



PLANNING BOARD MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

November 5, 2018

4:00 p.m.

Call to Order
Pledge of Allegiance
Roll Call

1. **Changes to the Agenda** – Agenda items to be added, moved or deleted will be addressed at this time. Items added will be assigned agenda item numbers and items that are moved will retain the same item numbers. A notation will be made that those items will be taken out of order.
2. **Audience Comments** – Comments shall be limited to three minutes per person to issues not on the agenda.
3. **Approval of Minutes from September 17, 2018.**
4. **Agenda Items**

- a. CPA/ZM- 18-00023– M. David Feinberg Jr., for Sea Biscuit Properties LLC

Request: This request is to amend the Future Land Use Map of the City of St. Pete Comprehensive Plan from INS Institutional District to RM Residential District; and to amend the Land Development Code Map from INS Institutional District to RM Residential District.

- b. Revised Flood Hazard Mitigation Regulations

The next meeting is scheduled for December 17, 2018.

5. Adjournment

APPEAL: Florida Statutes Chapter 286.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26. Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

**Electronic media must be submitted a minimum of 24 hours in advance
to cityclerk@stpetebeach.org**

All agenda material is available for review at City Hall.

PLANNING BOARD MINUTES

SEPTEMBER 17, 2018

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Tiffany Secka, Chairwoman
Marvin Shavlan, Vice Chairman
Kristin Bell, Member
Doug Izzo, Member
Jack Ohlhaber, Member

ALSO PRESENT:

Matthew McConnell, Esq., Dickman Law Firm
Wesley Wright, Community Development Director
Mary Jo Murphy, Deputy City Clerk
Laura Marley, Planner II
Brandon Berry, Planner I

1. Changes to the Agenda

There were no changes made to the agenda.

2. Audience Comments

There were no audience comments.

3. Approval of Minutes from 18 June 2018

Member Izzo made a motion to approve the June 18, 2018 meeting minutes. The motion was seconded by Member Ohlhaber and unanimously approved by a roll call vote (5 yeses – 0 nos).

4. Discussion Items

- a. Discussion of Comprehensive Planning – Goal 2 and the Future Land Use Maps

Wesley Wright, Community Development Director, introduced two new staff members to the Planning Board: Laura Marley, Planner II, and Brandon Berry, Planner I.

Mr. Wright gave a PowerPoint presentation entitled "City of St. Pete Beach Comprehensive Plan, 17 September 2018" to the Planning Board members.

It was the consensus of the board that Mr. Wright will present to the board a general outline and timeline for reviewing the Comprehensive Plan during the October 2018 meeting.

Mr. Wright and Mr. McConnell updated the board in regard to the following items:

- Tradewinds: pending site plan approval; November deadline to proceed with Phase I of the project; Development Agreement: approval date and effective date; and anticipating a Phase II
- Beach management will be on a City Commission agenda in the near future

Chairwoman Secka asked for audience comments.

Bill Pyle, 6600 Sunset Way, spoke in regard to the impact development will have on adjoining residential areas and reviewing the specifics of modifications that may be suggested for the Comprehensive Plan.

Chairwoman Secka asked for additional audience comments.

Hearing none, Chairwoman Secka asked for any items to discuss before adjournment.

4. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 4:44 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Tiffany Secka, Chairwoman

Minutes approved on: _____



City of St. Pete Beach
Community Development Department
155 Corey Avenue
St. Pete Beach, Florida 33706
727-367-2735
www.stpetebeach.org

APPLICATION FOR TEXT/MAP AMENDMENT

(Check appropriate boxes)

- ☐ Comprehensive Plan Text Amendment
☒ Future Land Use Map Amendment
☐ Land Development Code Text Amendment
☒ Zoning Map Amendment

Case Number:

18-00023

SUBJECT PROPERTY (N/A for text amendments):

Legal

Description

(See Attached)

Address:

3101 PASS-A-GRILLE WAY

Parcel ID:

07-32-16-21852 025-0000

Current

Zoning

Category:

INS

Proposed

Zoning

Category:

RM

Current

FLUM

Category:

Proposed

FLUM

Category:

Lot area:

13,786 square feet (0.316 acres m o l)

APPLICANT:

M. David Feinberg Jr.

Helen Hough Feinberg

Sea Biscuit Properties LLC

AGENT (must have agent authorization):

Name:

Name:

Address:

2701 Sunset Way

Address:

City:

St. Pete Beach

State:

Florida

City:

State:

Zip:

33706

Telephone:

727.643.6007

Zip:

Telephone:

Email:

Davefeinberg@me.com

Text to be stricken and/or added (Add additional sheets if necessary).

Dave Feinberg

APPLICATION FEES

Land Development Code Text change	\$800.00 plus direct mailing costs
Land Development Code Map change	\$2000 plus direct mailing costs
Comprehensive Plan Amendment (not in CRD)	<u>\$2,500.00</u> plus direct mailing costs ✓
Comprehensive Plan Amendment (in CRD)	\$3,000.00 plus direct mailing costs

THE FOLLOWING ITEMS MUST BE INITIALED BY OWNER OR AGENT:

- ✓  ☒ I understand that the Planning Board's action is not final. It must be approved by the City Commission.
- ✓ ☒ I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 days after the Commission decision; otherwise, the decision shall be final.
- ✓ ☒ I understand that I, as the applicant, or an authorized representative must be present at all scheduled public meetings on the application.

✓ 

Owner / Agent Signature

✓ 9/22/18 

Date

LEGAL DESCRIPTION: (PROVIDED TO SURVEYOR)

THE FOLLOWING PARCEL OF LAND LYING AND BEING IN DON CE-SAR PLACE, SECTION 7, TOWNSHIP 32 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 13, PAGES 15 THROUGH 20, MORE PARTICULARLY DESCRIBED AS THE SOUTH 125 FEET OF BLOCK B, TOGETHER WITH THAT CERTAIN STRIP OF LAND TEN (10) FEET IN WIDTH LYING ADJACENT TO THE EASTERLY BOUNDARY OF THE SOUTH 125 FEET OF BLOCK B, AND BEING OUTSIDE OF AND INCLUDING THE SEAWALL, SAID 10-FOOT STRIP OF LAND SHOWN AS "10' RESERVED" ON THE PLAT OF DON CE-SAR PLACE, SECTION 7, TOWNSHIP 32 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 13, PAGES 15 THROUGH 20, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.



City of St. Pete Beach
155 COREY AVENUE
ST. PETE BEACH, FL 33706
STPETE

Invoice No.: **8110**
Invoice Date: **09/24/2018**

INVOICE

RECORD INFORMATION

Record ID: PLN18-00023
Record Type: Rezoning
Property Address: FL
Description of Work: FLUM Change and Rezoning of 3101 Pass-A-Grille Way from INS to RM
Applicant: SEA BISCUIT PROPERTIES LLC
2701 SUNSET WAY
ST. PETE BEACH, FL 33706

FEE DETAIL

Fee Description	Quantity	Fee Amount
Comprehensive Plan Amendment - Not in CRD	2,500	\$2,500.00
		\$2,500.00



**DEPARTMENT OF COMMUNITY DEVELOPMENT
2018 FUTURE LAND USE AMENDMENT and
ZONING MAP AMENDMENT
STAFF FINDINGS REPORT
TO THE
PLANNING BOARD**

APPLICATION NUMBER: 18-00023 – M. David Feinberg Jr., for Sea Biscuit Properties LLC
MEETING DATE: November 5, 2018
PREPARED BY: Community Development Staff

This application is a request to amend the Future Land Use Map of the Comprehensive Plan, and to amend the Zoning Map of the Land Development Code.

FUTURE LAND USE MAP REQUEST:	From: INS- Institutional District To: RM- Residential Medium District
ZONING MAP REQUEST:	From: INS- Institutional District To: RM- Residential District
LOCATION:	Parcel number: 07-32-16-21852-025-0000; more specifically, Parcel B, Plat Book 13, Page 15; 3101 Pass-a-Grille Way. A complete legal description of the property is on file with Community Development.
ACREAGE:	Approximately 0.316 acres (13,786 square feet)
SURROUNDING FUTURE LAND DESIGNATIONS:	North – RM- Residential Medium South – RU- Residential Urban East – P- Preservation West – RM- Residential Medium
SURROUNDING ZONING MAP DESIGNATIONS:	North – RM- Residential District South – RU-2/PAG- Residential District/ Pass-a-Grille Overlay East – P- Preservation West – RM/PAG- Residential District/ Pass-a-Grille Overlay
SURROUNDING EXISTING USES:	North – Marina Bay Condos South – Single-family residence East – Fuller Island West – Single-family residences

BACKGROUND

In 1974 (Case No. 323) the property was granted a special exception to operate a school in the R-3 Multiple family (low rise) Residential District. In 2003 (via ORD 2003-08) the zoning districts were changed and three new districts were added (INS-Institutional, R/OS- Recreation/Open Space, and TU-Transportation/Utility). The R-3 District was changed to the RM- Residential District. However, this property was given the designation of one of the new land uses of INS-Institutional.

The property is developed with an elevated structure that was used as a private school (AMI Kids Pinellas) with approximately 7,834 of total building heated square-footage and 12,376 gross area square-footage. The elevated structure was constructed in 1991. The structure currently is vacant. The property also has two docks, a fence, patio/deck and other amenities. The property is surrounded by residential and multi-family uses.

The applicant attended the Technical Review Committee (TRC) on October 17, 2018 and provided some verbal comments. The applicant stated that it is the intention that the structure be converted into a multi-family development. The tentative plan is to have four, three bedroom, three bathroom units. They may be utilizing a third floor, or at least a portion of the existing deck for living area. They would be utilizing the existing parking spaces and may upgrade the surfaces. He discussed that the previous school had 60 children and 15 teachers and believed the use on the City's infrastructure would be reduced. He was advised that concurrency would need to be demonstrated at the time of permitting.

SUMMARY OF AGENCY COMMENTS: No comments have been received from state agencies at this time.

SUMMARY OF PUBLIC COMMENTS: As of this writing, no comments have been received for this application.

REQUEST FOR LAND USE CHANGE

1. Concurrency

- a. Sanitary Sewer – The sanitary sewer is under a moratorium but the City is looking to improve the service.
- b. Potable Water – The property will have to coordinate with Pinellas County, but the site currently has potable water.
- c. Solid Waste – Removal of solid waste will be from a private provider.
- d. Drainage – The site will be required to be designed to meet all applicable storm water design standards at the time of permitting.

2. Consistency with the Land Development Code –The applicant will be required to meet all LDC standards at the time of permitting.

3. **Consistency with the Comprehensive Plan** – All development applications shall demonstrate complete compliance with the Comprehensive Plan.

FUTURE LAND USE ELEMENT

Objective 2.4 - Consistent with this comprehensive plan, as amended, the City of St. Pete Beach shall enhance and protect the City's character through the encouragement of redevelopment which ensures an orderly and aesthetic mixture of land uses.

TRANSPORTATION ELEMENT

Policy 1.1.3 - The City shall assess new development or redevelopment an equitable pro rata share of the costs to provide road-way improvements to serve the development or redevelopment, as established by the Pinellas County impact fee schedule.

INFRASTRUCTURE PLAN ELEMENT

Objective 1.1 -The City of St. Pete Beach shall continue to implement procedures, in cooperation with its sewage, solid waste and potable water system providers to ensure that development permits are issued only when adequate facility capacity is available to serve the development.

Policy 1.1.1

Level of service standards shall be:	
Facility	Level of Service Standard
Sanitary Sewer	149.4 gallons per day per capita
Solid Waste	1.3 tons per person per day
Potable Water	120 gallons per day per capita

Policy 1.1.4- Prior to the issuance of a building permit for future development and/or redevelopment activities, the City shall consult with Pinellas County Utilities to ensure that adequate potable water supplies and facilities will be available by the anticipated issuance date of the certificate of occupancy.

Policy 1.1.5- The land development regulations and development review procedures shall be used to ensure that all adopted levels of service are maintained. All new development and redevelopment proposals shall be reviewed under the city's Concurrency Management System Ordinance to ensure the level of service standards established in this element shall be maintained.

Staff Comment: While no project is proposed for this parcel at this time, any project will be subject to the above objective and policies.

3. **Compatibility with Adjacent Land Uses** – The property lies adjacent to a condominium to the north, a single-family residence to the south, and across Pass-a-Grille Way a

single-family residence. The land uses of RM and RU-2 that are adjacent to the property, permitted and principal uses are residential dwellings.

4. **Transportation** – The site would obtain access from Pass-a-Grille Way.

ANALYSIS

The request would change the land use designations on the Future Land Use Map and Zoning Map from Institutional to Residential Medium to possibly allow for utilization for a future development.

Division 17 of the Land Development Code describes the INS- Institutional District as intended for the establishment of private institutional uses and public facilities in those areas designated within the INS Institutional land use category on the Future Land Use Map. Such uses may include ancillary commercial and residential uses, such as gift shops and residence halls, which are clearly subordinate to the principle use of the property. The permitted principal uses and structures are: places of worship with fewer than 100 seats in the main sanctuary, utility substations and/or rights-of-way, and public facilities, including public parks and other public recreational uses. The uses allowable by an approved conditional uses are: places of worship with 100 seats or more in the main sanctuary, residential structures as an ancillary use to the institution, commercial docks - classes B and C only, clubs, private and community service, schools, public, private or charter, and social service agencies.

Division 12 of the Land Development Code describes the RM- Residential District as intended for residential areas designated within the RM Residential Medium land use category on the future land use maps. Certain other structures and uses required to serve governmental, religious and non-commercial recreational needs of such areas may be permitted, subject to restrictions and requirements intended to preserve the character of such district. The permitted principal uses and structures are: *residential dwellings* —attached and detached single-family, multifamily and two-family. Such dwellings may be used for transient occupancy, so long as any transient occupancy of less than 30 days does not occur more than three times in any 12-month period on any parcel. The uses allowable by an approved conditional uses are: assisted living facilities, daycare center/kindergarten, recreational—public parks and/or recreational facilities, schools, public or private, and utility substations and/or rights-of-way.

The table below would show the differences in the existing land use and zoning of Institutional and Residential Medium as follows:

	INS, Institutional District	RM, Residential Medium
Permitted principal uses	Place of Worship (limited), utility substations, rights-of-way, public facilities	Residential dwellings
Residential Density	12.5 units per acre for places of worship and 7.5 units per acre for all other uses	15 units per acre
FAR	0.65	0.50 for non-residential uses
ISR	0.80	0.70 residential 0.75 non-residential

The subject parcel is 0.316 acres; the increase could be 1 unit.

The floor area ratio (FAR) would decrease from 0.65 to 0.50 (non-residential uses). The ISR would decrease from 0.80 to either 0.70 for a residential use or 0.75 for a non-residential use.

STANDARDS FOR REVIEW

In reviewing the application for a rezoning, the staff, the planning board and the city commission shall consider whether the proposed rezoning is consistent with and furthers the goals, policies and action strategies of the comprehensive plan. In addition, the planning board and city commission shall consider the following:

- a. **Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the plan.** The planning board and city commission shall review the request considering the most intense use permitted in the requested zone district; *The permitted uses allowed in the RM-Residential Medium District are residential. This is less intense than what is allowable currently in the Institutional District.*
- b. **Compatibility with adjacent properties and the existing land use pattern; *The adjacent land uses are primarily residential land uses.*** The compatibility would increase as the applicant proposes a land use change and zoning change from Institutional to Residential Medium.
- c. **Possible creation of an isolated district unrelated to adjacent and nearby districts;** *The land use and zoning is currently Institutional and is currently an isolated district. This amendment would be making the area more consistent with the uses allowed.*
- d. **The population density pattern and increase in demand for public utilities or services, including potable water supply, sanitary sewer capacity, law enforcement or fire suppression;** *The previous use was a school. The proposed new use if the application is approved would be multi-family and the demand on public utilities and/or services should be reduced. The applicant will have to demonstrate this at the time of permitting.*
- e. **Any increase in use of city infrastructure, including stormwater management facilities, streets and roads, water lines, sewer lines or lift stations;** *It is not ^{use of} anticipated with the proposed residential use that there would be an increase in the city infrastructure. The applicant will have to demonstrate this at the time of permitting.*
- f. **Whether existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change;** *The district boundaries only encompass the subject property. The land use districts surrounding the subject property are residential in nature.*
- g. **Whether changed or changing conditions make the passage of the proposed amendment necessary;** *The applicant is proposing the land use and zoning amendment.*

- h. **Whether the proposed change will adversely affect drainage.** *The site will be required to be designed to meet all applicable storm water design standards at the time of permitting.*
- i. **Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations;** *The proposed land use change should result in an improvement to the adjacent property as the uses would both be residential.*
- j. **Whether the proposed change will constitute a grant of special privileges to an individual owner as contrasted with the public welfare;** *If the proposed amendments are granted the land use would allow for residential like the surrounding land uses.*
- k. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.** *The proposed request would be more compatible with the surrounding area.*

PROPOSED FINDINGS OF FACT – LAND USE CHANGE

1. The request is to re-designate approximately 0.316 acres from Institutional District to the Residential Medium District.
2. The property lies immediately adjacent to residential and multi-family uses.
3. The proposed amendment would reduce spot zoning in the general area. The land uses surrounding the property are residential in nature.
4. Concurrency would need to be demonstrated if the proposed use required sanitary sewer and/or drainage.

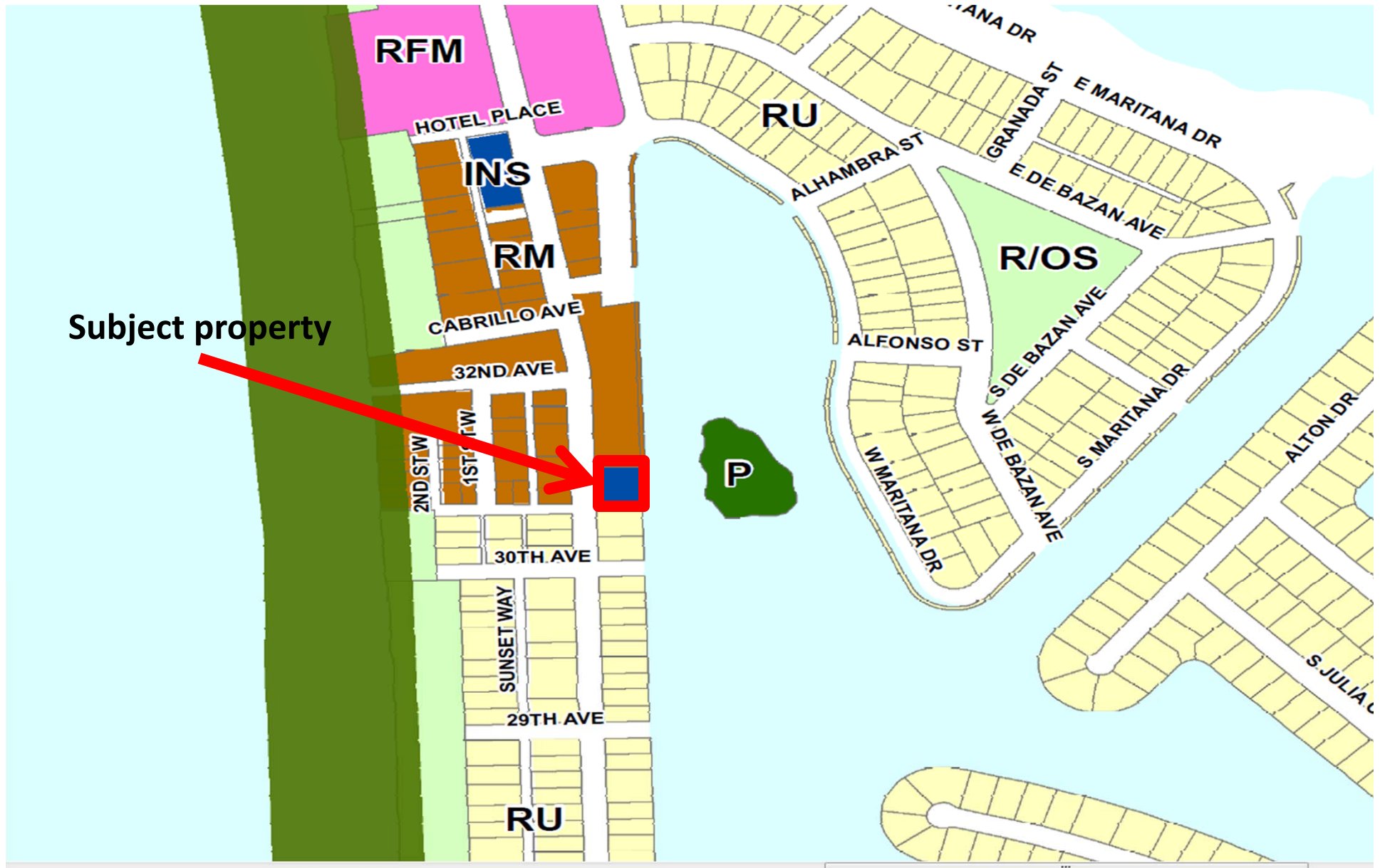
STAFF RECOMMENDATION

It has been determined that the reviewing body (Planning Board) may recommend approval of the application. The proposed project does not pose compatibility issues based on the existing surrounding land uses. The proposal as outlined is consistent with the policies of the Comprehensive Plan. Granting this request will not adversely affect the public interest, and would be generally compatible with adjacent properties and other properties in the area. Based on the findings of fact and the analysis, staff recommends **Approval** of the Comprehensive Plan Amendment and the Zoning Amendment.

**Comprehensive Plan
Amendment and Zoning
Map Amendment Case
No. 18-00023**

**M. David Feinberg Jr.,
for
Sea Biscuit Properties LLC**

Future Land Use Map



Zoning Map

Subject
property



