



CITY OF TARPON SPRINGS
BOARD OF COMMISSIONERS
November 9, 2021 Regular Session

Applications:

Ordinance 2021-15 (2nd Reading):

- Application 21-100 (Rezoning)
- Application 21-101 (Preliminary Planned Development)

Resolution 2021-60 (First and only reading):

- Application 21-102 (Final Planned Development)

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

Location / Parcel ID:

42501 U.S. Highway 19 North / 06-27-16-89388-000-0420

SUMMARY OF PROJECT:

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. The project has received the following approvals to date:

- Rezoning to Residential Planned Development (RPD) and approval of Preliminary Planned Development approval, Ordinance 2021-15, first reading approved on October 28, 2021 with second reading scheduled for November 9, 2021.
- Conditional Use approval for residential use in the Commercial General Future Land Use Map category, Resolution 2021-52, adopted on October 28, 2021.
- Future Land Use Map amendment from Residential/Office General to Recreation/Open Space for a 5.991-acre portion of the property, Ordinance 2021-16, first reading approved on October 28, 2021.

NOVEMBER 9, 2021 REGULAR SESSION

ORDINANCES, RESOLUTIONS AND ASSOCIATED APPLICATIONS TO BE REVIEWED:

1. **Ordinance 2021-15** approving the rezoning and the Preliminary Planned Development (2nd Reading)
 - Application 21-100 (Rezoning)
 - Application 21-101 (Preliminary Planned Development)

The Re-zoning and Preliminary Planned Development applications were approved at the first of two required public hearings on October 28, 2021 by the Board of Commissioners. A second required public hearing for Ordinance 2021-15 (rezoning and Preliminary Planned Development approval) is scheduled to take place on November 9, 2021.



Please refer to all staff reports and materials provided for the BOC meeting of October 26, 2021. Ordinance 2021-15 has been updated to reflect BOC changes implemented at the October 26, 2021 meeting.

2. **Resolution 2021-60** to review and take action on the Final Planned Development
 - o Application 21-102 (Final Planned Development)

Board of Commissioners review and action on Resolution 2021-60 is scheduled for November 9, 2021. Procedurally, this action must occur AFTER the second reading and adoption of Ordinance 2021-15

Staff review and analysis of the Final Planned Development is provided below:

STAFF REVIEW & ANALYSIS:

The Final Planned Development Application was initially received on July 21, 2021 and has been reviewed concurrently with the Preliminary Planned Development application.

Since the initial submission of July 21, 2021, the City's Technical Review Committee (TRC) has reviewed the Final Planned Development through additional submissions/revisions on the following dates:

- o August 18, 2021
- o September 29, 2021
- o October 21, 2021

At the October 21, 2021 meeting of the City's TRC, the Committee found that previous review comments of August 18, 2021 and Sept. 29, 2021 were addressed to the satisfaction of the Committee and that the Final Planned Development was ready for submittal to the Board of Commissioners for consideration.

The following documents have been reviewed in support of the Final Planned Development:

1. Final Development Plans (includes lift station design, tree mitigation plan, landscaping plan, and photometric lighting plan (Exhibit B to Resolution 2021-60)
2. U.S. 19 Roadway Improvements Plan (Exhibit C to Resolution 2021-60)
3. Wetland and Upland Buffer Enhancement Plan (Exhibit D to Resolution 2021-60)
4. Architectural Renderings (Exhibit E)
5. Conservation Easement (Exhibit F to Resolution 2021-60)
6. Environmental Assessment Report (Exhibit G to Resolution 2021-60)
7. Transportation Management Plan (Exhibit H to Resolution 2021-60)
8. Hurricane Response Plan (Exhibit I to Resolution 2021-60)
9. Offsite Utility Plans
10. Lift Station Design Memorandum
11. Analysis of Stormwater Operations
12. Geotechnical Exploration
13. Geotechnical Addendum Letter (specific to sink hole activity)
14. Groundwater Monitoring Report Addendum
15. Drainage Report



REVIEW OF PRELIMINARY PLANNED DEVELOPMENT CONDITIONS

The Preliminary Plan conditions of approval from Ordinance 2021-15 have been reviewed for compliance, as noted below, as part of the Final Planned Development (see red text below each condition):

1. The donation to the City in the amount of \$444,000, voluntarily offered by the applicant, shall provided prior to issuance of a Certificate of Occupancy for the project and shall be deposited into the City's Land Preservation Fund.

This is included as a condition of Resolution 2021-60.

2. The proposed Recreation/Open Space (R/OS) Future Land Use Map (FLUM) category designation shall be expanded from 5.9 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.

This has been agreed to by the Developer and is included as a condition of Resolution 2021-60.

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.

The draft conservation easement is included in this Final Planned Development packet. Recording of the final conservation easement is addressed as a condition of Resolution 2021-60.

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.

The Eagle Management Plan was included as part of the revised Environmental Assessment Report dated Oct. 13, 2021 and is included as Exhibit G to Resolution 2021-60

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;



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- 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. (This condition was removed on recommendation of the City Attorney)~~
- 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.

The revised Wetland Enhancement Plan dated Oct. 13, 2021 addresses the above conditions and is included as an exhibit and condition to Resolution 2021-60

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.
This condition has been revised to +3 elevation and is included as a condition of Resolution 2021-60.
7. A detailed Transportation Management Plan shall be provided with the Final Planned Development that includes:
 - Details that more fully describe the currently proposed methods of transportation demand management,
 - 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.
 - 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.
 - 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.

The revised Transportation Management Plan dated Oct. 12, 2021 addresses this condition and is included as an Exhibit to Resolution 2021-60.

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.

This was addressed with the submission of "Analysis of Storm Wastewater Operations for Sea Level Rise" dated Oct. 14, 2021

9. For purposes of calculating density for the Anclote Harbor Residential Planned Development, ("Anclote Harbor RPD"), the Applicant and the City agree that the uplands acreage and related residential density ascribed to the portion of the site that is proposed to be designated as R/OS, Recreation/Open Space on the City's Future Land Use Map ("Plan Amendment Area") shall be considered a part of developable uplands of the overall site and has been used to calculate the allowable density for the Anclote Harbor RPD. Therefore, the Anclote Harbor RPD is consistent



with the City’s Comprehensive Plan and Land Development Code as legally conforming residential development as to density, and the RPD has the right to develop and maintain 404 multifamily residential units on the site in reliance of the density from the Plan Amendment Area.

This condition was accepted and approved as part of approval of Ordinance 2021-15 and will also become a condition of Resolution 2021-60. Per verification by the City Attorney, this language vests 404 units only in accordance with the approved Preliminary Development Plan.

PLANNED DEVELOPMENT REVIEW PROCEDURES & STANDARDS:

The Technical Review Committee (TRC) last reviewed this project at their regular meeting of October 21, 2021 and determined that the application was complete and ready for processing. All outstanding TRC comments were addressed with the most recent submittal.

Review criteria for Planned Developments are found in Section 79.00 of the LDC and are analyzed below:

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Analysis: The Preliminary Planned Development, as conditioned, was found to be consistent with the City’s Comprehensive Plan. The applicant has submitted a Final Planned Development that conforms to the approved preliminary plan and meets all conditions of the approval.

PHYSICAL CHARACTER OF THE SITE:

Analysis: The Preliminary Planned Development was approved as being “suitable in location, area, and character for the uses and structures proposed.” The Preliminary Planned Development was approved for a consolidated apartment-style housing design that preserves and enhances the majority of natural features on the site. The Final Planned Development submitted by the applicant matches the approved project plans and incorporates all of the features approved under the Preliminary Planned Development.

ADEQUACY OF PUBLIC FACILITIES:

Analysis: The Final Planned Development is consistent with the approved facility impacts as outlined in the Preliminary Planned Development and provided in the table below.

Facility	Proposed Impacts	Facility	Proposed Impacts
Potable Water:	101,000 gallons per day	Solid Waste:	2,020 tons per year
Wastewater:	85,000 gallons per day	Transportation:	178 peak hour trips

RELATION TO MAJOR TRANSPORTATION FACILITIES:

Analysis: The project is located adjacent to “thoroughfare streets or mass transit facilities” referenced in this standard and is located appropriately to access these facilities. The applicant has completed analysis and coordination to address methods for reducing the use of individual vehicles with the goal of reducing the peak hour trip generation rate. The applicant has submitted a



satisfactory Transportation Management Plan, the implementation of which is recommended as a condition of this Final Planned Development and attached as Exhibit H to Resolution 2021-60. Although the site is only minimally served by transit facilities currently, it is well situated to take advantage of future mass transit planned for this area including bus rapid transit.

ENVIRONMENTAL DESIGN:

Analysis: The Final Planned Development carries out the environmental design of the approved Preliminary Planned Development including mitigation of wetland impacts on site, enhancement of existing wetlands on site, maintenance of site overall topography (excluding necessary stormwater pond excavation), minimization of tree removal, and incorporation of energy-saving construction and features on site.

RECOMMENDATIONS:

1. Staff recommendation is to approve Ordinance 2021-15 (2nd Reading) rezoning the property to RPD, Residential Planned Development and approving the Preliminary Planned Development for the Anlcote Harbor Apartments
2. Staff recommendation is to approve Resolution 2021-60, Final Planned Development, for the Anclote Harbor Apartments.

ATTACHMENTS:

1. Ordinance 2021-15, with BOC approved changes from 1st Reading
2. Resolution 2021-60 with Attachments
 - A. Legal Description
 - B. Final Development Plans Sealed on Nov 1, 2021
 - C. U.S. 19 Roadway Improvement Plans dated July, 2021
 - D. Wetland Enhancement Plan dated Oct. 13, 2021
 - E. Architectural Elevations
 - F. Conservation Easement
 - G. Environmental Assessment Report dated Oct. 13, 2021
 - H. Transportation Management Plan dated Oct. 12, 2021
 - I. Hurricane Response Plan dated Oct. 28, 2021
3. Offsite Utility Plans
4. Lift Station Design Memorandum
5. Analysis of Stormwater Operations
6. Geotechnical Exploration
7. Geotechnical Addendum Letter (specific to sink hole activity)
8. Groundwater Monitoring
9. Drainage Report
10. TRC Comment Reports (3)