



# COMMUNITY DEVELOPMENT BOARD PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT

**MEETING DATE:** November 17, 2015  
**AGENDA ITEM:** F.1.  
**CASE:** LUP2015-09003  
**REQUEST:** To amend the Future Land Use Map designation from Residential Low (RL) to Institutional (I) upon annexation.  
**GENERAL DATA:**  
*Agent*..... Claire Clements, HR Tampa Bay LLC  
*Applicant / Owner*..... Kim A. Preedom Trust, Randall R. Preedom Trust  
*Location*..... 2425 McMullen Booth Road and an unaddressed parcel, located approximately 836 feet south of Enterprise Road East.  
*Property Size*..... 6.522 acres

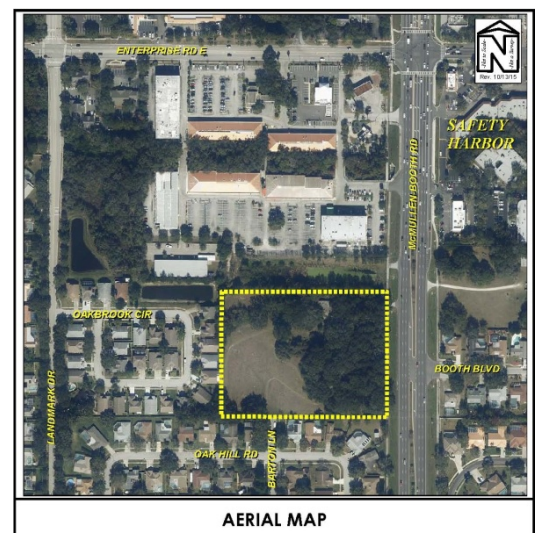
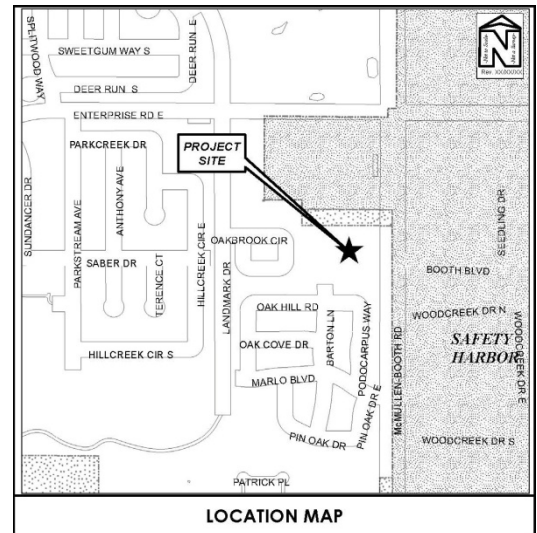
## ANALYSIS:

### Site Location and Existing Conditions:

This case involves two parcels totalling 6.522-acres located on McMullen Booth Road, approximately 836 feet south of Enterprise Road East. The parcels are owned by Kim A. Preedom Trust and Randall R. Preedom Trust. The larger parcel is currently vacant, and the smaller parcel to the northeast is occupied by a single family home. The parcels are within Pinellas County’s jurisdiction, and the applicant has submitted two Petitions for Annexation (ANX2015-09024 and ANX2015-09025) which are being processed concurrently with this case at the December 17, 2015 City Council meeting.

### Request:

The request is to change the property’s Future Land Use Map designation of Residential Low (RL) (Pinellas County) to Institutional (I) (City of Clearwater) upon annexation. The applicants are also requesting to rezone the property from the A-E, Agricultural Estate District (Pinellas County) to the Institutional (I) District (see concurrent case REZ2015-09002). The applicants intend to redevelop the site as an assisted living facility (ALF); however, no plans have been submitted at this time. Although the City permits assisted living facilities in Districts other than Institutional, the *Countywide Rules* established acreage thresholds for certain uses within residential categories. The maximum size for institutional uses within residential categories is five acres. Therefore, an amendment to Institutional (I) future land use category is required in order to maintain consistency with the *Countywide Rules* and *Countywide Plan Map*. Annexation is required in order to connect to City utilities. The applicant understands all necessary approvals and permits must be obtained before development of the subject site occurs.



**Vicinity Characteristics:**

The property is surrounded by single family homes to the south and west. Immediately north of the subject properties is vacant Pinellas County right-of-way used as a drainage pond, and beyond that to the north is a shopping center. To the east, across McMullen Booth Road, are single-family homes and vacant land located within Safety Harbor. Approximately 1,541 linear feet, or 72 percent of the perimeter property boundary, abuts properties with a future land use designation of Residential Low (RL). The remainder abuts properties with future land use designation of Residential Urban (RU) (see Figure 1 below).

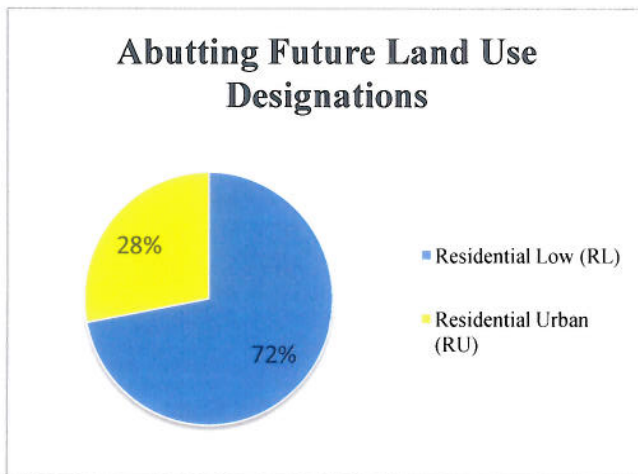
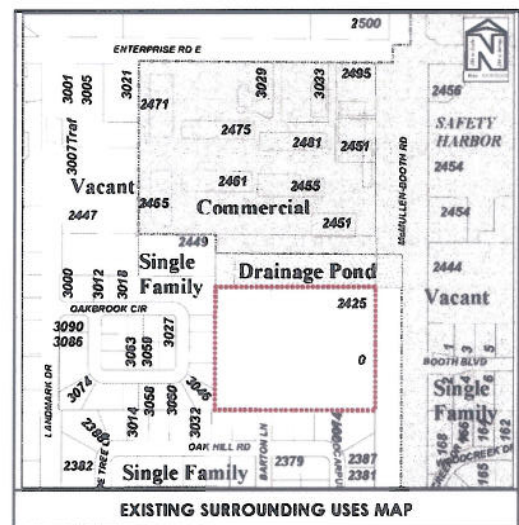
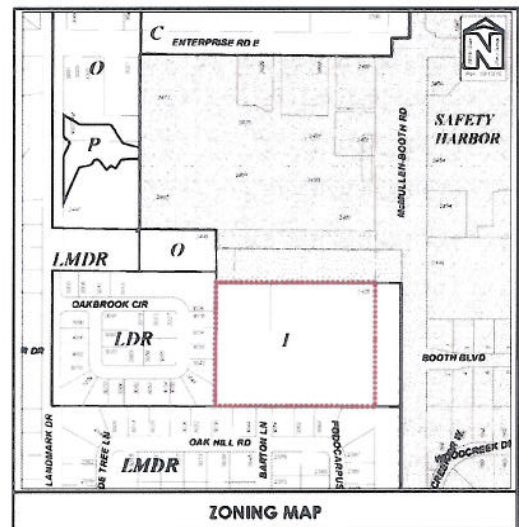
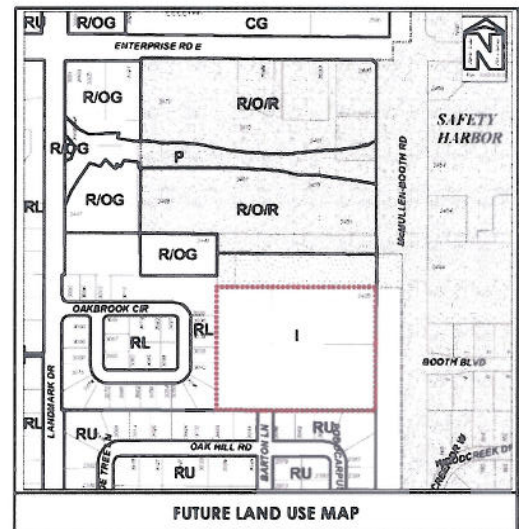


Figure 1

A complete listing of the surrounding uses, Future Land Use Map and Zoning Atlas designations are shown in Table 1 below. In addition, a comparison between the uses and intensities allowed by the present and proposed Future Land Use Map designations appears in Table 2.



*Table 1. Surrounding Future Land Use and Zoning Designations*

Direction	Existing Conditions		
	Existing Use(s)	FLUM Designation	Zoning Atlas Designation
North:	Right-of-Way (Pinellas County)	Residential Low (RL)	A-E, Agricultural Estate Residential (Pinellas County)
East:	Single Family Residential, Vacant (Safety Harbor)	Residential Low (RL)	R-3, Conditional Mix Residential (Safety Harbor), A-E, Agricultural Estate Residential (Pinellas County)
South:	Single Family Residential	Residential Urban (RU)	Low Medium Density Residential (LMDR)
West:	Single Family Residential	Residential Low (RL)	Low Density Residential (LDR)

*Table 2. Uses and Intensities Allowed by Present and Proposed Future Land Use Designations*

	Present FLUM Designation Residential Low (RL)	Requested FLUM Designation Institutional (I)
<b>Primary Uses:</b>	Low Density Residential	Assisted Living Facilities; Churches; Public Offices
<b>Maximum Density:</b>	5 Dwelling Units Per Acre	12.5 Dwelling Units Per Acre
<b>Maximum Intensity:</b>	FAR 0.40; ISR 0.65	FAR 0.65; ISR 0.85
<b>Consistent Zoning Districts:</b>	Low Density Residential (LDR); Low Medium Density Residential (LMDR)	Institutional (I)

**REVIEW CRITERIA:**

No amendment to the Comprehensive Plan or Future Land Use Map shall be recommended for approval or receive a final action of approval unless it complies with the standards contained in Section 4-603.F, Community Development Code. Table 3 below depicts the consistency of the proposed amendment with the standards pursuant to Section 4-603.F:

*Table 3. Consistency with Community Development Code Standards*

CDC Section 4-603	Standard	Consistent	Inconsistent
F.1	The amendment will further implementation of the <i>Comprehensive Plan</i> consistent with the goals, policies and objectives contained in the Plan.	X	
F.2	The amendment is not inconsistent with other provisions of the <i>Comprehensive Plan</i> .	X	
F.3	The available uses, if applicable, to which the properties may be put are appropriate to the properties in question and compatible with existing and planned uses in the area.	X	
F.4	Sufficient public facilities are available to serve the properties.	X	
F.5	The amendment will not adversely affect the natural environment.	X	
F.6	The amendment will not adversely impact the use of properties in the immediate area.	X	

**RECOMMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

**Consistency with the Clearwater Comprehensive Plan [Sections 4-603.F.1 and 4-603.F.2]**

**Recommended Findings of Fact:**

*Applicable goals and policies of the Clearwater Comprehensive Plan which support the proposed amendment include:*

Goal A.2 A sufficient variety and amount of Future Land Use categories shall be provided to accommodate public demand and promote infill development.

Goal A.4 The City shall not permit development to occur unless an adequate level of service is available to accommodate the impacts of development. Areas in which the impact of existing development exceeds the desired levels of service will be upgraded consistent with the target dates for infrastructure improvements included in the applicable functional plan element.

Goal A.5 The City of Clearwater shall identify and utilize a citywide design structure comprised of a hierarchy of places and linkages. The citywide design structure will serve as a guide to development and land use decisions while protecting those elements that make the City uniquely Clearwater.

Policy A.6.2.1 On a continuing basis, the Community Development Code and the site plan approval process shall be utilized in promoting infill development and/or planned developments that are compatible.

Goal A.7 The City shall ensure the efficient delivery of urban services and unified land use and property maintenance standards, as well as foster community identity and reduce sources of environmental contamination through the annexation of unincorporated properties within the Clearwater planning area.

Policy D.1.2.1 Sewer services shall not be extended to properties outside the corporate limits of the City unless an agreement to annex or a petition to annex is filed and approved by the Clearwater City Council. Sufficient capacity must exist to serve the areas committed to City service, as well as those proposed for service.

Recommended Conclusions of Law:

The request does not conflict with the goals and policies of the Clearwater Comprehensive Plan and furthers said plan as indicated in the following. The proposed Institutional (I) future land use designation is compatible with the surrounding single family residential uses, as well as with the drainage pond and shopping center located to the north. The proposed amendment will allow for the property to be redeveloped with a more intense use while providing a transition from the residential properties to the south and west to the commercial properties north of the subject site. The property will be able to connect to the City’s sanitary sewer service when it is redeveloped. In addition, the proposal does not degrade the level of service for public facilities below the adopted standards (a detailed public facilities analysis follows in this report).

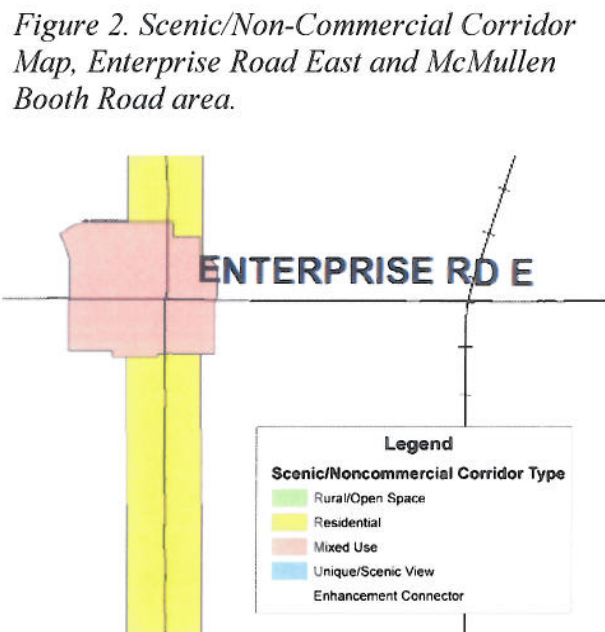
**Consistency with the Countywide Rules**

Recommended Findings of Fact:

The City of Clearwater’s Institutional (I) future land use designation is consistent with the Public/Semi-Public (P/SP) category within the *Countywide Rules* as updated August 7, 2015. Section 2.3.3.10 of the *Countywide Rules* states that the Public/Semi-Public (P/SP) plan category is intended to recognize institutional and transportation/utility uses that serve the community or region, especially larger facilities having acreage exceeding the thresholds established in other plan categories, and which are consistent with the need, character, and scale of such uses relative to the surrounding uses, transportation facilities, and natural resource features. Section 2.3.3.10 also states that the Public/Semi-Public (P/SP) future land use category is generally appropriate to those locations where institutional uses (such as educational, health, public safety, civic, religious and like uses) and transportation/utility uses (such as air and sea transport terminals, utility installations, major transmission lines, refuse disposal, and public works facilities) are required to serve the community; and to recognize the special needs of these uses relative to their relationship with surrounding uses and transportation access.

The site is located on McMullen Booth Road which is designated as a Primary Scenic/Non-Commercial Corridor (SNCC), and is further classified as Residential on the SNCC Map. Residential corridors are areas characterized by low density residential uses. According to the *Countywide Rules* Table 4 Countywide Plan Map/SNCC Classification Consistency, amendments to the Public/Semi-Public (P/SP)

future land use plan designation are potentially consistent with the Residential SNCC classification. There are multiple areas of parcels designated Public/Semi-Public (P/SP) along this corridor, and relative to the length of the corridor, the amendment area is insignificant.



The subject property is located adjacent to properties designated as Residential Low (RL) and Residential Urban (RU) on the City of Clearwater Future Land Use Map (consistent with the Residential Low Medium (RLM) Countywide Plan Map category). These properties are all located along McMullen Booth Road and south of East Enterprise Road, which are both signalized arterial roads. The applicant indicated the intended use of the parcels is an assisted living facility, which is an institutional use that would provide for a transition between the commercial uses to the north and the residential uses to the south and west. So, although the proposed City of Clearwater Institutional (I) future land use designation allows development at a higher density than the existing Residential Low (RL) category, Institutional (I) is consistent with the SNCC Residential designation of McMullen Booth Road.

Recommended Conclusions of Law:

The proposed Future Land Use Map amendment is consistent with the purpose and locational characteristics of the *Countywide Rules*, as well as the additional regulations set forth pertaining to Scenic/Non-Commercial Corridors and the Scenic/Non-Commercial Corridor Element contained within *The Countywide Plan Appendix*, as it is consistent with adjoining uses along the same segment of McMullen Booth Road.

**Compatibility with Surrounding Properties/Character of the City & Neighborhood [Section 4-603.F.3 and Section 4-603.F.6]**

Recommended Findings of Fact:

Single family homes lie to the west and south of the property. To the east, within the City of Safety Harbor, are additional single family homes and a large vacant property, and to the north is Pinellas County owned right-of-way being used as a drainage pond. Immediately north of the right-of-way is a retail center, which is within the City of Safety Harbor boundaries.

The proposed Institutional (I) future land use category permits 12.5 units per acre and a floor area ratio (FAR) of 0.65. The future land use designations of surrounding properties include Residential Low (RL) (5 Dwelling Units Per Acre; FAR 0.40) and Residential Urban (RU) (7.5 Dwelling Units Per Acre; FAR 0.40).

The Institutional (I) future land use category requested is consistent with the surrounding future land use designations that exist in the vicinity of the subject property. The proposed Institutional (I) designation will allow the site to be developed as an assisted living facility, and will serve as a transition between residential properties to the south and west, and the commercial properties to the north. As such, the proposed amendment will allow development that is in character with the surrounding properties and neighborhood.

Recommended Conclusions of Law:

The proposed Institutional (I) future land use category is in character with the overall Future Land Use Map designations in the area. Further, the proposal is compatible with surrounding uses and consistent with the character of the surrounding properties and neighborhood.

**Sufficiency of Public Facilities [Section 4-603.F.4]**

Recommended Findings of Fact:

To assess the sufficiency of public facilities needed to support potential development on the property, the maximum development potential of the property under the present and requested Future Land Use Map designations was analyzed (see Table 4). The request for amendment to the Institutional (I) Future Land Use Map category would increase the amount of development potential allowed on the site; however, the City’s Community Development Code limits development within the Institutional (I) District to nonresidential or residential equivalent uses which is based on density. The current use of the subject properties is a 2,772 SF single family home. The owners are proposing to redevelop the site with an assisted living facility, which would increase the demand of public facilities and services as a result of the proposed change in future land use designation.

*Table 4. Development Potential for Existing & Proposed FLUM Designations*

	Present FLUM Designation “RL”	Requested FLUM Designation “I”	Net Change
Site Area	6.522 AC (284,098 SF)	6.522 AC (284,098 SF)	
Maximum Development Potential	32 DUs 113,639 SF 0.40 FAR 0 Beds	81 DUs 184,663 SF 0.65 FAR 243 Beds	49 DUs 71,024 SF 0.25 FAR 243 Beds
Abbreviations: FLUM – Future Land Use Map AC – Acres SF – Square feet DUs – Dwelling Units FAR – Floor Area Ratio Beds – 81 DUs x 3 Beds/DU			

The following public facilities analysis, as shown in Table 5, which compares the maximum impact under the existing and proposed future land use designations, the proposed change would result in an increase in demand of public facilities and services, but would not degrade them below acceptable levels. The rates used to evaluate impact to services/facilities for a property designated Institutional (I) are typically greater than that for property designated Residential Low (RL). The potential impact calculations take into account a typical increase in demand on public facilities from a residential use to an institutional use.

*Table 5. Public Facilities Level of Service Analysis*

Public Facility/Service	Maximum Potential Impact to Public Facilities/Services		Net Change	Capacity Available?
	Present FLUM Designation "RL"	Requested FLUM Designation "I"		
Streets	437 Trips <sup>1</sup>	437 Trips <sup>1</sup>	0	Yes
Potable Water <sup>2</sup>	8,332 GPD <sup>3</sup>	18,466 GPD <sup>3</sup>	10,134	Yes
Wastewater <sup>2</sup>	7,499GPD <sup>3</sup>	14,773 GPD <sup>3</sup>	7,274	Yes
Solid Waste <sup>2</sup>	81.1 Tons/Year	544.7 Tons/Year	463.6	Yes
Parkland <sup>2</sup>	0 Acres <sup>4</sup>	0 Acres <sup>4</sup>	0	Yes
<b>Notes:</b>				
<ol style="list-style-type: none"> <li>1. Based on average daily trips per acreage figure, <i>Countywide Rules</i>. <ul style="list-style-type: none"> <li>• Residential Low Medium (RLM) – 67 vehicle trips per day per acre.</li> <li>• Public/Semi-Public (P/SP) – 67 vehicle trips per day per acre for other institutional facilities.</li> </ul> </li> <li>2. Analysis based on utilization rates for institutional facilities, which are nonresidential uses.</li> <li>3. GPD – Gallons per day.</li> <li>4. Based on 4.0 acres of parkland per 1,000 persons and 2.2 persons per unit.</li> </ol>				

This property is not currently connected to the City’s sanitary sewer service, but will be connected when the property is redeveloped. Currently, the wastewater being generated by the single family home is being captured by a septic tank, and is less than what would be generated when developed to the site’s full potential. There would be an increase in wastewater generation by a development if built out as allowed by the Residential Low (RL) future land use designation, or within the proposed Institutional (I) future land use designation. The property currently uses a well for potable water. The City would provide water service to the property once it is redeveloped, which would result in increased demand for potable water, but there is adequate capacity to serve the property.

The *Countywide Rules* traffic generation rate which is used for evaluating the impacts of proposed changes to future land use categories is the same rate (67 vehicle trips per day per acre) for the Countywide Plan Map categories consistent with the current Residential Low (RL) and proposed Institutional (I) designations. Thus, as shown in Table 6 below, there is no change in the potential maximum daily trips associated with the request for amendment to the Institutional (I) future land use designation. The PM Peak Hour trips are also projected to remain the same with the change in future land use designation. This segment of McMullen Booth Road is currently operating at a Level of Service F, which is below the adopted roadway level of service standard. McMullen Booth Road is listed as a constrained facility by the Pinellas County Metropolitan Planning Organization (MPO), which means that it cannot be expanded as necessary to alleviate a substandard level of service condition due to a policy or physical constraint.

*Table 6. Maximum Potential Traffic*

<b>McMullen Booth Rd (Sunset Point Rd to SR 580)</b>	<b>Existing Conditions</b>	<b>Current FLUM<sup>1</sup></b>	<b>Proposed FLUM<sup>2</sup></b>	<b>Net New Trips</b>
Potential Additional Maximum Daily Trips	N/A	437	437	0
Potential Additional Maximum PM Peak Hour Trips <sup>3</sup>	N/A	42	42	0
Roadway Volume (Annual Average Daily)	69,459	69,896	69,896	0
Roadway Volume (PM Peak Hour) <sup>3</sup>	3,629	3,671	3,671	0
Roadway Level of Service PM Peak Hour	<b>F<sup>4</sup></b>	<b>F<sup>5</sup></b>	<b>F<sup>5</sup></b>	
Adopted Roadway Level of Service Standard	<b>D Peak Hour</b>			
<b>Abbreviations and Notes:</b>				
N/A = Not Applicable.				
FLUM = Future Land Use Map, Clearwater Comprehensive Plan.				
1. Based on PPC calculations of <u>67</u> trips per day per acre in the Residential Low Medium (RLM) future land use category.				
2. Based on PPC calculations of <u>67</u> trips per day per acre in the Public/Semi-Public (P/SP) future land use category for other institutional use.				
3. Based on MPO K-factor of 0.095.				
4. Source: Pinellas County Metropolitan Planning Organization 2014 Level of Service Report.				
5. Based on a comparison between the Pinellas County Metropolitan Planning Organization 2014 Level of Service Report and the 2013 Florida Department of Transportation Quality/Level of Service Handbook.				

Recommended Conclusions of Law:

There is an increase in demand for potable water and solid waste, but there is adequate capacity to accommodate the maximum demand generated by the proposed amendment. The property will connect to the City’s sanitary system when it is developed, but the City’s sanitary sewer system can accommodate the additional wastewater that will be added to the system. Furthermore, parkland and recreation facilities will not be affected by the proposed amendment.

**Impact on Natural Resources [Section 4-603.F.5]**

Recommended Findings of Fact:

No wetlands appear to be located on the subject properties. There is a large cluster of trees along the northern and eastern property lines. The applicants intend to redevelop the site as an assisted living facility, although no plans have been submitted at this time. Prior to redevelopment of this property, site plan approval will be required, and a tree inventory prepared by a certified arborist and a landscaping plan must be included.

Recommended Conclusions of Law:

Based on current information, no wetlands appear to be located on the subject property. Any proposed redevelopment is required to be compliant with the City’s tree preservation, landscaping and stormwater management requirements.

**REVIEW PROCEDURE:**

Approval of the Future Land Use Map amendment does not guarantee the right to develop the subject properties. The Future Land Use Map amendment is subject to approval by the Pinellas Planning Council and Board of County Commissioners acting as the Countywide Planning Authority. Based on the size of the parcels, review and approval by the Florida Department of Economic Opportunity (Division of Community Planning) is not required. The property owner must comply with all laws and ordinances in effect at the time development permits are requested, including transportation concurrency provisions of the Concurrency Management System in Division 9, Community Development Code.

**RECOMMENDATION:**

Based on the foregoing, the Planning and Development Department recommends the following action:

Recommend APPROVAL of the request for Future Land Use Map amendment from the Residential Low (RL) designation to the Institutional (I) designation.

Prepared by Planning and Development Department Staff: 

Kyle Brotherton  
Planner

ATTACHMENTS: Resume  
Photographs of Site and Vicinity