



PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE: August 16, 2022

AGENDA ITEM: E.1.

CASE: LUP2022-06005

REQUEST: To amend the Future Land Use Map designation for portions of a 41.016-acre property from Residential Urban (RU) to Institutional (I)

GENERAL DATA:

Agent..... Brian J. Aungst, 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 Future Land Use Map designation of the amendment areas from Residential Urban (RU) to Institutional (I) to allow the property to have one future land use designation and create a more comprehensive parking plan. A request to rezone the amendment areas from the Low Medium Density Residential (LMDR) District to the Institutional (I) District is being processed concurrently with this case (see REZ2022-06005).

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.

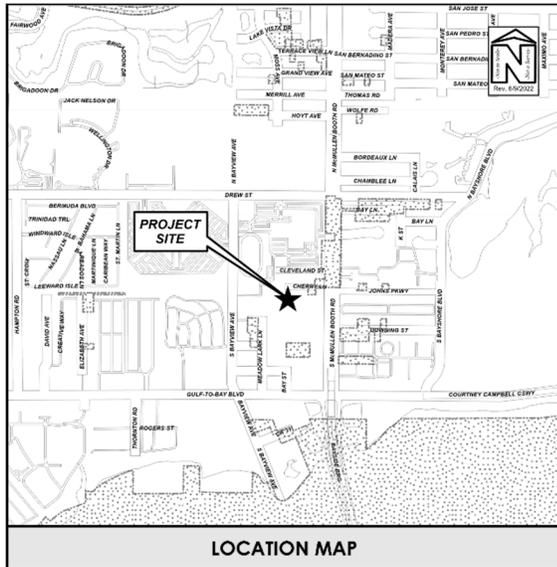
Further development occurred on the church campus between 2010 and 2015, with the football stadium along Bayview Avenue being constructed between 2010 and 2012, the baseball stadium between 2012 and 2013, and an addition to the main church building between 2014 and 2015. The parking lot was also rearranged 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.

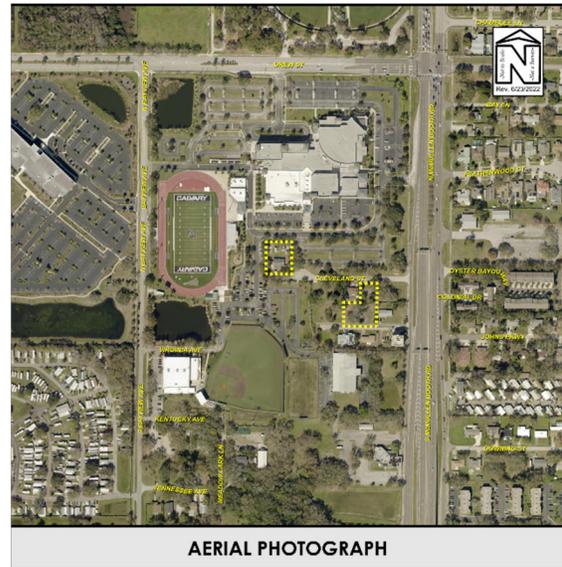
The church also owns two additional properties to the east of the amendment area along Cherry Lane. The property adjacent to the east is currently a detached dwelling and will remain as such for use as a parsonage. The property further east of the amendment area is currently vacant, and plans are to 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.

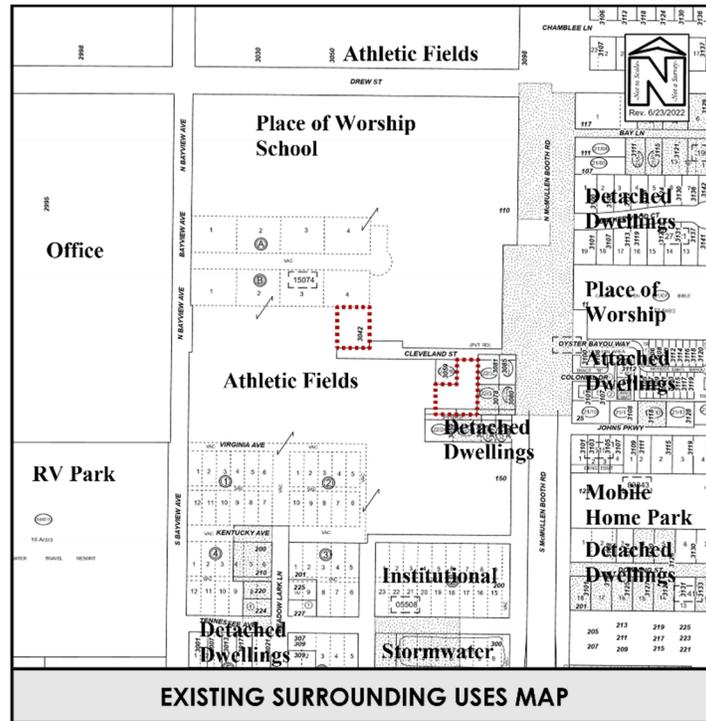


Map 1



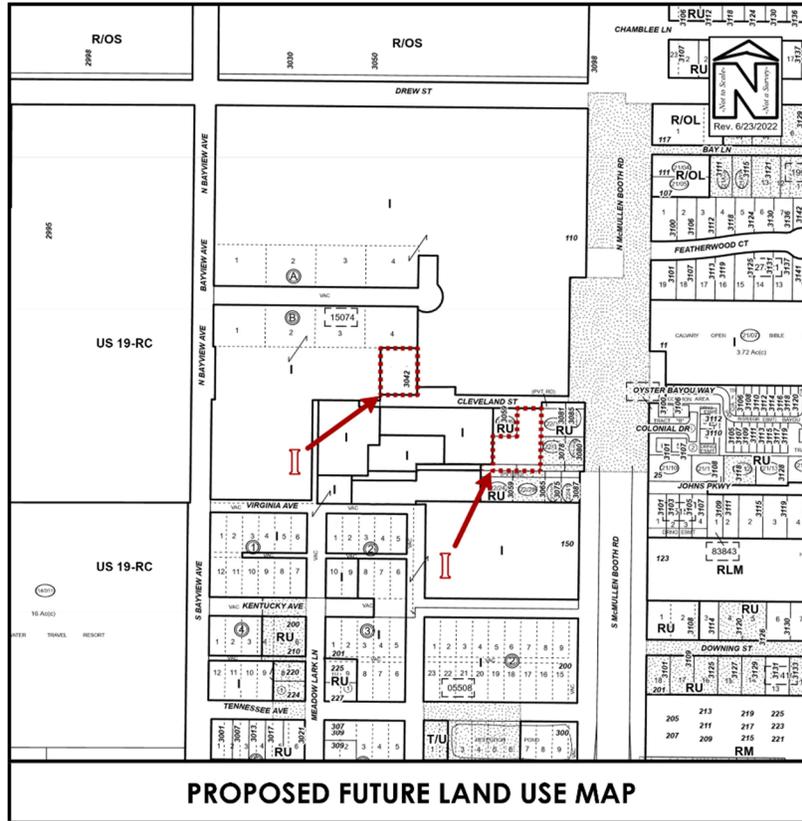
Map 2

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 future land use categories abutting the amendment areas are Institutional (I) along with Residential Urban (RU) which exists to the southeast along the Cleveland Street and Cherry Lane properties and to the southwest for the properties near Tennessee Avenue and Meadow Lark Lane. To the west across Bayview Avenue is the US 19 – Regional Center (US 19-RC) future land use category, to the north across Drew Street is the Recreation/Open Space (R/OS) future land use category, and across McMullen Booth Road to the east are Residential/Office Limited (R/OL), Residential Urban (RU), Residential Low Medium (RLM), and Institutional (I) future land use categories.



Map 4

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

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

	Existing FLUM Designations Residential Urban (RU)	Proposed FLUM Designation Institutional (I)
Primary Uses:	Urban Low Density Residential; Residential Equivalent	Public/Private Schools, Churches, Public Offices, Hospitals, Residential Equivalent
Maximum Density:	7.5 Dwelling Units per Acre	12.5 Dwelling Units per Acre
Maximum Intensity:	FAR 0.40; ISR 0.65	FAR 0.65; ISR 0.85
Consistent Zoning Districts:	Low Medium Density Residential (LMDR); Medium Density Residential (MDR)	Institutional (I)

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

Applicable goal, objective and policies of the Clearwater Comprehensive Plan which 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.

Policy A.2.2.13 All land use categories on the Future Land Use Map shall be consistent with the density and intensity standards and other standards contained in the Pinellas Planning Council *Countywide Plan Rules*, including criteria and standards for nomenclature, continuum of plan classifications and categories, use and locational characteristics, map delineation, other standards, and special rules.

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.1.4.1 The City will continue to review potential trips generated by requests for amendment to the Future Land Use Map.

The amendment areas currently have a future land use designation of Residential Urban (RU), 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) future land use category. While Residential Urban (RU) exists along the eastern portion of the property and the southwestern portion of the property, the character of this area is largely institutional because of the church's past expansion and ownership in the area. The Institutional (I) future land use also provides for a transition from the high-intensity US 19 – Regional Center (US 19-RC) future land use to the west to the residential neighborhood consisting largely of Residential Urban (RU) 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 as indicated 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). This Residential Low Medium (RLM) category is also to the east and southwest, and further east across McMullen Booth Road. Properties to the south and west are designated with the Public/Semi-Public (P/SP) category. Section 2.3.3.2 of the *Countywide Rules* states that the current 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 Residential Low Medium (RLM) category also contains maximum acreage thresholds for certain uses. Any use that exceeds the acreage threshold is required to undergo an amendment to a category where the use does not have an acreage maximum. Institutional uses in the Residential Low Medium (RLM) category are permitted up to five acres, and since the overall parcel is just over 41 acres, this provision would apply, requiring an amendment to the Public/Semi-Public (P/SP) category.

The proposed City of Clearwater future land use designation of Institutional (I) will necessitate a *Countywide Plan Map* amendment from the Residential Low Medium (RLM) category to the Public/Semi-Public (P/SP) category in order to maintain consistency between the City's Future Land Use Map and the *Countywide Plan Map*. Section 2.3.3.10 of the *Countywide Rules* states that the Public/Semi-Public (P/SP) category is intended to recognize institutional and transportation/utility uses that serve the community or region, especially larger facilities having acreage exceeding the threshold 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.

Additionally, McMullen Booth Road is a Primary Scenic/Noncommercial Corridor with a classification of Residential. According to Table 10 of the *Countywide Rules*, the Public/Semi-Public (P/SP) category is found to be potentially consistent with the Scenic/Noncommercial Corridor, Residential classification. As the remainder of the property is already designated as Public/Semi-Public (P/SP) on the *Countywide Plan Map*, the uses and intensity of uses have already been found to be consistent with the provisions of the Residential classification. The addition of approximately one acre to the Public/Semi-Public (P/SP) category will have a de-minimus effect.

Recommended Conclusions of Law:

The proposed Future Land Use Map Amendment will require an amendment to the *Countywide Plan Map* category from Residential Low Medium (RLM) to Public/Semi Public (P/SP). The proposed amendment is consistent with the purpose of the proposed Public/Semi-Public (P/SP) category in the *Countywide Rules*, which is required due to the acreage threshold provision in the current Residential Low Medium (RLM) category in the *Countywide Rules*. Further, the proposed amendment is consistent with the provisions of the Scenic/Noncommercial Corridor for which the property is located within.

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

Recommended Findings of Fact:

The proposed amendment areas are part of a large parcel which currently has a future land use designation of Institutional (I), and consists of a church, high school, athletic facilities, parking, and additional institutional uses supporting the main church. To the south, exists a single detached dwelling along Cleveland Street and a few detached dwellings along Cherry Lane. 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.

The proposed Institutional (I) future land use category primarily permits residential equivalent uses at a density of 12.5 dwelling units per acre and 3 beds per dwelling unit, or nonresidential development at a floor area ratio (FAR) of 0.65. The future land use designations of surrounding properties include Residential Urban (RU), Institutional (I), Residential/Office Limited (R/OL), Recreation/Open Space (R/OS), and US 19 – Regional Center (US 19-RC).

The proposed Institutional (I) future land use category, which primarily allows for public/private schools, churches, public offices, or residential equivalent, is consistent with the overall church property, and would allow the property to have one consistent future land use category. The Institutional (I) future land use category has existed in the area for numerous years, and the proposed use of a parking lot is compatible with the surrounding properties and neighborhood.

Recommended Conclusions of Law:

The proposed Institutional (I) future land use category would allow development that 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 property under the current and requested City Future Land Use Map designations were analyzed.

Table 2. 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 decrease 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 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 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.

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

Recommended Findings of Fact:

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

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 property.

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 to 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 Urban (RU) to Institutional (I).

Prepared by Planning and Development Department Staff:  _____

Kyle Brotherton
Senior Planner

ATTACHMENTS: Ordinance No. 9594-22
Resume
Photographs of Site and Vicinity