



PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE: June 18, 2019
AGENDA ITEM: G.1.
CASE: LUP2019-03001
REQUEST: To amend the Future Land Use Map designation from Residential Low (RL) to Residential Urban (RU)
GENERAL DATA:
Applicant Richard Zacchigna
Owner Saxony Company Inc, Advanta IRA Services LLC, Robin J. Sloan
Location 510 Moss Avenue, located at the southwestern corner of Merrill Avenue and Moss Avenue; 3025 Merrill Avenue and 3003 Merrill Avenue, located adjacent to the west, along the south side of Merrill Avenue.
Property Size 1.30 acres

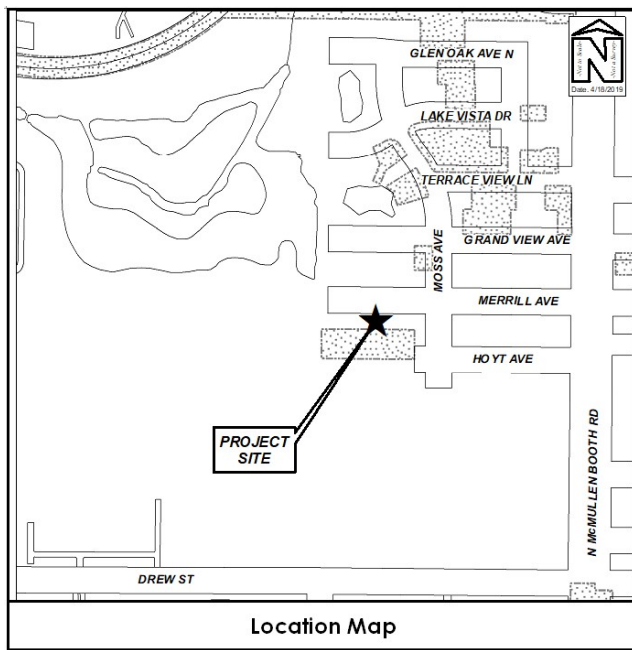
Background:

This case involves three parcels of land located on the south side of Merrill Avenue and west of Moss Avenue, approximately 705 feet west of McMullen Booth Road. Saxony Company Inc. owns the easternmost parcel, 510 Moss Avenue, which is about 0.20 acres. They also own the middle plot, 3025 Merrill Avenue, which is about 0.70 acres, in conjunction with Advanta IRA Services. The western parcel, 3003 Merrill Avenue, is approximately 0.40 acres and is owned by Robin J. Sloan. The three parcels combined are a total of 1.30 acres.

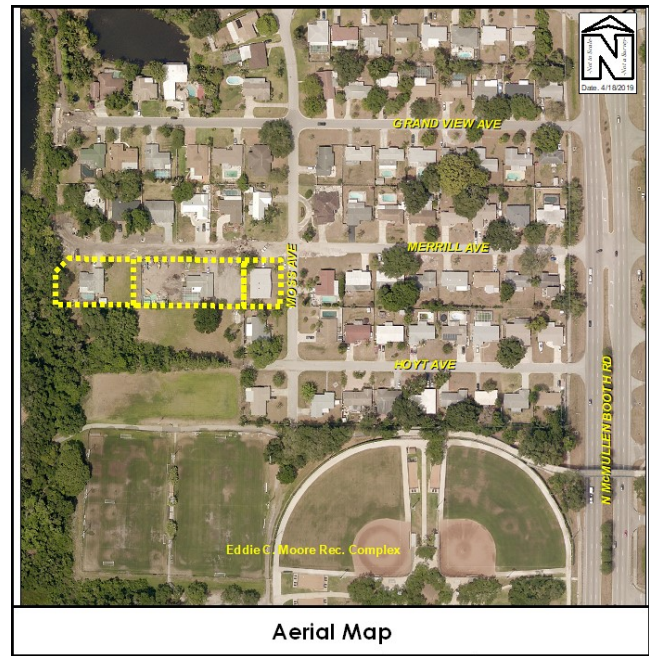
The request is to change the properties' Future Land Use Map designation from Residential Low (RL) to Residential Urban (RU). There is no need to request a rezoning of the properties as the current Low Medium Density Residential (LMDR) District is consistent with the proposed future land use designation.

Currently there is a single-family dwelling on each parcel. The applicant is the President of Saxony Company, which owns two of the three parcels. Mr. Zacchigna has indicated the intent is to redevelop at least two of the parcels, 510 Moss Avenue and 3025 Merrill Avenue, with detached dwellings that fit the need of the market, with a smaller footprint allowing them to make better use of the limited area they have available. However, no site plan application has been submitted at this time. Ms. Sloan has requested the same changes to her property so that all three parcels within the block, on the south side of Merrill Avenue, would have the same future land use.

Maps 1 and 2 show the general location of the properties and an aerial view of the amendment area and its surroundings.



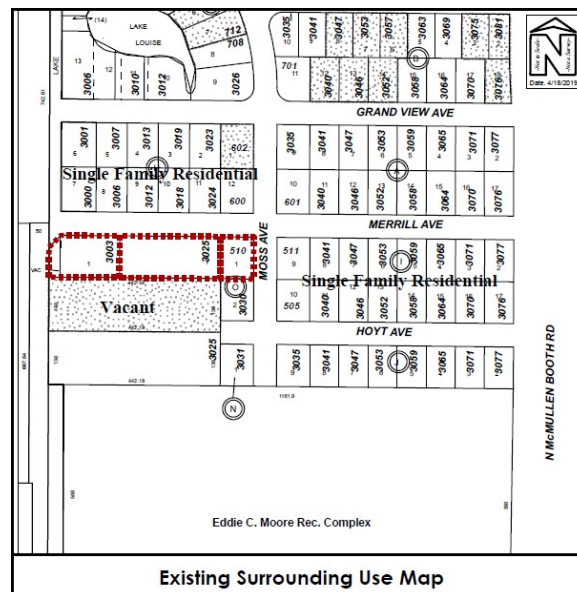
Map 1



Map 2

Vicinity Characteristics:

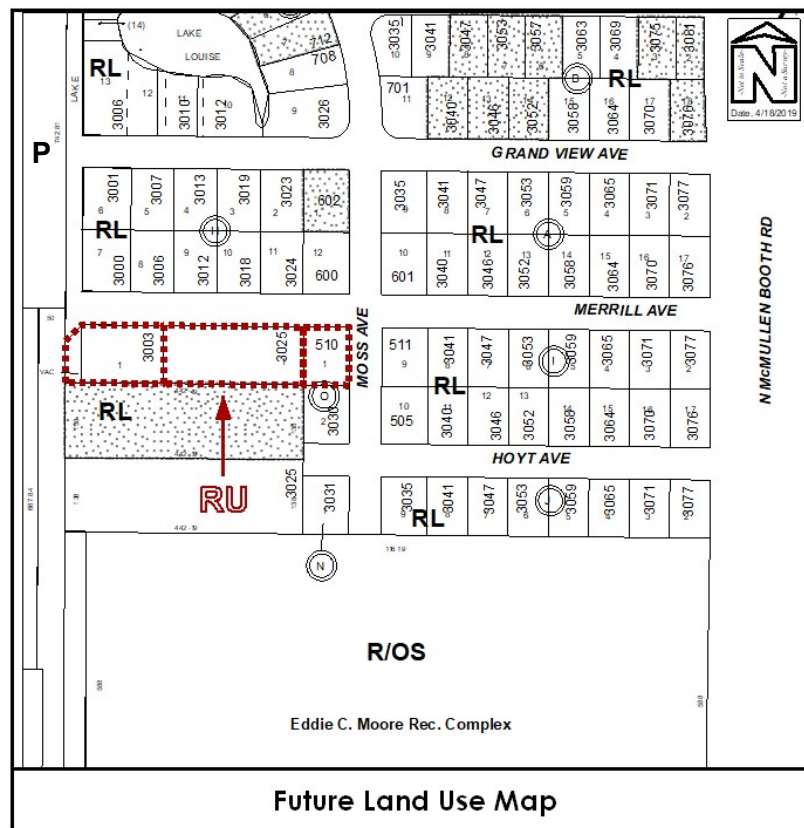
Map 3 shows the existing surrounding uses. To the north and east, there are single family homes. West of the subject properties is Kapok Park, and a 1.4-acre vacant (unincorporated) property abuts to the south of the amendment area. Farther south of the subject parcels is Eddie C. Moore Softball Complex.



Map 3

As shown on Map 4, the abutting future land use designations are Residential Low (RL) to the north, south and east, and Preservation (P) to the west of the subject properties. Recreation/Open Space (R/OS) is farther south.

A comparison between the uses, densities, and intensities allowed by the present and proposed Future Land Use Map designations appears in Table 1, along with the consistent zoning districts.



Map 4

Table 1. Uses, Densities and Intensities Allowed by Present and Proposed Future Land Use Designations

	Present FLUM Designation Residential Low (RL)	Requested FLUM Designation Residential Urban (RU)
Primary Uses:	Low Density Residential; Residential Equivalent	Urban Low Density Residential; Residential Equivalent
Maximum Density:	5.0 Dwelling Units Per Acre	7.5 Dwelling Units Per Acre
Maximum Intensity:	FAR 0.40; ISR 0.65	FAR 0.40; ISR 0.65
Consistent Zoning Districts:	Low Medium Density Residential (LMDR);	Low Medium Density Residential (LMDR); Medium Density Residential (MDR)

REVIEW CRITERIA:**Consistency with the Clearwater Comprehensive Plan [Sections 4-603.F.1 and 4-603.F.2]****Recommended Findings of Fact:**

Applicable goals, objectives 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 work toward a land use pattern that can be supported by the available community and public facilities that would be required to serve the development.

Policy A.5.5.1 Development shall be designed to maintain and support the existing or envisioned character of the neighborhood.

Objective A.6.4. Due to the built-out character of the city of Clearwater, compact urban development within the urban service area shall be promoted through the application of the Clearwater Community Development Code.

Objective C.1.1 Assure an adequate supply of housing in Clearwater by providing for additional new dwelling units in a variety of types, costs, and locations to meet the needs of the residents of the City of Clearwater.

The proposed Residential Urban (RU) future land use designation is compatible with the surrounding single family residential uses as well as the sports complex to the south. The applicant intends to develop the middle parcel with single-family houses. Overall, the density of development permitted by the proposed amendment is slightly more than what is permitted by the current land use designation. The change would allow one additional unit on the middle parcel, which would be consistent with the character of the neighborhood and would increase housing within the City's urban service area. 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).

As illustrated in Table 1, the difference in the number of possible units within the existing land use regulations, and the proposed change is 3 units. Original zone designation allows a total of 6 units, and the proposed amendment would allow a total of 9 units. The additional density permitted under the proposed amendment would allow for up to three additional units to be constructed on this parcel which is necessary for the project to be cost feasible, according to the applicant.

Currently, the subject area is occupied by three single-family houses, which compared with the number of existing dwellings across Merrill Avenue, makes evident the potential to add at least three units on the proposed amendment area. This increment would be possible only if the three existing single-family houses are removed and replaced. Otherwise, the increase in the number of units would be limited to one or two single-family homes depending on the total area to redevelop.

Recommended Conclusions of Law:

The request does not conflict with the goals, objectives, and policies of the Clearwater Comprehensive Plan and furthers said plan as indicated in the goals, objectives, and policy listed above.

Consistency with the Countywide Rules**Recommended Findings of Fact:**

The underlying *Countywide Plan Map* category on the proposed amendment area is Residential Low Medium (RLM), which is consistent with the proposed City of Clearwater future land use designation of Residential Urban (RU). No amendment would be required to the *Countywide Plan Map*.

Section 2.3.3.2 of the *Countywide Rules* states that the Residential Low Medium (RLM) category is intended to depict areas that are now developed, or appropriate to be developed, in a suburban, low density or moderately dense residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the suburban qualities, transportation facilities, including transit, and natural resources of such areas.

The proposed use, as indicated by the applicant, will be additional residential units, which is an appropriate use within the area and consistent with the proposed and surrounding *Countywide Plan Map* categories.

Recommended Conclusions of Law:

The proposed Future Land Use Map amendment is consistent with the purpose of the proposed category in the *Countywide Rules*.

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

Existing surrounding uses consist of single-family homes to the east, west, and north. The abutting parcel to the west is a park, and farther to the south, there is a recreational facility. The current and proposed uses of the amendment area as residential are compatible with the surrounding properties and neighborhood.

Recommended Conclusions of Law:

The proposed Residential Urban (RU) future land use category is in character with the 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 proposed amendment area, the maximum development potential of the properties under the present and requested City Future Land Use Map designations were analyzed.

Table 2. Development Potential for Existing & Proposed FLUM Designations

	Present FLUM Designation “RL”	Requested FLUM Designation “RU”	Net Change
Site Area	1.30 AC (56,628 SF)	1.30 AC (56,6281 SF)	
Maximum Development Potential	6 DUs 0 SF ¹ 0.40 FAR	9 DUs 0 SF ¹ 0.40 FAR	+3 DUs 0 SF 0 FAR
Notes: 1. FAR is not used to regulate residential uses and there are no non-residential uses permitted through the requested Low Medium Density Residential (LMDR) District zoning; therefore, the square footage development potential is zero. Abbreviations: FLUM – Future Land Use Map AC – Acres SF – Square feet			
			DUs – Dwelling Units FAR – Floor Area Ratio

As shown in the table, there is generally an increase in development potential across the amendment area. The following analysis compares the maximum potential development of the proposed Residential Urban (RU) future land use developed with 9 detached dwellings to the maximum development potential of the existing Residential Low (RL) future land use which allows a total of 6 detached houses.

Potable Water

The change in development potential from this amendment would result in an increase in potable water use of up to 846 gallons per day. This increase is determined by taking the potential potable water utilization of the proposed land use developed with the maximum number of dwelling units allowed (2,538 gallons per day) and subtracting from it the potential granted by the current land use designation (1,692 gallons per day).

The City’s current potable water demand is 10.42 million gallons per day (MGD). The City’s adopted level of service (LOS) standard for potable water service is 120 gallons per day per capita, while the actual usage is estimated at 76 gallons per day per capita (2015 Annual Water Report). The City’s 10-year Water Supply Facilities Work Plan (2016-2026 Planning Period), completed October 2017, indicates that based on the updated water demand projections and other factors, the City has adequate water supply and potable water capacity for the 10-year planning horizon.

Wastewater

The change in development potential from this amendment would result in an increase in wastewater use of up to 761 gallons per day. This is determined by taking the potential potable water utilization of the proposed land use developed with the maximum number of dwelling units allowed (2,284 gallons per day) and subtracting from it the potential usage of the residential use built out at the maximum number of dwellings permitted by the current land use designation (1,523 gallons per day). The subject properties are served by the Northeast Water Reclamation Facility, which presently has excess permitted capacity estimated to be 5.2 million gallons per day. Therefore, there is excess sanitary sewer capacity to serve the amendment area.

Solid Waste

The change in development potential from this amendment would increase to 7.6 tons per year of solid waste generated. This increase is determined by taking the utilization of the proposed land use developed with the maximum number of dwelling units (22.8 tons per year) and subtracting from it the potential allowed by the current land use designation (15.2 tons per year).

Pinellas County handles all solid waste disposal at the Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill which has significant capacity. Additionally, the City provides a full-service citywide recycling program which diverts waste from the landfill, helping to extend the lifespan of Bridgeway Acres. There is an excess solid waste capacity to serve the amendment area.

Parkland

The City's adopted LOS for parkland acreage, which is 4 acres per 1,000 population, will not be impacted by this proposed amendment. Under both the existing and proposed land use, the LOS citywide will remain at 15.46 acres per 1,000 population.

Stormwater

Site plan approval will be required before the properties can be redeveloped. At that time, the stormwater management system for the site will be required to meet all City and SWFWMD stormwater management criteria.

Streets

The subject properties are located on the south side of Merrill Avenue approximately 1,295 feet north of Drew Street, and 705 feet west of McMullen Booth Road. To evaluate potential impacts on streets, the typical traffic impacts figure (trips per day per acre) in the *Countywide Rules* for the corresponding *Countywide Plan Map* categories (current and proposed) are compared. Since the *Countywide Plan Map* category of Residential Low Medium (RLM) is not changing, the traffic generation rate of 67 trips per day per acre or 88 trips for the subject properties remains the same for the proposed amendment.

Recommended Conclusions of Law:

Based upon the findings of fact, the proposed change would increase the demand on several public facilities but will not result in the degradation of the current levels of service for potable water, sanitary sewer, solid waste, parkland, stormwater management and streets.

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

Recommended Findings of Fact:

No wetlands appear to be located on the subject properties. The City's codes require that development is compliant with the City's tree preservation, landscaping and stormwater management requirement

Recommended Conclusions of Law:

Based on the findings of fact, it is determined that the proposed Future Land Use Map amendment will not negatively impact natural resources on the subject properties.

SUMMARY AND RECOMMENDATION:

No amendment to the Comprehensive Plan or Future Land Use Map shall be recommended for approval or receive a final action of support 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 under Section 4-603.F:

Table 3. Consistency with Community Development Code Standards for Review

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	

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

Recommend APPROVAL of the Future Land Use Map Amendment from Residential Low (RL) to Residential Urban (RU).

Prepared by Planning and Development Department Staff:



Diego Guevara
Senior Planner

ATTACHMENTS: Ordinance No. 9283-19
Resume
Photographs of Site and Vicinity