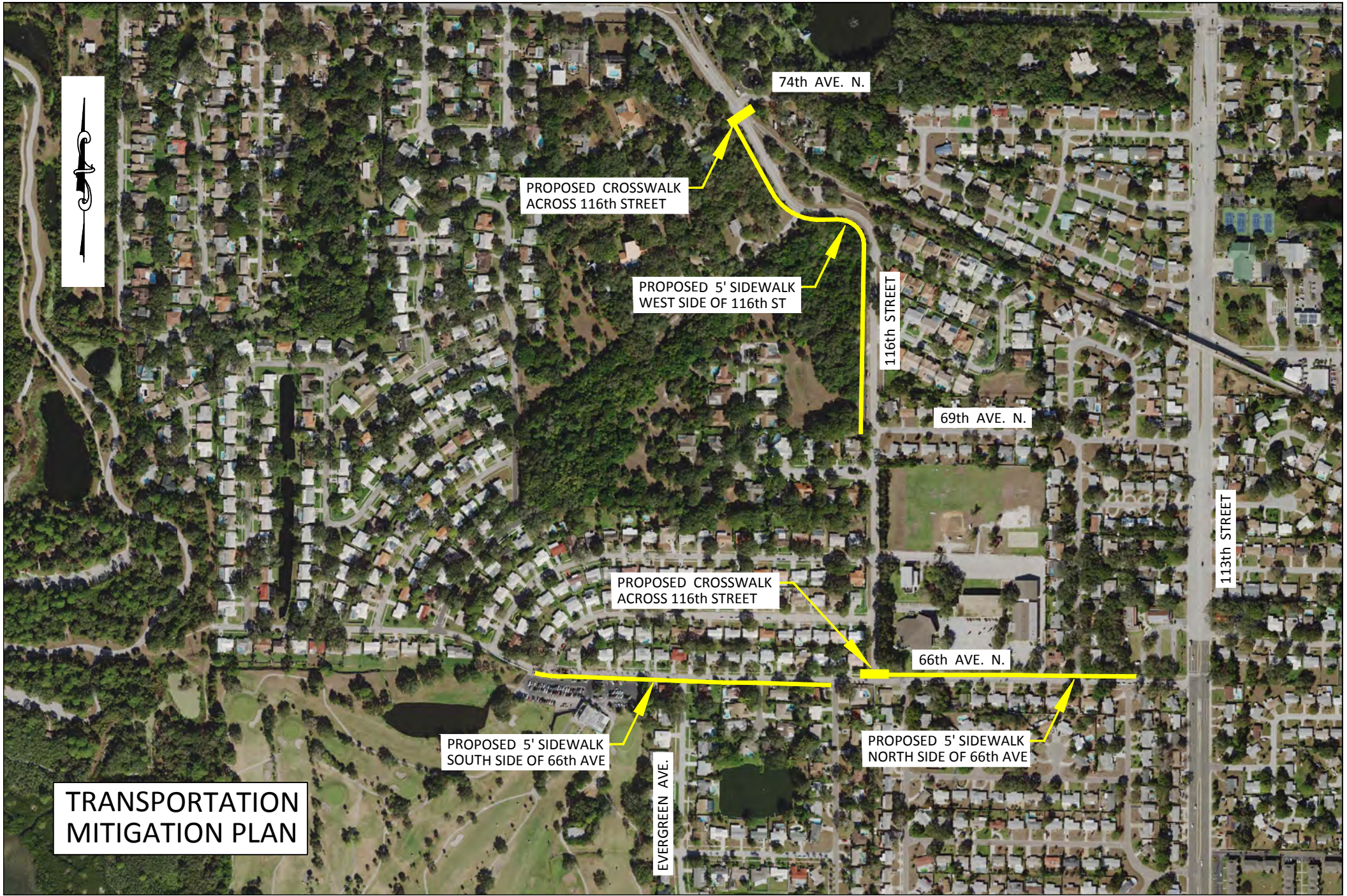
66th AVE. N.

PROPOSED 5' SIDEWALK
SOUTH SIDE OF 66th AVE

EVERGREEN AVE.

PROPOSED 5' SIDEWALK
NORTH SIDE OF 66th AVE

113th STREET



ATTACHMENT C
NATURAL HABITAT, WETLANDS AND WILDLIFE

ATTACHMENT C

Pertaining to natural habitat, wetlands and wildlife:

- Landscaping: Florida Friendly Landscaping principles, as outlined in The Florida Yards & Neighborhoods Handbook, will be employed on residential lots and within common areas. Only native indigenous trees and shrubs will be utilized in the landscaping and, to the extent possible, native forbs and grasses will be used. Exemptions may include non-native food plants grown in residential areas and turfgrasses used on ponds or in landscapes or on public ROWs (roads). Irrigated turfgrass areas shall be consolidated and limited to residential lawns and those areas on the property that receive pedestrian traffic, provide for recreation use, or provide soil erosion control such as on slopes or in swales, and where turfgrass is used as a design unifier, or other similar practical use. Mulch used in both private and public landscaping should be of sustainable materials such as pine mulch or bark or derived from Eucalyptus or Melaleuca.
- Upland Buffer Adjacent to Wetlands: The site plan will include an upland buffer along the landward edge of the natural mangrove wetlands, as defined by the jurisdictional wetland limits. The buffer will be enhanced to replace existing turf grasses with native vegetation and will include a “bio-swale” to be vegetated with appropriate native plant species. Native vegetation to be planted within the buffer will consist of groundcover, grasses and herbs, and will also include shrubs and trees. A planting plan for the proposed buffer enhancement areas will be prepared by the owner and reviewed by Pinellas County during the site plan approval process. Minimum maintenance standards for the upland buffer (and any proposed wetland enhancement areas) will be developed by the owner and reviewed by Pinellas County during the site plan approval process. The total width of the enhanced buffer, inclusive of the vegetated bio treatment swale, will be 50 feet. The buffer will be designated as a common area owned by the to-be-formed homeowner’s association and shall not be owned by individual lot owners.
- Buffer from Boca Ciega Millennium Park: A fifty-foot buffer will be located on the western portion of the project site, adjacent to Boca Ciega Millennium Park. The existing wetlands along the western perimeter will be protected and incorporated into the buffer area, and a swale system will be constructed. The wetlands and swale system will make up the western portion of the buffer area and will also serve as a fire break. The remainder of the buffer area will be vegetated (trees and landscaping) consistent with County code and will include native/non-invasive plantings that both contribute to local wildlife habitat and reduce potential for onsite vegetation to become a nuisance to the Park environment. Minimum maintenance standards for the fifty-foot buffer will be developed by the owner and reviewed by Pinellas County during the site plan approval process. The fifty-foot buffer will be designated as a common area owned by the to-be-formed HOA and shall not be owned by individual lot owners. Guidance for desired plantings can be found in: Xeric Landscaping with Florida Native Plants, (Association of Florida Native Nurseries). Exterior lighting will be designed to minimize light spillage onto adjacent park and preservation lands. This may be accomplished with directional lighting, hoods, or other accepted lighting design features.

- Onsite Habitat Enhancement: The owner will develop a plan for improvement and expansion of native habitats. The Plan will include elements of exotic/nuisance vegetation removal, natural buffer restoration and enhancement, and native mangrove habitat enhancement. These proposed enhancements will serve to improve the quality and function of existing habitats and will result in improved habitat value for wildlife.
- Mangrove and Tidal Habitat Enhancement: The owner has identified specific opportunities for wetland enhancement such as removal of an historic cart path crossing through a tidal wetland area along the shoreline. In its existing condition, the elevated (filled) cart path bisects a tidal backwater pool area that is surrounded by mangroves. The filled path has essentially interrupted the natural pattern of tidal flushing, resulting in stagnation and very low levels of dissolved oxygen in the isolated area. Removal of the filled path and restoration of pre-disturbance grade elevations will restore the natural tidal pattern, thereby allowing flushing of nutrients and increased levels of dissolved oxygen which will, in turn, provide improved habitat for small fishes, invertebrates and other wildlife.
- Exotic/Nuisance Vegetation Removal: The areas of proposed vegetative and habitat improvements have been estimated, based on preliminary field review and observation, as part of the conceptual site plan development process. Exotic/nuisance vegetative species currently present on the site, with particularly dense colonization along the mangrove shoreline, include Brazilian pepper, carrotwood and Australian pine. Groundcover vegetation up to the natural mangrove shoreline consists primarily of turfgrasses and colonizing weedy species. A more detailed, final plan for exotic vegetation treatment/removal, and enhancement of wetland and upland/buffer habitat will be prepared during the project design and permitting phase. At such time, more detailed and specific field location of exotic/nuisance species colonization (through use of field survey methods), along with development of plans and specifications for the actual habitat enhancements (e.g., specific methods of removal, precautionary measures, species composition, planting schedules, etc.) will be prepared, and will enable calculation of the actual acreages that will be subject to habitat enhancement and creation. Primary targets for enhancement of onsite wetland habitats will be in the vicinity of the southern shoreline and along the western property boundary. Enhancement of mangrove swamp wetlands would likely involve removal of exotic vegetation (e.g., Brazilian pepper, carrotwood, etc.) combined with selective planting of native saltmarsh species and/or mangrove trees. The exact type, location and extent of exotic/nuisance vegetation removal and habitat enhancement will be determined following more detailed site planning, identification of degraded habitats and completion of functional assessments, all of which would be accomplished during the design and permitting phase of the project. The proposed site plan will also provide enhancements to the wetland setback along the southern property boundary. In this area, maintained turfgrass (and more recently colonizing weedy species) that has existed for decades along the edges of mangroves and tidal wetlands will be replaced with native upland and transitional plant species and naturally vegetated bio-swales. This will result in an improved physical buffer for the natural, tidal wetlands, and will add structural habitat for wildlife utilization, while serving to provide supplemental natural filtering of stormwater runoff into the bay.

- Anticipated Wildlife Utilization: In consideration of the proposed establishment of a linear park and green space around the property perimeter, in combination with proposed additional ponds, filter marshes, native landscaped areas, exotic species removal and habitat enhancement, it is anticipated that the subject property will afford significant opportunities for utilization by various wildlife species. Expansion of stormwater ponds throughout the property will provide increased shorelines and shallow foraging habitat for waterfowl and wading birds, including those species listed as threatened or endangered species. Removal of exotic and invasive vegetation from onsite mangrove swamps and adjacent areas will serve to improve habitat for birds and other wildlife that utilize these habitats for cover and foraging. Similarly, replacement of maintained turfgrass and colonizing weedy species with naturally vegetated buffers along the mangrove shoreline will provide improved wildlife habitat and will aid in wildlife movement along the shoreline. With respect to the identified onsite Osprey nest, because this nest site is located on a dead tree within the proposed development footprint, it is anticipated that it will be necessary to relocate the nest site prior to commencement of site clearing and construction activities. A Migratory Bird Nest Removal Permit can be obtained, in accordance with guidelines published by the Florida Fish and Wildlife Conservation Commission. This permit would allow nest removal and relocation (outside the nesting season) prior to commencement of project clearing and construction. The replacement nest structure is expected to be located in the general vicinity of the original nest site in proximity to the linear park.

Misc. thoughts/items likely covered by others:

- Public access to the onsite trails and parks
- Boat and/or kayak docks
- Removal of invasive species and replacement with native vegetation
- Coastal/shoreline stabilization and/or restoration and preservation
- Creation and preservation of recreation and open space for public use (conservation easement?)
- Appearance from adjacent properties
- Integration of linear perimeter parks and trails with stormwater BMPs for educational and recreational opportunities
- Creation of multiple mini-ecosystems for wildlife (and subsequently wildlife viewing opportunities) via ponds with deep pools and littoral zones, raingardens/bioswales, and created surface conveyance features within park areas

ATTACHMENT D
ENVIRONMENTAL BENEFITS

ATTACHMENT D?

Additional bullet thoughts (BKS):

Environmental Benefits

- Green Space/Linear Park
 - 100+ feet wide, along northern and eastern perimeter
 - Will provide a physical and visual buffer transition to surrounding homes
 - Opportunity for passive recreational use by residents and public
 - Potential pedestrian trail connectivity to Boca Ciega Millenium Park
 - Retain native trees and landscape with Florida friendly species
 - New ponds and wetlands to serve as natural features and wildlife habitat
 - Interpretive educational signage stations/kiosks along trail system

- Removal of Exotic and Invasive Vegetation
 - Enhancement of onsite uplands
 - Enhancement of mangrove swamp wetlands
 - Selective planting of native upland and wetland plant species
 - Improved wildlife habitat and aesthetic value

- Enhancement of Wetland Setbacks and Buffers
 - Replace maintained turf grass & weeds with native vegetation
 - Improve physical buffer for existing tidal wetlands and mangrove swamp
 - Add structural habitat for wildlife utilization
 - Supplemental natural filtering of stormwater runoff

DEVELOPMENT AGREEMENT