



City of Tarpon Springs, Florida

PLANNING AND ZONING DEPARTMENT
324 EAST PINE STREET
P.O. BOX 5004
TARPON SPRINGS, FLORIDA 34688-5004
(727) 942-5611
FAX (727) 943-465

**PLANNING & ZONING BOARD AGENDA
SEPTEMBER 20, 2021, 7:00 P.M.
324 EAST PINE STREET, CITY HALL AUDITORIUM**

- 1. CALL TO ORDER/ROLL CALL**
- 2. MINUTES**
August 16, 2021
- 3. APPLICATION #21-114: Amendment to the Land Development Code Article XI, Sign Regulations, Section 109.09 A-Frame/Sandwich Board Signs.**
- 4. QUASI-JUDICIAL ANNOUNCEMENT AND SWEARING IN OF SPEAKERS**
- 5. APPLICATION #21-106: Conditional Use approval to allow for auto sales/rental use (golf cart rentals) at 229 East Lemon Street in the T4b transect district of the Special Area Plan.**
- 6. ANCLOTE HARBOR:** The following applications pertain to a 64.17-acre parcel located at 42501 U.S. Highway 19 North:
Quasi-Judicial:
 - a. Application #21-100: Rezoning from General Business (or Residential Planned Development) to Residential Planned Development**
 - b. Application #21-101: Preliminary Planned Development approval for a Residential Planned Development**
 - c. Application #21-99: Conditional Use approval for establishment of a residential use in the Commercial General Future Land Use Map category**Legislative:
 - a. Application #21-103: Future Land Use Map Amendment from Residential/Office General to Recreation/Open Space for a 6.46-acre portion of the property.**
- 7. STAFF COMMENTS**
- 8. BOARD COMMENTS**
- 9. ADJOURNMENT**

If a person decides to appeal any recommendation made by the Planning & Zoning Board with respect to any matter considered at these meetings or hearings, they will need a record of the proceedings, and that, for such purpose, they 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. You are invited to attend the meeting to express your views or to present facts in regard to the case. Written comments may be addressed to the Planning & Zoning Department, P.O. Box 5004, Tarpon Springs, Florida 34688-5004, and will become part of the record. All documents submitted with the applications are on file and available for inspection in the Planning & Zoning Department, City Hall. Further information may be obtained from the Planning & Zoning Department, (727) 942-5611. Said hearing may be continued from time to time pending adjournment. Any person with a disability requiring reasonable accommodation in order to participate in these meetings should call (727) 942-5611 or FAX a written request to (727) 943-4651.

ANCLOTE HARBOR – PLANNING AND ZONING BOARD PACKET CONTENTS

- Anclothe Harbor – Links to Application Submittal Materials
- Preliminary Planned Development Sketches
- Staff Report: Comprehensive Plan Consistency Analysis
- Staff Report: Preliminary Planned Development
- Staff Report: Rezoning
- Ordinance 2021-15
- Staff Report: Conditional Use
- Resolution 2021-52
- Staff Report: Future Land Use Map Amendment
- Ordinance 2021-16
- Written Public Comment Received as of September 10, 2021

ANCLOTE HARBOR – LINKS TO APPLICATION SUBMITTAL MATERIALS

To view a document, click on the ‘Document Name’ in the tables below. To view all application materials submitted throughout the review process go to <https://connecttarponsprings.com/anclote-harbor>.

#21-99 – CONDITIONAL USE MATERIALS	
Document Name	Submittal Date
CU – Application	Original Submittal – 7/20/2021
CU – Narrative & Planning Report	Revised Submittal – 9/7/2021

#21-100 - REZONING MATERIALS	
Document Name	Submittal Date
RZ - Application	Original Submittal – 7/20/2021
RZ – Narrative & Planning Report	Revised Submittal – 8/20/2021
RZ – Boundary Survey	Original Submittal – 7/20/2021
RZ – Tree Survey	Original Submittal – 7/20/2021
RZ – Wetlands Survey	Original Submittal – 7/20/2021
RZ – Deed to Walmart	Original Submittal – 7/20/2021
RZ – Hurricane Shelter Study	Original Submittal – 7/20/2021
RZ – Traffic Impact Study	Revised Submittal – 8/20/2021
RZ – Response to Traffic Impact Study Comments	Revised Submittal – 8/20/2021

#21-101 – PRELIMINARY PLANNED DEVELOPMENT MATERIALS	
Document Name	Submittal Date
PPD – Application	Original Submittal – 7/20/2021
PPD – Narrative & Planning Report	Revised Submittal – 9/7/2021
PPD – Deed to Walmart	Original Submittal – 7/20/2021
PPD – Certificate of Concurrency	Original Submittal – 7/20/2021
PPD – Environmental Assessment Report	Revised Submittal – 8/20/2021
PPD – Stormwater Design Narrative	Original Submittal – 7/20/2021
PPD – Landscape Narrative	Revised Submittal – 8/20/2021
PPD – Utility Availability Statement	Original Submittal – 7/20/2021
PPD – Archaeological Resources Information	Original Submittal – 7/20/2021
PPD – Phase 1 Environmental Study	Original Submittal – 7/20/2021
PPD – Plan Set	Revised Submittal – 9/7/2021
PPD – Preliminary Drainage Plans	Original Submittal – 7/20/2021
PPD – Preliminary Utility Plans	Original Submittal – 7/20/2021
PPD – Preliminary Landscape Plans	Revised Submittal – 8/20/2021
PPD – Tree Mitigation Plan	Revised Submittal – 8/20/2021
PPD – Wetland & Buffer Enhancement Plan	Revised Submittal – 8/20/2021
PPD – Architectural Elevations	Original Submittal – 7/20/2021
PPD – Building Floor Plans	Original Submittal – 7/20/2021
PPD – FDOT Correspondence RE: Second US 19 Access	Original Submittal – 7/20/2021
PPD – Trash Compactor Plans & Model	Revised Submittal – 8/20/2021
PPD – Significant Upland Habitat Exhibit	Revised Submittal – 8/20/2021
PPD – Hurricane Response Plan	Revised Submittal – 8/20/2021

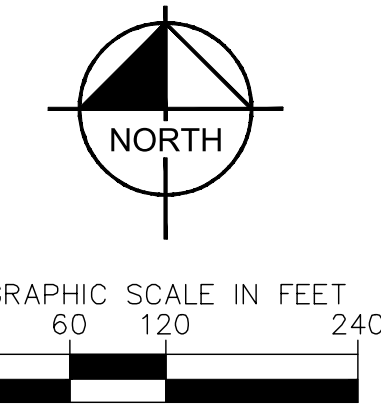
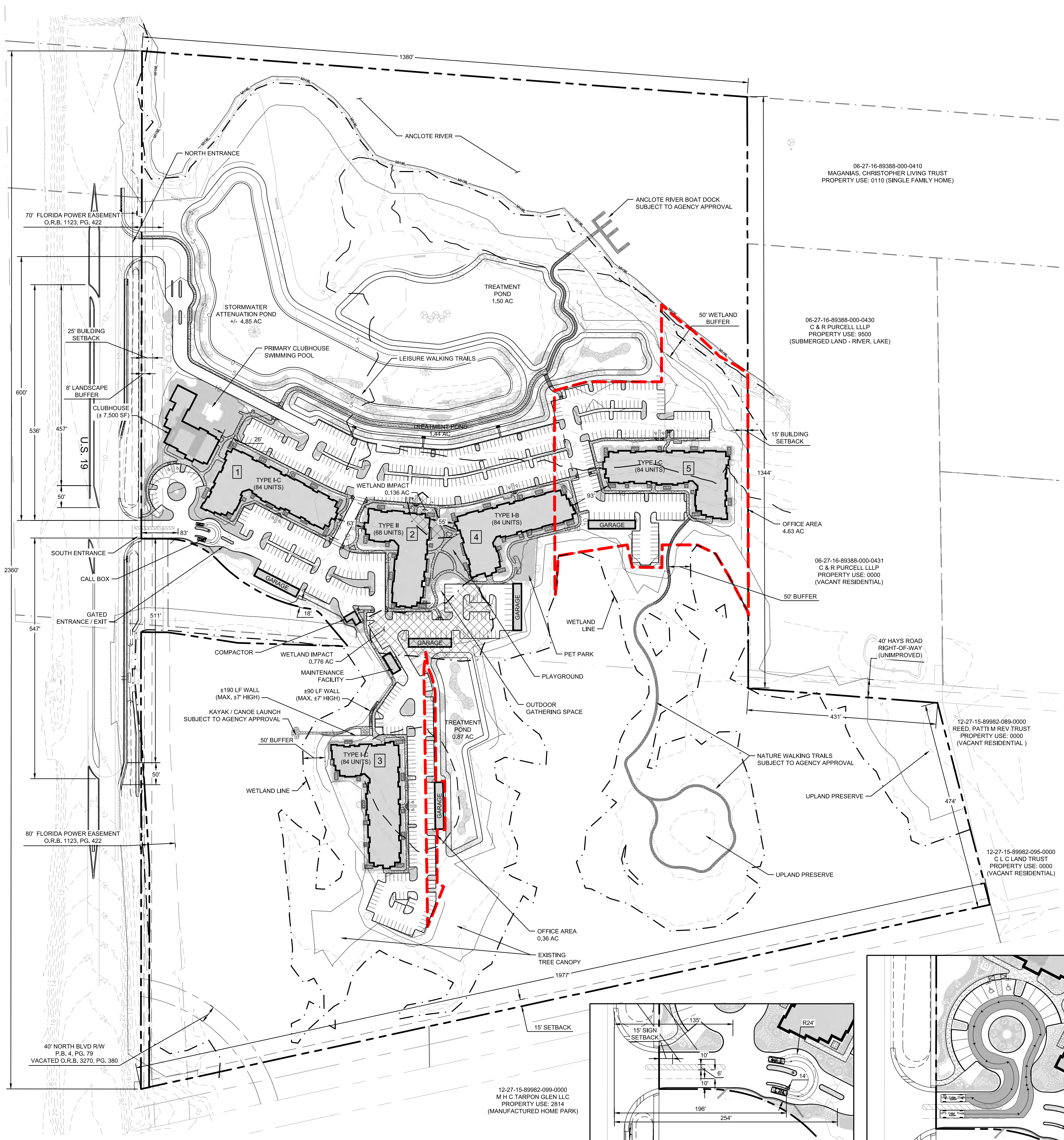
ANCLOTE HARBOR – LINKS TO APPLICATION SUBMITTAL MATERIALS

#21-103 – LAND USE AMENDMENT MATERIALS	
Document Name	Submittal Date
LUA – Application	Original Submittal – 7/20/2021
LUA – Deed to Walmart	Original Submittal – 7/20/2021
LUA – Legal Description & Sketch	Original Submittal – 7/20/2021
LUA – Narrative & Planning Report	Revised Submittal – 8/20/2021
LUA – Map Plan Amendment Site	Revised Submittal – 8/20/2021

ADDITIONAL SUBMITTAL MATERIALS	
Document Name	Submittal Date
Anclote Harbor Gap Study – Cover Letter	Revised Submittal – 9/2/2021
Anclote Harbor Gap Study – Response Letter	Revised Submittal – 9/2/2021
Anclote Harbor Gap Study	Revised Submittal – 9/2/2021
8/20/2021 – Revised Submittal Materials – Cover Letter	Revised Submittal – 8/20/2021
Response to 8/5/2021 TRC Comments	Revised Submittal – 8/20/2021
9/7/2021 – Revised Submittal Materials – Cover Letter	Revised Submittal – 9/7/2021
Response to 9/2/2021 TRC Comments	Revised Submittal – 9/7/2021
Drone Footage – AM Peak Hour (Submitted by Applicant)	8/17/2021 at 7:00 AM
Drone Footage – PM Peak Hour (Submitted by Applicant)	8/17/2021 at 4:00 PM

ANCLOTE HARBOR PRELIMINARY DEVELOPMENT PLAN

Drawing name: K:\TAM_Civil\145062 - Morgan\001 - Anclote Harbor\CADD\Work\PlanSheets\PPDP-01 - 145062001.dwg PDP Sep 07, 2021 12:39pm by: Brandon Mastiello
 This document, together with the concepts and designs presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

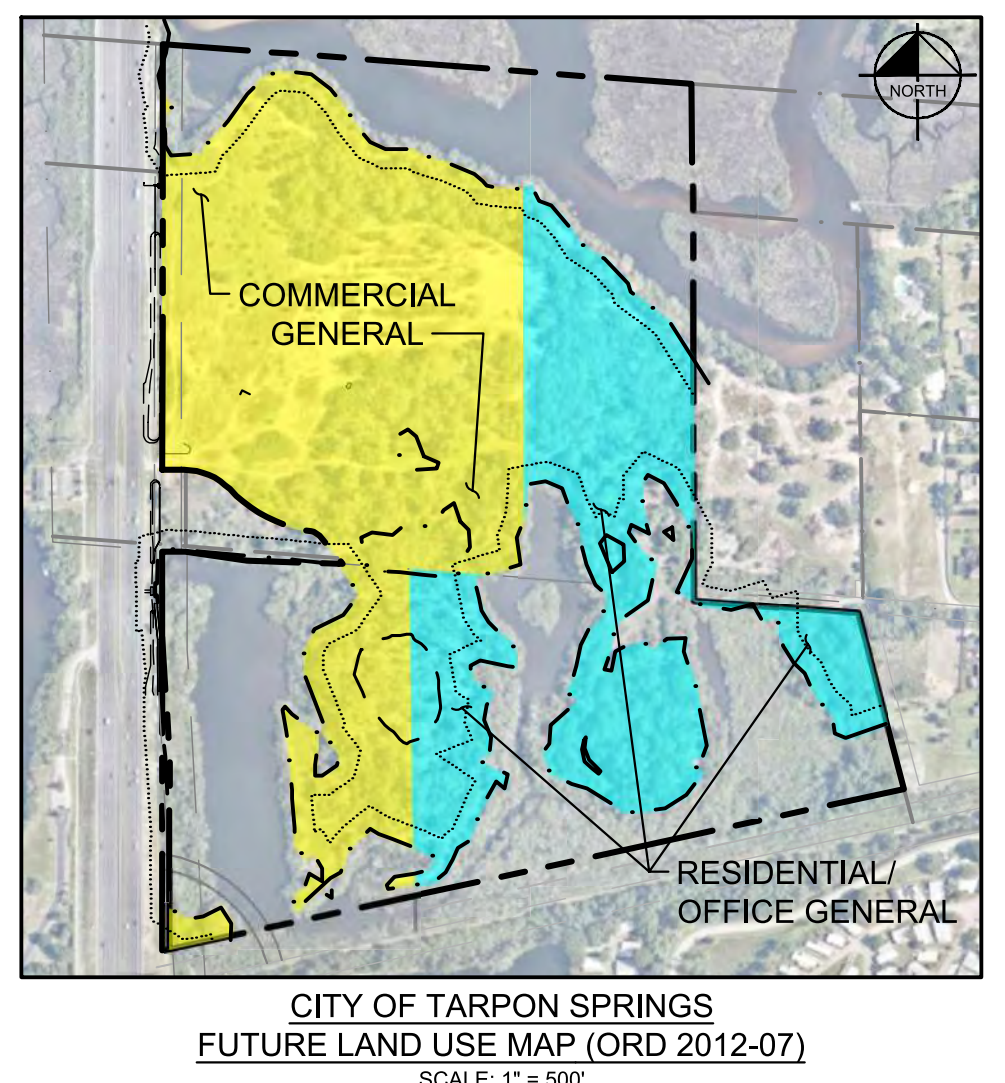
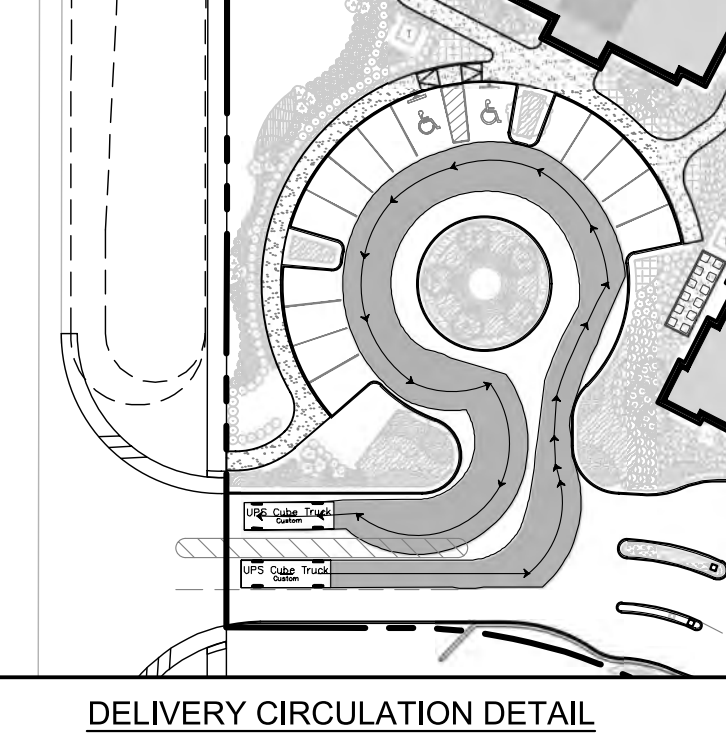
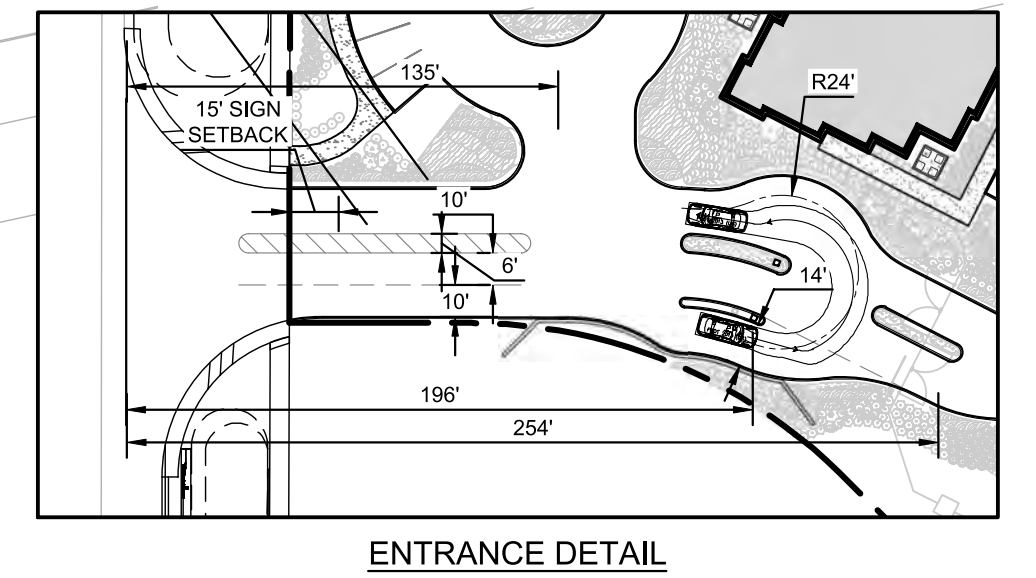


- ### LEGEND
- PROPERTY BOUNDARY
 - - - ADJACENT PROPERTY LINE
 - NORTH BLVD R/W
 - - - EASEMENT LINE
 - - - SECTION LINE
 - - - FLOOD PLAIN LINE
 - - - MEAN HIGH WATER LINE
 - - - PROPOSED BUILDING
 - - - PROPOSED RESIDENTIAL ON OFFICE LAND AREA - 4.99 AC (PER PINELLAS COUNTY WIDE PLAN, EFFECTIVE 10/24/2019)
 - - - EXISTING CONTOUR
 - - - PROPOSED CONTOUR
 - - - WETLAND LINE
 - - - WETLAND BUFFER (50')

LIGHTING NOTE:
 ON-SITE LIGHTING FIXTURE SELECTIONS SHALL AVOID GLARE AND LIGHT TRESPASS ON ADJACENT PROPERTIES BY SHIELDING THE LIGHT SOURCE THROUGH THE USE OF EXTERNAL GLARE SHIELDS WHERE APPLICABLE. FINAL LIGHTING FIXTURE SELECTION AND PLACEMENT TO DIRECTIONALLY DISPERSE LIGHT DOWNWARD TO MINIMIZE NIGHTTIME LIGHT POLLUTION. ANTICIPATED MOUNTING HEIGHT OF LIGHTING FIXTURES TO BE A MAXIMUM 30' ON DECORATIVE POWDER COATED MOUNTING POLES.

WAIVERS		
APPLIED FOR		
WAIVER	DESCRIPTION	
LDC SECTION 78.01(1)(7)(d) MAXIMUM ALLOWABLE HEIGHT	TO INCREASE THE ALLOWABLE MAXIMUM BUILDING HEIGHT FROM 45 FT TO 53 FT	

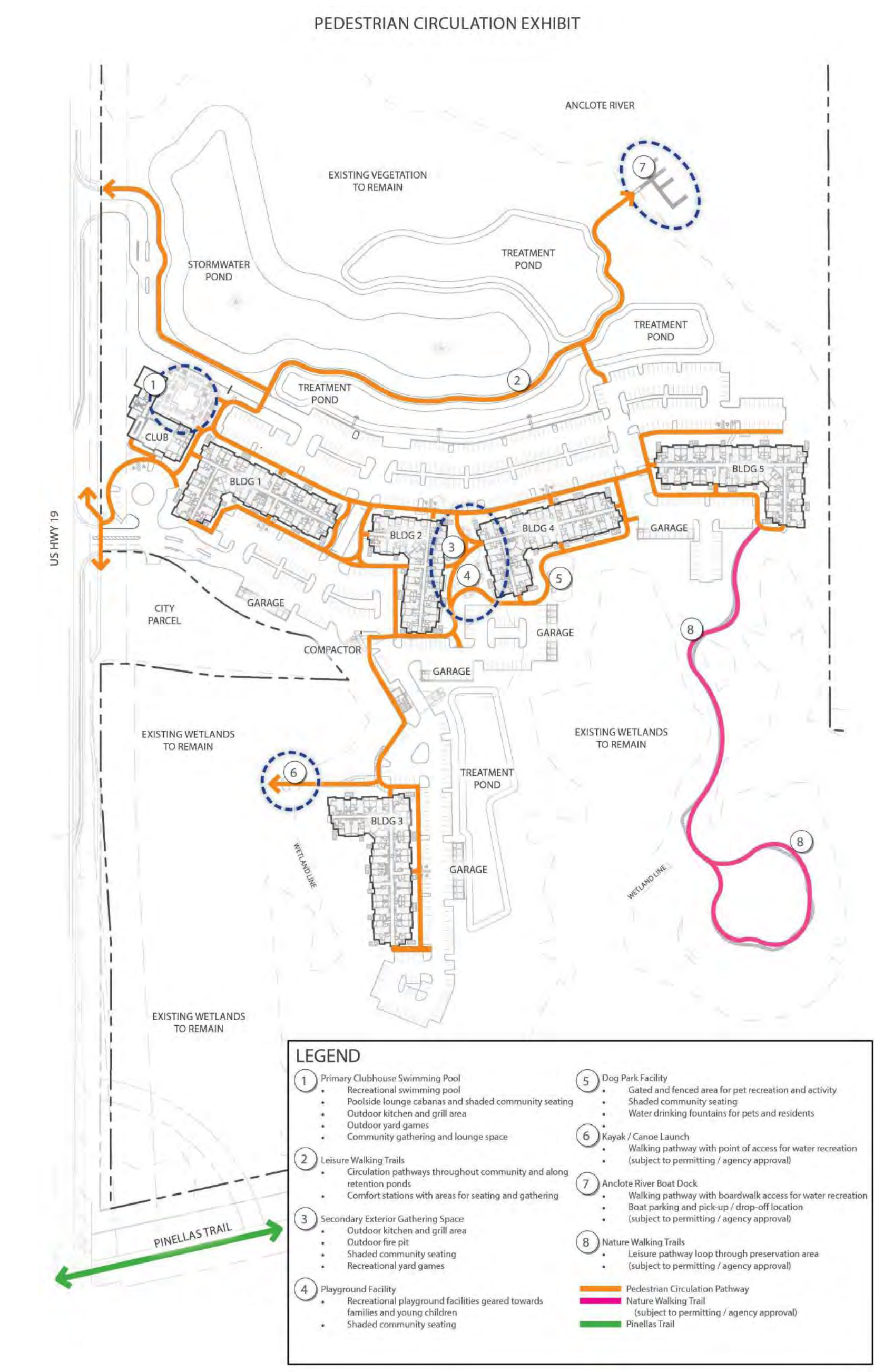
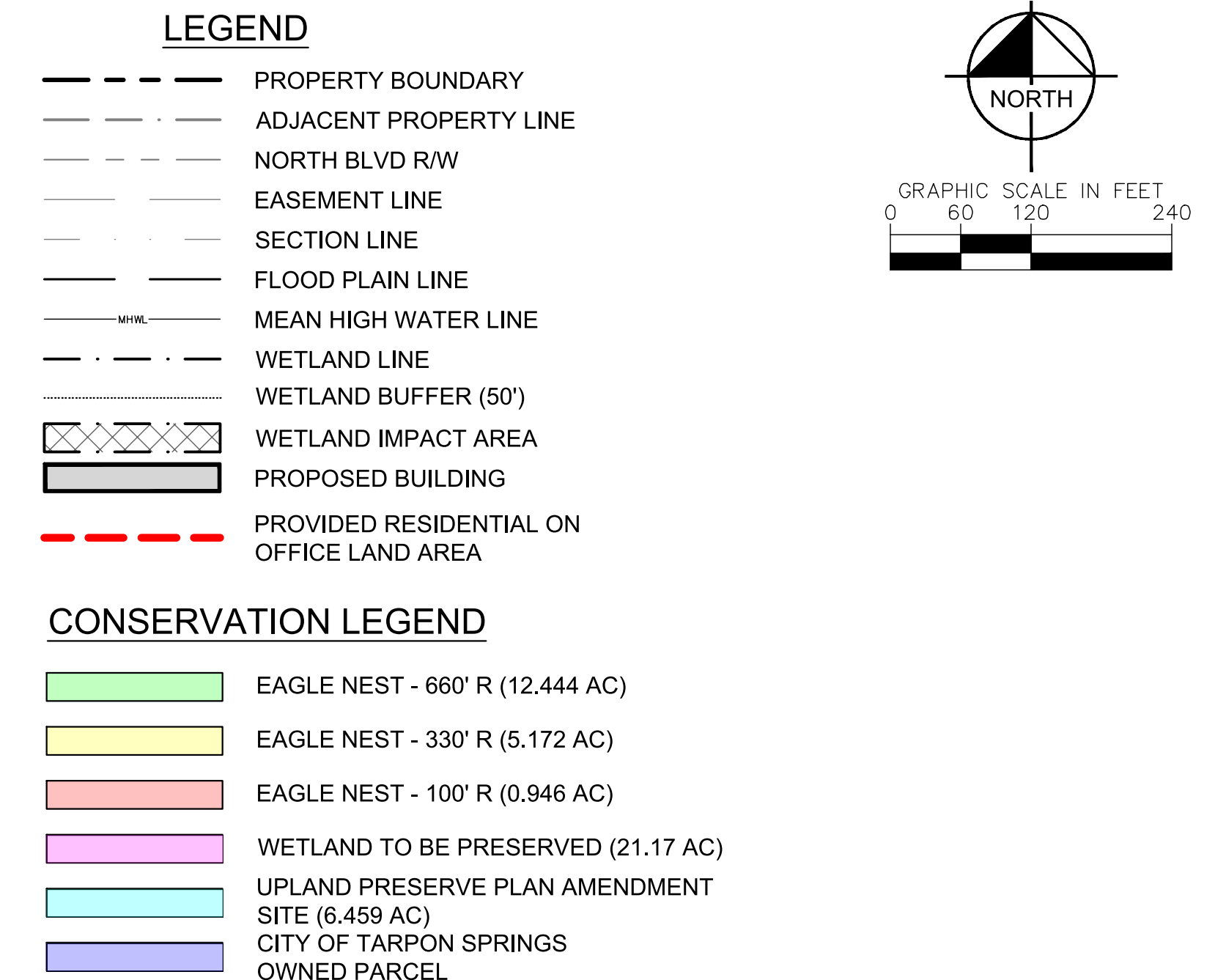
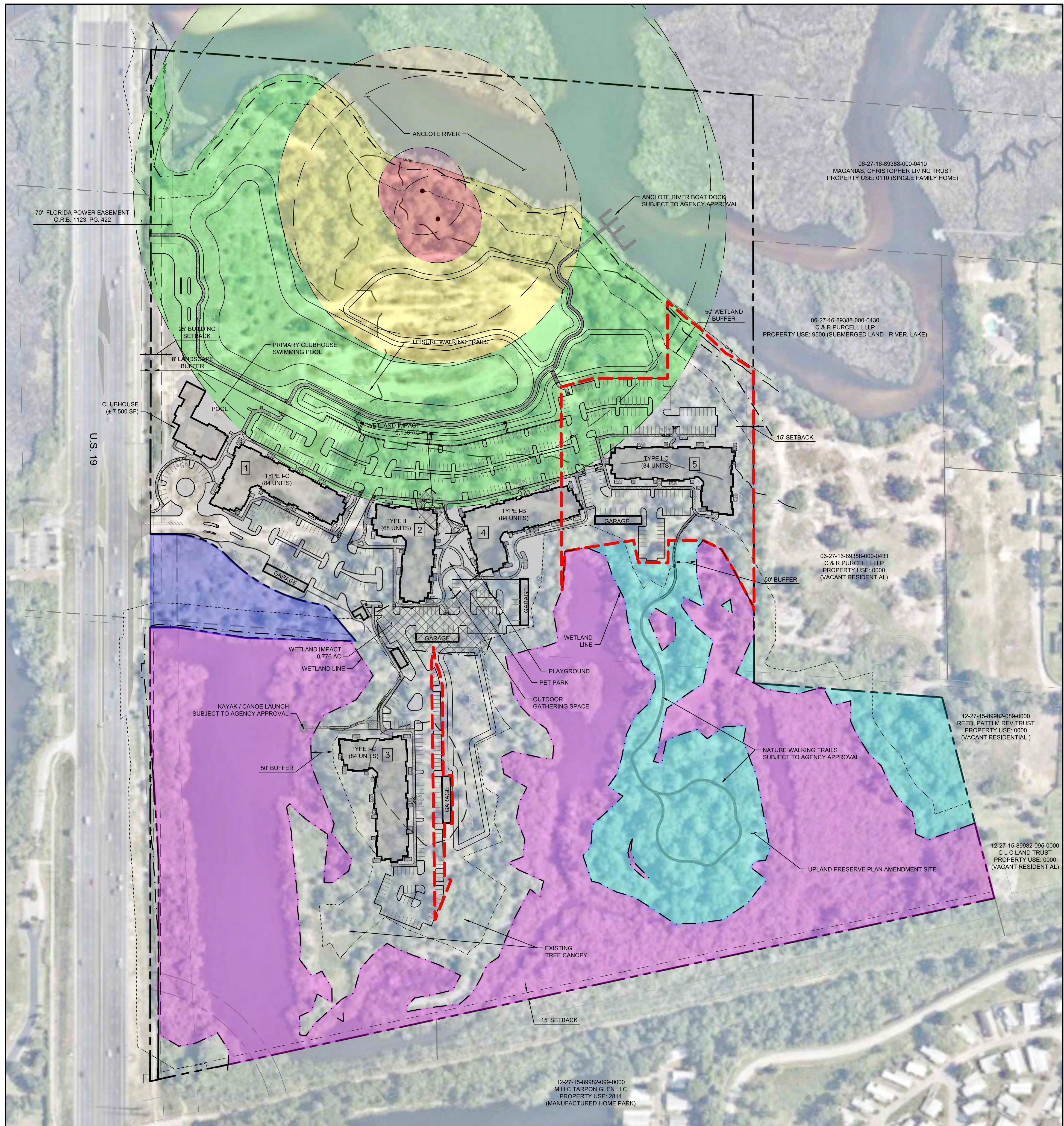
SITE DATA TABLE		
SITE SIZE		
	EXISTING	PROPOSED
TOTAL SITE	64.17 AC	64.17 AC
UPLANDS	42.09 AC (26.65 CG / 15.44 ROG)	43.00 AC (27.53 CG / 15.47 ROG)
WETLANDS	22.08 AC (10.22 CG / 11.86 ROG)	21.17 AC (9.34 CG / 11.83 ROG)
WETLAND IMPACTS	N/A	0.91 AC
PROPERTY APPRAISER PARCEL NUMBER	06-27-16-89388-000-0420	
ADDRESS	42501 U.S. HIGHWAY 19 NORTH	
PLAN CATEGORY	EAST SIDE: ROG WEST SIDE: CG	
EXISTING ZONING DISTRICT	GB, GENERAL BUSINESS	
PROPOSED ZONING DISTRICT	RPD, RESIDENTIAL PLANNED DEVELOPMENT	
EXISTING LAND USE	VACANT	
PROPOSED LAND USE	404 MULTIFAMILY RESIDENTIAL DWELLINGS, CLUBHOUSE, ACCESSORY GARAGES AND MAINTENANCE BUILDINGS	
FLOOD ZONE	ZONE AE, 9.0' FLOOD PANEL 12103C0036G, 09/02/2003	
DENSITY	EXISTING	PROPOSED
	15 DU / AC MAXIMUM ALLOWED	DENSITY ENTIRE SITE: 404 UNITS / 64.17 AC 6.3 DU / AC DENSITY UPLANDS ONLY: 404 UNITS / 42.09 AC 9.6 DU / AC
ISR	EXISTING	PROPOSED
	0 IN ROG 0 IN CG	MAXIMUM ALLOWED: 0.75 IN ROG 0.85 IN CG PROPOSED: 0.10 IN ROG 0.24 IN CG
MINIMUM LOT SIZE	10,000 SF	72,62 AC
MINIMUM LOT WIDTH	100'	±2,000'
SETBACKS		
	REQUIRED	PROVIDED
FRONT / WEST	25' MIN.	25' MIN.
SIDE / NORTH & SOUTH	15' MIN.	15' MIN.
REAR / EAST	15' MIN.	15' MIN.
BUILDING SEPARATIONS	15' SIDE FACING SIDE 20' FRONT / REAR FACING SIDE	25' SIDE FACING SIDE 30' FRONT / REAR FACING SIDE
	30' FRONT / REAR FACING FRONT / REAR +5' FOR EACH STORY ABOVE 2 STORIES FOR ALL SEPARATIONS	40' FRONT / REAR FACING FRONT / REAR
WETLAND BUFFER	50'	50'
MAXIMUM HEIGHT	45'	(WAIVER REQUESTED)
OPEN SPACE PER 78.01 (D7) (TOTAL SITE)	16.04 AC (25% OF TOTAL SITE)	8.02 AC UPLAND OPEN SPACE 8.02 AC WETLANDS / STORM (50% MAX) TOTAL 31.30 AC (49% OF TOTAL SITE)
OPEN SPACE AND IMPERVIOUS PER ORD 2018-27	OPEN SPACE 9.10 AC (30% OF SIGNIFICANT UPLAND HABITAT) MAX IMPERVIOUS 15.17 AC (50% OF SIGNIFICANT UPLAND HABITAT)	OPEN SPACE 13.89 AC (46% OF SIGNIFICANT UPLAND HABITAT) PROP IMPERVIOUS 8.52 AC (28% OF SIGNIFICANT UPLAND HABITAT)
PARKING	707 SPACES FOR RESIDENCES (1.76 SPACES / DU) +46 SPACES (1 SPACE / 250 SF OF 11,500 SF CLUBHOUSE BUILDING) +37 SPACES (1 SPACE / 50 SF OF COMMUNITY POOL) LESS 79 SPACES (10% REDUCTION FOR PROXIMITY TO PINELLAS TRAIL) = 711 TOTAL SPACES	710 AT GRADE SPACES +44 GARAGE SPACES = 754 TOTAL SPACES



DESIGN ENGINEER: NATHAN Q. LEE, P.E. FLORIDA REGISTRATION NUMBER: 69843	SCALE: DESIGNED BY: RPC DRAWN BY: BEN CHECKED BY: ACC	ANCLOTE HARBOR PRELIMINARY DEVELOPMENT PLAN MORGAN ANCLOTE HARBOR TARPON SPRINGS FLORIDA	DATE: 08/20/2021
			PROJECT NO. 145062001
SHEET NUMBER PDP-01		REVISIONS	
		NO.	DATE

ANCLOTE HARBOR PRELIMINARY DEVELOPMENT PLAN

Drawing name: K:\TAM_Civil\145062 - Morgan\001 - Ancloate Harbor\Work Plan\Sheets\PPDP-02 - CONSERVATION AREAS - 145062001.dwg PDP Sep 03, 2021 2:09pm by: Brandon Masiele
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DESIGN ENGINEER:		NATHAN Q. LEE, P.E.	
SCALE:		AS SHOWN	
DESIGNED BY:		RPPC	
DRAWN BY:		BFL	
CHECKED BY:		ACC	
DESIGN REGISTRATION NUMBER:		69843	
DATE:		08/20/2021	
REVISIONS:		No.	
DATE:		DATE:	
BY:		BY:	

ANCLOTE HARBOR PRELIMINARY DEVELOPMENT PLAN
CONSERVATION AREAS

MORGAN
ANCLOTE HARBOR
 TARPON SPRINGS, FLORIDA

DATE: 08/20/2021
 PROJECT NO: 145062001
 SHEET NUMBER: PDP-02



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
September 20, 2021 / October 26, 2021 & November 9, 2021

STAFF REPORT – TARPON SPRINGS COMPREHENSIVE PLAN CONSISTENCY
September 13, 2021

This staff report specifically addresses consistency of the applications listed below with the City of Tarpon Springs Comprehensive Plan. The applicant has addressed Comprehensive Plan consistency in the narrative reports accompanying the applications. Those narrative reports and all other materials submitted by the applicant may be found at this link:

<https://connecttarponssprings.com/anclote-harbor>

Application No.	21-100 Rezoning (Ordinance 2021-15) 21-101 Preliminary Planned Development (Ordinance 2021-15) 21-99 Conditional Use (Resolution 2021-53) 21-103 Future Land Use Map Amendment (Ordinance 2021-16)
Project Title:	Anclote Harbor
Staff:	Patricia L. McNeese, Principal Planner
Applicant / Owner:	Kamil Salame, Morgan Group Development LLC / Wal-Mart Stores East LP
Property Size:	64.17 acres
Current Zoning:	General Business (GB) or Residential Planned Development (RPD)
Proposed Zoning:	Residential Planned Development (RPD)
Current Land Use:	Commercial General (CG), Residential/Office General (R/OG), Preservation (P)
Proposed Land Use:	Commercial General (CG), Residential/Office General (R/OG), Preservation (P) and Recreation/Open Space (R/OS)
Location / Parcel ID:	42501 U.S. Highway 19 North / 06-27-16-89388-000-0420

BACKGROUND:

Planning Department Staff performed an extensive review of the Anclote Harbor project for consistency with the policies of the Comprehensive Plan. All Comprehensive Plan Elements were reviewed. Spreadsheets (in pdf format) have been posted on the City's Anclote Harbor project page of Connect Tarpon Springs at: <https://connecttarponssprings.com/anclote-harbor> and are included with the staff report agenda packet for reference. Each policy was reviewed to determine if the



policy was applicable, and if so, comments are provided. Those policies determined to be “Not Applicable” are noted as “N/A” in the spreadsheets.

REVIEW CONTEXT:

The following excerpts from the Plan Administration Element are provided for guidance:

- Each element of the Comprehensive Plan contains a section of applicable goals, objectives, and policies. These goals, objectives, and policies are designed to describe and identify programs, activities, and regulations which will be used for the purpose of implementing the Comprehensive Plan recommendations.
- Goals are not designed to be implemented or enforced on a daily basis. Instead, goals are intended as the long-range end toward which the City desires to be directed. Objectives serve as a benchmark or interim measure with which progress toward the goals can be identified. The objectives tend to be specific, and are often measurable by a completion or implementation date. Policies represent the actual programs, activities, or means which are conducted to achieve a desired end.
- Goals, objectives, and policies are not listed in any order of importance. All goals, objectives, and policies shall be considered of equal importance in the implementation of this Comprehensive Plan.
- All development orders reviewed after the effective date of this Comprehensive Plan shall only be issued if they are consistent with the goals, objectives, and policies contained within the adopted plan. Requests for development order approval shall be reviewed in accordance with, and shall be consistent with, all elements of the Comprehensive Plan. Consistency shall mean to further the intent of the Comprehensive Plan. Inconsistency shall be determined when a development order is in conflict with the goals, objectives, and policies of the Comprehensive Plan.

COMPREHENSIVE PLAN REVIEW, BY ELEMENT

The following summary of findings is presented, by Element, for the consideration during the public hearing review process. For each element staff has made an overall finding of the project’s consistency with that element and discussion is provided for any “policies of concern” where full consistency is not obvious or the policy merits additional discussion for clarity of staff’s findings. For a complete analysis, please refer to the full staff review spreadsheets.

FUTURE LAND USE ELEMENT

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives and Policies of the Future Land Element. The following policies are identified as policies of concern with staff analysis provided for in *italics*:

Policy 1.1.11 Require large scale development / redevelopment (40 acres or more) to adhere to mixed use and livable community objectives and policies set out in Goal 4 (now Goal 5) of this element.

- *The intent of this policy was to push large scale development projects to include uses that address daily needs of living and employment in order to reduce reliance on vehicle trips.*
- *While not a mixed-use project, the project does incorporate amenities and services that seek to reduce external trips and promotes livable communities’ objectives. Developer should provide for services/amenities to compensate for singularity of use and reduce required external trips via automobile. Van circulator, ride sharing services, bike share are examples.*



- *Direct application of this policy, at this location, must be balanced with competing policies of the Coastal Element which seek to preserve wetland and upland habitat resources. Requiring a true “mixed use” center at this location may require additional land occupation and reduced preservation of wetlands and upland habitat. As currently proposed 96% of wetlands and nearly 14 acres of significant upland habitat are being preserved.*

COASTAL ZONE (COASTAL MANAGEMENT) ELEMENT

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Coastal Management portion of the Coastal Zone Element. The following policies are identified as polices of concern with staff analysis provided in *italics*:

Policy 1.1.1 Evaluate all wetland areas for potential preservation designation with a goal of “no net loss of wetlands”. Development projects which may affect wetland areas must meet the following criteria and must also be consistent with Policies 1.6.6 and 1.6.7 of the Conservation Goals Objectives and Policies:

1. An overall public benefit is provided by the development and the mitigation plan provides an overall improvement to water quality within the applicable watershed.
2. Proposed mitigation shall be in the following order of priority.
 - a. Mitigation on the same site of the development.
 - b. Mitigation within the Planning Area Boundary.
 - c. Mitigation within the applicable watershed as identified by Southwest Water Management District.
3. Mitigation plans which rely on 2.c. above shall also be required to perform some mitigation either on site, adjacent to the development, or within the Planning Area that improves water quality and/or wildlife habitat.
 - *The entire site contains 22.08 acres of wetlands. The proposed project will impact less than 1 acre of isolated interior wetlands and will enhance the remaining wetlands with removal of exotic species and replanting. An initial UMAM (Unified Mitigation Assessment Methodology) evaluation has been conducted indicating a functional loss of .39 acres and a functional gain of 1.77 acres with the onsite wetland enhancement plan. The wetland and wetland buffer enhancement plan includes planting of over 6,000 trees.*

Policy 2.2.1 (paraphrased for clarity) Prioritize Anclote River shoreline uses along the South Bank of the Anclote River (not including the Working Waterfront) for Low Density Residential and Shoreline access for the public.

- *The permitted density allowed on the site, established by the designated future land uses, is 15 units per acre.*
- *The proposed density of the site, based upon gross acreage is 6.3 units per acre, well below the allowed 15 units. The Future Land Use category of “Residential Low” limits density to 5 units per acre. As noted above, the Future Land Use designations on the site allow for 15 units per acre.*
- *This same developer previously offered a solution to allow shoreline access for the public along the Anclote River. This proposal was discussed and ultimately rejected during previous public hearings on the proposed project.*

Policy 3.1.2 Restrict public investments such as roads, water, and sewer infrastructure, which would subsidize new private development in the Coastal High Hazard Area.



- *Developer is extending sewer and reclaimed water at their expense. Long term maintenance will become the responsibility of the City. Are there construction methods to ensure a minimum 50-year lifespan for utilities that will be dedicated to the city and taking into consideration projected sea level rise?*
- *Important to note that a large portion of the City is in the Coastal High Hazard area where utilities and infrastructure are present and must be maintained by the City.*

Policy 3.1.4 Restrict the infill of vacant parcels in the Coastal High Hazard Area to 5 dwelling units per acre when a shelter deficit is demonstrated.

- *The hurricane shelter analysis appears to comply with the City's methodology and regulatory requirements. Analysis and hurricane response plan has been provided to Pinellas County Emergency Management for comment.*
- *The project is proposed to be constructed at a density of 6.3 units per acre and is well below the designated Future Land Use density allowed of 15 units per acre.*

Policy 3.4.2 Implement a policy of “no net increase” in residential density within the Coastal High Hazard Area, taking into account the cumulative effects of all previous land use amendments affecting residential density within the CHHA, as most currently defined. A tracking mechanism to implement this policy shall be implemented within the Future Land Use Element.

- *The proposed project is not proposing to increase allowable density, and is building well below the established density allowed by the Future Land Use map designations.*
- *The intent of this policy was to recognize the total allowable number of residential units throughout the City in the CHHA, based upon the future land use map designations in place. This would essentially create a “density pool” in the CHHA that could theoretically be shifted around as long there was no net increase based upon future land use map designations. This would allow one property to be increased in density, as long as another property was similarly decreased in density and the units balanced out.*
- *It is staff's opinion that this policy does not apply in this situation.*

COASTAL ZONE (COASTAL CONSERVATION) ELEMENT

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Coastal Conservation portion of the Coastal Zone Element. The following policies are identified as polices of concern with staff analysis provided in italics:

Policy 1.6.2 Utilize the transfer of development rights to protect areas identified as critical to providing critical habitat to protected wildlife species.

- *The project is clustering density in multifamily buildings to preserve uplands and limit impacts on wetlands, and avoid impacts to a known bald eagle nesting site.*

Policy 1.6.3 Require the conservation and preservation of endangered and threatened species habitats as may be identified during environmental analysis of lands.

- *Applicant has provided endangered threatened species survey and will be required to obtain all jurisdictional permits. Site is providing substantial buffering of known eagle nests, preserving and enhancing 96% of wetlands and preserving over 13 acres of significant upland habitat.*



- *The project will preserve significant upland habitat at a greater rate than is required by Policy 1.1.12 of the Future Land Use Element (project is preserving 46% of significant upland habitat).*

Policy 1.6.4 To prohibit the destruction of threatened and endangered species through the protection of their habitat.

- *Applicant has provided endangered threatened species survey and will be required to obtain all jurisdictional permits. Site is providing substantial buffering of known eagle nests, preserving and enhancing 96% of wetlands and preserving over 13 acres of significant upland habitat.*
- *The project will preserve significant upland habitat at a greater rate than is required by Policy 1.1.12 of the Future Land Use Element (project is preserving 46% of significant upland habitat).*

Policy 1.6.6 Preserve / conserve wetlands and areas of significant upland habitat as defined in Future Land Use Policy 1.1.12 in accordance with specific regulations related to wetlands protection, preservation of open space, planned development performance zoning, transfer of density/intensity rights, buffers and setbacks, tree protection, clustering of units within the least environmentally-sensitive areas, and other techniques adopted in the Land Development Code.

- *The project is clustered within the least environmentally sensitive portions of the site utilizing disturbed areas to the fullest extent possible before encroaching into natural upland habitat and wetland habitat.*
- *The project will preserve significant upland habitat at a greater rate than is required by Policy 1.1.12 of the Future Land Use Element (project is preserving 46% of significant upland habitat).*
- *There will also be improvements in the overall habitat through wetland restoration, removal of invasives and replacement tree plantings.*
- *The applicant has committed to placing 6.46 acres into Recreation Open Space. Staff has recommended that the entire area identified as significant upland habitat (nearly 14 acres) be placed in the Recreation Open Space future land use map category.*
- *Staff is further recommending a conservation easement over the ROS designated lands and all preserved significant upland habitat and limit activities which can take place to passive walking trails and other recreation elements specifically identified on the Preliminary and Final Planned Development Plans.*

Policy 1.6.7 Wetlands that are not designated as “Preservation” or “Recreation Open Space” on the Future Land Use Map shall require a future land use amendment to either of these two designations prior to issuance of any construction permits for adjacent upland development.

- *Existing wetlands are already designated as Preservation. The applicant will provided verified wetland survey data and Preservation boundary will be updated to reflect the current location of the wetlands.*



TRANSPORTATION ELEMENT

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Transportation Element. The following policies are identified as polices of concern with staff analysis provided in *italics*:

Policy 1.5.3 The City shall discourage the development of low density residential projects which will increase urban sprawl and dependency on the personal automobile.

- *This is considered a low-medium density project, but it does largely depend upon automobiles for access to daily needs such as groceries and employment. However, the project does have good access to the Pinellas Trail for recreational needs and access to downtown and the Sponge Docks. Operation of small van circulator to groceries, downtown and docks should be considered. This policy must also be reconciled with policies that discourage higher densities within the CHHA and desire to protect onsite significant upland habitat and avoiding wetland impacts.*

PUBLIC SCHOOLS FACILITIES ELEMENT

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Public Schools Facilities Element. The following policies are identified as polices of concern with staff analysis provided in *italics*:

Policy 1.2.10 In order to facilitate the accurate annual assessment of projected public school facility capacity, the City of Tarpon Springs shall, throughout the year, notify the Pinellas County Planning Department of development permits, including certificates of occupancy issued for new dwelling units and expired school concurrency Residential Approvals, that affect the availability of school capacity, consistent with Section 13 of the Public Schools Interlocal Agreement, so that an estimate of the number of vested students can be maintained for school concurrency purposes. (Section 163.31777(2)(b), F.S.).

- *Staff updates Pinellas County schools of residential projects as they are approved. Pinellas County Schools has verified available capacity for this project and previously approved residential development projects. The following projects have been verified with Pinellas County Schools:*

Residential projects under construction or in the pipeline					
Development Name	Development Type	units	Projected Population Ave Household size	Projected population Average Family size	Acres
Icaria	Apartments	236	590	741	10.9
River Bend	Single Family	54	135	170	11.2
Anclote Harbor	Apartments	404	1010	1269	72.62
Eagle Creek	single Family	50	125	157	15.3
North Lake Estates	Single Family	44	110	138	43.54
Total		788	1970	2474	153.56
2019 Avg Household size for Tarpon Springs 2.5 persons					
2019 Avg Family size is 3.14 persons					



Policy 3.1.6 For new development or redevelopment within a two-mile radius of any existing or planned public school facility, the City of Tarpon Springs may require the developer to construct sidewalks along the corridor contiguous to the property being developed that directly serves the public school facility, in support of Section 1013.36 (5), F.S. and the MPO 2025 Transportation Plan.

- *This is a very unclear policy as written. Staff is of the opinion that the "corridor contiguous to the property being developed" would be US 19 where sidewalks already exist.*

UTILITIES ELEMENT

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Utilities Element. The following policies are identified as polices of concern with staff analysis provided in *italics*:

Policy 1.3.2 The City shall require developer participation to fund sewer system expansion when it is deemed necessary by the Public Services Department.

- *Developer is proposing extension of required sewer line to serve project and ensure downstream capacity to serve the project*
- *The Waste-Water Treatment Plant is currently operating at 2.1 MGD with available capacity up to 4.0 MGD. Based upon average daily use of 81 gallons per person per day the added impact upon the treatment plant would be approximately 85,000 gallons per day. This assumes an average household size of 2.5 persons per household and 404 apartments in the project.*

Based upon these calculations the City has more than ample capacity to serve this project, previously approved residential developments in the City, and expected additional population growth in the City. Projections by the Florida Housing Data Clearinghouse (Schimberg Center for Housing Studies) expect the City's population to be approximately 31,000 by year 2040. Current population is approximately 26,000, indicating population growth of approximately 5,000 persons. This would equate to an additional impact on the Waste Water Treatment Plant of less than .5 MGD

Policy 3.3.10 The City shall encourage the protection of privately owned jurisdictional wetlands and other prime recharge areas.

- *Conservation easements are requested over all wetlands and preserved upland habitat areas, 96% of wetlands being preserved and enhanced.*

Policy 4.3.2 The City shall continue to provide adequate spacing of fire hydrants to provide optimum hose lays and fire flow.

- *Fire Department has noted that additional fire hydrants and spacing will be required for Final Planned Development.*

UTILITIES ELEMENT / WATER SUPPLY PLAN

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Utilities Element Water Supply Plan. The following policies are identified as polices of concern with staff analysis provided in *italics*:

Policy 1.1.5 The City shall ensure that adequate water supplies and potable water facilities are in place and available to serve new development no later than the issuance of a certificate of occupancy or its functional equivalent by a local government. Prior to approving a building permit or



its functional equivalent, the City will consult with Pinellas County Utilities/Tampa Bay Water to determine whether adequate water supplies will be available to serve the development no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent.

- *This policy is out of date. The City now supplies nearly 100% of its own water through the City’s Reverse Osmosis treatment plant. The Plant is currently operating at approximately 2.6 MGD with a total available capacity for up to 6.4 MGD. This is enough capacity available to accommodate over 30,000 additional population. The Anclote Harbor population is not expected to exceed 1,050 persons base upon current average household size of 2.6 persons per household. Future population projections by the Florida Housing Data Clearinghouse (Schimberg Center for Housing Studies) indicate a future population of approximately 31,000 in year 2040. This is an increase of approximately 5000 persons over current population.*

HISTORIC LAND USE

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Historic Element. The following policies are identified as polices of concern with staff analysis provided in *italics*:

Policy 1.5.2 The City shall require mitigation of archaeological sites prior to land development activities if preservation is not feasible.

- *An Archaeological review has been provided. Given adjacency to the Anclote River and known locations of previous archaeological evidence it is recommended that a Level 1 assessment be required prior to ground disturbing activities.*

HOUSING ELEMENT

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Housing Element. The following policies are identified as polices of concern with staff analysis provided in *italics*:

Policy 1.10.1 The City shall define workforce housing as the housing needs of households whose median income is between 80 and 120 percent of the area’s median income, with no more than 30 percent of their income spent on housing costs.

- *Based upon the latest income and rental assistance limits set by the Florida Housing Finance Corporation, at least some of the proposed units (rent ranges from \$1,500-\$2,500) could qualify as affordable workforce housing. See excerpt below.*

HUD release: 4/1/2021
 Effective: 4/1/2021

2021 Income Limits and Rent Limits
Florida Housing Finance Corporation
SHIP and HHRP Programs

County (Metro)	Percentage Category	Income Limit by Number of Persons in Household										Rent Limit by Number of Bedrooms in Unit					
		1	2	3	4	5	6	7	8	9	10	0	1	2	3	4	5
Pinellas County	30%	15,550	17,750	21,960	26,500	31,040	35,580	40,120	44,660	Refer to HUD		388	416	549	719	889	1,059
(Tampa-St.Petersburg-Clearwater MSA)	50%	25,850	29,550	33,250	36,900	39,900	42,850	45,800	48,750	51,660	54,612	646	692	831	960	1,071	1,181
	80%	41,350	47,250	53,150	59,050	63,800	68,500	73,250	77,950	82,656	87,379	1,033	1,107	1,328	1,535	1,712	1,890
Median: 72,700	120%	62,040	70,920	79,800	88,560	95,760	102,840	109,920	117,000	123,984	131,069	1,551	1,662	1,995	2,304	2,571	2,836
	140%	72,380	82,740	93,100	103,320	111,720	119,980	128,240	136,500	144,648	152,914	1,809	1,939	2,327	2,688	2,999	3,309

Policy 1.10.2 The City shall give priority to assisting affordable workforce housing projects that are nearby employment concentrations, public transportation, or within easy access to a range of public services.



- *No City assistance is requested, however this project is situated in an area of easy commuting distance to a high concentration of employment, public services and needs of daily living.*
- *The applicant's proposed rents may, based upon income limits and unit sizes, meet income limits to be considered affordable workforce housing and as such furthers the overall intent of the Housing Element.*

RECREATION OPEN SPACE ELEMENT

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Recreation Open Space Element. The following policies are identified as policies of concern with staff analysis provided in *italics*:

Policy 1.1.2 Provide additional facilities to meet the Level of Service standards adopted herein for existing residents and visitors.

- *Currently the City is only deficient in mini-park facilities. The applicant is providing onsite pool, picnic, playground, passive recreational trails and dog park facilities to meet the needs of its residents. In addition, water access sites for canoe/kayak launching are also provided. Applicant has committed to a donation of \$444,000 to the City's Land Preservation Fund in addition to paying all required Recreation Impact Fees (estimated at \$393,492).*

Policy 1.5.1 The City shall promote preservation of environmentally sensitive and scenic areas for passive recreational uses.

- *The total project site consists of 64 acres (22 acres of wetlands and 42 acres of uplands) The project proposes to preserve 13.89 acres of significant upland habitat and over 21 acres (96%) of wetlands on the site. Additionally, the overall plan incorporates drainage and stormwater features into the overall aesthetic design of the site and provides for passive recreational trails and other low impact recreation uses. Only 11.77 acres of the total 64 acres (approximately 18.5%) will be occupied by buildings, parking, or other impervious surfaces.*

Policy 1.5.2 Land designated as Recreation/Open Space by the Future Land Use Map shall be protected from the establishment or expansion of incompatible uses.

- *The applicant proposes to designate 6.5 acres of developable upland habitat to the Recreation Open Space land use category. Staff has requested that the entire 13.89 acres of upland habitat designated to be preserved be officially designated with the Recreation Open Space land use map category. Further, staff is recommending Conservation easements are requested to further limit recreation uses in these areas to passive trails and similar uses.*

Policy 1.5.3 Preserve environmentally sensitive open spaces in perpetuity through conservation easements.

- *The applicant proposes to designate 6.5 acres of developable upland habitat to the Recreation Open Space land use category. Staff has requested that the entire 13.89 acres of upland habitat designated to be preserved be officially designated with the Recreation Open Space land use map category. Further, staff is recommending Conservation easements are requested to further limit recreation uses in these areas to passive trails and similar uses.*



CAPITAL IMPROVEMENTS

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Capital Improvements Element. The following policies are identified as polices of concern with staff analysis provided in *italics*:

Policy 1.2.1 The City shall limit development within High Hazard Coastal Areas with dedicated City funds to the following conditions: those which are in need of stormwater improvements, those in need of restoration of natural resources, or existing public facilities in need of restoration or maintenance.

- *Public facilities serving the project are already built or will be installed at no expense to the City (potable water, sanitary sewer, drainage facilities, reclaimed water and roadway improvements).*

Policy 1.4.5 The City shall assess new developments a pro rata share of the costs necessary to finance public facility improvements necessitated by development in order to adequately maintain adopted level of service standards.

- *The applicant is proposing to install required sewer, reclaimed and road facilities. Additionally, the development will be assessed impact fees commensurate with the development. The applicant is also committing to a substantial additional contribution to the City's Land Preservation Fund.*
- *Estimated impact fees to be paid by the developer are:*

ANCLOTE HARBORS APARTMENTS			
Estimated Impact Fees & Annual City Ad Valorem Taxes			
	Per Unit Value/Fee	Total Units	Total
Impact Fee			
Police	\$ 344	404	\$ 138,996
Fire	\$ 295	404	\$ 119,099
Library	\$ 347	404	\$ 140,188
Parks & Rec	\$ 974	404	\$ 393,492
General Govt	\$ 74	404	\$ 29,775
Water	\$ 2,320	404	\$ 937,280
Sewer	\$ 1,616	404	\$ 652,864
Transportation	\$ 1,420	404	\$ 573,680
TOTAL			\$ 2,985,374
Estimated future valuation at "stabilization" based on comparable Property Appraiser data	\$ 175,000	404	\$ 70,700,000
Estimated annual ad valorem taxes (5.37 mils)			\$ 379,659



INTERGOVERNMENTAL COORDINATION

On balance, staff finds the Anclote Harbor project consistent with the Goals, Objectives, and Policies of the Intergovernmental Coordination Element. The following policies are identified as policies of concern with staff analysis provided in *italics*:

Policy 1.3.1 The City shall coordinate and mitigate development and service impacts with Pasco and Pinellas County government through written notification prior to the adoption of development permits and formal consideration of comments received on the proposed development activity.

- *The City has identified potential impacts upon available hurricane shelter spaces as a service level impact under this policy. The City has transmitted the hurricane shelter analysis impacts to Pinellas County Emergency Management in support of this policy. As of the date of the drafting of this document no correspondence has been received. Staff will update this analysis based upon any future responses provided.*

OVERALL STAFF FINDINGS

After an extensive review of the proposed application, staff finds the project, as properly conditioned, furthers the intent of, and is consistent with, the Goals, Objectives and Policies of the Comprehensive Plan.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
September 20, 2021 / October 26, 2021 & November 9, 2021

STAFF REPORT – PRELIMINARY PLANNED DEVELOPMENT
September 13, 2021

This staff report specifically addresses the request for Preliminary Planned Development approval. Included with this packet is the submitted development plan, the applicant's narrative and draft Ordinance 2021-15 proposed for adoption. All other materials submitted by the applicant may be found at this link: <https://connecttarpon Springs.com/ancote-harbor>

Application No.	21-101 Preliminary Planned Development (Ordinance 2021-15)
Project Title:	Anclote Harbor
Staff:	Patricia L. McNeese, Principal Planner
Applicant / Owner:	Kamil Salame, Morgan Group Development LLC / Wal-Mart Stores East LP
Property Size:	64.17 acres
Current Zoning:	General Business (GB) or Residential Planned Development (RPD)
Proposed Zoning:	Residential Planned Development (RPD) Ordinance 2021-15
Current Land Use:	Commercial General (CG), Residential/Office General (R/OG), Preservation (P)
Proposed Land Use:	Commercial General (CG), Residential/Office General (R/OG), Preservation (P) and Recreation/Open Space (R/OS)
Location / Parcel ID:	42501 U.S. Highway 19 North / 06-27-16-89388-000-0420

SUMMARY OF REQUEST:

The Anclote Harbor project is a proposed multi-family development that includes 404 residential apartment units, a clubhouse, on-site recreational amenities, parking and stormwater facilities. A previous application for this project, which is under legal challenge, rezoned the entire property from General Business (GB) to Residential Planned Development (RPD). The current request is to rezone the entire site to Residential Planned Development (RPD) to re-affirm the rezoning to RPD along with approval of a Preliminary Planned Development. The applicant is also requesting a Concurrency Certificate, a Rezoning of the property from General Business (or Residential Planned Development approved under Ordinance 2020-34) to Residential Planned Development, a Conditional Use approval for a residential use in the Commercial General Future Land Use Map category, and, a Future Land Use Map (FLUM) amendment to Recreation/Open Space for a portion of the property.



PRELIMINARY STAFF RECOMMENDATION: PRELIMINARY PLANNED DEVELOPMENT

Staff recommends approval of the Preliminary Planned Development and Rezoning under Ordinance 2021-15 with the following conditions:

1. The donation to the City in the amount of \$444,000, voluntarily offered by the applicant, shall be provided prior to issuance of a Certificate of Occupancy for the project and shall be deposited into the City's Land Preservation Fund.
2. The proposed Recreation/Open Space (R/OS) Future Land Use Map (FLUM) category designation shall be expanded from 6.48 acres to cover the entire 13.89 acres of longleaf pine/xeric oak habitat proposed for preservation. An amended FLUM application will be required to be processed simultaneously with adjustment of the existing Preservation (P) designation. The Preservation (P) FLUM designation shall be adjusted to cover the entire 21.17 acres of wetlands proposed for preservation. Digital coverage for mapping of all final R/OS and P coverage shall be provided in a format specified by the City at the time of site construction permit application submittal.
3. A conservation easement in favor of the City shall be established over the entire acreage required by the conditions herein, of Recreation/Open Space and Preservation Future Land Use Map (FLUM) categories. The easement shall prohibit the use or transfer of any remaining density/intensity, restrict the site to certain recreational amenities, provide for certain water access facilities, prohibit vessel launching or landing except at designated water access facilities, and provide for maintenance free of species listed as invasive in the City's Land Development Code in perpetuity. The draft conservation easement shall be provided with the Final Development Plan.
4. A post-development eagle management plan shall be submitted with the Final Development Plan. The plan should provide for controlled/restricted access to an appropriate buffer area around the nesting site during the establishment phase of the nesting season, and extended through the entire season should nesting occur. The program should be implemented for at least five years from the completion of the development and may be terminated at that point if no nesting occurs. Once nesting occurs, the five-year timeframe restarts in that year.
5. The wetland enhancement plan submitted with the Final Development Plan shall include:
 - a. Details of plan implementation including methods of invasive exotic eradication, methods of existing native tree retention and protection, method of tree installation, and, a layout plan specifying areas to be planted. The plan should include increased tree species diversity beyond the three species listed in the current proposal;
 - b. An analysis of whether specific enhancement areas may be candidates for topographic alteration closer to original wetland elevations with the goal of achieving long-term functional conditions that discourage or prevent invasive exotic plant recruitment;
 - c. Eradication of all Brazilian pepper (*Schinus terebinthifolius*) and camphor tree (*Cinnamomum camphora*) shall be eradicated from the entire property with maintenance free of these two species in perpetuity;
 - d. In order to discourage future spread of invasive species, the applicant shall seek approval from the Florida Department of Transportation (FDOT) to remove Brazilian pepper and camphor tree from the right-of-way adjacent to the project and to keep the right-of-way free of these exotics in perpetuity subject to the permission of FDOT. A similar request shall be filed with Pinellas County Public Works for Brazilian pepper removal from the Hays Road right-of-way adjacent to the project.



**CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT**

- e. The applicant shall consider and include applicable best management practices and recommendations of the Anclote River Watershed Management Plan for implementation on the project site.
- 6. At least two (2) feet of additional elevation (freeboard) above the current NFIP flood zone finished floor elevation (AE 8) shall be supplied for all occupied buildings to be shown on the Final Development Plan.
- 7. A detailed Transportation Management Plan shall be provided with the Final Planned Development that includes:
 - a. Details that more fully describe the currently proposed methods of transportation demand management,
 - b. Analysis and consideration of additional vehicle use reduction mechanisms such as, but not limited to, bicycle sharing, van circulator for local trips to goods and services, crosswalks/signals for bicycle access to local goods and services, and similar mechanisms.
 - c. Direct coordination with Pasco County Public Transportation (PCPT) and Pinellas County Transportation Authority (PSTA) regarding the need and/or advisability of providing a bus stop or shelter at the project site.
 - d. Analysis of the potential for participation in identified Bus Rapid Transit prioritized for the U.S. 19 corridor in the Advantage Pinellas Long Range Transportation Plan.
- 8. An analysis of the future operation and potential adaptation needs for the onsite stormwater management system and wastewater infrastructure to be constructed by the developer shall be performed based on the 2017 National Oceanic and Atmospheric Administration intermediate-high sea level rise projections to the year 2050 and submitted with the Final Planned Development submittal.

CURRENT PROPERTY INFORMATION:

Use of Property:	Vacant
Site Features:	Adjacent to the Anclote River; Upland and wetland habitats.
Flood Hazards:	Flood zones X Unshaded, X Shaded and AE 8.00 (2021 FIRM)
Vehicle Access:	Adjacent to U.S. Highway 19 North, a major arterial roadway

ZONING & LAND USE ON ADJACENT SURROUNDING PARCELS (CITY AND COUNTY JURISDICTION):

	Zoning:	Land Use:
North:	Land Conservation (LC) and Residential Office (RO)	Preservation (P) and Residential/Office General (R/OG)
South:	<u>Right of Way:</u> Residential Agriculture (R-A) and Residential Medium (RM) <u>Residential:</u> Residential Mobile Home (RMH) and Mobile Home Park (MHP)	<u>Right of Way:</u> Preservation (P) and Recreation Open Space (ROS) <u>Residential:</u> Residential Urban (RU)
East:	Single Family Residential (R-100A) and Residential Agriculture (R-A)	Residential Suburban (RS)
West:	R-60 (One and Two Family Residential), WD-I (Waterfront Development), General Commercial and Services (C-2), Residential Mobile Home (RMH)	Preservation (P), Commercial General (CG), and, Residential Office Retail (ROR)



ZONING DISTRICT SUMMARY (EXISTING / PROPOSED):

Dimensional Regulations	Current Zoning Standards: GB	Proposed Zoning Standards: RPD	Proposed Project	Complies
Maximum Residential Density (from Future Land Use Map categories)	CG: uplands: 400 units wetlands: 10 units R/OG: 75 units*	n/a	404 units	✓
Total Density:	485 units	n/a	404 units	✓
Lot Standards:				
Minimum Lot Area	10,000 square feet	10,000 square feet	64.17 acres	✓
Min. Lot Width	80 feet	100 feet	2,000± feet	✓
Min. Lot Depth	90 feet	n/a	n/a	✓
Maximum Height	45 feet	45 feet	53 feet	Waiver requested
Setbacks:				
Front Yard	25 feet	25 feet	25 feet to 70 feet	✓
Side Yard	20 feet	15 feet	190 feet to 230 feet	✓
Side Street	20 feet	15 feet	n/a	✓
Rear Yard	20 feet	15 feet	15 feet	✓
Between Buildings	25 feet	25 feet	29 feet	✓
Wetland/Shoreline Buffers	50 feet	50 feet	50 feet	✓
Open Space Ratio				
Entire Site	n/a	25% (16.04 acres - must include less than 50% wetlands)	49% (31.3 acres of eligible area)	✓
Significant Upland Habitat	30% (9.1 acres) minimum	30% (9.1 acres) minimum	46% (13.89 acres)	✓
Impervious Surface Ratio				
Entire Site	75% in R/OG 85% in CG	75% in R/OG 85% in CG	10% in R/OG 24% in CG	✓
Significant Upland Habitat	50% (15.17acres) maximum	50% (15.17 acres) maximum	28% (8.52 acres)	✓

*Physical location of units in the R/OG category capped at 98 units based on Countywide Rules standards. Applicant is proposing 96 units in this area.



REVIEW STANDARDS/STAFF ANALYSIS – PRELIMINARY PLANNED DEVELOPMENT

Section 79.00 of the Land Development Code – Review Criteria for Planned Developments states, “Planned Development Districts may hereafter be established by amendment to the Official Zoning Atlas provided they are found to satisfy the following criteria.”

79.00(A) Consistent with the Comprehensive Plan: The Planned Development shall be found consistent with the goals, objectives, and policies of the Comprehensive Plan in effect at the time of the review.

Staff Analysis: A separate report analyzing consistency with the Comprehensive Plan is included with the agenda packet.

79.00(B) Physical Character of the Site: The Planned Development District sites shall be suitable in location, area, and character for the uses and structures proposed.

Staff Analysis:

Site Background: From the earliest available 1940s aerial photography it appears that the project site was originally vegetated with longleaf pine/xeric oak habitat. Significant property alteration appears to have ceased by 1990. The 1997 aerial clearly show the results of the intervening 50 years of site alteration including including vegetation removal, on-site excavation and fill deposition, and, presumed removal of fill to off-site locations. The property is currently vegetated with remaining longleaf pine/xeric oak habitat, disturbed uplands and disturbed wetlands that are heavily vegetated with invasive exotics. The property was approved for a commercial/office Development of Regional Impact (DRI) in 1998 and was approved for a commercial retail project in 2007. Neither project was built. The current proposed project, submitted in 2021 is for a residential multifamily (apartment) community.

Location in Context of Future Land Use: The project is located directly on the U.S. Highway 19 North corridor. The section of U.S. Highway 19 North traversing the City of Tarpon Springs is characterized by a built environment of commercial and higher-density residential development. It is also the major “pass-through” transportation corridor in north Pinellas County funneling the workforce to and from major employment centers in southern Pinellas County. The majority of U.S. 19 zoning is dominated by non-residential categories including Highway Business, Industrial Restricted, Residential Office and Commercial Planned Development. Interspersed with these zonings are higher density mobile home parks and apartment developments closely oriented to and accessed directly from the highway. This includes the nearby Riverside Apartments, currently the largest complex in the City at 304 units, and situated similarly in landscape context to the proposed Anclote Harbor project. Riverside, built in 2001, is also accessed from U.S. Highway 19 and also borders the Anclote River shoreline.

The Future Land Use Map (FLUM) primarily reflects commercial designations along the highway corridor until one reaches the segment north of the Spruce Street where the predominant FLUM categories are Residential/Office/Retail and Industrial Limited. This reflects a desired long-term land use platform supporting moderated traffic volumes along this northern segment. Existing land uses in this area include residential co-dominating with low trip-generating non-residential uses such as large specialty retailers (auto dealer and tool supply), offices, and some industrial. The only FLUM category in this area that designates a commercial category of potentially higher trip generation is



the Commercial General designation on the subject property. This designation essentially recognized the 1998 approved DRI that was never developed.

“Intensity” of a proposed development can be characterized, in the context of transportation capacity constraints, in terms of proposed project trip generation. In this case, the transportation Level of Service on this segment of U.S. Highway 19 North is established at “F” which essentially reflects inadequate capacity and periods of “gridlock.” The City’s Future Land Use Map places the U.S. Highway 19 corridor north of Spruce Street into lower intensity land use categories as compared to the remainder of the Tarpon Springs corridor. Forward Pinellas, the countywide transportation authority has characterized trip generation standards for land use categories corresponding to the City’s designations in this area. Office use is set at 89 trips per day per acre, Employment use at 206 trips per day per acre, and Industrial use at 216 trips per day per acre. These rates are much lower than the Retail & Services (R&S) category (433 trips per day per acre) that currently applies to the subject property on the Countywide Map. The current proposed residential project generates 34 trips per day per acre and, if approved as conditioned, will limit the site to that trip generation level. Therefore the project will align with the desired long-term pattern of moderate intensity trip generation currently reflected in the City’s projected future land use pattern for this area.

Location and Character in Context of Surrounding Area: The proposed use is consistent with the built character of the immediate area. Uses to the north include the St. Luke’s Cataract & Laser Institute, commercial retail and Riverside Apartments. The proposed apartment complex is consistent with those uses and in addition is buffered from them by the Anclote River and U.S. Highway 19 bridge. To the south, the Tarpon Glen and Leisure Lake Village mobile home communities are consistent in density and character with the complex being proposed. The proposed wetland/upland preservation areas buffer the site from those communities. The closest use to the site is the Sail Harbor single family development to the east. The proposed development preserves natural habitat that will buffer Sail Harbor. In addition, the proposed orientation of the development including buildings, on-site activities, and vehicular traffic direct impacts towards U.S. Highway 19 and away from the Sail Harbor community. Overall, the proposed residential use introduces significantly fewer potential compatibility conflicts with the Sail Harbor community than a commercial use would. Project features that assist in achieving appropriateness in the character context include:

- A voluntary 81-unit (16.7%) reduction in density below the maximum allowable by right,
- A layout that clusters the built features into the uplands and retains tidal wetlands,
- a layout that provides significant buffering of the Anclote River and eagle’s nests,
- a layout that provides for substantial (96%) retention of the existing wetlands with on-site mitigation for the areas that are being impacted,
- a layout that retains a substantial area of uplands as open space for passive recreational use, including the area closest to the Sail Harbor community,
- a proposal to memorialize the conservation of the natural areas being retained on the City’s Future Land Use Map under the Preservation (P) and Recreation/Open Space (R/OS) categories, and,
- provision of amenities and site circulation system aimed at encouraging on-site residential work and leisure activities.

It is noted that the proposed residential apartment housing product provides the ability to cluster the development on the site and orient activity away from existing neighborhoods and sensitive environmental features. A single family residential or commercial development on this site would necessarily require a more sprawling layout and more parking.



79.00(C) Land Use Compatibility: Planned Development Districts shall establish a gradual transition of intensities between varying land uses and protect against the potential for the development of incompatible land uses. Nonresidential uses shall be designed to protect residential areas from encroachment.

Staff Analysis: The project presents a gradual transition of intensities by proposing a well-buffered apartment style community near U.S. Highway 19 surrounded primarily by the submerged lands and wetland islands of the Anclote River complex. Development lying directly to the south includes the Tarpon Glen and Leisure Lake Village mobile home communities, and to the east lies the Sail Harbor single family development. To the north and northwest beyond the Anclote River bridge are the St. Luke's Cataract & Laser Institute, commercial retail, and Riverside Apartments. The proposed Anclote Harbor project introduces virtually no potential land use conflicts to current or future development in the surrounding area. It will provide an appropriate housing product and density for this general area and will significantly reduce the potential future traffic impact of this site.

79.00(D) Adequacy of Public Facilities: Planned Development Districts shall be so located that the existing public facilities are maximized to serve the uses proposed.

Staff Analysis:

Potable Water Utilities: The project has proposed a potable water consumption rate of 101,000 gallons per day for the 404 dwelling units. The City's potable water facilities have existing infrastructure in place and sufficient capacity to serve the site and this development. *See rezoning staff report for further discussion.*

Drainage: The applicant has presented a preliminary drainage layout that has been accepted by the City as demonstrating that all newly generated stormwater runoff can be handled on site. A full drainage plan that complies with the City's Land Development Code standards and the requirements of the Southwest Florida Water Management District will be required at the time of Final Planned Development. Long-term function of the system in the context of sea level rise should be analyzed for future potential adaptations.

Solid Waste: The project has proposed a solid waste generation rate of 2020 tons per year for the 404 dwelling units. Tarpon Springs' solid waste is sent to the Pinellas County for deposition in the landfill and processing in the County's waste to energy plant. The City has confirmed that there is more than sufficient capacity to accept the project's anticipated volume. The applicant has proposed utilization of a trash compactor at the site in lieu of one or more dumpsters. The City can physically serve this method of disposal. *See rezoning staff report for further discussion.*

Recreation: The City's Comprehensive Plan currently shows deficiencies in the City's level of service standards for mini-parks. The applicant has proposed a variety of on-site passive recreational amenities including a community clubhouse, dog park, picnic area, playground, and nature trail. These proposed facilities help to maximize the efficiency of the City's existing park facilities by retaining residents on site to engage in leisure activities, and providing activities geared specifically to children. The applicant is also proposing a docking facility and second canoe/kayak launch in the wetlands area. Additionally, future residents have direct access to the Pinellas Trail via the existing public sidewalk along U.S. Highway 19. Therefore, the mini-parks deficiency is addressed on the site. The applicant has also volunteered a donation of \$444,000 to be deposited in the City's Land



Preservation Fund and the project will be providing recreation impact fees, estimated at \$393,492. *See rezoning staff report for further discussion.*

Education: The City coordinates with the Pinellas County Schools to provide information for each residential development that is required for that agency to make adjustments. Pinellas County Schools has verified that there is more than sufficient capacity to handle the expected student generation from the development. *See rezoning staff report for further discussion.*

Fire Protection, Law Enforcement, Library: The project site is located within the City's existing service areas for police and fire protection. The City has sufficient fire protection, law enforcement and library services capacity available to serve the development. *See rezoning staff report for further discussion.*

Transportation Network: The project is located directly on U.S. Highway 19, an existing major arterial highway with direct connection to Pinellas County destinations to the south and to Pasco County to the north. The U.S. Highway 19 corridor is available to serve the project with the implementation of a Transportation Management Plan (TMP) designed to mitigate impacts to this deficient corridor. The City's Comprehensive Plan calls for construction of any projects in the TMP within 3 years of project development (Transportation Element Policy 1.4.2). The City will require a detailed TMP with implementation and monitoring as part of the Final Development Plan submittal. The applicant also proposes to install traffic operations improvements for safe ingress and egress to the site including new median cuts on U.S. Highway 19, and turn lanes into the site.

Sanitary Sewer (Wastewater): Section 122.05 of the Land Development Code (LDC) states that the concurrency requirement may be met if "the developer has committed through the development review process to provide the necessary facility improvements." The applicant is proposing wastewater generation of 101,000 gallons per day. The City's wastewater facilities have sufficient existing service capacity for this project but the site is not physically served with wastewater collection infrastructure. The applicant proposes, at their sole expense, to provide a dedicated forcemain to be installed to a manhole/gravity run system located just upstream of the City's wastewater treatment facility. The City agrees that this option would provide the highest degree of assurance that the new sanitary sewer flows generated by the apartment complex will not negatively impact the City's existing collection/forcemain system. Plans for the new forcemain, including preliminary coordination with all applicable agencies will be required at the time of submittal for a Final Planned Development. Anticipated life of the installed infrastructure should be provided to anticipate future repair/replacement planning, especially in the context of projected sea level rise. *See rezoning staff report for further discussion.*

Hurricane Sheltering: The property is located in Pinellas County Evacuation Zone A. The applicant has provided an analysis of shelter capacity for the expected level of shelter participation from this development. The analysis shows that existing County shelter capacity is sufficient to serve this project. However, there is a lack of in-county facilities rated for sheltering in a major storm (Category 3 or above). The shelter analysis has been provided to Pinellas County Emergency Management. *See rezoning staff report for further discussion.*



79.00(E) Relation to Major Transportation Facilities: Planned Development Districts shall be located with respect to thoroughfare streets identified on the applicable Comprehensive Plan and mass transit facilities. The design shall not create excessive traffic on minor streets in residential neighborhoods outside the District.

Staff Analysis:

Location and Mass Transit: The project is located on U.S. Highway 19, a State road and the busiest thoroughfare in the City. While U.S. Highway 19 is served by transit facilities, the project site location is not currently served. The northern limit of Pinellas Suncoast Transit Authority (PSTA) service is Tarpon Avenue where it connects with the southernmost limit of service from the Pasco County Public Transportation (PCPT) system. Although PCPT Route 19 traverses the area between Tarpon Avenue and Pasco County, there are currently no plans for designated stops in that area (there are some existing on-call stops with benches). The applicant will need to coordinate with PCPT and PSTA to confirm whether they would advise an on-call, or a designated stop at the project site. A designated stop is highly unlikely as the project is on the northbound side of the roadway and ridership would presumably not support one. It is noted that the nearest northbound on-call stops are at the Beckett Way intersection north of the bridge and at the Live Oak Street intersection just south of Tarpon Glen mobile home community. The U.S. Highway 19 corridor is designated a priority corridor for future Bus Rapid Transit (BRT) by Forward Pinellas, the County's transportation planning authority. As planning for BRT develops, this site should consider the possibility of future modifications to allow for any identified participation.

Traffic on Minor Street: The project avoids this issue altogether by providing the sole means of access on U.S. Highway 19. Therefore, no through-neighborhood traffic will be added and no neighborhoods will be impacted.

Transportation Management Plan: It is noted that the project will generate 178 vehicular trips in the afternoon (p.m.) peak hour, triggering a Tier 1 requirement for a Transportation Management Plan (TMP) that addresses reduction of the potential for use of the automobile. The applicant has proposed the following transportation management strategies:

- A 16.7% reduction in proposed density (LDC Section 122.11.03(A)(2)),
- Physical highway improvements (LDC Section 122.11.03(A)(5)) (although these are considered safety improvements and have not demonstrated resulting added capacity and/or reduction in the use of the vehicle), and,
- Livable community site design features (LDC Section 122.11.03(A)(12)).

The City will require a detailed TMP at the time of Final Planned Development submittal. The plan should consider demand management strategies such as circulator van service to City goods and services, bicycle sharing, and enhanced crosswalks along pedestrian/bicycle routes to goods and services.

79.00(F) Environmental Design: The Planned Development shall be designed to take advantage of the natural features and topography of the site, preserve natural resources, and protect archeological or historic sites.



Staff Analysis:

Taking Advantage of Natural Features and Topography: The site consists of both upland and wetland habitats and features. Analysis of historic aerial photography shows that the site, while retaining remnant characteristics of the 1940s-era features and habitats, has been significantly disturbed. The site includes more than sufficient uplands and appropriate soils to accommodate the development. The applicant has shown that the majority of the on-site wetlands, particularly the tidal wetlands, can be avoided. Environmental design features of the project include the following:

- Clustering of the development to use the disturbed upland area of the property to the maximum extent possible,
- Preservation of 96% of the existing wetlands and of 46% of the existing longleaf pine/xeric oak habitat,
- Retention of all tidally connected wetlands on the site (all ultimately connected to the Anclote River),
- Development layout that avoids and buffers two existing eagle's nests on site (buffering with intervening natural area and stormwater ponds),
- Retention of the current site topography significantly intact with the obvious exception of the stormwater pond excavation,
- Provision of dedicated recreation areas and controlled pedestrian access for residents to reduce or eliminate encroachment of activities into the restored natural areas on the site,
- Site management and control under one entity to manage or avoid the incremental impacts often associated with residential developments (e.g., landscaping and lawn care, fertilizer use, yard waste disposal, free-roaming pets, wetlands disturbance, etc.),
- Design features addressing environmental and energy sustainability including electric car charging stations, bicycle storage, pedestrian network, ride sharing and carpooling, connection to the Pinellas Trail, native landscaping, xeriscaping techniques, use of reclaimed water when available, National Green Building Standards Bronze level design and construction, reduced density, and retention of natural areas.

Preservation of Natural Resources:

Uplands: The applicant has mapped 30.34 acres of longleaf pine/xeric oak habitat on the site and proposes to preserve 13.89 acres (46%) of this habitat, exceeding the required 30% standard set forth in the Comprehensive Plan. The applicant proposes to remove invasive exotic vegetation from this habitat and maintain the habitat free of exotics. The applicant will also plant the 50-foot upland buffer area with slash pine and southern magnolia trees to enhance recovery of this area. Since it appears that the upland habitat did not undergo significant topographic alteration in the past, maintenance of these areas in an exotics-free condition should allow natural restoration and enhancement of the plant community there. The City will require a conservation easement over this habitat that provides for its continued maintenance.

Wetlands: The wetlands proposed to be impacted on the site include two apparently isolated (non-tidal) areas totaling 0.91 acres. Virtually all of the 21.17 acres of remaining wetlands proposed for preservation are tidal and ultimately connect to the Anclote River. All of the wetlands on site appear to have been topographically disturbed in the past. The applicant has proposed enhancement of these existing wetlands via eradication of invasive exotics and installation of three native wetland tree species: bald cypress, red maple and slash pine. Staff would like a detailed plan for this approach to be provided, including an expanded diversity of tree species. Staff has also encouraged the applicant to examine the site topography and hydrology to determine if a plan could be



implemented to restore topographic elevations of the wetlands on the property closer to their original levels. It is thought that this approach could largely preclude future exotics recruitment, particularly of Brazilian pepper, greatly reducing the future site management burden while encouraging greater ecological functional integrity in the enhanced area. The applicant has declined to alter the current proposed enhancement plan design. In any case, the wetlands enhancement will undergo further review through coordination with the Southwest Florida Water Management District's reviewing Environmental Scientist with final revisions to be submitted with the Final Planned Development for this project.

Bald Eagle Nests: The applicant's Residential Planned Development narrative states "The applicant is committed to the preservation of the eagle nests and has designed a site plan with their preservation in mind..." and, the Environmental Assessment Report states that the absence of eagles now "does not preclude a bald eagle from potentially using this nest site in the coming years." For those reasons, staff has requested a post-development eagle management plan that excludes direct human disturbance from the nesting area during the nesting season. The applicant has declined to provide a plan for post-development eagle nesting management.

Protection of Archeological Resources: The site is mapped in the Florida Master Site File as prehistoric variable density scatter of artifacts. The applicant has submitted an archeological resource review from the Florida Department of State, dated June 24, 2021 verifying that no significant impacts to archeological resources are expected from development of the site based on the latest Level I survey of the site performed in 1996. An updated Cultural Resource Assessment Survey (CRAS) for the entire property should be supplied at the time of submittal for the Final Planned Development.

REVIEW STANDARDS / STAFF ANALYSIS – WAIVERS:

Section 83.00(a) of the Tarpons Springs Comprehensive Zoning and Land Development Code provides standards for the waiver or modification by the Board of Commissioners of any design requirement of Land Development Code. The applicant has requested one waiver to dimensional standards in conjunction with the project. The request, along with the planning staff's analysis, is provided below:

- 1. The applicant has requested a waiver of Section 78.01(E)(7)(d) requiring a height limit of 45 feet for multifamily dwellings. The proposed height is 53 feet (4 stories) for all five residential apartment buildings.**

Staff Analysis: Staff is in support of this waiver request as it facilitates clustering of the development on the site and reduces impervious surface in favor of preserving natural wetlands, natural uplands, the riverbank, and wildlife habitat. The height is compatible with the adjacent area and landscape since it is significantly buffered and distanced from surrounding development.

TECHNICAL REVIEW COMMITTEE (TRC):

The TRC last reviewed this project on September 2, 2021. The TRC determined that the application was complete and ready for processing pursuant to the requirements of Section 207.01(C). As part of the review, the TRC noted several items that should be addressed on a Final Development Plan. Those are listed here as advisory comments:

1. The Final Planned Development should include enhanced delineation of pedestrian crosswalks within the development such as the use of color or texture.



2. The Final Development Plan should include fire hydrant installation locations specified by the Fire Marshall.
3. The hurricane response plan should be expanded to discuss site features and action plan to be implemented after a hurricane, especially during extended power outages.
4. The Final Planned Development should include documentation of preliminary coordination with agencies and jurisdictions whose approval will be required for the sewer line extension. Final permits will be required to be included with the site construction submittal.
5. The Final Development Plan should include additional details for the proposed energy efficiency measures including:
 - a. EV and charging stations – proposed station locations and EV network layout;
 - b. Listing of specific components of bronze National Green Building Standards to be included with the development including how proper installation is assured and inspected, how bronze-level is pursued, and, which bronze-level features apply to the project. These should all be reflected on the plan set. Documentation of bronze-level certification achievement will be required for a Certificate of Occupancy;
 - c. Solar panel design and average expected energy output.
6. The Final Development Plan should include the landscape plan details for the buffer grading and planting.
7. The Final Development Plan should include all details of the proposed xeriscaping plan and techniques as specifications on the landscaping plan.
8. The traffic, pedestrian and bicycle study required and approved by the Florida Department of Transportation (FDOT) should be submitted with the Final Development Plan.
9. Documentation of Florida Department of Transportation approval of the gap study and the proposed roadway configuration should be submitted with the Final Development Plan. The permit for the roadway improvements and access connections will be required to be included with the site construction submittal.
10. A Level/Phase I Cultural Resource Assessment Survey (CRAS) will be required to be performed and submitted with the site construction permit application. The report should include construction management recommendations and a determination as to whether a higher level of investigative surveying is recommended. Protocol to be followed upon disturbance of archeological resources during construction should be provided on the plan set submitted with the Final Planned Development.
11. Construction management and notice to contractor should be included directly on the plan set addressing impacts avoidance and management for listed species impacts including bald eagle, indigo snake, gopher tortoises and other species as required by applicable jurisdictional agencies.

PUBLIC CORRESPONDENCE:

The property owners within 1,000 feet were sent written notification, exceeding the requirements of Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development Code and Chapter 166.041, Florida Statutes. Notice was advertised in the *Tampa Bay Times* and the property was posted. Responses to the notices received by the Planning and Zoning Department as of September 10, 2021 are included with the agenda item packet.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
September 20, 2021 / October 26, 2021 & November 9, 2021

STAFF REPORT – REZONING AND CONCURRENCY CERTIFICATE
September 13, 2021

This staff report specifically addresses the request for approval of a Rezoning and of a Certificate of Concurrency. Included with this packet is the applicant’s narrative. All other materials submitted by the applicant may be found at this link: <https://connecttarponssprings.com/anclote-harbor>

Application No.	21-100 Rezoning (Ordinance 2021-15) and Concurrency Certificate
Project Title:	Anclote Harbor
Staff:	Patricia L. McNeese, Principal Planner
Applicant / Owner:	Kamil Salame, Morgan Group Development LLC / Wal-Mart Stores East LP
Property Size:	64.17 acres
Current Zoning:	General Business (GB) or Residential Planned Development (RPD)
Proposed Zoning:	Residential Planned Development (RPD)
Current Land Use:	Commercial General (CG), Residential/Office General (R/OG), Preservation (P)
Proposed Land Use:	Commercial General (CG), Residential/Office General (R/OG), Preservation (P) and Recreation/Open Space (R/OS)
Location / Parcel ID:	42501 U.S. Highway 19 North / 06-27-16-89388-000-0420

SUMMARY OF REQUEST:

The Anclote Harbor project is a proposed multi-family development that includes 404 residential apartment units, a clubhouse, on-site recreational amenities, parking and stormwater facilities. A previous application for this project, which is under legal challenge, rezoned the entire property from General Business (GB) to Residential Planned Development (RPD). The current request is to rezone the entire site to Residential Planned Development (RPD) to re-affirm the rezoning to RPD along with approval of a Preliminary Planned Development. The applicant is also requesting a Concurrency Certificate, a Preliminary Planned Development approval, a Conditional Use approval for a residential use in the Commercial General Future Land Use Map category, and, a Future Land Use Map amendment to Recreation/Open Space for a portion of the property.



PRELIMINARY STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Planned Development and Rezoning under Ordinance 2021-15 with the following conditions:

CURRENT PROPERTY INFORMATION:

Use of Property:	Vacant
Site Features:	Adjacent to the Anclote River; Upland and wetland habitats.
Flood Hazards:	Flood zones X Unshaded, X Shaded and AE 8.00 (2021 FIRM)
Vehicle Access:	Adjacent to U.S. Highway 19 North, a major arterial roadway

ZONING & LAND USE ON ADJACENT SURROUNDING PARCELS (CITY AND COUNTY JURISDICTION):

	Zoning:	Land Use:
North:	Land Conservation (LC) and Residential Office (RO)	Preservation (P) and Residential/Office General (R/OG)
South:	<u>Right of Way:</u> Residential Agriculture (R-A) and Residential Medium (RM) <u>Residential:</u> Residential Mobile Home (RMH) and Mobile Home Park (MHP)	<u>Right of Way:</u> Preservation (P) and Recreation Open Space (ROS) <u>Residential:</u> Residential Urban (RU)
East:	Single Family Residential (R-100A) and Residential Agriculture (R-A)	Residential Suburban (RS)
West:	R-60 (One and Two Family Residential), WD-I (Waterfront Development), General Commercial and Services (C-2), Residential Mobile Home (RMH)	Preservation (P), Commercial General (CG), and, Residential Office Retail (ROR)

ZONING DISTRICT SUMMARY (EXISTING / PROPOSED):

Dimensional Regulations	Current Zoning Standards: GB	Proposed Zoning Standards: RPD	Proposed Project	Complies
Maximum Residential Density (from Future Land Use Map categories)	CG: uplands: 400 units wetlands: 10 units R/OG: 75 units*	n/a	404 units	✓
Total Density:	485 units	n/a	404 units	✓
Lot Standards:				
Minimum Lot Area	10,000 square feet	10,000 square feet	64.17 acres	✓
Min. Lot Width	80 feet	100 feet	2,000± feet	✓
Min. Lot Depth	90 feet	n/a	n/a	✓
Maximum Height	45 feet	45 feet	53 feet	Waiver requested
Setbacks:				
Front Yard	25 feet	25 feet	25 feet to 70 feet	✓
Side Yard	20 feet	15 feet	190 feet to 230 feet	✓



ZONING DISTRICT SUMMARY (continued)				
Dimensional Regulations	Current Zoning Standards: GB	Proposed Zoning Standards: RPD	Proposed Project	Complies
Side Street	20 feet	15 feet	n/a	✓
Rear Yard	20 feet	15 feet	15 feet	✓
Between Buildings	25 feet	25 feet	29 feet	✓
Wetland/Shoreline Buffers	50 feet	50 feet	50 feet	✓
Open Space Ratio				
Entire Site	n/a	25% (16.04 acres - must include less than 50% wetlands)	49% (31.3 acres of eligible area)	✓
Significant Upland Habitat	30% (9.1 acres) minimum	30% (9.1 acres) minimum	46% (13.89 acres)	✓
Impervious Surface Ratio				
Entire Site	75% in R/OG 85% in CG	75% in R/OG 85% in CG	10% in R/OG 24% in CG	✓
Significant Upland Habitat	50% (15.17acres) maximum	50% (15.17 acres) maximum	28% (8.52 acres)	✓

*Physical location of units in the R/OG category capped at 98 units based on Countywide Rules standards. Applicant is proposing 96 units in this area.

REVIEW STANDARDS / STAFF ANALYSIS – REZONING:

Section 207.03(A) of the Land Development Code provides standards for zoning map amendments. These standards, along with planning staff’s analysis are provided below:

- 1. The amendment is consistent with the goals, objectives and policies of the Tarpon Springs Comprehensive Plan.**

Staff Analysis: A separate report analyzing consistency with the Comprehensive Plan is included with the agenda packet.

- 2. The available uses to which the property may be put are appropriate to the property in question and are compatible with the existing and planned uses in the area.**

Staff Analysis: The property use under the Residential Planned Development (RPD) zoning will be restricted to the specific proposed project of a 404-unit multifamily apartment complex. The project presents a gradual transition of intensities in this area of the City by proposing a well-buffered apartment style community near U.S. Highway 19 surrounded primarily by the submerged lands and wetland islands of the Anclote River complex. Development lying directly to the south includes the Tarpon Glen and Leisure Lake Village mobile home communities, and to the east lies the Sail Harbor single family development. To the north and northwest beyond the Anclote River bridge are the St. Luke’s Cataract & Laser Institute, commercial retail, and Riverside Apartments. The proposed Anclote Harbor project introduces virtually no potential land use



conflicts to current or future development in the surrounding area. It will provide an appropriate housing product and density for this general area and will significantly reduce the potential future traffic impact of this site. Because the project is partly located within the Commercial General (CG) Future Land Use Map category it must undergo a conditional use review for the multifamily use. Staff analyses have been prepared for the conditional use review and for the preliminary planned development. These analyses expand further on the appropriateness and neighborhood compatibility of the proposed project on this property.

3. The amendment shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.

Staff Analysis: This proposed multifamily development is designed to conserve and thereby capitalize on the natural features of the site, including the riverfront, wetlands and remaining undisturbed uplands. It also includes features and amenities that seek to retain recreational and work-related activity on site, thereby providing a quality experience for the residents and reducing impacts on the City's roads and parks. The Planned Development process promotes orderly development along the northern U.S. Highway 19 corridor segment by restricting the site to the moderate vehicular trip generation proposed with this development. The project will be providing infrastructure to improve traffic safety and to connect to City wastewater services and will therefore not impact the City's public infrastructure costs or the City's fiscal ability to provide continued services.

4. The amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities, including transportation, waste and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities. Compliance with the adopted Levels of Service standards can be demonstrated if necessary.

Staff Analysis:

Items Subject to Adequate Facilities and Concurrency Provisions:

Adopted levels of service have been established for potable water, sanitary sewer (i.e., "wastewater"), drainage, solid waste, and specific recreation facilities (Article VIII of the Land Development Code). These facilities are also subject to concurrency pursuant to Section 122.00 which states that the facilities be available at adopted levels of service "concurrent with the impacts of the development. The City has sufficient existing capacity and infrastructure to serve the development with potable water and solid waste services. The City has sufficient sanitary sewer capacity available but existing infrastructure does not currently serve the site. Section 122.05 of the Land Development Code (LDC) states that the concurrency requirement may be met if "the developer has committed through the development review process to provide the necessary facility improvements." The developer has proposed to install wastewater infrastructure to serve the project, meeting the concurrency requirement. The developer will also install and maintain the entire on-site stormwater handling drainage system built to City standards. The applicant's project, as proposed, therefore meets the City's concurrency standards.

The project is located directly on U.S. Highway 19, an existing major arterial highway with direct connection to Pinellas County destinations to the south and to Pasco County to the north. The



CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT

U.S. Highway 19 corridor is available to serve the project with the implementation of a Transportation Management Plan (TMP) designed to mitigate impacts to this deficient corridor LDC Section 122.11.03). The City's Comprehensive Plan calls for construction of any projects in the TMP within 3 years of project development (Transportation Element Policy 1.4.2). The City will require a detailed TMP as part of the Final Development Plan submittal. The applicant also proposes to install traffic operations improvements for safe ingress and egress to the site including new median cuts on U.S. Highway 19, and turn lanes into the site.

Items Subject to Adequate Facilities Provision Only:

The City currently has a level of service deficiency in mini-parks. The project includes provision of multiple recreational opportunities among which is a swimming pool, a playground / picnic area, a preserve / trail, direct nearby access to the Pinellas Trail, and, multiple water access facilities which will fulfill the provision of the mini-park standard for the residents of the development, pursuant to Section 122.05 of the LDC.

There is currently sufficient capacity in place for fire protection, library service and law enforcement (all City facilities) to serve the proposed development.

Staff has coordinated with Pinellas County Schools and received a determination that public schools capacity at the Kindergarten through Grade 12 levels is more than sufficient to absorb the projected student generation from this development.

The applicant has prepared a hurricane shelter impact study pursuant to the standards of Section 122.12 of the LDC, since the project site is within the Pinellas County Evacuation Zone A. The study was based on data provided by Pinellas County Emergency Management for shelter use during Hurricane Irma (2017) as the basis for the added minimum 25% shelter-seeking population to be generated by the proposed development. Irma was a Category 3 (major) hurricane when evacuation was ordered but had been downgraded to a Category 1 hurricane when it impacted Tarpon Springs. Staff has a concern with respect to this project being located substantially within the Coastal High Hazard Area and within the City's most vulnerable evacuation zone with respect to the lack of in-county sheltering for major storms (Category 3 and higher). Pinellas County Emergency Management has been notified of the proposed development.

TECHNICAL REVIEW COMMITTEE (TRC):

The TRC last reviewed this project on September 2, 2021. The TRC determined that the application was complete and ready for processing pursuant to the requirements of Section 207.01(C).

PUBLIC CORRESPONDENCE:

The property owners within 1,000 feet were sent written notification, exceeding the requirements of Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development Code and Chapter 166.041, Florida Statutes. Notice was advertised in the *Tampa Bay Times* and the property was posted. Responses to the notices received by the Planning and Zoning Department as of September 10, 2021 are included with the agenda item packet.

ORDINANCE 2021-15

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TARPON SPRINGS, FLORIDA, FOR 64.17 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED AT 42501 U.S. HIGHWAY 19 NORTH, ON THE EAST SIDE OF U.S. HIGHWAY 19 NORTH, FROM ZONING DESIGNATION GB (GENERAL BUSINESS) OR RPD (RESIDENTIAL PLANNED DEVELOPMENT) TO ZONING DESIGNATION RPD (RESIDENTIAL PLANNED DEVELOPMENT); APPROVING PRELIMINARY PLANNED DEVELOPMENT FOR ANCLOTE HARBOR RESIDENTIAL PLANNED DEVELOPMENT; PROVIDING FOR DIMENSIONAL STANDARDS; PROVIDING FOR WAIVERS OF DESIGN REQUIREMENTS OF THE RPD DISTRICT; PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property owner of record of said parcel previously requested to amend to the zoning district designation of said parcel from General Business (GB) district to Residential Planned Development (RPD) district; and,

WHEREAS, the property was rezoned to Residential Planned Development (RPD) district pursuant to Ordinance 2020-34 and a Conditional Use to allow residential use in the Commercial General Future Land Use Map Category was authorized pursuant to Resolution 2020-72; and

WHEREAS, Concerned Citizens of Tarpon Springs, Inc., filed a Petition for Writ of Certiorari challenging the adoption of Ordinance 2020-34; and

WHEREAS, the property owner has filed an application to amend the zoning district designation of said parcel, whether it be from General Business (GB) should Concerned Citizens of Tarpon Springs, Inc. be successful in its Petition or from Residential Planned Development (RPD) as approved by Ordinance 2020-34 ; and

WHEREAS, the applicant is also requesting approval of a Preliminary Planned Development under the RPD (Residential Planned Development) zoning district; and,

WHEREAS, the applicant is also requesting approval of a conditional use to allow for establishment of a residential use on the property in the Commercial General (CG) Future Land Use Map (FLUM) category; and,

WHEREAS, the proposed RPD, Residential Planned Development, zoning district is consistent with the Commercial General (CG) and Residential/Office General (R/OG) Future Land Use Map category designations of the subject property; and,

WHEREAS, the planned uses within the RPD District are compatible with surrounding and existing land uses; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on this rezoning ordinance on September 20, 2021; and

WHEREAS, published legal notice of this Ordinance has been provided pursuant to the requirements of Chapter 166.041, F.S. and Section 206 of the Tarpon Springs Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

Section 1. FINDINGS

1. That the Board of Commissioners finds that this Ordinance is consistent with the Tarpon Springs Comprehensive Plan.
2. That available uses to which the property may be put are appropriate to the property in question and are compatible with the existing and planned uses in the area.
3. That the amendment shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.
4. That the amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.

Section 2. MAP AMENDMENT

That the Official Zoning Atlas of the City of Tarpon Springs is hereby amended for property legally described in Exhibit A, attached hereto.

Section 3. PRELIMINARY PLANNED DEVELOPMENT APPROVAL

The Preliminary Planned Development for Anclote Harbor multifamily residential development is hereby approved for 404 residential dwelling units with the following waiver of design requirements:

1. Allowance of a maximum building height of 53 feet,

and, with the following conditions:
 1. The donation to the City in the amount of \$444,000, voluntarily offered by the applicant, shall be provided prior to issuance of a Certificate of Occupancy for the project and shall be deposited into the City's Land Preservation Fund.
 2. The proposed Recreation/Open Space (R/OS) Future Land Use Map (FLUM) category designation shall be expanded from 6.48 acres to cover the entire 13.89 acres of longleaf pine/xeric oak habitat proposed for preservation. An amended FLUM application will be required to be processed simultaneously with adjustment of the existing Preservation (P) designation. The Preservation (P) FLUM designation shall be adjusted to cover the entire 21.17 acres of wetlands proposed for preservation. Digital coverage for mapping of all final R/OS and P

- coverage shall be provided in a format specified by the City at the time of site construction permit application submittal.
3. A conservation easement in favor of the City shall be established over the entire acreage required by the conditions herein, of Recreation/Open Space and Preservation Future Land Use Map (FLUM) categories . The easement shall prohibit the use or transfer of any remaining density/intensity, restrict the site to certain recreational amenities, provide for certain water access facilities, prohibit vessel launching or landing except at designated water access facilities, and provide for maintenance free of species listed as invasive in the City's Land Development Code in perpetuity. The draft conservation easement shall be provided with the Final Development Plan.
 4. A post-development eagle management plan shall be submitted with the Final Development Plan. The plan should provide for controlled/restricted access to an appropriate buffer area around the nesting site during the establishment phase of the nesting season, and extended through the entire season should nesting occur. The program should be implemented for at least five years from the completion of the development and may be terminated at that point if no nesting occurs. Once nesting occurs, the five-year timeframe restarts in that year.
 5. The wetland enhancement plan submitted with the Final Development Plan shall include:
 - a. Details of plan implementation including methods of invasive exotic eradication, methods of existing native tree retention and protection, method of tree installation, and, a layout plan specifying areas to be planted. The plan should include increased tree species diversity beyond the three species listed in the current proposal;
 - b. An analysis of whether specific enhancement areas may be candidates for topographic alteration closer to original wetland elevations with the goal of achieving long-term functional conditions that discourage or prevent invasive exotic plant recruitment;
 - c. Eradication of all Brazilian pepper (*Schinus terebinthifolius*) and camphor tree (*Cinnamomum camphora*) shall be eradicated from the entire property with maintenance free of these two species in perpetuity;
 - d. In order to discourage future spread of invasive species, the applicant shall seek approval from the Florida Department of Transportation (FDOT) to remove Brazilian pepper and camphor tree from the right-of-way adjacent to the project and to keep the right-of-way free of these exotics in perpetuity subject to the permission of FDOT. A similar request shall be filed with Pinellas County Public Works for Brazilian pepper removal from the Hays Road right-of-way adjacent to the project.
 - e. The applicant shall consider and include applicable best management practices and recommendations of the Anclote River Watershed Management Plan for implementation on the project site.
 6. At least two (2) feet of additional elevation (freeboard) above the current NFIP flood zone finished floor elevation (AE 8) shall be supplied for all occupied buildings to be shown on the Final Development Plan.

7. A detailed Transportation Management Plan shall be provided with the Final Planned Development that includes:
 - a. Details that more fully describe the currently proposed methods of transportation demand management,
 - b. Analysis and consideration of additional vehicle use reduction mechanisms such as, but not limited to, bicycle sharing, van circulator for local trips to goods and services, crosswalks/signals for bicycle access to local goods and services, and similar mechanisms.
 - c. Direct coordination with Pasco County Public Transportation (PCPT) and Pinellas County Transportation Authority (PSTA) regarding the need and/or advisability of providing a bus stop or shelter at the project site.
 - d. Analysis of the potential for participation in identified Bus Rapid Transit prioritized for the U.S. 19 corridor in the Advantage Pinellas Long Range Transportation Plan.
8. An analysis of the future operation and potential adaptation needs for the onsite stormwater management system and wastewater infrastructure to be constructed by the developer shall be performed based on the 2017 National Oceanic and Atmospheric Administration intermediate-high sea level rise projections to the year 2050 and submitted with the Final Planned Development submittal.

Section 4. EFFECTIVE DATE

This Ordinance shall be effective upon approval, and, in conjunction with approval of Resolution 2021-52.

Ordinance 2021-15. Exhibit A

**ANCLOTE HARBOR
LEGAL DESCRIPTION:**

A TRACT OF LAND BEING A PORTION OF TAMPA AND TARPON SPRINGS LAND COMPANY AS RECORDED IN PLAT BOOK H-1, PAGE 116 OF THE PUBLIC RECORDS OF PINELLAS (FORMERLY HILLSBOROUGH) COUNTY, FLORIDA, LYING IN AND BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY FLORIDA AND A PORTION OF THE OFFICIAL MAP OF THE TOWN OF TARPON SPRINGS AS RECORDED IN PLAT BOOK 4, PAGE 79 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA LYING IN AND BEING A PART OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND RUN NORTH 85° 40' 26" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 6 FOR A DISTANCE OF 885.46 FEET TO THE POINT OF BEGINNING BEING AT THE SOUTHEAST CORNER OF LOT 42 OF THE TAMPA AND TARPON SPRINGS LAND COMPANY AS RECORDED IN PLAT BOOK H-1, PAGE 116 OF THE PUBLIC RECORDS OF PINELLAS (FORMERLY HILLSBOROUGH) COUNTY, FLORIDA; THENCE RUN NORTH 00° 09' 16" WEST ALONG THE EAST LINE OF THE AFORESAID LOT 42 AND THE EAST LINE OF THE WEST 1/3 OF LOT 41 FOR A DISTANCE OF 1319.40 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 41; THENCE RUN N 85° 42' 06" W ALONG THE NORTH LINE OF LOTS 41 AND 45 FOR A DISTANCE OF 1380.36 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF STATE ROAD 55 (US HIGHWAY 19), RIGHT OF WAY WIDTH VARIES, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 15150-2548; THENCE RUN SOUTH 00° 02' 56" WEST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 1543.63 FEET; THENCE CONTINUE SOUTHERLY ALONG THE RIGHT OF WAY LINE AS PER THE ORDER OF TAKING AS RECORDED IN OFFICIAL RECORDS BOOK 6222, PAGE 2159 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA FOR THE FOLLOWING TWO COURSES; THENCE RUN SOUTH 03° 40' 12" EAST FOR DISTANCE OF 308.34 FEET; THENCE RUN SOUTH 00° 02' 56" WEST FOR A DISTANCE OF 504.19 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE AND RUN NORTH 77° 42' 54" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE AS RECORDED IN OFFICIAL RECORDS BOOK 3268, PAGE 99 AND VACATED PER ORDINANCE 84-07 RECORDED IN OFFICIAL RECORDS BOOK 5746, PAGE 1209, ALL OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA FOR A DISTANCE OF 1956.89 FEET TO A POINT ON THE EAST LINE OF BLOCK 96 OF THE AFORESAID OFFICIAL MAP OF THE TOWN OF TARPON SPRINGS AS RECORDED IN PLAT BOOK 4, PAGE 79 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE RUN NORTH 14° 38' 46" WEST ALONG THE EAST LINE OF BLOCK 96 AND BLOCK 90 OF THE AFORESAID OFFICIAL MAP OF THE TOWN OF TARPON SPRINGS FOR A DISTANCE OF 474.10 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF A 25 FOOT ROAD RIGHT OF WAY AS DESCRIBED IN THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 2, PAGE 227 OF THE PUBLIC RECORD OF PINELLAS COUNTY, FLORIDA; THENCE

RUN NORTH 85° 40' 26" WEST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 431.33 FEET; THENCE RUN NORTH 00° 09' 16" WEST ALONG A SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 42 OF THE TAMPA AND TARPON SPRINGS LAND COMPANY AS RECORDED IN PLAT BOOK H-1, PAGE 116 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA FOR A DISTANCE OF 25.08 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT LAND CONVEYED PURSUANT TO THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 14238, PAGE 1044 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
[SEPTEMBER 20, 2021 / OCTOBER 26, 2021]

STAFF REPORT – CONDITIONAL USE

Application No. / Project Title: #21-99 – Conditional Use (Resolution 2021-53)

Project Title: Anclote Harbor

Applicant / Owner: Kamil Salame, Morgan Group Development, LLC / Wal-Mart East Stores LP

Property Size: 64.17 acres

Current Land Use: Commercial General (CG), Residential/Office General (R/OG), Preservation (P)

Location / Parcel ID: 42501 U.S. Highway 19 North / 06-27-16-89388-000-0420

SUMMARY OF REQUEST:

The Anclote Harbor project is a proposed multi-family development that includes 404 residential apartment units, a clubhouse, on-site recreational amenities, parking and stormwater facilities. A previous application for this project, which is under legal challenge, rezoned the entire property from General Business (GB) to Residential Planned Development (RPD). The current request is for approval of a conditional use for residential development in the Commercial General Future Land Use Map category, an approval that is required by the City’s Comprehensive Plan. The applicant is also requesting a Concurrency Certificate, a Rezoning of the property from General Business (or Residential Planned Development approved under Ordinance 2020-34) to Residential Planned Development, a Preliminary Planned Development approval, and, a Future Land Use Map (FLUM) amendment to Recreation/Open Space for a portion of the property.

PRELIMINARY STAFF RECOMMENDATION: CONDITIONAL USE

Staff recommends approval of the Conditional Use under Resolution 2021-53. Based on staff’s analysis, the proposed residential use within the Commercial General (CG) land use category is compatible with existing and future land uses within the surrounding area.

CURRENT PROPERTY INFORMATION:

Use of Property:	Vacant
Site Features:	Adjacent to the Anclote River; Upland and wetland habitats.
Flood Hazards:	Flood zones X Unshaded, X Shaded and AE 8.00 (2021 FIRM)
Vehicle Access:	Adjacent to U.S. Highway 19 North, a major arterial roadway



ZONING & LAND USE ON ADJACENT SURROUNDING PARCELS (CITY AND COUNTY JURISDICTION):

	Zoning:	Land Use:
North:	Land Conservation (LC) and Residential Office (RO)	Preservation (P) and Residential/Office General (R/OG)
South:	<u>Right of Way:</u> Residential Agriculture (R-A) and Residential Medium (RM) <u>Residential:</u> Residential Mobile Home (RMH) and Mobile Home Park (MHP)	<u>Right of Way:</u> Preservation (P) and Recreation Open Space (ROS) <u>Residential:</u> Residential Urban (RU)
East:	Single Family Residential (R-100A) and Residential Agriculture (R-A)	Residential Suburban (RS)
West:	R-60 (One and Two Family Residential), WD-I (Waterfront Development), General Commercial and Services (C-2), Residential Mobile Home (RMH)	Preservation (P), Commercial General (CG), and, Residential Office Retail (ROR)

ZONING DISTRICT SUMMARY (EXISTING / PROPOSED):

Dimensional Regulations	Current Zoning Standards: GB	Proposed Zoning Standards: RPD	Proposed Project	Complies
Maximum Residential Density (from Future Land Use Map categories)	CG: uplands: 400 units wetlands: 10 units R/OG: 75 units*	n/a	404 units	✓
Total Density:	485 units	n/a	404 units	✓
Lot Standards:				
Minimum Lot Area	10,000 square feet	10,000 square feet	64.17 acres	✓
Min. Lot Width	80 feet	100 feet	2,000± feet	✓
Min. Lot Depth	90 feet	n/a	n/a	✓
Maximum Height	45 feet	45 feet	53 feet	Waiver requested
Setbacks:				
Front Yard	25 feet	25 feet	25 feet to 70 feet	✓
Side Yard	20 feet	15 feet	190 feet to 230 feet	✓
Side Street	20 feet	15 feet	n/a	✓
Rear Yard	20 feet	15 feet	15 feet	✓
Between Buildings	25 feet	25 feet	29 feet	✓
Wetland/Shoreline Buffers	50 feet	50 feet	50 feet	✓



ZONING DISTRICT SUMMARY (continued)				
Dimensional Regulations	Current Zoning Standards: GB	Proposed Zoning Standards: RPD	Proposed Project	Complies
Open Space Ratio				
Entire Site	n/a	25% (16.04 acres - must include less than 50% wetlands)	49% (31.3 acres of eligible area)	✓
Significant Upland Habitat	30% (9.1 acres) minimum	30% (9.1 acres) minimum	46% (13.89 acres)	✓
Impervious Surface Ratio				
Entire Site	75% in R/OG 85% in CG	75% in R/OG 85% in CG	10% in R/OG 24% in CG	✓
Significant Upland Habitat	50% (15.17acres) maximum	50% (15.17 acres) maximum	28% (8.52 acres)	✓

*Physical location of units in the R/OG category capped at 98 units based on Countywide Rules standards. Applicant is proposing 96 units in this area.

REVIEW STANDARDS / STAFF ANALYSIS – CONDITIONAL USE:

Section 209.01 of the Land Development Code states that the Board shall not grant a conditional use unless certain standards are met and proven by competent substantial evidence. Staff analysis of each of these standards is provided below:

1. Conformance with the requirements of the Land Development Code.

Staff Analysis: The Technical Review Committee (TRC) has reviewed the preliminary planned development and determined that, with appropriate conditions, the requirements of the Land Development Code can be met. The applicant has requested one waiver to allow the maximum height of the residential buildings to be 53 feet, 8 feet taller than the permitted. This waiver request will be reviewed as a part of the preliminary planned development.

2. The use to which the property may be put is appropriate to the property in question and is compatible with existing and planned uses in the area.

Staff Analysis: The intent of the conditional use review for residential in the CG category, is to ensure that the placement of a residential use in an area that is designated as commercial does not create potential current or future land use conflicts and issues arising from the incompatibility of uses. Although the subject site is located along an arterial roadway, the surrounding area has several residential land uses. The subject site also has significant buffering from adjacent properties to the north and west due to the intervening Anclote River. The proposed wetland and upland preservation area on the southern portion of the site provides significant natural buffering to the adjacent properties to the east, south, and west. The U.S. Highway 19 barrier will also help to mitigate any potential conflicts from future commercial uses along the corridor. Further, the proposed project serves as a gradual transition from commercial/higher-density residential uses along U.S. Highway 19 to the surrounding lower-density residential uses.



3. The conditional use is consistent with the goals, objectives and policies of all Elements of the City Comprehensive Plan.

Staff Analysis: A separate report analyzing consistency with the Comprehensive Plan is included with the agenda packet.

4. The conditional use will not result in significant adverse impacts to the environment or historical resources.

Staff Analysis:

Habitat: The proposed site layout clusters the development on the most disturbed and upland areas of the property. This layout allows for the preservation of approximately 96% of the 22.08 acres of wetland and the creation of an upland preserve area that is proposed to be designated as Recreation/Open Space and further protected through the establishment of a conservation easement. Additionally, the proposal observes a 50-foot buffer to all wetlands, preservation of eagle nests by minimizing improvements in proximity to the nests, and protection of the Anclote River shoreline by setting the building back at least 175 feet for one building and 350-450 feet for the other four buildings.

Archeological/Historical Resources: The applicant has submitted an archeological assessment from the Florida Department of State, Division of Historical Resources, stating that the four previously identified archeological sites do not appear to be significant and do not meet the criteria to be considered eligible for listing in the National Register of Historic Places. Although no significant impacts are expected, it is recommended the applicant perform a Level 1 Cultural Resource Assessment Survey (CRAS) of the site. The subject site is not located within a national or local historic district; therefore, the development of the site is not subject to the City's Heritage Preservation Ordinance.

Sustainability: The applicant has indicated that the development will be designed and constructed to achieve the Bronze Level of the National Green Building Standards. Additionally, they have committed to installing Electric Vehicle Charging Stations and conduit for future stations for the parking areas of each residential building and clubhouse, and the installation of solar panels for the clubhouse.

5. The conditional use will not adversely affect adjoining property values.

Staff Analysis: Adjoining property to the east and south is all residentially built and/or zoned. The significant buffering created from the preserved wetland areas on the southern portion of the site will tend to diminish the presence of the project from the east and south, and with no traffic from the project traveling through these established neighborhoods, no impacts to property values are expected. Adjoining property to the north is developed as medical office facilities and are buffered from the proposed project by the Anclote River. Adjoining property to the west on the opposite side of U.S. Highway 19 is zoned both residentially and commercially. U.S. Highway 19 serves as a buffer from the existing residentially designated land and property values are not expected to be affected. Future commercial development along the west side of US Highway 19 will also not be affected with respect to property value.



- 6. The conditional use will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide available public facilities, including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.**

Staff Analysis:

Transportation Network: The project is accessed from U.S. Highway 19, which is an existing arterial roadway providing north/south access through the City and Pinellas County. U.S. Highway 19 also provides direct access to Pasco County to the north. The applicant will be installing, at their sole cost, safety improvements to the highway to accommodate safe ingress/egress. These improvements will include two access points to the site, two median cuts on the highway along with a turn lane into the development's main entrance. The applicant has also proposed transportation demand management solutions to reduce the use of the automobile. The City will require a detailed Transportation Management Plan that expands on these and other potential mechanisms for reducing vehicular trips associated with the site. While U.S. Highway 19 is served by transit, the subject property is not currently served. The northern limit for Pinellas Suncoast Transit Authority (PSTA) is Tarpon Avenue, where it connects with the southernmost limit of service from the Pasco County Public Transportation (PCPT) system. As public transportation opportunities, such as bus rapid transit, evolve for U.S. Highway 19 over time, there may be an opportunity in the future for this site to be served by public transit. The site has direct access to the Pinellas Trail, via an existing public sidewalk along U.S. Highway 19. Access to the Pinellas Trail provides safe pedestrian circulation through the City and Pinellas County at large.

Utilities: The City's potable water and wastewater facilities have sufficient service capacity for the proposed development. The site is not physically served with wastewater collection infrastructure. Therefore, the applicant has committed, at their sole cost, to installing a dedicated force main to a manhole/gravity run system located just upstream of the City's wastewater treatment facility to serve the development. Additionally, the applicant has committed to extending reclaimed water service to the subject property.

Drainage: The preliminary drainage plan has been reviewed and accepted by the City in concept. A full drainage plan will be required to be reviewed and approved as a part of the Final Planned Development.

Solid Waste: The City transfers its solid waste to Pinellas County for deposition in the landfill and processing the County's waste to energy plant. There is more than sufficient capacity to accept the development's anticipated solid waste generation. The applicant has proposed the utilization of a trash compactor on site, in lieu of dumpsters. The City has confirmed that the proposed size, positioning, and logistics of the compactor are acceptable, pose no undue transportation issues, and can be served by the City's solid waste collection system.

Recreation: The applicant has proposed a variety of on-site passive recreational amenities, including a community clubhouse, dog park, boat dock, two kayak launches, picnic area/playground, and a nature trail. These proposed amenities help to maximize the efficiency of the City's existing park facilities by retaining residents on site to engage in leisure activities,



thereby reducing the impact on the City's existing park network. Additionally, future residents have direct access to the Pinellas Trail via the existing public sidewalk along U.S. Highway 19.

Education: The City coordinates with the Pinellas County Schools to provide information for each residential development that is required for that agency to make adjustments. Pinellas County Schools has verified that there is more than sufficient capacity to handle the expected student generation from the development.

Fire Protection, Law Enforcement, & Library Service: The subject property is located within the City's existing service areas for police and fire protection. The City has sufficient fire protection, law enforcement and library services to serve the proposed development.

7. The conditional use shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.

Staff Analysis: The proposed development represents infill development because the subject property is located within the jurisdiction and service area of the City. The development can be served by existing public facilities capacity. Service infrastructure is existing or proposed to be provided by the development in the form of extension of both the reclaimed water and the wastewater service to the site, and, the provision of on-site stormwater handling facilities. The property is accessed from U.S. Highway 19, which is a main arterial that provides north/south access through both the City and Pasco/Pinellas County, and, with developer-funded roadway improvements and the proposed Transportation Management Plan, has the capacity to serve the new development.

TECHNICAL REVIEW COMMITTEE (TRC):

The TRC last reviewed this project on September 2, 2021. The TRC determined that the application was complete and ready for processing pursuant to Section 209.00(F).

PUBLIC CORRESPONDENCE:

The property owners within 1,000 feet were sent written notification, exceeding the requirements of Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development Code and Chapter 166.041, Florida Statutes. Responses to the notices received by the Planning and Zoning Department as of September 10, 2021 are included with the agenda item packet.

RESOLUTION NO. 2021-52

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION #21-99 REQUESTING CONDITIONAL USE APPROVAL TO ALLOW THE ESTABLISHMENT OF A RESIDENTIAL USE IN THE COMMERCIAL GENERAL (CG) FUTURE LAND USE DISTRICT ON PROPERTY LOCATED AT 42501 U.S. HIGHWAY 19 NORTH; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tarpon Springs has received an application for a Conditional Use to allow for establishment of a residential use in the Commercial General (CG) Future Land Use Map (FLUM) category; and,

WHEREAS, Policy 2.4.3(e) of the City’s Comprehensive Plan requires conditional use approval for such uses within the Commercial General FLUM category; and,

WHEREAS, the Planning and Zoning Board held a public hearing on this application at its meeting of September 20, 2021 and recommended approval; and,

WHEREAS, the Board of Commissioners must approve, deny or approve subject to conditions, each application for conditional use approval; and,

WHEREAS, written notice of this action has been provided in accordance with Article XII of the Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, THAT:

SECTION 1: FINDINGS

Application #21-99 meets the criteria for approving a Conditional Use as set forth in Section 209.01 of the Land Development Code.

SECTION 2: REPEAL OF RESOLUTION 2020-72

Resolution 2020-72 is hereby repealed.

SECTION 3: CONDITIONAL USE APPROVAL

Application #21-99 under Resolution 2021-52, requesting Conditional Use approval to allow establishment of a residential use on property located at 42501 U.S. Highway 19

North in the Commercial General (CG) Future Land Use Map category is hereby approved.

SECTION 4: EFFECTIVE DATE

This Resolution shall be effective upon adoption of Ordinance 2021-15.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
[SEPTEMBER 20, 2021 / OCTOBER 26, 2021, SECOND HEARING DATE To Be Determined]

STAFF REPORT – FUTURE LAND USE MAP AMENDMENT
September 13, 2021

This staff report specifically addresses the request for approval of a Future Land Use Map amendment. Included with this packet is the applicant's narrative and draft Ordinance 2021-16 proposed for adoption. All other materials submitted by the applicant may be found at this link: <https://connecttarponssprings.com/anclote-harbor>

Application No.: #21-103 – Future Land Use Map Amendment (Ordinance 2021-16)
Project Title: Anclote Harbor
Applicant / Owner: Kamil Salame, Morgan Group Development, LLC / Wal-Mart East Stores LP
Property Size: 6.459 acres of Upland Preserve Area (Total Project Site = 64.17)
Current Land Use: Residential/Office General (R/OG)
Proposed Land Use: Recreation/Open Space (R/OS)
Location / Parcel ID: 42501 U.S. Highway 19 North / 06-27-16-89388-000-0420

SUMMARY OF REQUEST:

The Anclote Harbor project is a proposed multi-family development that includes 404 residential apartment units, a clubhouse, on-site recreational amenities, parking and stormwater facilities. A previous application for this project, which is under legal challenge, rezoned the entire property from General Business (GB) to Residential Planned Development (RPD). The current request is to amend the Future Land Use Map (FLUM) for a 6.45-acre portion of the property from Residential/Office General to Recreation/Open Space to accommodate a natural preserve and recreational trail amenity proposed as part of the overall project. For the full project, the applicant is also requesting a Concurrency Certificate, a Rezoning of the property from General Business (or Residential Planned Development approved under Ordinance 2020-34) to Residential Planned Development, and a Conditional Use approval for a residential use in the Commercial General FLUM category.

PRELIMINARY STAFF RECOMMENDATION: FUTURE LAND USE MAP AMENDMENT

Upon review of the overall project submitted including all of the above-referenced applications, staff requested that the applicant consider expanding the proposed Future Land Use Map amendment to Recreation/Open Space to cover the entire 13.89 acres of longleaf pine/xeric oak habitat being preserved on site. The applicant has agreed to this request. The FLUM amendment application will need to be revised to reflect the new acreage to be placed under the Recreation/Open Space category and to reflect the change from both Commercial General and the Residential/Office General categories over the 13.89 acres to be preserved. Staff will recommend approval of the FLUM change to Recreation/Open Space over the entire 13.89 acres of longleaf pine/xeric oak habitat to be



preserved pursuant to a revised draft of Ordinance 2021-16. The current draft reflecting the current application 6.46 acres to be preserved) is attached to this staff report. The staff analysis, however, applies to the entire 13.89 acres anticipated to be included in the revised ordinance. The proposed Recreation/Open Space land use category recognizes and responds to the unique environmental considerations on the subject site by limiting the use of this area to passive recreation and open space for the use of the apartment community.

PLANNING CONSIDERATIONS:

When considering this application, the following general site conditions, planning concepts, and other facts should be noted:

1. There is a total of 13.89 acres of significant upland preserve area on the site that is not proposed for development. The applicant is requesting to change the Future Land Use Map (FLUM) designation for 6.459 acres of this area from Recreation/Office General (R/OG) to Recreation/Open Space (R/OS) for the purpose of allowing passive recreation and open space for the residents of the community.
2. As a part of the preliminary planned development (Application #21-101), the City has requested a conservation easement to cover all of the remaining wetlands (21.17 acres) and the entire area of significant uplands (13.89 acres – which includes the 6.459-acre proposed R/OS area) not proposed for development. The applicant has agreed to this conservation easement subject to approval of the specific easement language. This will further assure this area will only be utilized for passive recreation and open space only.
3. The City will request that the applicant amend the FLUM amendment application to reflect the expanded acreage and to amend the applicable areas from the Residential/Office General and Commercial General categories to the Recreation/Open Space category.
4. The applicant has proposed improvements to the area limited to walking trails, benches, exercise equipment, emergency call boxes and water access facilities. These amenities will be limited to the use of the residents of the apartment community. The applicant has further stated that there will be no buildings located within these areas.

REVIEW STANDARDS / STAFF ANALYSIS – FUTURE LAND USE MAP AMENDMENT

The Future Land Use Map (FLUM) amendment is a legislative decision of the Board of Commissioners. Pursuant to Section 207.03(C) amendments to the Comprehensive Plan must meet the standards of Florida Statutes. The standards for the current and proposed FLUM categories contained in the City’s adopted Comprehensive Plan are summarized below:

	Current FLU: Residential/Office General (R/OG) and Commercial General (CG)	Proposed FLU: Recreation/Open Space (R/OS)
Intent:	Policy 2.3.1 R/OG - This category is generally appropriate to locations where it would serve as a transition from an urban activity center or more intensive non-residential use to low-density residential or public/semi-public use; and in areas where the size and scale of office and residential use is appropriate to freestanding office, medium density residential or a combination thereof.	Policy 2.6.2 – This category is intended for areas appropriate to be used for open space and/or recreational purposes. These uses can be public or private, natural or man-made, active or passive.



(continued)	Current FLU: Residential/Office General (R/OG) and Commercial General (CG)	Proposed FLU: Recreation/Open Space (R/OS)
	Policy 2.4.3 CG – The primary use shall be to designate existing commercial areas which may be either highway or commercial oriented and include uses of varying degree and intensity.	
Primary Uses:	R/OG: Residential, Business/Professional Office CG: Office, Personal Service/Office Support, Retail Commercial, Commercial/Business Service, Transient Accommodation, Wholesale/Distribution, Storage/Warehouse	Public/Private Open Space Public/Private Park Public Recreation Facility Public Beach/Water Access Golf Course/Clubhouse
Max. Density:	15 dwelling units/acre (both categories)	0 dwelling units/acre
Max. Floor Area Ratio (FAR):	R/OG: 0.40 CG: 0.45	0.25
Max. Impervious Surface Ratio (ISR):	R/OG: 0.75 CG: 0.85	0.45

Staff Analysis: This area is proposed to be utilized for passive recreation and open space for the residents of the apartment community. Per the applicant, only walking trails, benches, exercise equipment, emergency call boxes and docking facilities will be located within the proposed Recreation/Open Space area. The current designations of Commercial General and Residential/Office General are not ideal for this portion of the subject property due to the sensitive environmental conditions. This area is proposed as open space containing longleaf pine/xeric oak habitat, and, a bald eagle nesting site, to be set aside for conservation. The proposed Recreation/Open Space designation recognizes and responds to the unique environmental considerations on the site by limiting the use of this area for open space and passive recreation. The allowable uses, densities, and intensities of the requested R/OS land use designation for the 13.89-acre portion of the site are more complimentary and compatible with the environmental conditions on the subject property compared to the current R/OG designation. Further, a conservation easement over this area will ensure that it is only utilized for open space and appropriate recreation facilities oriented towards passive recreational pursuits. The proposed amendment is consistent with the City’s Comprehensive Plan. The Future Land Use Element of the Comprehensive Plan can be found at the following link: <https://www.ctsfl.us/wp-content/uploads/2020/11/Future-Land-Use-Element-FLUE-2020.pdf> . Policy 2.3.1 covering the Residential/Office General (R/OG) category can be found on PDF page 37. Policy 2.4.3 covering the Commercial General (CG) category can be found on PDF page 43. Policy 2.6.2 covering the Recreation/Open Space (R/OS) category can be found on PDF page 46. This is considered a “small-scale” land use map amendment under Section 163.3187, F.S. The site is characteristics are consistent with the adopted intent and standards of the Recreation/Open Space category contained in the adopted Comprehensive Plan.



Countywide Plan Map Amendment

The property is designated as Retail & Services (R&S) and Office (O) on the Countywide Plan Map. A Countywide Plan amendment to Recreation/Open Space (R/OS) will be required. The Countywide Rules for the locational characteristics and traffic generation characteristics of the current and proposed land uses are summarized below:

	Current Plan Category: Retail & Services (R&S) and Office (O)	Proposed Plan Category: Recreation/Open Space (R/OS)
Purpose:	<p>Policy 2.3.3.6 (O) – This plan category is intended to accommodate areas developed, or appropriate to be developed, with office uses, low-impact employment uses, and residential uses (subject to an acreage threshold), in areas characterized by a transition between residential and commercial uses and in areas well-suited for community-scaled residential/office mixed-use development.</p> <p>Policy 2.3.3.8 (R&S) – This plan category is intended to depict areas developed with, or appropriate to be developed with, a mix of business that provide for the shopping and personal service needs of the community or region, provide for employment opportunities and accommodate target employment uses, and may include residential uses as part of the mix of uses.</p>	<p>Policy 2.3.3.12 – This plan category is intended to recognize recreation/open space uses that serve the community or region.</p>
Max. Density:	<p>O: 15 dwelling units/acre R&S: 24 dwelling units/acre</p>	0 dwelling units/acre
Max. Floor Area Ratio (FAR):	<p>O: 0.50 R&S: 0.55</p>	0.25
Max. Impervious Surface Ratio (ISR):	<p>O: 0.75 R&S: 0.90</p>	0.60
Traffic Generation Characteristics:	<p>O: 89 trips per day per acre R&S: 433 trips per day per acre</p>	3 trips per day per acre

TECHNICAL REVIEW COMMITTEE (TRC):

The TRC last reviewed this project on September 2, 2021. The TRC determined that the application was complete and ready for processing pursuant to the requirements of Section 207.01(C).

PUBLIC CORRESPONDENCE:

The property owners within 1,000 feet were sent written notification, exceeding the requirements of Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development



CITY OF TARPON SPRINGS
PLANNING & ZONING DEPARTMENT

Code and Chapter 166.041, Florida Statutes. Notice was advertised in the *Tampa Bay Times* and the property was posted. Responses to the notices received by the Planning and Zoning Department as of September 10, 2021 are included with the agenda item packet.

ORDINANCE 2021-16

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE CITY OF TARPON SPRINGS, FLORIDA, FOR A 6.459 ACRE PORTION OF THE REAL PROPERTY LOCATED AT 42501 U.S. HIGHWAY 19 NORTH, ON THE EAST SIDE OF U.S. HIGHWAY 19 NORTH, THAT PORTION BEING 6.5 ACRES, MORE OR LESS, IN SIZE, FROM FUTURE LAND USE MAP DESIGNATION R/OG (RESIDENTIAL/OFFICE GENERAL) TO FUTURE LAND USE MAP DESIGNATION R/OS (RECREATION/OPEN SPACE); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property owner of record of said parcel has requested to amend the Future Land Use Map designation of a 6.459-acre portion of said parcel from Residential/Office General (R/OG) district to Recreation/Open Space (R/OS) district; and,

WHEREAS, the Board of Commissioners approved such request on October 26, 2021 to initiate the process for said amendments; and,

WHEREAS, the Board of Commissioners has determined that an amendment of the Future Land Use Map designation of the property from R/OG, Residential/Office General to R/OS, Recreation/Open Space designation is appropriate; and,

WHEREAS, the permitted uses within the R/OS, Recreation/Open Space, land use designation are compatible with the surrounding and existing land uses; and,

WHEREAS, the property owner has also applied to rezone the entire 64.17-acre property from GB (General Business) district or RPD (Residential Planned Development as adopted by Ordinance 2020-34) to RPD (Residential Planned Development) district; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on this application on September 20, 2021; and,

WHEREAS, this Ordinance has been duly advertised in accordance with the requirements of Chapter 166.041, F.S. and Section 206.00 of the Tarpon Springs Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

Section 1. FINDINGS

1. That the Board of Commissioners finds that this Ordinance is consistent with Chapter 163, Part II, Florida Statutes.

2. The Board of Commissioners finds that this amendment to R/OS, Recreation/Open Space, land use designation is appropriate.

Section 2. LAND USE PLAN DESIGNATION

The Future Land Use Map of the Future Land Use Plan Element of the Tarpon Springs Comprehensive Plan is hereby amended for 6.459 acres to Recreation/Open Space (R/OS) for a portion of the property located at 42501 U.S. Highway 19, Tarpon Springs, Florida and further described in Exhibit A attached hereto.

Section 3. EFFECTIVE DATE

This Ordinance shall be effective upon approval.

**ANCLOTE HARBOR –
WRITTEN CITIZEN COMMENTS RECEIVED
BY THE PLANNING AND ZONING
DEPARTMENT AS OF SEPTEMBER 10, 2021**

From: [Nicole Wilson](#)
To: [Anclote Harbor Project](#)
Subject: Anclote harbor project
Date: Thursday, July 29, 2021 11:23:52 AM

External Email- Use caution with links and attachments

Please don't do this it is not needed , we must preserve nature as much as we can , I love watching the birds there and the gopher tortoises there , traffic is bad enough, lower rent in the area and ppl could afford to live here more apts will increase everyone rent by tenfold increase crime etc

Kim Yothers

From: Patricia McNeese
Sent: Friday, July 30, 2021 2:32 PM
To: Anclote Harbor Project
Subject: FW: Attn: Planning and Zoning Board -VOTE NO on Anclote/US 19 development

-----Original Message-----

From: joseph weinzettle <weinzettle@hotmail.com>
Sent: Tuesday, July 20, 2021 7:34 AM
To: Planning <planning@ctsfl.us>
Subject: Attn: Planning and Zoning Board -VOTE NO on Anclote/US 19 development

External Email- Use caution with links and attachments

I urge the Planning and Zoning Board to vote NO on the proposed 404 unit development on the Anclote River and U.S. 19.

This development should never be allowed in this environmentally sensitive area. It will worsen traffic and add to noise, water and light pollution in Tarpon Springs.

The Board should reject proposals that have not been re-zoned in the PUBLIC interest. Re-zoning an industrial area to a conservation area would be in the public interest.

The re-zoning of this area for development serves a PRIVATE interest - the profit of the developer and builders. The impact on the environment and the city will be negative.

This area should remain as a preserve or passive park.

Thank you for your attention to this vital matter of public concern.

Sincerely,

Joseph Weinzettle
63381 Polly Drive
Tarpon Springs, FL 34689
Ph (727) 741-0385
Email: weinzettle@hotmail.com

From: jackspirk@aol.com
To: [Anclote Harbor Project](#)
Subject: Inquiry
Date: Tuesday, August 3, 2021 12:39:45 PM

External Email- Use caution with links and attachments

How do I go on record at opposing this project?

From: [Sharon](#)
To: [Anclote Harbor Project](#)
Cc: [FriendsOfThe AncloteRiver](#)
Subject: Question re: Anclote Harbor application
Date: Thursday, August 5, 2021 1:58:21 PM

External Email- Use caution with links and attachments

I attended today's meeting, and thank you for the questions presented so far.

Will the traffic study information be added to your Connect Tarpon Springs website?

Will the variances granted to Morgan Group in their first application automatically be granted in this application, or is there a possibility that the BOC will listen to the citizens of Tarpon Springs and not grant variance requests?

Thank you and best regards,
Sharon Landrum
45 W MLK Jr Dr
Tarpon Springs, FL 34689

From: [Anclote Harbor Project](#)
To: Sharon; [Anclote Harbor Project](#)
Cc: [FriendsOfThe AncloteRiver](#)
Subject: RE: Question re: Anclote Harbor application
Date: Thursday, August 5, 2021 3:52:58 PM

Hi Sharon,

The traffic impact study that was submitted by the applicant is available to view on the information page on Connect Tarpon Springs. It is located on the right hand side under 'Application Submittal Materials' in the '#21-100 - Rezoning Materials folder'.

Here is a direct link to that location:

https://ehq-production-us-california.s3.us-west-1.amazonaws.com/0c9608515c808a0da37eb3a54feef5f8d8eb7bde/original/1627393086/7066a775ea7d97baf9d544a574e0132a_B6_Rezoning_Traffic_Impact_Study.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIBJCUK4ZO4WUUA%2F20210805%2Fus-west-1%2Fs3%2Faws4_request&X-Amz-Date=20210805T194620Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=957758e1758d92f5ea6352baaa1845eee95e565433b0f071bfc9c136a3b420a1

This is a completely new application, therefore the previous waivers would not apply. All waiver requests associated with this application will be reviewed by the Board of Commissioners as a part of this application. At this time the only waiver the applicant is requesting is for building height.

Thank you!

Allie Keen, AICP

Senior Planner
City of Tarpon Springs – Planning & Zoning
akeen@ctsfl.us
727.942.5611

From: Sharon <luvtodive2004@yahoo.com>
Sent: Thursday, August 5, 2021 1:58 PM
To: Anclote Harbor Project <ancloteharbor@ctsfl.us>
Cc: FriendsOfThe AncloteRiver <friends.anclote@gmail.com>
Subject: Question re: Anclote Harbor application

External Email- Use caution with links and attachments

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Sharon Landrum
45 W MLK Jr Dr
Tarpon Springs, FL 34689

From: Sharon
To: Anclote Harbor Project
Subject: Re: Question re: Anclote Harbor application
Date: Thursday, August 5, 2021 5:22:22 PM

External Email- Use caution with links and attachments

Thank you Allie for your quick response! I thought I heard Ms. Tarapani say that they didn't have the report when asked about it. I must have misunderstood. I will review per your link.

Best regards,
Sharon Landrum

On Thursday, August 5, 2021, 03:53:00 PM EDT, Anclote Harbor Project <ancloteharbor@ctsfl.us> wrote:

Hi Sharon,

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Here is a direct link to that location:

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This is a completely new application, therefore the previous waivers would not apply. All waiver requests associated with this application will be reviewed by the Board of Commissioners as a part of this application. At this time the only waiver the applicant is requesting is for building height.

Thank you!

Allie Keen, AICP

Senior Planner

City of Tarpon Springs – Planning & Zoning

akeen@ctsfl.us

727.942.5611

From: Sharon <luvtoedive2004@yahoo.com>
Sent: Thursday, August 5, 2021 1:58 PM
To: Anclote Harbor Project <ancloteharbor@ctsfl.us>
Cc: FriendsOfThe AncloteRiver <friends.anclote@gmail.com>
Subject: Question re: Anclote Harbor application

External Email- Use caution with links and attachments

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Thank you and best regards,

Sharon Landrum

45 W MLK Jr Dr

Tarpon Springs, FL 34689

From: [joseph weinzettle](#)
To: [Board Of Commissioners](#)
Cc: [City Clerk Department](#); [Anclote Harbor Project](#)
Subject: Anclote Harbor Apts (Morgan Group) promo using city email address for public contact
Date: Sunday, September 5, 2021 2:25:59 PM

External Email- Use caution with links and attachments

To all concerned:

I just received a flyer in the mail about "Anclote Harbor Apartments" directing recipients to www.AncloteHarbor.com. The website directs questions to an apparent city email address as a contact -- ancloteharbor@ctsfl.us It seems to be a promotional flyer from Morgan Group

Is this done with the Board of Commissioners approval?

My question to Morgan Group and city staff/officials who may be coordinating with them is --

Would the Anclote Harbor developer/site property owner Morgan Group consider selling or donating the property to the county or state?

Both the county and state seek natural tracts to preserve, especially in environmentally sensitive areas such as along the Anclote.

Pinellas County land acquisitions may be contacted thru:
Development Review Services
(727) 464-3888

The State of Florida also accepts land donations: <https://floridadep.gov/lands/environmental-services/content/florida-forever>

The 74-acres along the Anclote would best serve the public benefit if it stays undeveloped supporting native flora and fauna. This site is in a key position at the intersection of US 19 and the Anclote and offers the public one of the view natural broad vistas left in North Pinellas County. Please preserve it!

Thank you for your consideration of this important matter.

Sincerely,

Joseph Weinzettle
63381 Polly Drive
Tarpon Springs, FL 34689

From: [Mark LeCouris](#)
To: [joseph weinzettle](#); [Board Of Commissioners](#)
Cc: [City Clerk Department](#); [Anclote Harbor Project](#); [Renea Vincent](#)
Subject: RE: Anclote Harbor Apts (Morgan Group) promo using city email address for public contact
Date: Tuesday, September 7, 2021 10:39:47 AM

Mr. Weinzettle, You are correct that the flyer is from the Morgan group not from the City of Tarpon Springs. The Morgan Group does not need approval from the Board of Commissioners to do this. The website titled Anclote Harbors is also property of Morgan group not the City. It refers them to a City of Tarpon Springs site where we have been posting all information on the Anclote Harbors project for the citizens to review. The property is still owned by Wal Mart and is under contract to Morgan Group. There has been no past interest of Wal Mart donating or selling this land to the City . If you have any further questions,feel free to call me at City hall. Mark Lecouris City Manager

-----Original Message-----

From: joseph weinzettle <weinzettle@hotmail.com>
Sent: Sunday, September 05, 2021 2:26 PM
To: Board Of Commissioners <boc@ctsfl.us>
Cc: City Clerk Department <cityclerkdept@ctsfl.us>; Anclote Harbor Project <ancloteharbor@ctsfl.us>
Subject: Anclote Harbor Apts (Morgan Group) promo using city email address for public contact

External Email- Use caution with links and attachments

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