



PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE:	June 19, 2018
AGENDA ITEM:	F.1.
CASE:	LUP2018-02001
REQUEST:	To amend the Future Land Use Map designation for a 9.20-acre portion of property from Transportation Utility (T/U) and Preservation (P) (Pinellas County) to Residential Low (RL) and Transportation/Utility (T/U) Overlay (City of Clearwater) upon annexation
GENERAL DATA:	
<i>Applicant</i>	Benjamin Roddey IV
<i>Owners</i>	Benjamin D. Roddey III, Baron N. Roddey, Mary K.E. Roddey, Christina P. Roddey, Glenn W. Roddey, Kay R. Schafer, and Benjamin D. Roddey IV
<i>Location</i>	3474 Aspen Trail, 3490 and 3492 Lake Shore Lane, located at the southwest corner of Curlew Road and Lake Shore Lane
<i>Property Size</i>	9.20-acre portion of a 24.46-acre parcel

Updated Background:

This case was previously considered by the Community Development Board at its April 17, 2018 meeting. However, after that meeting, it was realized that the application did not include the authorization from all property owners listed on the deed. New corrected applications have been filed and the case is being processed again. The original submittal package included a request to rezone the property which has since been withdrawn. The remainder of this report and analysis has been updated to reflect the changes to the application and ownership and the withdrawal of the rezoning application.

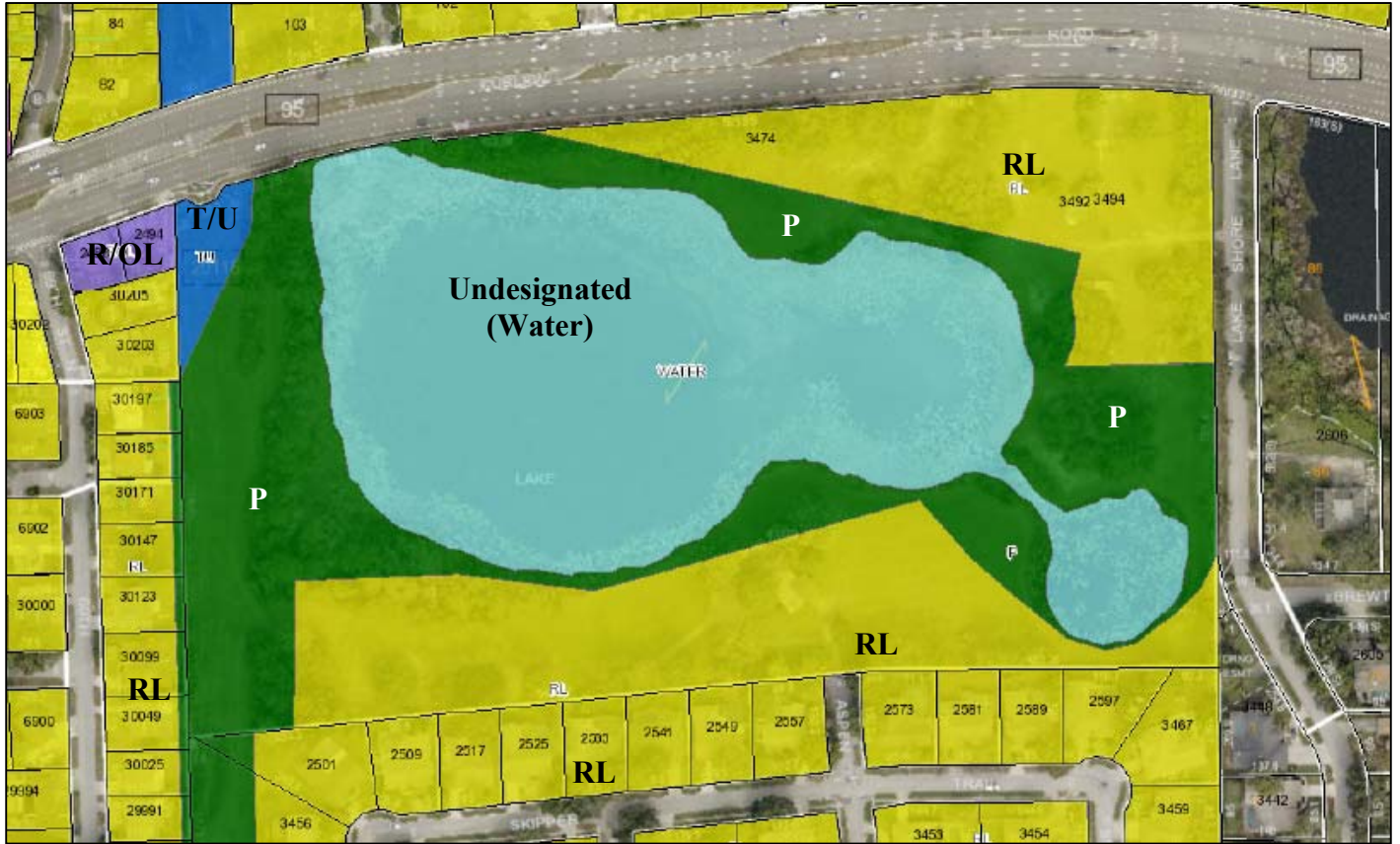
This case involves 9.20 acres of a 24.46-acre parcel located on the southwest corner of Curlew Road and Lake Shore Lane. The parcel is owned by Benjamin D. Roddey III, Baron N. Roddey, Mary K.E. Roddey, Christina P. Roddey, Glenn W. Roddey, Kay R. Schafer, and Benjamin D. Roddey IV. Currently, the property is occupied by two single family homes, one of which is accessed from Lake Shore Lane along the eastern boundary of the site, and one which is accessed from Aspen Trail which terminates at the southern property line. Additionally, there is a detached garage and barn on the property. A 4.8-acre stormwater pond provides stormwater storage and treatment for the neighborhood to the south of the subject site through drainage easements.

The property is within Pinellas County's jurisdiction, and the applicant has submitted a Petition for Annexation (ANX2017-12026) that is being processed concurrently with this case at the June 21, 2018 City Council meeting. Annexation is required in order to connect to City services when the site is redeveloped in the future. Map 1 shows the entire parcel's future land use designations in Pinellas County, and Maps 2 and 3 show the general location of the property and an aerial view of the amendment area.

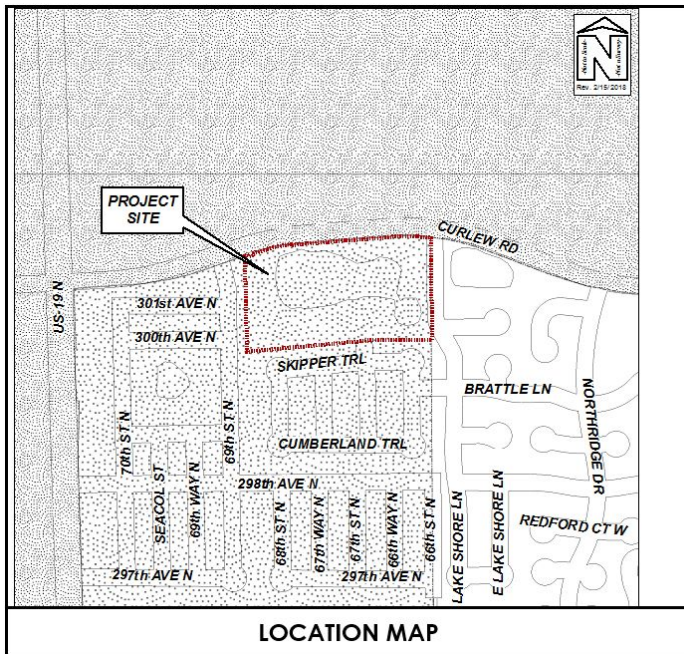
According to the Habitat Assessment Memo prepared by Earth Resources Consulting Scientists and provided by the applicant, in addition to the stormwater pond which is classified by the Southwest Florida Water Management District (SWFWMD) as surface water authorized for stormwater use, the majority of the upland area on the property is characterized by various grasses that are maintained by mowing. There are also remnants of oak hammocks, but the report found no natural wetlands within the property. There is a utility line traversing the property's western boundary, and this area is also mowed. Some of this upland area is currently designated as Residential Low (RL) on the County's Future Land Use Map, while areas around the pond and within the utility easement (8.845 acres in total) are incorrectly designated as Preservation (P) on the map. The City's Comprehensive Plan provides for the application of the Transportation/Utility (T/U) overlay to recognize utility transmission lines located in an easement that are less than 10 acres in size. The area within the existing utility easement is approximately 1.52 acres in size, and is currently designated Transportation/Utility (T/U) in the northernmost portion of the easement (0.355 acres) and Preservation (P) (1.165 acres) in the remainder of the easement; therefore, the application of the Transportation/Utility (T/U) Overlay with Residential Low (RL) underneath is appropriate within this easement.

The 10.46 acres of land currently designated as Residential Low (RL) in the County will continue to be designated as Residential Low (RL) on the City's map upon annexation and are therefore not the subject of the remainder of this report. Similarly, the existing 4.8-acre stormwater pond, which is undesignated on Pinellas County's Future Land Use Map, will be appropriately designated upon annexation as Water/Drainage Feature, consistent with the City's Comprehensive Plan, and is also excluded from the remainder of the analysis in this report.

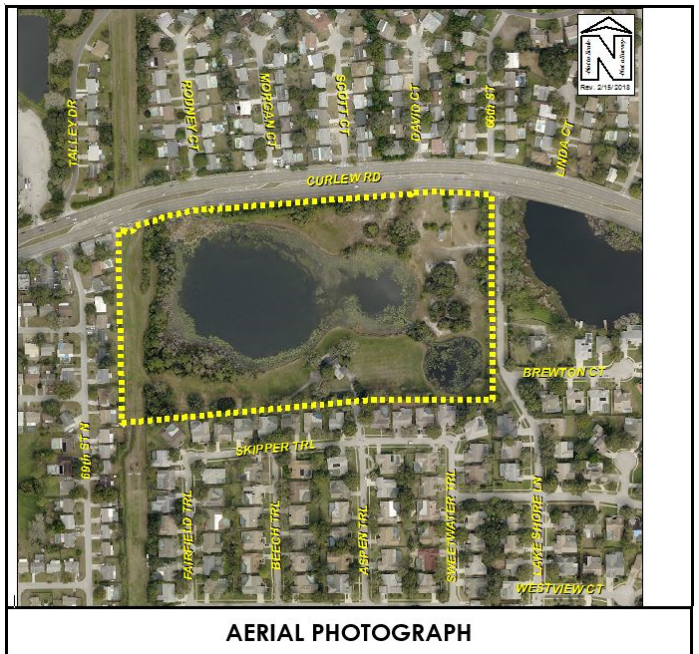
The request is to change the Future Land Use Map designation for a 9.20-acre portion of the subject property from Transportation Utility (T/U) and Preservation (P) (Pinellas County) to Residential Low (RL) and Transportation/Utility (T/U) Overlay (City of Clearwater) upon annexation. The property will be assigned a Zoning Atlas designation of Low Density Residential (LDR) on the southern 12.74 acres of the site, and the Low Medium Density Residential (LMDR) District along the northern 11.72 acres of the site upon annexation into the City (no separate application for rezoning required). The applicant has indicated he would like to develop the site with approximately 30 single-family houses; however, no site plan has been submitted at this time. The applicant understands all necessary approvals and permits must be obtained before development of the subject site occurs.



Map 1 Pinellas County Future Land Use Map (Current Designations)
Proposed amendment area includes all Preservation (P) and Transportation/Utility (T/U) areas



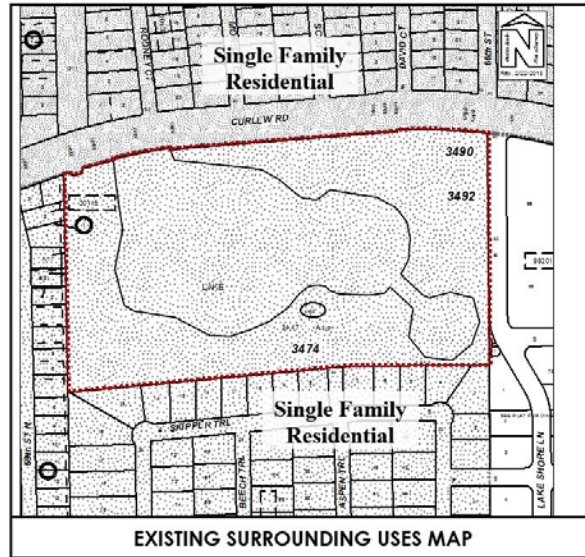
Map 2



Map 3

Vicinity Characteristics:

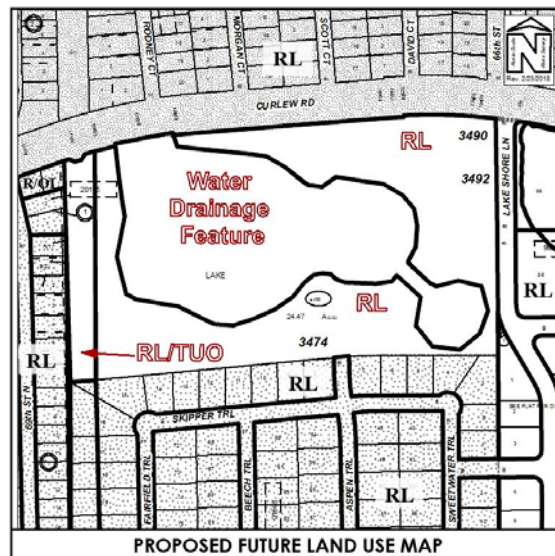
Map 4 shows the existing surrounding uses. The subject property is surrounded by single family homes on all sides, including to the north across Curlew Road and to the east across Lake Shore Lane. The residences to the east are within the City of Clearwater jurisdiction, while the others remain in Pinellas County.



Map 4

As shown on Map 5, the abutting future land use designations are primarily Residential Low (RL), which is designated on the north, east, south and west sides. Additionally, adjacent to the northwest corner there is a small area (two parcels) designated Residential/Office Limited (R/OL) along Curlew Road.

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



Map 5

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

	Present FLUM Designation		Requested FLUM Designation	
	Preservation (P) (8.845 acres)	Transportation/ Utility (T/U) (0.355 acres)	Residential Low (RL) (9.20 acres)	Transportation/ Utility (T/U) Overlay (1.52 acres)
Primary Uses:	Natural/Undeveloped Water Features; Beaches and Dunes; Environmental Parks	Airports; Marina; Utility Facilities	Low Density Residential	Utility transmission line located in an easement
Maximum Density:	0 dwelling units per acre	0 dwelling units per acre	5 dwelling units per acre	Based upon the underlying future land use (RL proposed)
Maximum Intensity:	FAR 0.10; ISR 0.20	FAR 0.70; ISR 0.90	FAR 0.40; ISR 0.65	Based upon the underlying future land use (RL proposed)
Consistent Zoning Districts:	Preservation (P)	Institutional (I)	Low Density Residential (LDR), Low Medium Density Residential (LMDR)	Consistent with all zoning districts

REVIEW CRITERIA:

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

Recommended Findings of Fact:

Applicable goals and objectives 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.

Objective A.4.1 The City’s Concurrency Management System will ensure that compatibility of all proposed development with the capacities of the existing and planned support facilities for which a level of service has been adopted.

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 application of the Clearwater Community Development Code.

Goal A.7 The City of Clearwater 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 of 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.

Objective F.1.3 The City shall continue to maintain and enhance the City's wildlife and natural native vegetation resources.

Policy F.1.3.2 Limit alteration of all urban forests utilizing the Community Development Code; protect natural and mitigated wetlands, marine life, shoreline vegetation, and wildlife habitat in the City from disturbance and destruction.

The Residential Low (RL) future land use designation is primarily proposed in areas that are currently designated as Preservation (P) but do not meet the characteristics for that category, as detailed in the Habitat Assessment Memo. The onsite stormwater pond is not classified as a natural wetland, but the pond margins contain a mixture of naturally recruited wetland trees and herbaceous vegetation. The pond will remain onsite, and any impacts or changes to the pond would be evaluated as part of the site plan review process. Modifications to the pond may be allowed, but changes must be consistent with City and SWFWMD stormwater regulations.

The proposed amendment would allow for the property to be developed as a new single-family subdivision which is compatible with the surrounding single-family residential uses. Future development will be able to connect to the City's sanitary sewer service. The proposed Transportation/Utility (T/U) Overlay would be designated over the existing utility easement along the western boundary. 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).

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 and objectives listed above.

Consistency with the Countywide Rules

Recommended Findings of Fact:

The underlying *Countywide Plan Map* categories on the 9.20-acre proposed amendment area are Preservation (P) and Public/Semi-Public (P/SP). The proposed amendment area is surrounded by properties designated Residential Low Medium (RLM), including portions of the subject parcel. The proposed City of Clearwater future land use designation of Residential Low (RL) will necessitate an amendment from the Preservation (P) and Public/Semi-Public (P/SP) categories to the Residential Low Medium (RLM) category in order to maintain consistency between the City's Future Land Use Map and 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, is a low density residential development, which is an appropriate use within the area and is 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 residential adjacent to the south, as well as across Lake Shore Lane to the east and Curlew Road to the north, and across the utility easement to the west. The redevelopment of the property with a residential use is compatible with the surrounding properties and neighborhood.

The proposed Residential Low (RL) future land use category primarily permits residential development at 5 dwelling units per acre. Surrounding properties are also designated Residential Low (RL); therefore, the requested category is consistent with the designations in the vicinity and will allow development that is in character with the surrounding properties and neighborhoods.

Recommended Conclusions of Law:

The proposed Residential Low (RL) 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 proposed amendment area under the present and requested City Future Land Use Map designations were analyzed.

Table 2. Development Potential for Existing & Proposed FLUM Designations

	Present FLUM Designations			Requested FLUM Designations	Net Change
	P	T/U	Total	RL (+ T/U Overlay) ³	
Site Area	8.845 AC (385,288.2 SF)	0.355 AC (15,463.8 SF)	9.20 AC (400,752 SF)	9.20 AC + 1.52 AC ³ (400,752 SF)	
Maximum Development Potential	8 DUs ¹ 0 SF ² 0.10 FAR	0 DUs 10,824 SF 0.70 FAR	8 DUs 10,824 SF N/A	46 DUs 0 SF ⁴ 0.4 FAR	+38 DUs -10,824 SF -0.1 to 0.7 FAR
Notes: 1. Residential uses are not permitted within the Preservation (P) District, but the Preservation (P) future land use category permits 1 unit per acre to potentially be utilized through transfer of development rights or to be constructed on another non-preservation area on the same development parcel. 2. Non-residential uses permitted through the consistent Preservation (P) District are limited to marinas and their accessory structures and environmental parks, which are limited to boardwalks, picnic structures, and the like. 3. Transportation Utility (T/U) Overlay category development potential (density, intensity and ISR) is based upon the underlying future land use; LUP2018-02001 proposes RL as the underlying future land use in this area with the T/U Overlay 4. FAR is not used to regulate residential uses and there are no non-residential uses permitted through the Low Density Residential (LDR) and Low Medium Density Residential (LMDR) zoning districts; therefore, the square footage development potential is zero. Abbreviations: FLUM – Future Land Use Map DUs – Dwelling Units AC – Acres FAR – Floor Area Ratio SF – Square feet					

As shown in the table, there is an increase in residential development potential across the amendment area which would affect public facilities as detailed further below. The following analysis compares the maximum potential development of the proposed Residential Low (RL) future land use developed with 46 detached dwellings to the maximum development potential of the existing Preservation (P) future land use category developed with 8 detached dwellings plus the development potential of the Transportation/Utility (T/U) land use category developed with a nonresidential use (10,824 SF public transportation facility). An increase in demand of several public facilities could be expected if the subject property redevelops; however, there is adequate capacity to serve the property.

Potable Water

The increase in development potential from this amendment would result in an increase in potable water use of 9,634 gallons per day. This is determined by comparing the potential potable water utilization of the maximum density allowed by the proposed land use developed with a residential use (12,972 gallons per day) to the potential utilization of the maximum residential and nonresidential development allowed by the current land use Preservation (P) and Transportation/Utility (T/U) future land use designations (3,338 gallons per day). The City’s current potable water demand is 12.61 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 (2016-1026 Planning Period), completed in 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 increase in development potential from this amendment would also result in an increase in wastewater production of 8,778 gallons per day of wastewater. This is determined by comparing the potential wastewater generation of the proposed land use developed with a residential use (11,674 gallons) to the potential wastewater generation of a nonresidential use and residential units that could be permitted through the current land use designations (2,986 gallons). The subject property is served by the Northeast Water Reclamation Facility, which presently has excess permitted capacity estimated to be 7.12 million gallons per day. Therefore, there is excess sanitary sewer capacity to serve the amendment area.

Solid Waste

The proposed amendment could result in a decrease of 113.6 tons per year of solid waste generated when comparing the amount of waste generated by the maximum density for a residential use under Residential Low (RL) to that of the maximum density residential use under Preservation (P) and maximum size of a transportation facility under the Transportation/Utility (T/U) land use. All solid waste disposal is handled by Pinellas County 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

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 property 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. The existing stormwater pond will need to continue to provide storage and treatment for the neighborhood to the south and provide storage and treatment for new development on the parcel. Coordination regarding location of drainage easements will be addressed through the storm system approval and platting process.

Streets

The property is located at the southwest corner of Curlew Road and Lake Shore Lane, which is east of US Highway 19. Curlew Road, which is a six-lane, divided facility that is classified as a principal arterial and maintained by FDOT. The intersection of Lake Shore Lane and Curlew Road is not signalized. The site is currently primarily vacant, with only two residences on the property. Therefore, any new development will result in the generation of new trips.

The amendment would produce an additional 2,541 trips per day. This is determined by using the typical traffic impacts figure (trips per day per acres) in the *Countywide Rules* for the *Countywide Plan Map* category that is consistent with the current and proposed land use categories in the City, which is the standard used to evaluate potential impacts for Future Land Use Map amendments. For this amendment,

since the City's Preservation (P) category allows for one dwelling unit per acre to potentially be constructed on the development parcel, the trip generation rate for the *Countywide Plan Map* category of Residential Low Medium (RLM) was utilized to determine the impact of those 8 dwelling units, and the trip generation rate for the *Countywide Plan Map* category of Public/Semi-Public (P/SP) with a transportation use was utilized for the remainder of the proposed amendment area which is currently designated as Transportation/Utility (T/U) on the City's map.

The number of new daily or peak hour trips for the development project will be determined at the time of site plan review and impacts will be assessed under the City's Mobility Management System in the Community Development Code. The Forward Pinellas (Pinellas County's Metropolitan Planning Organization) 2017 Level of Service Report shows Curlew Road is not a deficient roadway; therefore, a transportation management plan and/or traffic impact study is not mandatory but may be required along with payment of the multi-modal impact fee. City staff will review the traffic impacts at the time of site plan review and determine what additional plans or studies may be required.

Recommended Conclusions of Law:

Based upon the findings of fact, 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:

According to the Habitat Assessment Memo, the overall property contains remnants of oak hammocks, but these are primarily located outside of the proposed amendment area. The onsite stormwater pond is not classified as a natural wetland, but the pond margins contain a mixture of naturally recruited wetland trees and herbaceous vegetation. The pond will remain onsite, and any impacts or changes to the pond would be evaluated as part of the site plan review process. Modifications to the pond may be allowed, but changes must be consistent with City and SWFWMD stormwater regulations. The City's codes require that development is compliant with the City's tree preservation, landscaping and stormwater management requirements, all of which are assessed at the time of site plan review.

Recommended Conclusions of Law:

Based upon 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 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 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 for the 9.20-acre portion of property from Transportation/Utility (T/U) and Preservation (P) to Residential Low (RL) and Transportation/Utility (T/U) Overlay.

Prepared by Planning and Development Department Staff: _____

Lauren Matzke, AICP
Long Range Planning Manager

ATTACHMENTS: Ordinance No. 9124-18
Resume
Photographs of Site and Vicinity