



# Pinellas County

## Legislation Details (With Text)

**File #:** 18-1143A **Version:** 1

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

**File created:** 7/17/2018 **In control:** Board of County Commissioners

**On agenda:** 8/21/2018 **Final action:** 8/21/2018

**Title:** (Q) DA-18-07-18 (Capon Corporation, John and Bonnie Mills)  
Request for a first amendment of a previously approved Development Agreement to extend the duration of the Agreement for an additional five-year term, to provide additional time for the development of up to 126 residential units having a maximum intensity and height as required by the property's zoning and land use designations, and to amend the concept plan depicted in Exhibit C for a property containing of approximately 55.56 acres located on the west side of Alternate U.S.19 and approximately 515 feet north of Terrace Road in unincorporated Tarpon Springs (street address being 1800 S. Pinellas Avenue).

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Recorded FE Development Agreement with Capon Corp, 2. Comment Cards Submitted by BCC Meeting Attendees, 3. Adopted RES 18-55, 4. Affidavit of Publication - Notice of Public Hearing, 5. Response to DA John Mills, 6. DA-18-07-18 radius map, 7. Resolution-AATF, 8. Legal Ad.pdf, 9. Resolution.doc, 10. LPA Report.pdf, 11. Ad\_Map\_July 2018.pdf, 12. PowerPoint Presentation.pdf, 13. Site Plan.pdf, 14. Correspondence.pdf, 15. Development Agreement.pdf, 16. Case Maps.pdf

Date	Ver.	Action By	Action	Result
8/21/2018	1	Board of County Commissioners	approved	Pass

### Subject:

(Q) DA-18-07-18 (Capon Corporation, John and Bonnie Mills)  
Request for a first amendment of a previously approved Development Agreement to extend the duration of the Agreement for an additional five-year term, to provide additional time for the development of up to 126 residential units having a maximum intensity and height as required by the property's zoning and land use designations, and to amend the concept plan depicted in Exhibit C for a property containing of approximately 55.56 acres located on the west side of Alternate U.S.19 and approximately 515 feet north of Terrace Road in unincorporated Tarpon Springs (street address being 1800 S. Pinellas Avenue).

### Recommended Action:

Adoption of Case No. Q DA-02-01-18: A Resolution approving the application of Capon Corporation, John & Bonnie Mills; duration of the Development Agreement for an additional five-year term, to provide additional time for the development of up to 126 residential units having a maximum intensity and height as required by the property's zoning and land use designations, and to amend the concept plan depicted in Exhibit C, for a property containing of approximately 55.56 acres located on the west side of Alternate U.S. Highway 19 and approximately 515 feet north of Terrace Road (street address: 1800 South Pinellas Avenue).

### 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 site of the five-year extension request is the current location of a single family home fronting Alternate US-19 and a large area of wetlands to its west in the unincorporated area of Tarpon Springs. In 2013, Case # Z/LU-20-8-13 amended the Pinellas County Future Land Use Map (FLUM) from Residential Suburban (RS), Commercial General (CG) and Preservation (P) to Residential Low Medium (RLM) and P, and approved the associated Development Agreement allowing for the development of up to 125 multifamily residential units in one building on the upland portion of the property fronting Alternate U.S.19. The number of units is derived via an affordable housing density bonus. Most of the density is transferred from the large preservation area of the subject property as well as from the isolated uplands. The Development Agreement also allows for the construction of one single family home on an upland area in the northern portion of the property.

In addition to the five-year extension, this current request also involves a slight modification of the concept plan that moves the proposed multifamily building a short distance to the east toward Alternate U.S.19. The reason for the modification is the areal expansion of the Coastal Storm Area (CSA) that occurred in 2016. Based on new scientific data, the CSA expansion occurred in several areas of the county, including the unincorporated area of Tarpon Springs. The Pinellas County Comprehensive Plan prohibits new affordable housing density bonus projects within the CSA. The new proposed location of the multifamily building as depicted in Exhibit C is outside of the boundaries of the CSA.

According to the applicant, the Development Agreement was not acted upon within the previously-approved time frame due to economic conditions and other factors. If the request for an additional five-year extension is approved, the Development Agreement will be valid until 2023. If not, it will soon expire.

**Background Information:**

The Local Planning Agency recommended approval of the request during its July 12, 2018 public hearing (vote 4-0). City of Tarpon Springs planning staff was present and objected to the extension of the Development Agreement.

In accordance with Section 134-337 of the Pinellas County Land Development Code, mailed notices of the public hearings were provided to property owners (as determined by Pinellas County Property Appraiser records) within 500 feet of the subject property. A sign noticing the public hearings was also posted on the subject property.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Renea Vincent, Director, Planning

**Partners:**

N/A

**Attachments:**

LPA Report

Case Maps

Development Agreement

Correspondence

Site Plan

PowerPoint Resolution

Legal Ad

Ad Map