



# Pinellas County

## Legislation Details (With Text)

**File #:** 20-1763A      **Version:** 1

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

**File created:** 9/10/2020      **In control:** Board of County Commissioners

**On agenda:** 10/20/2020      **Final action:** 10/20/2020

**Title:** Case No. Q DVA-20-2 (Eric Moore)  
 A request for an amendment to a previously approved Development Agreement to extend the duration of the Agreement for an additional 5-year term, to provide additional time for the development of an assisted living facility with up to 80 beds and a maximum height of 35 feet for a property containing approximately 5 acres located on the south side of Keystone Road approximately 1,960 feet east of East Lake Road in East Lake Tarpon.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Recorded Development Agreement, 2. Adopted RES 20-148, 3. Executed Development Agreement, 4. Electronic Affidavit of Publication - Notice of Public Hearing, 5. Power Point Presentation.pdf, 6. Resolution-AATF, 7. Resolution.pdf, 8. Previously Approved Development Agreement.pdf, 9. Map of Public Notification.pdf, 10. Correspondence.pdf, 11. Development Agreement.pdf, 12. Maps.pdf, 13. LPA Report.pdf, 14. Email Comment - DVA-20-2

Date	Ver.	Action By	Action	Result
10/20/2020	1	Board of County Commissioners	approved	Pass

**Subject:**

Case No. Q DVA-20-2 (Eric Moore)  
A request for an amendment to a previously approved Development Agreement to extend the duration of the Agreement for an additional 5-year term, to provide additional time for the development of an assisted living facility with up to 80 beds and a maximum height of 35 feet for a property containing approximately 5 acres located on the south side of Keystone Road approximately 1,960 feet east of East Lake Road in East Lake Tarpon.

**Recommended Action:**

Based upon evidence and findings contained in the staff report and attachments, Case No. DVA-20-2 is recommended for approval:

A Resolution approving the application of Eric Moore for an amendment to a previously approved Development Agreement for an additional 5-year term, to provide additional time for the development of an assisted living facility with up to 80 beds and a maximum height of 35 feet.

- The applicant is seeking to extend the timeframe of a Development Agreement that allows for the construction of an assisted living facility on 5 acres of land off Keystone Road in East Lake Tarpon.

- The Board approved the Development Agreement in 2015 for a 5-year time period, which is standard for Development Agreements.
- No other changes to the Development Agreement are proposed.
- No changes to the property's land use and zoning are proposed.
- The Local Planning Agency unanimously recommended approval of the request (vote 7-0). No one appeared in favor or in opposition.
- One letter in opposition has been received.

**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 a 5-acre vacant parcel located on the south side of Keystone Road approximately 0.4 mile east of East Lake Road in East Lake Tarpon. Case # Z/LU-13-6-15 amended the Pinellas County Future Land Use Map (FLUM) on the subject property from Residential Rural to Institutional and Preservation and changed the Zoning Atlas from a residential district to limited institutional and preservation districts. The associated Development Agreement allows for the development of a one-story assisted living facility (ALF) with up to 80 beds at a maximum height of 35 feet. It also prohibits mental health and drug rehabilitation services. Without the density and height limitations of the Development Agreement, up to 153 beds and a 50-foot high building would be possible based on the property's land use and zoning. The applicant has stated that the Development Agreement was not acted upon within the originally-approved 5-year time frame due to economic conditions and other circumstances.

The surrounding area includes a large vacant property owned by the School Board to the west, large residential lots to the north across Keystone Road, a water feature and a fire station to the east, and a wetland preservation area to the south. The southern portion of the subject property contains an area of wetlands with ponds and cypress trees, which is the part of the site designated as Preservation.

The proposed ALF is expected to pose minimal impacts on the traffic carrying capacity of Keystone Road. Additional landscaping will be required along the site's road frontage due to Keystone Road's designation as a Scenic/Non-Commercial Corridor. A portion of the site is within the 100-year floodplain. These are issues that will be addressed during the site plan review phase of the project.

The subject property is part of the East Lake Tarpon Community Overlay as recognized by the Pinellas County Comprehensive Plan. The Overlay describes the community's desire to maintain its low-density residential character, expansive open spaces and limited commercial development. It is staff's opinion that the proposed development is compatible with the surrounding area and supportive of the residential community. The intensity and height limitations mandated by the Development Agreement limit the potential scale of the facility and the Preservation land use ensures a significant portion of the site will remain open space.

If the request is approved, the Development Agreement will be valid until 2025.

**Background Information:**

The Local Planning Agency (LPA) unanimously recommended approval of the request during its August 13, 2020 public hearing (Vote 7-0).

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

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Brian Lowack, Interim Director, Housing & Community Development

**Partners:**

N/A

**Attachments:**

LPA Report  
Maps  
Development Agreement  
Previously Approved Development Agreement  
Resolution  
Correspondence  
Power Point Presentation  
Map of Public Notification