



PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE: November 21, 2017

AGENDA ITEM: G.4.

CASE: REZ2017-09008

REQUEST: To amend the Zoning Atlas designation from Low Medium Density Residential (LMDR) and High Density Residential (HDR) to Office (O)

GENERAL DATA:

Applicant Craig A. Taraszki, Esq., Johnson Pope

Owner Spare Investors Realty, LLC

Location 1528 Lakeview Road, approximately 500 feet east of South Highland Avenue

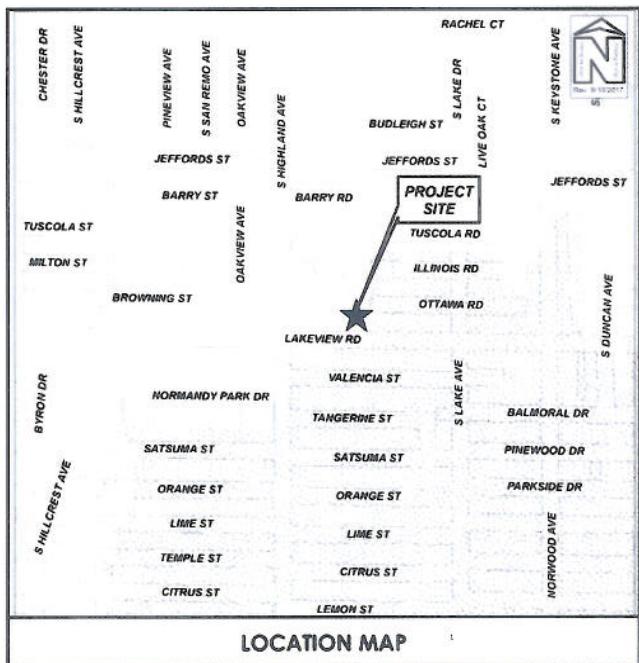
Property Size 1.332 acres

Background:

This case involves a 1.332-acre property located on the north side of Lakeview Road approximately 500 feet east of South Highland Avenue. The parcel, owned by Spare Investors Realty, LLC, is currently occupied by a vacant 10,196 square foot office building. Currently, the property has two Zoning Atlas designations: the office building and main parking lot occupy the portion designated as High Density Residential (HDR) which is applied to the majority of the site, and additional parking and landscaping occupy the remainder of the site, which is designated as Low Medium Density Residential (LMDR). Maps 1 and 2 show the general location of the property and an aerial view of the amendment area.

The site was originally developed in 1985 as a one-story medical clinic and was used as an orthopedic surgery center for many years. The building is currently listed for sale as a general office. It is important to note that neither medical clinics nor offices are listed permitted uses within the current residential zoning districts. This disconnect between the design purposes of the building and the property's current zoning designations has hampered efforts by the property owner to attract new tenants. The request is to change the property's Zoning Atlas designations of Low Medium Density Residential (LMDR) and High Density Residential (HDR) Districts to the Office (O) District. A request to amend the property from the Residential Low (RL) and Residential High (RH) Future Land Use Map designations to the Residential/Office General (R/OG) Future Land Use Map designation is being processed concurrently with this case (see LUP2017-09008). The requested amendments would allow the property to continue to be used as an office or medical clinic, consistent with its historic use. The City is committed to preserving land and buildings that are needed

to attract target industries and accommodate higher-wage jobs, such as this one. The proposed change is supported by the City's stated economic development goals and objectives.



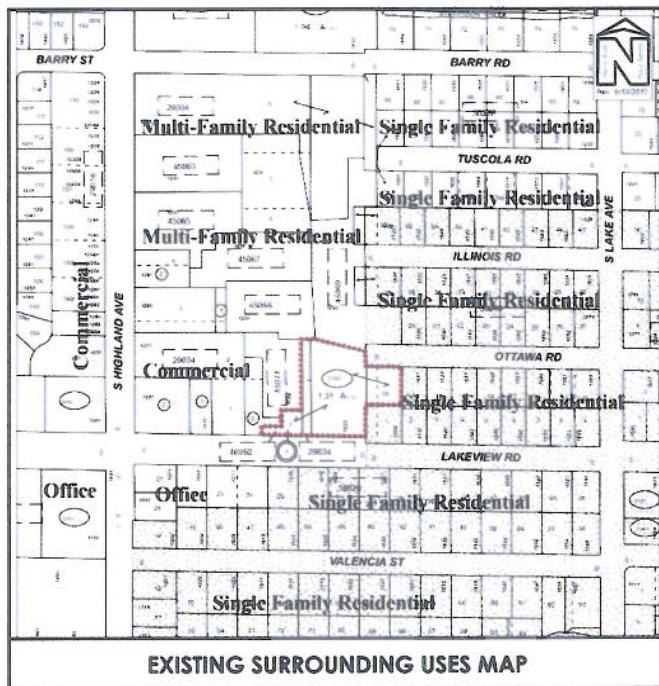
Map 1



Map 2

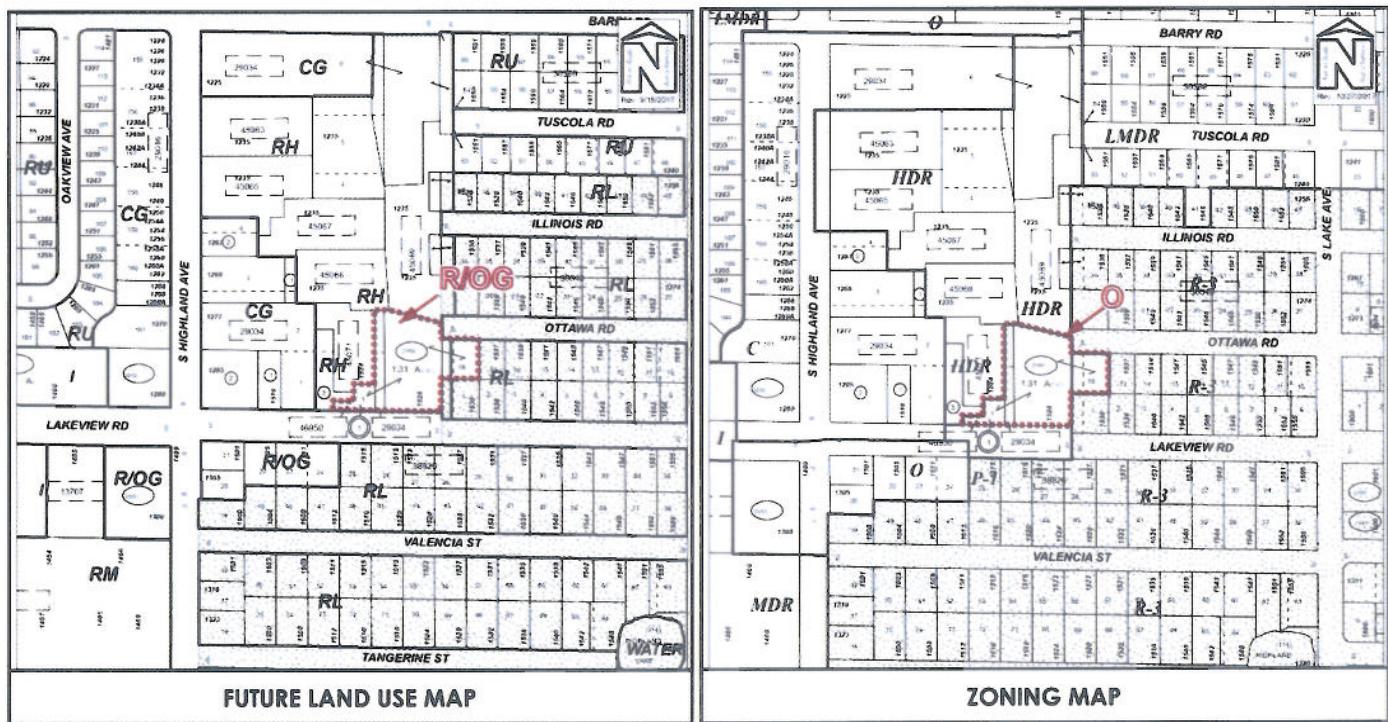
Vicinity Characteristics:

Map 3 shows the existing surrounding uses. To the east and the south, in unincorporated Pinellas County, are single family neighborhoods. To the north are two age restricted (55+) residential communities (Pine Berry Senior Apartments and Kalmia Condominiums), one of which accesses Lakeview Road to the west of the subject property. Also to the southwest are offices, and to the west there are commercial uses.



Map 3

As shown on Map 5, the abutting zoning districts are High Density Residential (HDR) to the north and west, R-3 Single Family Residential (Pinellas County) to the east and south, and a portion of P-1, General Professional Office (Pinellas County). The intersection of South Highland Avenue and Lakeview Road has Commercial (C) along the north side of the intersection, and Office (O) along the south side of the intersection. Both of these districts extend to the east of the intersection towards the subject property.



Map 4

Map 5

REVIEW CRITERIA:

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

Recommended Findings of Fact:

Applicable goals, objective and policy 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.

Applicable section of the Community Development Code which supports the proposed amendment:

Division 10. Office District, Section 2-1001. Intent and Purpose. The intent and purpose of the Office “O” District is to provide the citizens of the City of Clearwater with convenient access to professional services and high quality jobs throughout the city without adversely impacting the integrity of 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 proposed Office (O) District is compatible with the surrounding single family and multi-family residential uses, the commercial uses and the office uses. The applicant is intending to utilize the property as a medical clinic / office, which has been the historic use of the property. 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).

Recommended Conclusions of Law:

The request does not conflict 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 Property/Character of the City & Neighborhood [Section 4-602.F.2, 4-602.F.3 and Section 4-602.F.4]Recommended Findings of Fact:

Existing surrounding uses consist of single family homes (east and south), offices (southwest), multi-family residential (north and west) and commercial (west). The proposed use of the subject property as office (currently developed as such) is compatible with the surrounding properties and neighborhood.

The proposed Office (O) zoning district is consistent with the surrounding zoning districts that exist in the vicinity of the subject property. The proposed Office (O) zoning district will allow for the property to become a conforming use as a medical clinic / office use. As such, the proposed amendment will allow development that is in character with and beneficial to the surrounding properties and neighborhood.

Recommended Conclusions of Law:

The proposed Office (O) zoning 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 neighborhood.

Sufficiency of Public Facilities [Section 4-602.F.5]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 present and requested City Future Land Use Map designations were analyzed (see Table 1). Even though this is a Zoning Atlas amendment application, maximum development potential is based on the underlying future land use, so for purposes of this analysis sufficiency of public facilities is based on the future land use map designation.

Table 1. Development Potential for Existing & Proposed FLUM Designations

	Present FLUM Designation "RL"	Present FLUM Designation "RH"	Requested FLUM Designation "R/OG"	Net Change
Site Area	0.177 AC (7,710 SF)	1.155 AC (50,311 SF)	1.332 AC (58,021SF)	
Maximum Development Potential	1 DUs 0 SF ¹ 0.40 FAR	34 DUs 30,187SF 0.60	19 DUs 29,010 SF 0.50 FAR	-16 DUs -1,177 SF -0.10 FAR
Notes:				
1. Nonresidential uses not permitted through consistent Low Medium Density Residential (LMDR) District				
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 a decrease in development potential across the amendment area which would reduce demand on public facilities as detailed further below. The following analysis compares the maximum potential development of the proposed Residential/Office General (R/OG) future land use developed with an office use (29,010 square feet) to the maximum development potential of the existing Residential Low (RL) and Residential High (RH) future land use categories developed with a residential use (34 dwelling units). However, since the current and proposed use of the property is that of an office, it is likely that the demand on current public facilities will remain the same.

Potable Water

The reduction in development potential from this amendment would result in a decrease in potable water use of 5,952 gallons per day. This is determined by comparing the potential potable water utilization of a nonresidential development built to the maximum square footage allowed by the proposed land use (2,901 gallons per day) to the potential utilization of a residential development built to the maximum number of dwelling units allowed by the current land use designation (8,853 gallons per day).

Wastewater

The reduction in development potential from this amendment would also result in a decrease in wastewater production of 5,648 gallons per day. This is determined by comparing the potential wastewater generation of the proposed land use developed with a nonresidential use (2,320 gallons) to the potential wastewater generation of the current land use designation developed with a residential use (7,968 gallons).

Solid Waste

The proposed amendment could result in a decrease of 7.9 tons per year of solid waste generated when comparing the amount of waste generated by a nonresidential use to that of 34 dwelling units. 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.

Streets

The subject property is located on the north side of Lakeview Road approximately 500 feet east of South Highland Avenue. 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 (198 trips) is calculated based on the traffic generation numbers for the Residential Low Medium (RLM) category (67 trips per day per acre) and the Residential High (RH) category (162 trips per day per acre).

However, the site is developed with an office, which based on the traffic generation numbers for the corresponding *Countywide Plan Map* category of Office (O) (89 trips per day per acre), would generate 118 trips. This is a decrease of 80 trips per day compared to the number of trips under the current designations.

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.

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

Recommended Findings of Fact:

The location of the proposed Office (O) is consistent with the boundaries of the subject property. The proposed Office (O) District is compatible with the single family residential to the east and south, the multi-family residential to the north, and with the commercial to the west and offices to the south.

Recommended Conclusions of Law:

The District boundaries are appropriately drawn and are compatible with the surrounding uses and zoning districts.

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 3 below depicts the consistency of the proposed amendment with the standards pursuant to 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 an unreasonably or disproportionate manner.	X	
F.6	The district boundaries are appropriately drawn with due regard to locations and classifications of streets, ownership lines, 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 Low Medium Density Residential (LMDR) and High Density Residential (HDR) to Office (O).

Prepared by Planning and Development Department Staff: _____



Kyle Brotherton
Senior Planner

ATTACHMENTS: Ordinance No. 9095-18

Resume

Photographs of Site and Vicinity