BOARD OF COUNTY COMMISSIONERS Dave Eggers Pat Gerard Charlie Justice Janet C. Long Kathleen Peters Karen Williams Seel Kenneth T. Welch

Received DEC 1 2 2019 Pinellas Planning Council



December 11, 2019

Mr. Whit Blanton, FAICP, Executive Director Pinellas County Planning Council 310 Court Street, 2nd Floor Clearwater, Florida 34756

Re: Case No.: LU-23-11-19

Dear Mr. Blanton,

On December 10, 2019, the Board of County Commissioners held a public hearing to consider the above referenced amendment to the Future Land Use Map of Pinellas County. The Board took action to approve the amendment and authorized transmittal to the Pinellas Planning Council for action to amend the Countywide Future Land Use Plan as necessary to maintain consistency with said Plan. Attached for Council's review are the requested application forms, disclosure information, staff reports, maps and legal descriptions.

Please schedule the attached amendment at the earliest convenient time for review by the Council and notify us as to the hearing date. If you need additional information regarding our request, please feel free to call me at 727-5640.

Sincerely,

hur u

Glenn Bailey, AICP Land Use and Zoning Manager Pinellas County Planning Department

Attachments: Application Backup documents Maps





Countywide Plan Map Amendment Application

Local Government Contact Information

Requesting Local Government:	Pinellas County
Local Government Contact:	Glenn Bailey
Address:	440 Court Street, 4th Floor, Clearwater, 33756
Phone:	727-464-5640
E-Mail Address:	gbailey@pinellascounty.org
Local Government Case #:	LU-23-11-19
Local Government Ordinance #:	not yet assigned

Property Owner Contact Information

Name(s):	4700 46th Ave. N. Land Trust dated June 11, 2019, Florida Property Trustee Co, as Trustee
Address:	405 6th Street, Suite 102, St. Petersburg, FL 33701
Phone:	
E-Mail Address:	

Agent Contact Information (if applicable)

Name(s):	Katherine E. Cole, Esq., Hill Ward Henderson P.A.
Address:	600 Cleveland Street, Suite 800, Clearwater, FL 33755
Phone:	727-259-6789
E-Mail Address:	katie.cole@hwhlaw.com

Characteristics of the Subject Property

Site Address(s):	4700 46th Avenue North, St. Petersburg, FL 33714
Total Acreage of the Amendment Area:	1.69
Existing Use(s):	Multi-family
Proposed Use(s):	Multi-family expansion
Parcel Identification #:	04/31/16/00000/410/1000
Legal Description of the Amendment Area:	That part of the west 1/2 of the Northeast 1/4 of Section 4, Township 31 S, Range 16 E, lying north and west of Joe's Creek. Jess the north 30 feet for roadway
What is the adjacent roadway's Level of Service (LOS) grade?	B
Is the Amendment Area located in: [check all that apply]	 Coastal High Hazard Area Scenic Noncommercial Corridor

Countywide Plan Map Information

Current Countywide Plan Map Category(ies):	Residential Low Medium
Proposed Countywide Plan Map Category(ies):	Residential Medium

Local Future Land Use Plan Map and Zoning Information

Current Local Future Land Use Plan Map Category(ies):	Residential Urban (7.5 upa)
Current Local Zoning Designation(s):	RM, Multi-family Residential
Proposed Local Future Land Use Plan Map Category(ies):	Residential Medium (15.0 upa)
Proposed Local Zoning Designation(s):	No change

Application Checklist

The following MUST be furnished with this application: (incomplete applications will not be accepted)

A complete application form;

an ordinance being considered by your governing body;

_ a map or map series depicting the future land use categories of the subject property and surrounding area, and any other pertinent information. [Countywide Rules, 6.1.4.2];

a local government staff report;

an electronic copy of the GIS shape file(s) for the amendment area;

_____ if applicable, a copy of the development agreement approved by the legislative body and executed by the property owner and any other private party(ies) to the agreement; and

if applicable, the jurisdictional determination line for environmentally sensitive areas.

Additional requirements for Tier II and III amendments to the AC or MMC category:

A pre-application meeting with Forward Pinellas staff;

_identification of the current or proposed FLUM categories and/or character districts within the AC or MMC category, their acreages, and their associated maximum densities/intensities;

_____a copy of the implementing regulations applicable to the AC or MMC category (e.g., special area plan, corridor plan, comprehensive policies, land development regulations);

a written description of how each of the Planning and Urban Design Principles described in the Countywide Plan Strategies, Land Use Goal 16.0, are addressed within the AC or MMC category [Countywide Rules, 6.1.4.3];

a transportation impact analysis [Countywide Rules, 6.5.3.1.2]; and

for Tier III amendments, in addition to all of the above requirements, applicants must submit a justification narrative demonstrating that the proposed density/intensity standards are appropriate for the subject area despite not meeting the applicable locational requirements, due to changed conditions or other unique factors. [Countywide Rules, Section 6.1.4.4]

Local Action Dates

Date local ordinance was considered at public hearing and authorized by an affirmative vote of the governing body for transmittal of, and concurrence with, the local government future land use plan map amendment.

December 10, 2019

If the local government chooses to submit a development agreement in support of this application, provide the date the agreement was approved at a public hearing by the legislative body. Any development agreement submitted as part of an application for Countywide Plan Map amendment may become a condition of approval of the amendment and will be subject to the provisions of Section 6.1.6 of the Countywide Rules.

N/A

Disclosure of Interest Statem	ient
Do any other persons have any ownership interest in the subject property?	No
If so, provide the name and address of the person(s):	
If so, is the interest contingent or absolute?	
If so, what specific interest is held?	
Does a contract exist for the sale of the subject property?	No
If so, is the contract contingent or absolute?	
If so, provide the names of all parties to the contract:	
Are there any options to purchase the subject property?	No
If so, provide the names of all parties to the option:	
Please provide any other pertinent information which the applicant may wish to submit pertaining to the requested plan map amendment:	





Staff Report

File #: 19-2103A, Version: 1

Agenda Date: 12/10/2019

Subject:

Case No. LU-23-11-19 (4700 46th Avenue North Land Trust, Florida Property Trustee Co, as Trustee) A request for a Land Use change from Residential Urban to Residential Medium on approximately 1.69 acres located at 4700 46th Avenue North in Lealman.

Recommended Action:

Based upon evidence and findings contained in the staff report and attachments, Case No. LU-23-11-19 is recommended for approval:

- 1.) An Ordinance approving the application of 4700 46th Avenue North Land Trust for a change in land use from Residential Urban to Residential Medium, regarding approximately 1.69 acres located at 4700 46th Avenue North.
- The applicant is seeking a land use change on 1.69 acres of land that currently contains a 12unit apartment building. If granted, the amendment will allow for additional residential density (up to 13 additional dwelling units).
- The applicant is proposing to construct an additional apartment building.
- The Local Planning Agency unanimously recommended approval of the request (vote 5-0).

Strategic Plan:

Foster Continual Economic Growth and Vitality 4.3 Catalyze redevelopment through planning and regulatory programs

Deliver First Class Services to the Public and our Customers 5.2 Be responsible stewards of the public's resources

Summary:

The subject property is designated Residential Urban (RU) on the Future Land Use Map (FLUM) and is zoned RM, Multi-Family residential. The site currently contains a 12-unit multi-family residential building that was constructed in 1973. It is located within the Lealman Community Redevelopment Area (CRA).

The applicant wishes to develop additional multi-family units on the subject property, which will require a FLUM amendment to increase allowable density. The existing RU category allows up to 7.5 units per acre, whereas the requested RM category allows up to 15 units per acre. If approved, up to 13 additional units could be built on the property subject to site plan review, for an overall total of 25 units. The existing RM zoning district is not proposed for amendment and an affordable housing density bonus is not being sought at this time.

File #: 19-2103A, Version: 1

In terms of surrounding uses, a single-family home and a mini-warehouse complex exist to the west, a mixture of single-family homes and duplexes are to the north across 46th Avenue North, and Joe's Creek curves along the east and south sides of the subject property. The 49th Street commercial corridor is a short distance to the west.

In general, the proposal is consistent with the Pinellas County Comprehensive Plan and the Lealman CRA and is appropriate for this location. The subject property is located in an area that provides a transition between the 49th Street North commercial corridor and the more concentrated single family uses to the east across Joe's Creek. Public transportation and other urban amenities are within walking distance. Further, no new use types will be introduced as the site has been developed as multi-family for over 45 years.

Background Information:

The Local Planning Agency (LPA) unanimously recommended approval of the request during its November 14, 2019 public hearing (vote 5-0).

Surrounding property owners within 500 feet of the subject property were notified by mail. A sign advertising the public hearings was also posted on the subject property.

Fiscal Impact:

N/A

<u>Staff Member Responsible:</u> Renea Vincent, Director, Planning

Partners:

N/A

Attachments:

LPA Report Case Maps Impact Assessment Traffic Analysis Ordinance Boundary Survey Power Point Presentation Map of Public Notification Legal Ad Ad Map



LOCAL PLANNING AGENCY (LPA) STAFF REPORT

Case Number: LU-23-11-19

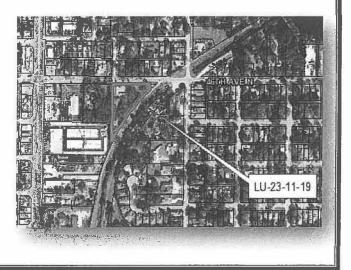
LPA Public Hearing: November 14, 2019

Applicant: 4700 46th Avenue North Land Trust Florida Property Trustee Co Tre

Representative: Katherine E. Cole, Esq.

Subject Property: Approximately 1.69 acres located at 4700 46th Avenue North, Lealman.

PARCEL ID(S): 04/31/16/00000/410/1000



REQUEST:

Future Land Use Map amendment from Residential Urban to Residential Medium on approximately 1.69 acres located at 4700 46th Avenue North in Lealman. The request would allow a density increase from 7.5 to 15 units per acre. Additional multi-family units are proposed.

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:

The Local Planning Agency finds that the proposed amendment to the Future Land Use Map is consistent with the Pinellas County Comprehensive Plan and recommends approval of the proposed amendment (5-0 vote, in favor).

PLANNING STAFF RECOMMENDATION:

- **Staff recommends** that the LPA find the proposed Future Land Use Map (FLUM) amendment **CONSISTENT** with the Pinellas County Comprehensive Plan, based on this report.
- **Staff further recommends** that the LPA recommend **APPROVAL** of the proposed FLUM amendment to the Pinellas County Board of County Commissioners.

SUMMARY REPORT

The Development Review Committee (DRC) reviewed this application on October 14, 2019. The DRC Staff summary discussion and analysis follows:

The subject property is designated Residential Urban (RU) on the Future Land Use Map (FLUM) and is zoned RM, Multi-Family residential. The site currently contains a 12-unit multi-family residential building that was constructed in 1973. It is located within the Lealman Community Redevelopment Area (CRA).

The applicant wishes to develop additional multi-family units on the subject property, which will require a FLUM amendment to increase allowable density. The existing RU category allows up to 7.5 units per acre, whereas the requested RM category allows up to 15. If approved, up to 13 additional units could be built on the property subject to site plan review, for an overall total of 25 units. The existing RM zoning district is not proposed for amendment and an affordable housing density bonus is not being sought at this time.

In terms of surrounding uses, a single-family home and a mini-warehouse complex exist to the west, a mixture of single-family homes and duplexes are to the north across 46th Avenue North, and Joe's Creek curves along the east and south sides of the subject property. The 49th Street commercial corridor is a short distance to the west.

Transportation and Infrastructure Impacts

Comparing the current development potential of the subject property with the potential use associated with the requested RM FLUM designation, the proposal could generate approximately 79 additional average daily vehicle trips on the surrounding roadways. In this location, the nearest major road is 49th Street North, which is operating at a peak hour level of service (LOS) B with a volume to capacity (V/C) ratio of 0.606. It is not classified as a Deficient roadway.

The subject property is within the Pinellas County wastewater treatment and the City of St. Petersburg water supply service areas, respectively. The proposal could increase demands on potable water supplies and wastewater treatment facilities by approximately 2,400 and 1,800 gallons per day, respectively. In reference to solid waste, the proposal could increase the amount of solid waste generated by approximately 20 tons per year.

Conclusion

Staff is of the opinion that the proposed FLUM amendment is appropriate. The subject property is located in an area that provides a transition between the 49th Street North commercial corridor and the more concentrated single family uses to the east across Joe's Creek. Public transportation and other urban amenities are within walking distance. Further, no new use types will be introduced as the site has been developed with multi-family residences for over 45 years. In general, the proposal is consistent with the Pinellas County Comprehensive Plan and the Lealman CRA and is appropriate for this location.

	Land Use Category	Zoning District	Existing Use
Subject Property:	Residential Urban	RM	12 Unit Multi-Family Building
Adjacent Prop	erties:		
North	Residential Urban	R-4	SFDs & Duplex

SURROUNDING ZONING AND LAND USE FACTS:

Page	3
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East	Residential Urban & Preservation	RM	Joe's Creek
South	Preservation	RM	Joe's Creek
West	Residential Urban & Commercial General	RM & C-2	SFD & Mini-Warehouse

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendment is consistent with the following adopted objectives and policies of the Pinellas County Comprehensive Plan:

FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT

- Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
 - Policy 1.2.3 Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.
 - Policy 1.2.5 The Board shall implement land development regulations that are compatible with the density, intensity and other relevant standards of those land use categories defined in the Future Land Use and Quality Communities Element.

COUNTY DEVELOPMENT REGULATIONS

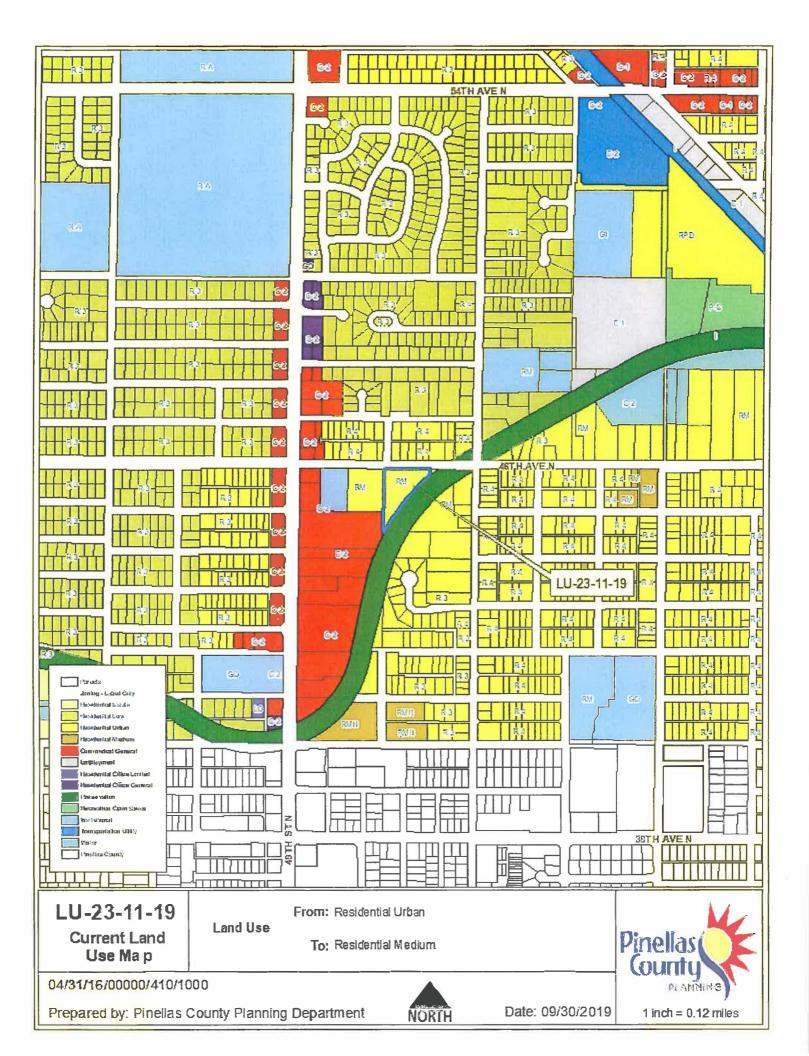
Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

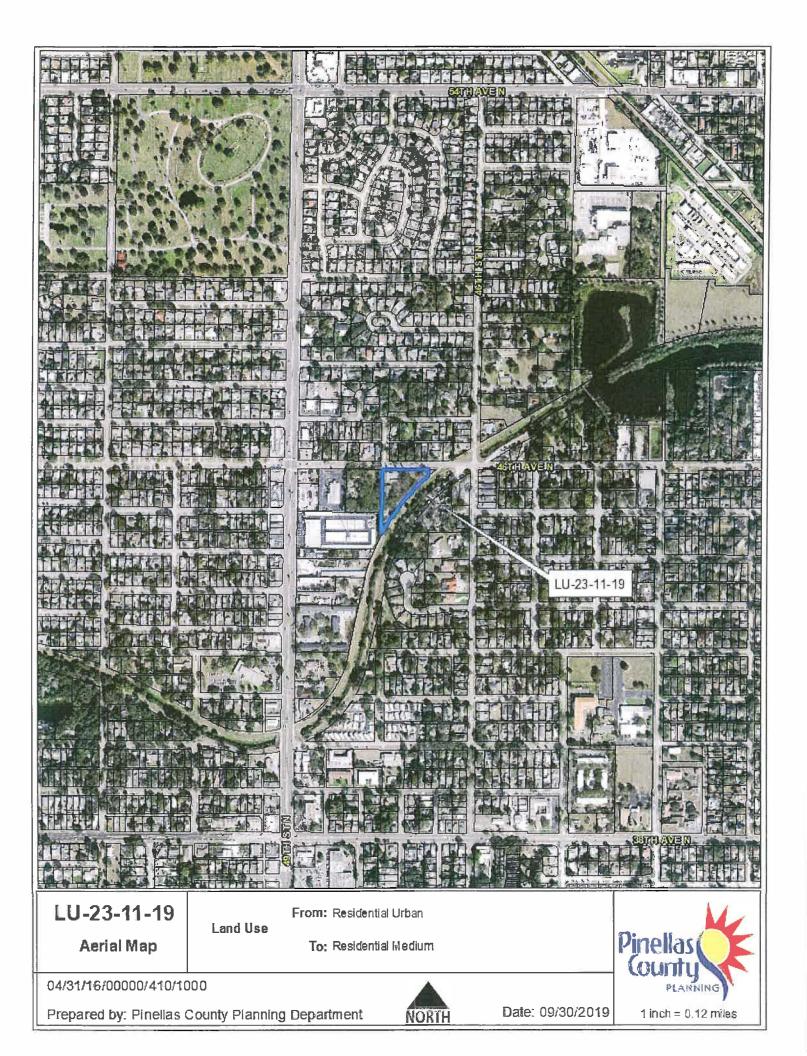
PROPOSED BCC HEARING DATE: December 10, 2019

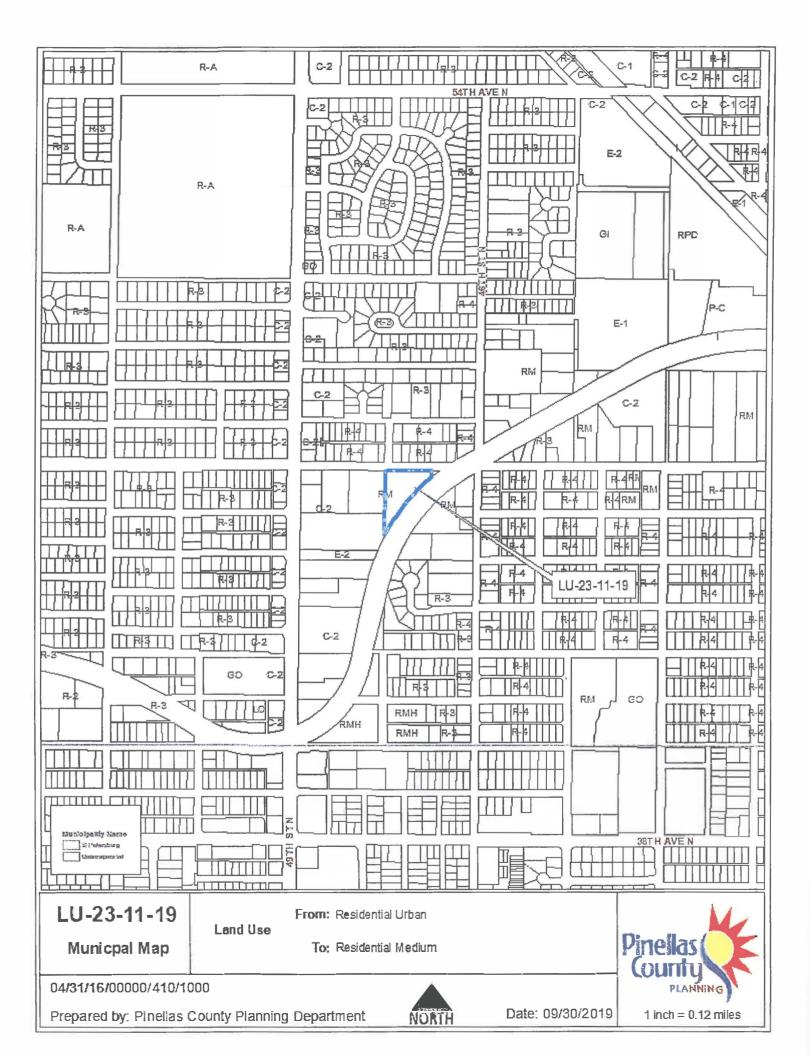
CORRESPONDENCE RECEIVED TO DATE: No correspondence received.

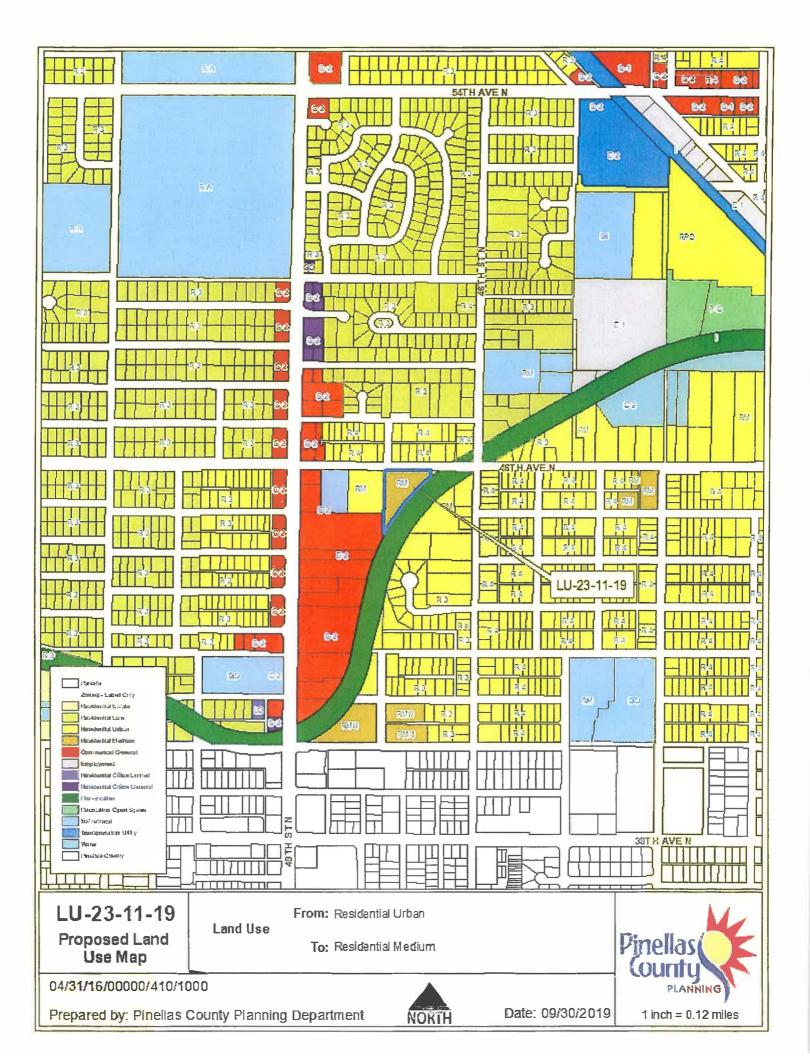
PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING: No one appeared in favor or in opposition.

ATTACHMENTS: (Maps)









Impact Assessment and Background Data for Staff Report

Amendment to the Pinellas County Future Land Use Map

LU-23-11-19	
Site Location: 4700 46 th Avenue North in L	ealman
Street Address: 4700 46 th Avenue	
Parcel Number: 04-31-16-00000-410-1000	
Prepared by: MDS	Date: 10/21/19
Proposed Amendment <u>From:</u>	
Future Land Use Designation(s): <u>RU</u>	acres: <u>1.69</u>
Zoning Designation(s): <u>RM</u>	acres: <u>1.69</u>
Proposed Amendment <u>To:</u>	
Future Land Use Designation(s): <u>RM</u>	acres: <u>1.69</u>
Zaning Designation (a):	
Zoning Designation(s): <u>RM</u>	acres: <u>1.69</u>
Development Agreement? No	Yes New Amended
Affordable Housing Density Bonus? No	Yes How many units:

INFRASTRUCTURE IMPACTS

SOLID WASTE IMPACT ASSESSMENT

LAND USE DESIGNATIONS	SOLID WASTE Total Tons/Year *	
EXISTING		
Residential Urban	(12 units x 1.66) (Residential factor) = 19.92 tons/year	
PROPOSED		
Residential Medium	(24 units x 1.66) (Residential factor) = 39.84 tons/year	
NET DIFFERENCE	+20 tons/year	

* (Non Residential) Gross Floor Area x Solid Waste Disposal Rate / 2,000 lbs = Total Tons per Year
 * (Residential) Units x Annual Per Capita Rate = Total Tons per Year
 Note: Based upon Solid Waste Disposal Rate determined by DUS Consultants for the Solid Waste Authority of Palm Beach County.

POTABLE WATER AND SANITARY SEWER IMPACT ASSESSMENT

LAND USE DESIGNATIONS	POTABLE WATER GPD *	WASTEWATER GPD*		
EXISTING				
Residential Urban	12 units x 200 (Multi-Family rate) = 2,400 GPD	12 units x 150 (Multi-Family rate) ≈ 1,800 GPD		
PROPOSED				
Residential Medium	24 units x 200 (Multi-Family rate) = 4,800 GPD	24 units x 150 (Multi-Family rate) = 3,600 GPD		
NET DIFFERENCE	+2,400 GPD	+1,800 GPD		

* (Non Residential) Gross Floor Area x Consumption Rate = * (Residential) Number of Units x Consumption Rate = GPD NOTE: GPD = Gallons per Day GPD

TRANSPORTATION AND ROADWAY IMPACTS

	YES or NO	COMMENTS
Is the proposed amendment located within one half mile of a deficient facility (i.e., a road operating at peak hour level of service E or F, and/or a volume-to- capacity (v/c) ratio of 0.9 or higher with no mitigating improvements scheduled within three years)?	☐ Yes ⊠ No	
Is the amendment located along a scenic/non-commercial corridor?	☐ Yes ⊠ No	

ENVIRONMENTAL AND SITE CONDITIONS

	YES or NO	COMMENTS
Identify any onsite soils. Are any classified as "very limited" or "subject to subsidence?"	□ Yes ⊠ No	Myakka soils and Urban land
Are there any threatened, endangered or listed habitats or species onsite (including species of special concern)?	□ Yes ⊠ No	
Identify onsite vegetation; does the site contain any significant native vegetative communities (e.g., sandhill).	☐ Yes ⊠ No	
Is the site located within the wellhead protection zone and/or aquifer recharge area?	☐ Yes No	
Identify the watershed in which the site is located.	⊠ Yes □ No	The subject area is located within the Joe's Creek Drainage Basin
Is the site located within the 25 year floodplain?	☐ Yes ⊠ No	
Is the site located within the 100 year floodplain?	□ Yes ⊠ No	
Does the site contain, or is it adjacent to any wetlands, rivers, creeks, lakes, marshes, Tampa Bay or the Gulf of Mexico, etc.	⊠ Yes □ No	The site is adjacent to Joe's Creek

*The standard categories of soil classifications (i.e., severe, very severe etc.) have been replaced by Building Site Development Limitations (i.e., somewhat limited, very limited etc.)

PUBLIC SAFETY

	YES or NO	COMMENTS
Is the site located with the coastal storm area?	☐ Yes ⊠ No	
Is the site located within a hurricane evacuation zone. If so, identify the zone.	☐ Yes ⊠ No	Non-Evacuation Zone
Identify the Fire District serving the proposed development.		The subject site is located within the Lealman Fire District.

COMMUNITY IMPACTS

	YES or NO	COMMENTS
Will approval of this amendment affect the provision of affordable housing; if so, explain the positive/negative impacts.	□ Yes ⊠ No	
Has the applicant sought/been issued an affordable housing finding by Community Development?	□ Yes ⊠ No	
Will the approval of the amendment result in the displacement of mobile home residents?	☐ Yes ⊠ No	
Will the approval of the amendment result in the elimination of a water-dependent land use such as a marina or boat ramp? If so, identify how many ramps/lanes or slips will be eliminated.	□ Yes ⊠ No	
Would the amendment affect beach/waterfront accessibility?	☐ Yes ☑ No	
Is the amendment located within a County redevelopment/revitalization area; if so, is the amendment consistent with the community revitalization plan, vision, etc.	⊠ Yes □ No	The property is located in the Lealman Community Redevelopment Area.
Would the amendment have a significant impact on an adjacent local government?	☐ Yes ⊠ No	
Is the amendment located within a designated brownfield area?	⊠ Yes □ No	The property is located in the Lealman Area-Wide Brownfield
Will the proposed amendment affect public school facilities?	☐ Yes ⊠ No	

Has the property been the subject of a previous amendment proposal within the last 12 months? Yes No

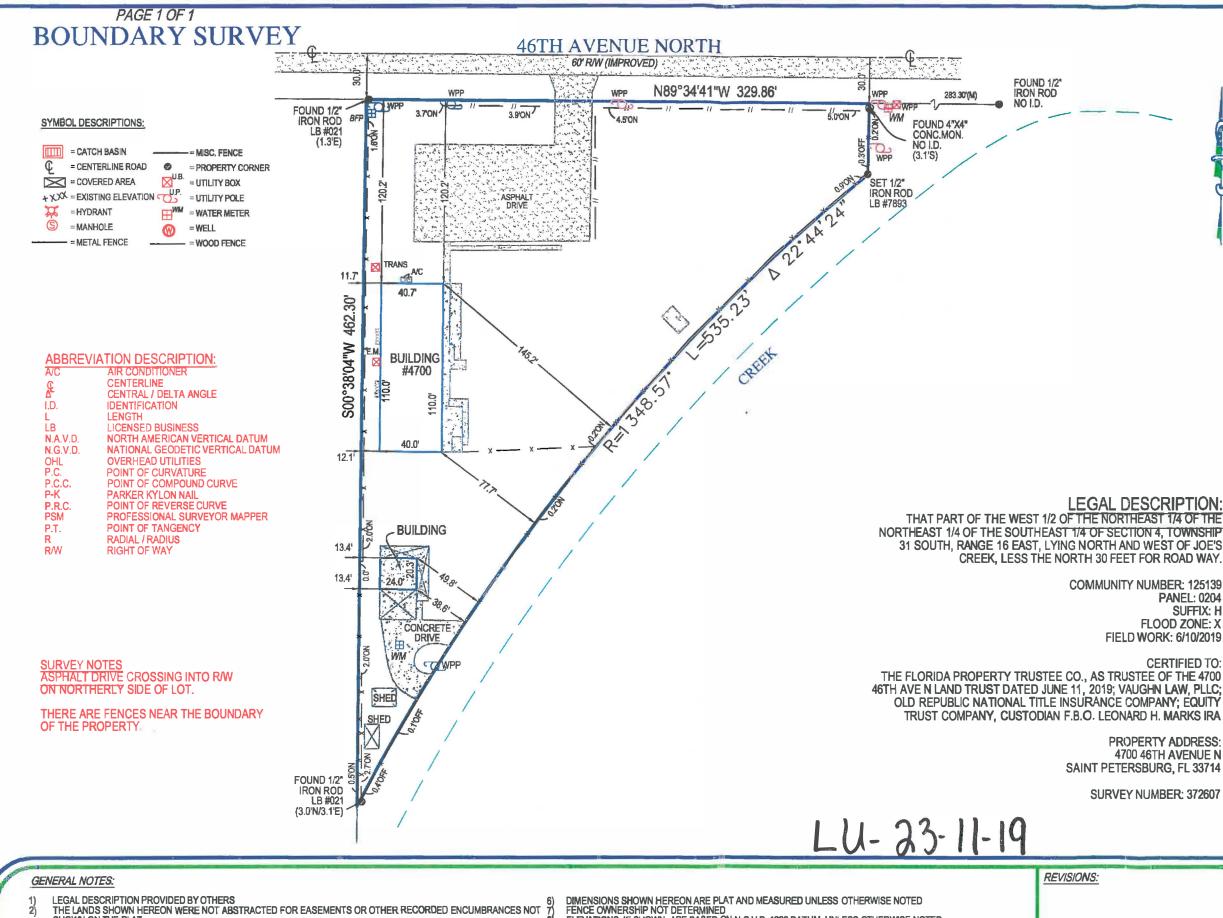
Is the property within 200 feet of a property under same owner that has been amended within the past 12 months? Yes No X

ATTACH THE FOLLOWING:

- ____ Location Map
- Future Land Use Map with zoning designations

____ Aerial

		ELLAS CO					E		
LU#:	LU-23-11-19						– Pinellas Co	unty	
Revised:		Received:	10/2	21/2019		Signoff:	MDS		
				DATA					
	Parcel Size:	1.6	-						
	Proposed for A	mendment	1.69						
Current Land Use De		Residentia							
Potential Use	acre(s)	(upa)	l L	Jnits		x(tgr)	cap.	Proj. trips	
(1) Multi-Family	1.69	7.50		12		6.6	1.00	79	
Proposed Land Use	Designation:	Residentia	Modium				Total	79	
Potential Use	acre(s)	(upa)		Jnits	1	x(tgr)	сар.	Proj. trips	
(1) Multi-Family	1.69	15.00		24	1	6.60	1.00	158	
	1.00	10.00			1	0.00	Total		
Potential Additional	Daily Trips:			79					
	RC	ADWAY IN	IPACT D	ATA - Trip	Distributio	n			
Road(s)	2	% Distri	bution			Traffic V	/ol. (AADT)		
		2017	2040]		2017	2040		
(1) 49th Street N		79	79		existing	30,692	35,601		
54th Ave N to 38th	Ave N	100.00	100.00		proposed	30,771	35,680		
Road(s)		LOS	V/CR		extg.	w/ chg.	extg.	w/ chg.	
(1) 49th Street N		В	0.606	1	В	В	В	B	
54th Ave N to 38th	Ave N								
Road(s)				Extg	Planned	Const.	Future	1	
(-)				Ln Cfg	Improv.	Year	Ln Cfg		
(1) 49th Street N	54th Ave N to 38	th Ave N		6D	None	None	6D		
		ABE	REVIAT	ONS/NOTE	S				
AADT = Average Anr	nual Daily Trips			Ln. = Lane					
AC = Acres				LOS = Level of Service					
CAP = Capture Rate				LTCM = Long Term Concurrency Management Corridor					
			MPO = Metropolitan Planning Organization						
CFG = Configuration			N/A = Not applicable						
CON = Constrained County Corridor			PC = Partially controlled access						
Const. = Construction D/U = Divided/undivided			PH = Peak Hour						
E = Enhanced			SF = Square Feet TGR = Trip Generation Rate						
FAR = Floor Area Ratio			UPA = Units Per Acre						
FDOT = Florida Department of Transportation			UTS = Units (dwelling)						
DEF= Deficient Road			V/CR = Volume-to-Capacity Ratio						
MMS = Mobility Management System MIS= Mitigating Improvement Scheduled									
2040 traffic volumes from MPO, adjusted FDOT Regional Transportation Analysis model output									
Average daily level of s	ervice based on (Generalized	Daily LOS	Volume Tab	les from FD	OT 2017 L	OS Manual		



- SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED. WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES. ONLY VISIBLE ENCROACHMENTS ARE LOCATED.

- ELEVATIONS, IF SHOWN, ARE BASED ON N.G.V.D. 1929 DATUM, UNLESS OTHERWISE NOTED. IN SOME INSTANCES, GRAPHIC REPRESENTATION HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS. 8) 9)



SCALE

LEGAL DESCRIPTION:

COMMUNITY NUMBER: 125139 **PANEL: 0204** SUFFIX: H FLOOD ZONE: X FIELD WORK: 6/10/2019

CERTIFIED TO:

PROPERTY ADDRESS: 4700 46TH AVENUE N SAINT PETERSBURG, FL 33714

SURVEY NUMBER: 372607