



Pinellas County

Legislation Details (With Text)

File #: 16-293A **Version:** 1

Type: Zoning / Land Use and Related Item **Status:** Passed

File created: 2/19/2016 **In control:** Board of County Commissioners

On agenda: 3/29/2016 **Final action:** 3/29/2016

Title: Case No. Q DA-4-2-16 (GIB Properties, LLC)
 A request for a modification of an existing Development Agreement for an assisted living facility by increasing the maximum number of beds from 39 to 58, allowing for the enlargement of the existing building, limiting the building height to 16 feet and one story, prohibiting the use of DeLong Way by commercial or delivery vehicles, and removing the parking variance on approximately 1.6 acres located at 7770 128th Street in the unincorporated area of Seminole.

Sponsors:

Indexes:

Code sections:

Attachments: 1. FE DevelopmentAgreement - Recorded Copy, 2. Affidavit of Publication for Notice of Public Hearing, 3. Comment Cards Submitted by Meeting Attendees, 4. Adopted Resolution 16-23, 5. Additional Correspondence, 6. E-Mail Correspondence Received - In Support, 7. Applicant PowerPoint Presentation, 8. E-Mail Correspondence Received - In Opposition, 9. Correspondence - DA-4-2-16.pdf, 10. BCC Ad, 11. Development Agreement.pdf, 12. Resolution, 13. Power Point - DA-4-2-16.pdf, 14. Ad_Map_Feb 2016.pdf, 15. Maps - DA-4-2-16.pdf, 16. LPA Report_Final.doc

Date	Ver.	Action By	Action	Result
3/29/2016	1	Board of County Commissioners	approved	Pass

Subject:

Case No. Q DA-4-2-16 (GIB Properties, LLC)
 A request for a modification of an existing Development Agreement for an assisted living facility by increasing the maximum number of beds from 39 to 58, allowing for the enlargement of the existing building, limiting the building height to 16 feet and one story, prohibiting the use of DeLong Way by commercial or delivery vehicles, and removing the parking variance on approximately 1.6 acres located at 7770 128th Street in the unincorporated area of Seminole.

Recommended Action:

Adoption of Case No. Q DA-4-2-16: A Resolution approving the application of GIB Properties, LLC for a modification of an existing Development Agreement for an assisted living facility by increasing the maximum number of beds from 39 to 58, allowing for the enlargement of the existing building, limiting the building height to 16 feet and one story, prohibiting the use of DeLong Way by commercial or delivery vehicles, and removing the parking variance on approximately 1.6 acres located at 7770 128th Street.

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:

This is a request to modify an existing development agreement for an assisted living facility (ALF) located at the southwest corner of the intersection of Park Boulevard and 128th Street North in the unincorporated area of Seminole. The purpose behind the modification is to allow for an increase of 19 beds, from 39 beds to 58 beds. Along with that, the applicant seeks the flexibility of enlarging the current structure within the boundaries of the subject property. The enlargement would be horizontal only, as the proposed changes to the development agreement would restrict building height to 16 feet and one story. The existing 39 bed restriction reflects the maximum number of beds allowed on the property (25 beds per acre) at the time the current development agreement was approved. In August 2015, the Board amended the Land Development Code to allow up to 37.5 beds per acre in the Institutional Limited zoning district assigned to the property. The requested 58 beds reflect the maximum number allowed on the property based on its acreage. Essentially, the applicant is requesting that the development agreement be modified to reflect the increased maximum number of beds allowed that resulted from the code changes approved by the Board.

Additional modifications proposed to the existing development agreement include prohibiting commercial and delivery vehicles from using DeLong Way, from which the property has no direct access. The applicant is including this prohibition to help allay concerns that neighbors living along DeLong Way may have. The current development agreement also includes a parking variance that the applicant contends is no longer necessary. Last August the Board also amended the parking requirements for ALFs from one parking space per bed to one parking space per three beds. Per the applicant, all required parking for the proposed 58 beds can be accommodated on site. The current prohibition of mental health and drug rehabilitation services are proposed to remain in effect.

The subject property is within an area of larger lot single family home properties zoned E-1, Estate Residential, on the south side of Park Boulevard. While the subject property is largely surrounded by residential uses, there are office and retail commercial uses located on the south side of Park Boulevard approximately 500 feet to the west at the intersection of 131st Street N, and it is approximately 200 feet from a shopping center located diagonally to the northwest across Park Boulevard. There are also other Institutional uses in the area, including a place of worship approximately 360 feet to the northeast.

The ALF on the subject property has been in operation since 1996. Details regarding the amendment history of the site are included in the attached Local Planning Agency report. The Board denied the past two amendment requests from the applicant, which both involved the expansion of the use onto the adjacent property to the west. Much of the public opposition regarding these past requests seemed to correlate with the proposed expansion to the property to the west. The additional 19 beds, expanded building, and all other site improvements associated with the current request, including parking, would be confined to the subject parcel. The parcel to the west is not part of this application and may not be used for any purpose related to the ALF. Because of the existing mix of uses in the surrounding area, the 20-year history of the subject property as an ALF, its location along an arterial roadway, and the fact that proposed changes related to the modification of the development agreement would be consistent with recent Land Development Code amendments and confined to the existing parcel, it is staff's opinion that this current request is appropriate and would not detrimentally impact the area. An ALF is a quiet residential use that generates little traffic. The requested 19-bed increase will have minimal impact on Park Boulevard and other infrastructure serving the property.

Background Information:

The Local Planning Agency (LPA) unanimously recommended approval of the request during its February 11, 2016 public hearing (Vote 6-0).

Fiscal Impact:

N/A

Staff Member Responsible:

Gordon Beardslee, Director, Planning

Partners:

N/A

Attachments:

LPA Report

Maps

Development Agreement

Resolution

Correspondence

BCC Ad

Ad Map

Power Point Presentation