



Pinellas County

Legislation Details (With Text)

File #: 21-562A **Version:** 1

Type: Zoning / Land Use and Related Item **Status:** Public Hearing

File created: 3/15/2021 **In control:** Board of County Commissioners

On agenda: 4/27/2021 **Final action:**

Title: Case No. Z/LU-21-01 (Noell Family, LLC, Attn: Chris Noell)
 A request for a Zoning change from R-A, Residential Agricultural and R-3, Single Family Residential to R-5-CO, Urban Residential-Conditional Overlay (15.2 acres) and PC, Preservation/Conservation (6.3 acres) and a land use change from Residential Suburban and Preservation to Residential Low (15.2 acres) and Preservation (6.3 acres) with the Conditional Overlay limiting the number of residential units to either 70 one-story villas or 78 two-story townhomes on approximately 21.5 acres located at and to the south of 4706 Pleasant Avenue in Palm Harbor.

Sponsors:

Indexes:

Code sections:

Attachments: 1. LPA Report, 2. Case Maps, 3. Impact Assessment, 4. Traffic Analysis, 5. Resolution, 6. Ordinance, 7. Response to Question #13, 8. Aerial, Bldg Elevztions, Boundary Survey & Concept Plan, 9. Power Point Presentation, 10. Public Notification Map, 11. Correspondence, 12. Signed Petitions, 13. Signed Petitions (1), 14. Signed Petitions (2), 15. Signed Petitions (3), 16. Brenner, Amanda_Petitions (4), 17. Legal Ad, 18. Legal Ad Map, 19. Ordinance-AATF, 20. Resolution-AATF, 21. Electronic Affidavit of Publication, 22. Citizen Comment - Report from Deakin Property Services, 23. Email Comments Opposed, 24. Signed Petition Opposed, 25. Deakin Presentation Materials, 26. Affidavit of Publication, 27. Citizen Comments Opposed, 28. Late Filed Comments -Opposed, 29. Staff Report, 30. Public Hearing Comment Card - For, 31. Public Hearing Comment Card -Against

Date	Ver.	Action By	Action	Result
4/27/2021	1	Board of County Commissioners	deferred	Pass

Subject:

Case No. Z/LU-21-01 (Noell Family, LLC, Attn: Chris Noell)
 A request for a Zoning change from R-A, Residential Agricultural and R-3, Single Family Residential to R-5-CO, Urban Residential-Conditional Overlay (15.2 acres) and PC, Preservation/Conservation (6.3 acres) and a land use change from Residential Suburban and Preservation to Residential Low (15.2 acres) and Preservation (6.3 acres) with the Conditional Overlay limiting the number of residential units to either 70 one-story villas or 78 two-story townhomes on approximately 21.5 acres located at and to the south of 4706 Pleasant Avenue in Palm Harbor.

Recommended Action:

Based upon evidence and findings contained in the staff report and attachments, Case No. Z/LU-21-01 is recommended for:

- 1.) Adoption of a Resolution approving the application of Noell Family, LLC for a zoning change from R-A, Residential Agriculture and R-3, Single-Family Residential to R-5-CO, Urban Residential-Conditional Overlay and PC, Preservation-Conservation, with the Conditional Overlay limiting the number of residential units to either 70 one-story villas or 78 two-story townhomes.

- 2.) Transmittal of an Ordinance to the Florida Department of Economic Opportunity for a land use change from Residential Suburban and Preservation to Residential Low and Preservation on approximately 21.5 acres located at and to the south of 4706 Pleasant Avenue in Palm Harbor.
- This is a request for a large-scale Future Land Use Map Amendment (greater than 10 acres), and this is the first of two required BCC public hearings on the Ordinance. The second public hearing will follow state and regional agency review and comment.
 - The applicant is seeking land use and zoning changes on four vacant parcels containing approximately 21.5 acres.
 - The applicant is proposing to develop a single-family attached subdivision. The Conditional Overlay would limit the use and maximum density to either 70 one-story villas or 78 two-story townhomes.
 - The Local Planning Agency recommended approval of the request (vote 5-1). The vote against the proposal did not cite specific reasons. Five persons appeared in opposition, citing increased density, traffic, ecological impacts, and buffering/compatibility with adjacent uses.
 - Three individual letters and several petitions with a total of 563 signatures in opposition have been received.
 - a.) The applicant submitted a traffic study as part of the application package which identifies similar traffic impacts to that of the staff analysis. If approved, a Transportation Management Plan may be required when traffic is reviewed during the site plan review process.
 - b.) The applicant has submitted a wetland jurisdictional survey and an environmental report identifying wetlands and protected species on the site.
 - c.) The contract purchaser stated that they met with the surrounding residential property owners and the nearby Suncoast Primate Sanctuary.
 - d.) The Pinellas Trail property, which is 120 feet wide, provides buffering between the subject site and the nonresidential uses to the west.
 - e.) The subject site is bordered by Recreation/Open Space (R/OS) uses on three sides.

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 consists of four parcels totaling approximately 21.5 acres located at and south of 4706 Pleasant Avenue in Palm Harbor. The site is currently vacant. It is designated Residential Suburban (RS) (16.7 acres), which allows up to 2.5 residential units per acre, and Preservation (P) (4.9 acres) on the Future Land Use Map (FLUM). The site is zoned R-A, Residential Agriculture (21.13 acres), which requires minimum lots sizes of 2 acres, and R-3, Single-Family Residential (0.37 acre), which requires minimum lot sizes of 6,000 square feet.

The contract purchaser is proposing to develop the property as either a single-family attached villa or townhome residential subdivision at a higher density than what is currently allowed. In terms of land use, they are proposing a FLUM amendment to Residential Low (RL) (15.2 acres), which allows up to

5.0 residential units per acre and a modification of the location and size of the Preservation (P) (6.3 acres) area based on a wetland jurisdictional survey. For zoning, they are proposing a change to R-5-CO, Urban Residential - Conditional Overlay (15.2 acres), which allows compact, urban-style dwelling units typically comprised of smaller living spaces on smaller lots, and PC, Preservation/Conservation (6.3 acres), which will further recognize the onsite wetland areas. The request, with the Conditional Overlay, would limit the density and use to a maximum of 70 1-story villa units or 78 2-story townhome units on the property. The ultimate number of units built, however, would depend on lot layout, wetland buffering and other site plan and platting requirements such as internal accessways and stormwater facilities. By comparison, the existing RS category at the current 16.6 acres would allow up to 42 residential units with R-5 zoning. Additionally, the subject property, as well as all the immediate surrounding residential areas, are designated Residential Low Medium (RLM) on the Countywide Future Land Use Map, which allows up to 10.0 residential units per acre. Therefore, this proposal would not require a Countywide Map amendment. It would require a staff-level map adjustment on the Countywide Map to correctly identify the Preservation (P) designated areas.

The subject property is adjacent to single-family residential development of varied lot sizes and residential zoning districts (R-A, R-R & R-3) on the north. The subject site is bordered on the east and south by the Innisbrook golf course. Adjacent on the west is the Pinellas Trail with the Suncoast Primate Sanctuary on the western side of the Trail. The wider area is dominated by commercial and light industrial along the major roadways (US Alt 19 and Klosterman Road) with a mix of low to medium residential developments throughout the area.

Comparing the maximum density allowed under the existing RS category to the maximum density proposed under the RL category and limited by the Conditional Overlay, the proposal could generate approximately 49 additional average daily vehicle trips on the surrounding roads. The nearest level of service (LOS) regulated roadways are Alt US 19 to the west and Klosterman Road to the north. In this location, Alt US 19 is operating at a peak hour level of service (LOS) F with a volume to capacity (V/C) ratio of 1.006 and is considered a deficient facility. In this location, Klosterman Road is operating at a peak hour level of service (LOS) C with a volume to capacity (V/C) ratio of 0.503. Even though the number of new average daily trips is not expected to significantly impact the operational characteristics of area roadways, a transportation management plan may be required during site plan review to address any necessary improvements. Notably, Pleasant Avenue from which the site is accessed is currently in a substandard condition. Improvements to Pleasant Avenue will therefore be required by the developer as determined during site plan review.

The subject property is within Pinellas County's wastewater treatment and water supply service areas. The proposal could increase demand on potable water supplies by 9,576 gallons per day and increase demand on wastewater treatment facilities by approximately 6,750 gallons per day. In reference to solid waste, the proposal could increase the amount of solid waste generated by approximately 60 tons per year.

Staff is of the opinion that the proposed RL & P land use categories and R-5-CO & PC zoning districts are appropriate based on the subject property's proximity to a variety of uses and designations, the onsite wetlands, general compatibility with the surrounding area, anticipated acceptable level of service impacts, consistency with the Pinellas County Comprehensive Plan, and consistency with the Countywide Plan.

Background Information:

The Local Planning Agency (LPA) recommended approval of the request during its March 11, 2021 public hearing (Vote 5-1).

Surrounding property owners within 750 feet of the subject site were notified by mail. A sign advertising the public hearings was posted on the subject site.

Fiscal Impact:

N/A

Staff Member Responsible:

Carol Stricklin, Director, Housing and Community Development

Partners:

N/A

Attachments:

LPA Report
Case Maps
Impact Assessment
Traffic Analysis
Resolution
Ordinance
Response to Question #13
Correspondence
Aerial, Bldg Elevations, Boundary Survey & Concept Plan
Public Notification Map
Power Point Presentation
Legal Ad
Legal Ad Map