



PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE: August 16, 2022
AGENDA ITEM: E.2.
CASE: REZ2022-06005
REQUEST: To amend the Zoning Atlas designation for a portion of a 41.016-acre property from Low Medium Density Residential (LMDR) to Institutional (I)
GENERAL DATA:
Agent..... Brian J. Aungst, Jr., Esq., Macfarlane, Ferguson & McMullen
Owner First Baptist Church of Clearwater, Inc.
Location 110 N. McMullen Booth Road, located generally on the southwest corner of Drew Street and McMullen Booth Road
Property Size..... 0.891 acres

Background:

This case involves a 0.891-acre portion of a 41.016-acre property located generally on the southwest corner of Drew Street and McMullen Booth Road. The two amendment areas are located generally between Cleveland Street and Cherry Lane on the west side of McMullen Booth Road, and at the western terminus of Cleveland Street. Calvary Church and Calvary Christian High School occupy the northern portion of the overall property, with athletic facilities and fields to the west and south, and off-street parking interspersed between the uses. The request is to change the Zoning Atlas designation of the amendment areas from the Low Medium Density Residential (LMDR) District to the Institutional (I) District. A request to amend the amendment areas Future Land Use Map (FLUM) category from Residential Urban (RU) to Institutional (I) is being processed concurrently with this case (see LUP2022-06005).

The church has been operating since 1866 and was located in Downtown Clearwater from 1926 until the early 2000s. The church began assembling property in the late 1990s along Drew Street and McMullen Booth Road, which became their main campus and where they relocated to in 2005. There has been a history of rights-of-way being vacated in this area starting in 1982, which was petitioned for by a previous landowner and vacated portions of Kentucky Avenue located to the southwest off Bayview Avenue. The first major vacation of rights-of-way and easements requested by the church occurred in early 2004. This vacation eliminated the former Chesapeake Villas subdivision, which was located roughly halfway between Drew Street and Virginia Avenue along Bayview Avenue. As a result of these vacations of rights-of-way and lot assembly through the years, a single large parcel was created that was generally bounded by Bayview Avenue to the west, Drew Street to the north, McMullen Booth Road to the east, and Virginia Avenue to the south.

The church continued to purchase residential properties, and additional vacations occurred between 2010 and 2015, which expanded the church's property to the south and west. As these vacations occurred and properties were annexed and assembled, future land use and zoning amendments were also approved to ensure the overall property would have a consistent institutional designation.

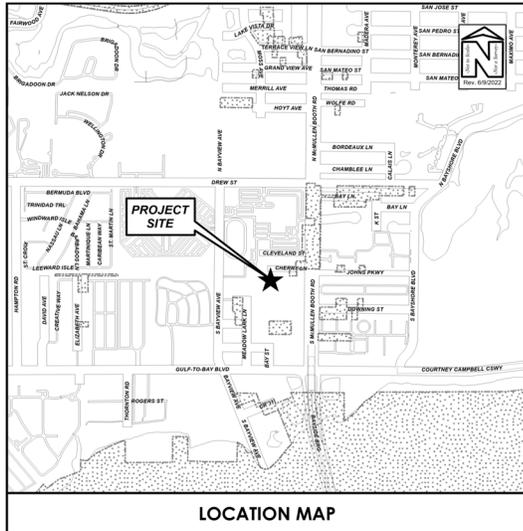
Further development occurred on the church campus between 2010 and 2015, with the football stadium along Bayview Avenue being constructed between 2010 and 2012, the baseball stadium between 2012 and 2013, and an addition to the main church building between 2014 and 2015. The parking lot was also rearranged and expanded with these additions. A plat application was approved in 2014 that formally created the main parcel, which has since been expanded with additional property annexations.

Currently, the church has a building permit application in review for a revised and expanded parking lot which includes the amendment areas. The area between Cleveland Street and Cherry Lane, the "L" shaped area, currently goes around a detached dwelling fronting on Cleveland Street. The current building permit application shows the southern portion of that "L" shaped area south of the detached dwelling to remain open and undeveloped, with the eastern portion that fronts both Cleveland Street and Cherry Lane to be used as a stormwater facility. Drive aisles are proposed to connect to both Cleveland Street and Cherry Lane and will be gated and closed during non-use periods. The remaining amendment area at the western terminus of Cleveland Street is proposed to be incorporated into the expanded parking lot.

The church also owns two additional properties to the east of the amendment area along Cherry Lane. The property adjacent to the east is currently a detached dwelling and will remain as such for use as a parsonage. The property further east of the amendment area is currently vacant, and plans are to keep it vacant. Both properties are within unincorporated Pinellas County, and the church has indicated no plans to annex them into the City.

Vicinity Characteristics:

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

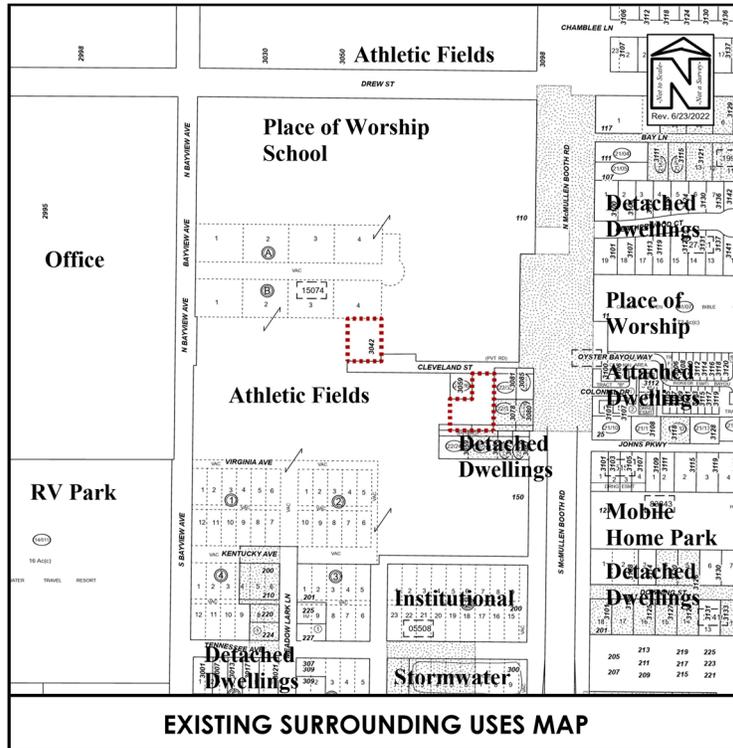


Map 1



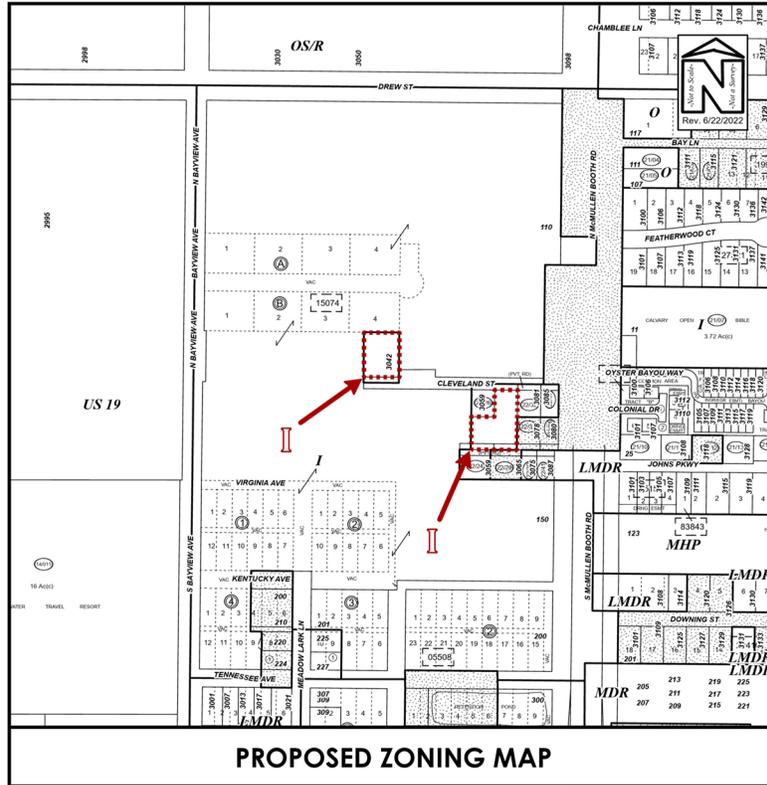
Map 2

Map 3 shows the existing surrounding uses. The proposed amendment areas have already been combined by the Property Appraiser’s Office into the main Calvary Baptist Church parcel and campus, which consists of a church, high school, athletic facilities, parking, and additional institutional uses supporting the main church. An office and RV park exist to the west across Bayview Avenue, and north across Drew Street is the Eddie C. Moore Softball Complex. To the east, across McMullen Booth Road, are a mix of detached and attached dwellings, a mobile home park and a place of worship. To the south, exists a single detached dwelling along Cleveland Street and a few detached dwellings along Cherry Lane.



Map 3

As shown on Map 4, the Zoning Atlas designations abutting the amendment areas are Institutional (I) along with Low Medium Density Residential (LMDR), R-2 Single Family Residential (Pinellas County) along the portion to the southeast along the Cleveland Street and Cherry Lane properties, and R-3 Single Family Residential (Pinellas County) to the southwest for the properties near Tennessee Avenue. To the west across Bayview Avenue is the US 19 District, to the north across Drew Street is the Open Space/Recreation (OS/R) District, and across McMullen Booth Road to the east are the Office (O), Low Medium Density Residential (LMDR), Mobile Home Park (MHP), and Institutional (I) Districts.



Map 4

REVIEW CRITERIA:

Consistency with the Clearwater Comprehensive Plan and Community Development Code and Regulations [Section 4-602.F.1]

Recommended Findings of Fact:

Applicable goal, objective and policies of the Clearwater Comprehensive Plan that support the proposed amendment include:

Objective A.2.2 Future Land Use in the City of Clearwater shall be guided by the City’s Future Land Use Map, which shall be consistent with the Countywide Plan for Pinellas County (The Countywide Plan) including the Countywide Plan Map and shall be implemented through the City’s Community Development Code.

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.

Policy B.1.5.1 The City shall continue to review trips generated by land development projects through the Mobility Management System.

Applicable section of the Community Development Code which is applicable to the proposed amendment:

Division 12. Institutional District, Section 2-1201. Intent and Purpose. The intent and purpose of the Institutional “I” District is to establish areas where public and private organizations can establish and operate institutions with a public interest in support of the quality of life of the citizens of the City of Clearwater without adversely impacting the integrity of adjacent residential neighborhoods, diminishing the scenic quality of the City of Clearwater or negatively impacting the safe and efficient movement of people and things within the City of Clearwater.

The amendment areas currently have a zoning designation of Low Medium Density Residential (LMDR), with the majority of the remaining parcel being Institutional (I) and the entirety of the parcel being used as the church and high school campus. Historically, as the church acquired additional properties and expanded the parcel, the future land use and zoning designations of those properties were also amended to Institutional so that one designation encompassed the property. This proposed amendment would follow historical precedence and would allow for the last remaining portions of the church’s property to be amended to the Institutional (I) zoning district. While Low Medium Density Residential (LMDR), R-2 Single Family Residential (Pinellas County), and R-3 Single Family Residential (Pinellas County) exist along the eastern portion of the property and the southwestern portion of the property, the character of this area is largely institutional. The Institutional (I) zoning also provides for a transition from the high-intensity US 19 zoning to the west to the residential neighborhood consisting largely of Low Medium Density Residential (LMDR) to the east. The property is served by city solid waste and water service and has a mix of privately- and city-owned sanitary sewer lines. The proposed amendment and subsequent development would be supported by the available public facilities. Potential traffic impacts have been reviewed and details provided below in the report. The property is currently accessed via Bayview Avenue, Drew Street, and McMullen Booth Road and the proposed amendment will not degrade the level of service for these streets.

Recommended Conclusions of Law:

The request is consistent with the goals, objectives and policies of the Clearwater Comprehensive Plan and furthers said plan and the Community Development Code as indicated above.

Compatibility with Surrounding Properties/Character of the City & Neighborhood [Section 4-602.F.2, 4-602.F.3 and Section 4-602.F.4]**Recommended Findings of Fact:**

The proposed amendment areas are part of a large parcel which is currently zoned as Institutional (I), and consists of a church, high school, athletic facilities, parking, and additional institutional uses supporting the main church. An office and RV park exist to the west across Bayview Avenue, and north across Drew Street is the Eddie C. Moore Softball Complex. To the east, across McMullen Booth Road, are a mix of detached and attached dwellings, a mobile home park and a place of worship. To the south, exists a single detached dwelling along Cleveland Street and a few detached dwellings along Cherry Lane.

The proposed Institutional (I) zoning district, which primarily allows for public/private schools, churches, public offices or residential equivalent, is consistent with the remainder of the church property. The abutting zoning districts are residential (both city and Pinellas County), but the area is largely institutional in nature. The proposed Institutional (I) zoning district would allow the property to have one consistent zoning district, and this district has existed in the area for numerous years. The proposed use of a parking lot is compatible with the surrounding properties and neighborhood.

Recommended Conclusions of Law:

The proposed Institutional (I) District is in character with the zoning districts in the area. Further, the proposal is compatible with surrounding uses and consistent with the character of the surrounding properties and neighborhoods.

Sufficiency of Public Facilities [Section 4-602.F.5]**Recommended Findings of Fact:**

Even though this is a Zoning Atlas Amendment application, maximum development potential is based on the underlying future land use, so to assess the sufficiency of public facilities needed to support potential development on the proposed property, the maximum development potential under the current Future Land Use Map designation was analyzed.

Table 1. Development Potential for Existing & Proposed FLUM Designations

	Existing FLUM Designation "RU"	Proposed FLUM Designation "I"	Net Change
Site Area	0.891 AC (38,811 SF)	0.891 AC (38,811 SF)	
Maximum Development Potential	6 DUs / 0 Beds ¹ 15,524 SF 0.40 FAR	0 DUs ² / 33 Beds 25,227 SF 0.65 FAR	-6 DUs / +33 Beds +9,703 SF +0.25 FAR
Notes: 1. Residential equivalent uses are not permitted in the consistent Low Medium Density Residential (LMDR) District; therefore, the development potential is zero. 2. Residential uses are not permitted through the consistent Institutional (I) District; however, residential equivalent uses are permitted (3 beds per unit per acre). 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 an increase in development potential of under 10,000 square feet, but there is a reduction in the number of dwelling units able to be constructed. The following analysis compares the maximum potential development of the proposed Institutional (I) future land use developed with a 25,227 square foot non-residential use to the maximum development potential of the existing Residential Urban (RU) future land use category developed with a maximum of 6 dwelling units.

Potable Water

The change in development potential from this amendment would result in an increase in potable water use of up to 795 gallons per day. This increase is determined by taking the potential potable water utilization of the proposed land use developed with the maximum square footage allowed (2,523 gallons per day) and subtracting it from the potential usage of a residential use built out at the maximum density permitted by the current land use designations (1,728 gallons per day).

Since the amendment areas are currently vacant, and the proposed use is a parking lot, the amount of potable water generated would likely not change from what is being generated by the existing uses on the remainder of the property.

The City’s current potable water demand is 10.64 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 72 gallons per day per capita (2020 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 463 gallons per day. This increase is determined by taking the potential potable water utilization of the proposed land use developed with the maximum square footage allowed (2,018 gallons per day) and subtracting it from the potential usage of a residential use built out at the maximum density permitted by the current land use designation (1,555 gallons per day).

Since the amendment areas are currently vacant, and the proposed use is a parking lot, the amount of wastewater generated would likely not change from what is being generated by the existing uses on the remainder of the property.

The subject property is served by the East Water Reclamation Facility, which presently has excess permitted capacity estimated to be 1 million gallons per day. Therefore, there is excess wastewater capacity to serve the amendment area.

Solid Waste

The change in development potential from this amendment would decrease up to 11.4 tons per year of solid waste generated. This increase is determined by taking the utilization of the proposed land use developed with the maximum square footage permitted (3.8 tons per year) and subtracting it from the potential utilization of a residential use built out at the maximum density permitted by the current land use designation (15.2 tons per year).

Since the amendment areas are currently vacant, and the proposed use is a parking lot, the amount of solid waste generated would likely not change from what is being generated by the existing uses on the remainder of the property.

Pinellas County handles all solid waste disposal at the Pinellas County Waste-to-Energy Plant and the Bridgewater 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 Bridgewater Acres. There is excess solid waste capacity to serve the amendment area.

Parkland

Under both the existing and proposed future land use, the LOS citywide will continue to exceed the adopted LOS of 4 acres per 1,000 residents. The city is currently providing 7.95 acres of parkland per 1,000 residents. This is calculated using the most recent American Community Survey (ACS) estimate of 2.4 persons per household within the City of Clearwater. Based on this impact analysis, the current provision of 7.95 acres of parkland per 1,000 would remain unchanged [Source: Parks and Recreation Facilities Impact Fee Study, prepared by Benesch (formerly Tindale Oliver) May 23, 2022].

Amending a property's future land use or zoning designation does not have an immediate impact on the City's Parks and Recreation system and parkland requirements. Impacts are felt when development occurs. This Future Land Use Map amendment will have no additional impact on parkland.

Stormwater

Site plan approval will be required before the property can be redeveloped. At that time, the stormwater management system for the site will be required to meet all City and Southwest Florida Water Management District stormwater management criteria.

Streets

The amendment areas are located generally between Cleveland Street and Cherry Lane on the west side of McMullen Booth Road, and at the western termini of Cleveland Street and Cherry Lane, respectively. To evaluate potential impacts to 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. The current number of trips per day (60 trips) is calculated based on the traffic generation numbers for the Residential Low Medium (RLM) category (67 trips per day per acre), and the proposed number of trips under the Public/Semi-Public (P/SP) category would be 171 trips (192 trips per day per acre). This could be an increase of 111 trips from the amendment areas on the subject property. The proposed use of the amendment areas is an expansion of a parking lot, which would likely not create any additional trips, but would help create better efficiency of the current parking.

Drew Street is a four-lane, divided collector roadway and McMullen Booth Road is a six-lane, divided arterial roadway, and Bayview Avenue is a two-lane, undivided roadway. As part of site development over the years, Calvary Church has installed deceleration right-turn lanes into their property on Drew Street, Bayview Avenue and McMullen Booth Road, and there are additional ingress and egress points along Bayview Avenue.

Recommended Conclusions of Law:

Based upon the findings of fact, the proposed expansion would increase the demand on several of the public facilities when compared to the existing residential development; however, it is determined that the proposed change will not result in the degradation of the existing levels of service for potable water, sanitary sewer, solid waste, parkland, stormwater management, and streets.

Location of District Boundaries [Section 4-602.F.6]

Recommended Findings of Fact:

The location of the proposed Institutional (I) District boundaries is consistent with the legal descriptions provided and with the boundaries on the subject property.

Recommended Conclusions of Law:

The District boundaries are appropriately drawn in regard to location and classifications of streets, ownership lines, existing improvements and the natural environment.

SUMMARY AND RECOMMENDATION:

No amendment to the Zoning Atlas shall be recommended for approval or receive a final action of approval unless it complies with the standards contained in Section 4-602.F, Community Development Code. Table 2 below depicts the consistency of the proposed amendment with the standards under Section 4-602.F:

Table 2. Consistency with Community Development Code Standards for Review

CDC Section 4-602	Standard	Consistent	Inconsistent
F.1	The proposed amendment is consistent with and features the goals, policies and objectives of the <i>Comprehensive Plan</i> and furthers the purposes of this Development Code and other city ordinances and actions designed to implement the plan.	X	
F.2	The available uses to which the property may be put are appropriate to the property which is subject to the proposed amendment and compatible with existing and planned uses in the area.	X	
F.3	The amendment does not conflict with the needs and character of the neighborhood and the city.	X	
F.4	The amendment will not adversely or unreasonably affect the use of other property in the area.	X	
F.5	The amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in a unreasonably or disproportionate manner.	X	
F.6	The district boundaries are appropriately drawn with due regard to locations and classifications of streets, ownership lanes, existing improvements and the natural environment.	X	

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

Recommend APPROVAL of the Zoning Atlas Amendment from the Low Medium Density Residential (LMDR) District to the Institutional (I) District.

Prepared by Planning and Development Department Staff:



Kyle Brotherton
Senior Planner

ATTACHMENTS: Ordinance No. 9595-22
Resume
Photographs of Site and Vicinity