



# COMMUNITY DEVELOPMENT BOARD PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT

**MEETING DATE:** November 17, 2015  
**AGENDA ITEM:** F.3.  
**CASE:** LUP2015-08002  
**REQUEST:** To amend the Future Land Use Map designation from Residential Urban (RU) to Residential/Office General (R/OG)

### GENERAL DATA:

*Agent*..... Synergy Civil Engineering, Inc.  
*Applicant / Owner*..... Richard Heiden  
*Location* ..... 2727 Daniel Street, located on the southeast corner of Daniel Street and Charles Avenue  
*Property Size* ..... 0.209 acres

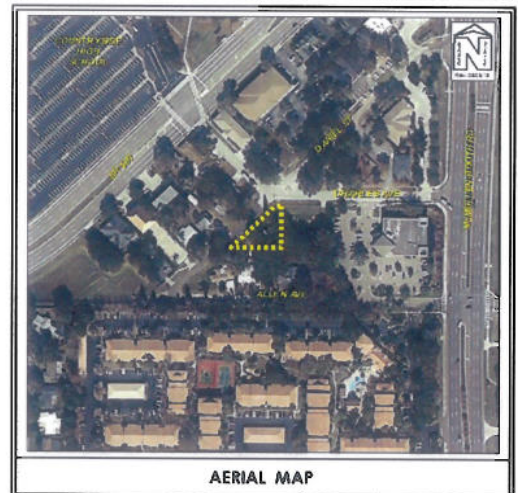
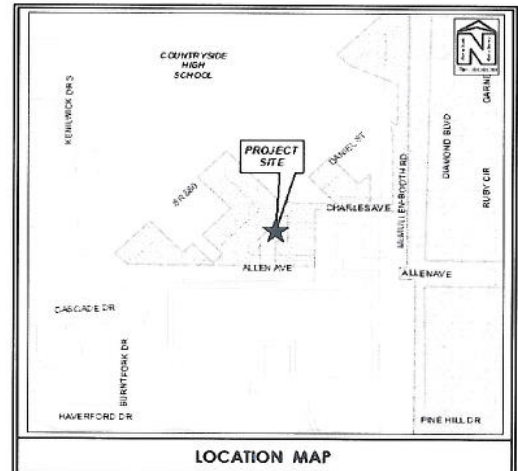
### ANALYSIS:

#### Site Location and Existing Conditions:

This case consists of one parcel of land 0.209 acres in size, generally located on the southeast corner of Daniel Street and Charles Avenue, approximately 415 feet west of McMullen Booth Road. The parcel is located within an area that consists of parcels both in the City of Clearwater and Pinellas County. It is owned by Richard Heiden and is currently improved with a vacant single family residence, which will be demolished in order to accommodate the construction of a new office building.

#### Request:

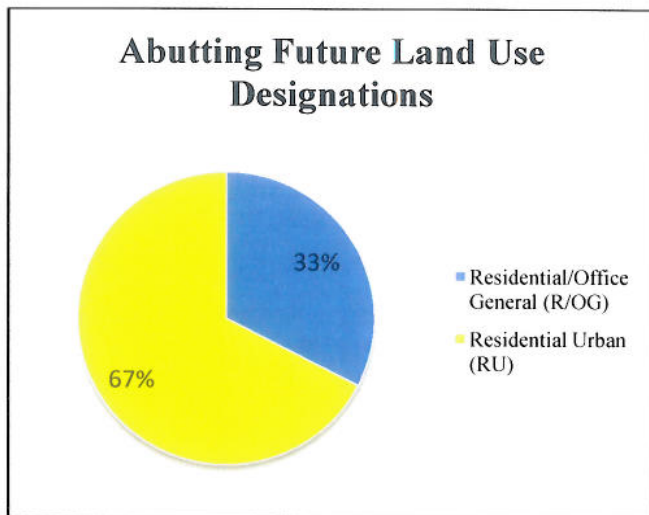
The request is to change this parcel's Future Land Use Map designation of Residential Urban (RU) to Residential/Office General (R/OG). A request for a rezoning of this parcel from Low Medium Density Residential (LMDR) to Office (O) is being processed concurrently with this case (see REZ2015-08001). The applicant has submitted a Flexible Development application for the proposed new office (see concurrent case FLD2015-08032).



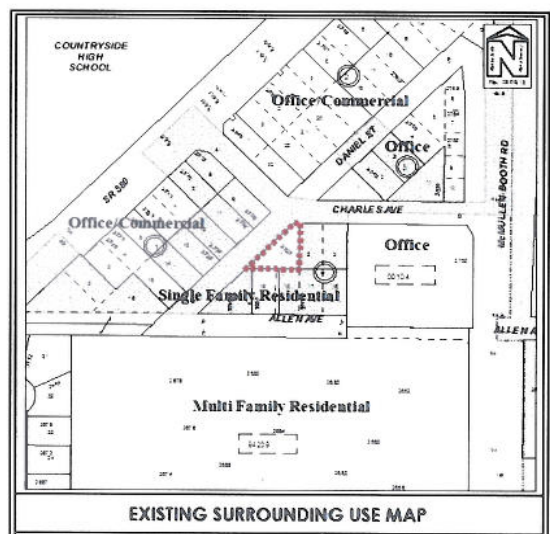
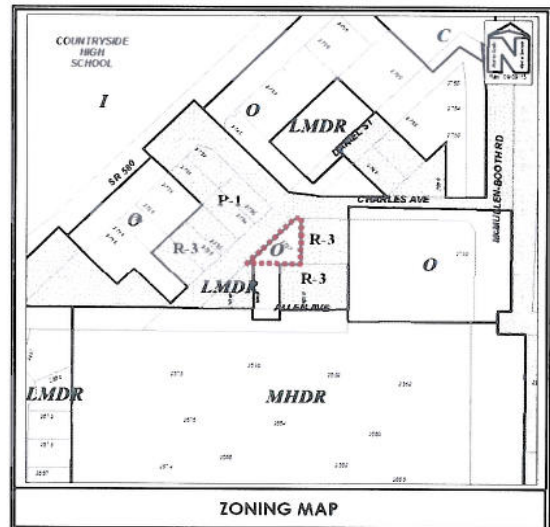
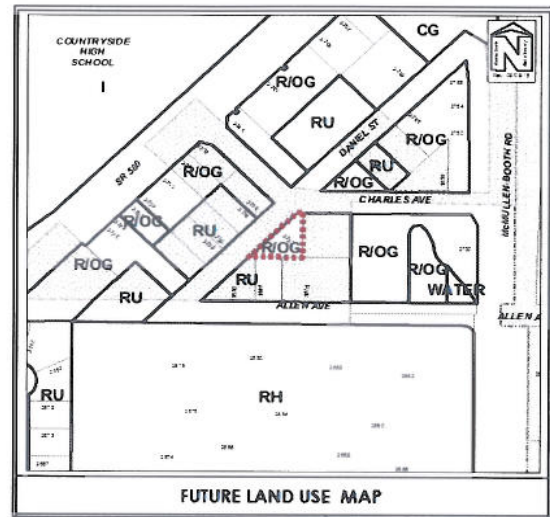
**Vicinity Characteristics:**

The parcel is surrounded by office uses along SR 580 and the northern side of Daniel Street across Charles Street, north of the subject parcel. This area is transitioning from single family residential to office uses, which are compatible with the multi-family residential development located south of Allen Avenue, as well as the commercial uses located at the corner of SR 580 and McMullen Booth Road and the office uses at the corner of McMullen Booth Road and Charles Street. The majority of the parcel’s perimeter boundaries – approximately 282 linear feet, or 67 percent – abut parcels with a future land use designation of Residential Urban (RU) (See Figure 1 below). An additional 136 linear feet, or 33 percent, of the perimeter boundaries abut parcels designated Residential/Office General (R/OG).

**Figure 1**



A complete listing of the surrounding uses, Future Land Use Map designations and Zoning Atlas designations are shown in Table 1 below. In addition, a comparison between the uses and intensities allowed by the present and proposed Future Land Use Map designations appears in Table 2.



*Table 1. Surrounding Future Land Use and Zoning Designations*

Direction	Existing Conditions		
	Existing Use(s)	FLUM Designation	Zoning Atlas Designation
North:	Office, Parking	Residential Urban (RU), Residential/Office General (R/OG)	Office (O), Low Medium Density Residential (LMDR)
East:	Vacant, Office	Residential Urban (RU), Residential/Office General (R/OG)	Single Family Residential (R-3) (County), Office (O)
South:	Single-Family Residential	Residential Urban (RU)	Low Medium Density Residential (LMDR), Single Family Residential (R-3) (County)
West:	Residential	Residential Urban (RU), Residential/Office General (R/OG)	Single Family Residential (R-3) (County), General Professional Offices (P-1) (County)

*Table 2. Uses and Intensities Allowed by Present and Proposed Future Land Use Designations*

	Present FLUM Designation Residential (RU)	Requested FLUM Designation Residential/Office General (R/OG)
<b>Primary Uses Per Plan Category:</b>	Urban Low Density Residential	Medium Density Residential/Office
<b>Maximum Density:</b>	7.5 Dwelling Units Per Acre	15 Dwelling Units Per Acre
<b>Maximum Intensity:</b>	FAR 0.40; ISR 0.65	FAR 0.50; ISR 0.75
<b>Consistent Zoning Districts:</b>	Low Medium Density Residential (LMDR), Medium Density Residential (MDR)	Office (O); Medium Density Residential (MDR)

**REVIEW CRITERIA:**

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*

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 property.	X	
F.5	The amendment will not adversely affect the natural environment.	X	
F.6	The amendment will not adversely impact the use of property in the immediate area.	X	

**RECOMMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

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

Recommended Findings of Fact:

Applicable goal 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.

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

Policy A.6.2.1 On a continuing basis, the Community Development Code and the site plan approval process shall be utilized in promoting infill development and/or planned developments that are compatible.

Policy A.6.2.2 Encourage land use conversions on economically underutilized parcels and corridors, and promote redevelopment activities in these areas.

Policy A.6.4.1 The development or redevelopment of small parcels [less than one (1) acre] which are currently receiving an adequate level of service shall be specifically encouraged by administration of land development and concurrency management regulatory systems as a method of promoting urban infill.

### Recommended Conclusions of Law:

The request does not conflict with the goals, objectives and policies of the Clearwater Comprehensive Plan and it supports the plan as indicated in the goal and policies listed above. The proposed office is compatible with the uses in the area because it is an infill project located within an area that has been transitioning from residential to office uses. This property can be accessed by both SR 580 and McMullen Booth Road, which are currently operating at a Level of Service C and a Level of Service F, respectively. However, 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).

### **Consistency with the Countywide Plan Rules**

#### Recommended Findings of Fact:

The City of Clearwater's Residential/Office General (R/OG) future land use designation is consistent with the Office (O) category within the *Countywide Rules* as updated August 7, 2015. Section 2.3.3.5 of the *Countywide Rules* states that the Office (O) plan category is intended to accommodate areas developed, or appropriate to be developed, with office uses, low-impact employment uses, and residential uses (subject to an acreage threshold), in areas characterized by a transition between residential and commercial uses and in areas well-suited for community-scale residential/office mixed-use development. Section 2.3.3.5 also states that the Office (O) future land use category is generally appropriate to locations where it would serve as a transition from an urban activity center or more intensive nonresidential use to low density residential or public/semi-public use; and in areas where the size and scale of office and residential use is appropriate to free standing office, medium density residential or a combination thereof. These areas are typically in proximity to and served by the arterial, collector, and highway network, as well as Multimodal Corridors depicted on the Transit-Oriented Land Use Vision Map.

The subject property is located adjacent to properties designated as Residential Urban (RU) and Residential/Office General (R/OG) on the City of Clearwater's and Pinellas County's Future Land Use Maps (consistent with the Residential Low Medium (RLM) and Office (O) Countywide Plan Map categories, respectively) which are all located along Daniel Street and SR 580, a signalized arterial road. The overall area contains mostly office uses with some parcels along Daniel Street serving as parking for the properties fronting SR 580, and also single family homes. There are three single-family residential properties located to the south, along Allen Avenue. The proposed office use is compatible with the surrounding properties and the overall neighborhood and is an appropriate transitional use, in accordance with the Office (O) Countywide Plan Map category, as stated above.

### Recommended Conclusions of Law:

The proposed Future Land Use Map amendment is consistent with the purpose and locational characteristics of 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, office buildings and a multi-family development (Estates at Countryside). The proposed office use is compatible with the surrounding uses and neighborhood.

The proposed Residential/Office General (R/OG) future land use category permits 15 units per acre and a floor area ratio (FAR) of 0.50. The future land use designations of surrounding parcels include Residential/Office General (R/OG) and Residential Urban (RU) (7.5 Dwelling Units Per Acre; FAR 0.40).

The requested Residential/Office General (R/OG) Future Land Use Map designation is consistent with the surrounding Future Land Use Map designations that exist in the vicinity of the subject parcel. The proposed designation will allow the development of an office at a density and scale that is consistent with existing office and residential uses in the vicinity of the subject parcel. As such, the proposed amendment will allow development that is in character with the surrounding area.

### Recommended Conclusions of Law:

The proposed Residential/Office General (R/OG) future land use designation is in character with the overall Future Land Use Map designations in the area. Further, the proposal is compatible with surrounding uses and consistent with the character of the surrounding parcels 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 parcel, the maximum development potential of the parcel under the present and requested Future Land Use Map designations was analyzed (see Table 4). The request for amendment to the Residential/Office General (R/OG) Future Land Use Map category would increase the amount of residential development potential allowed on the site as well as the FAR provided for in the City's Comprehensive Plan.

*Table 4. Development Potential for Existing & Proposed FLUM Designations*

	Present FLUM Designation "RU"	Requested FLUM Designation "R/OG"	Net Change
Site Area	0.209 AC (9,104 SF)	0.209 AC (9,104 SF)	
Maximum Development Potential	1 DU 3,641 SF 0.40 FAR	3 DUs 4,552 SF 0.50 FAR	2 DUs 911SF 0.10 FAR
Abbreviations: FLUM – Future Land Use Map AC – Acres SF – Square feet			
DUs – Dwelling Units FAR – Floor Area Ratio			

As shown in Table 5 below, the proposed change will result in an increase in demand of public facilities and services, but will not degrade them below acceptable levels.

*Table 5. Public Facilities Level of Service Analysis*

	Maximum Potential Impact to Public Facilities/Services		Net Change	Capacity Available?
Public Facility/Service	Present FLUM Designation "RU"	Requested FLUM Designation "R/OG"		
Streets	14 Trips <sup>1</sup>	19 Trips <sup>1</sup>	5	Yes
Potable Water	260 GPD <sup>2,5</sup>	455 GPD <sup>3,5</sup>	195	Yes
Wastewater	234 GPD <sup>2,5</sup>	364 GPD <sup>3,5</sup>	130	Yes
Solid Waste	2.5 Tons/Year	12.3 Tons/Year	9.8	Yes
Parkland	0 Acres <sup>4</sup>	0 Acres <sup>4</sup>	0	Yes
<b>Notes:</b>				
1. Based on average daily trips per acreage figure, <i>Countywide Rules</i> .				
• Residential Low Medium (RLM) – 67 vehicle trips per day per acre				
• Office (O) – 89 vehicle trips per day per acre				
2. Analysis based on utilization rates for residential uses.				
3. Analysis based on utilization rates for offices.				
4. Based on 4.0 acres of parkland per 1,000 persons and 2.2 persons per unit.				
5. GPD – Gallons per day.				

The property has access to both SR 580 and McMullen Booth Road, so the following analysis examines the potential impact to both roadways based on potential new trips, assuming all new trips were to use only one segment and not disburse across both. As shown in Table 6 below, there is a small increase in the potential maximum daily trips associated with the request for amendment to the Residential/Office General (R/OG) Future Land Use Map designation. The projected PM Peak Hour trips are only expected to increase by one trip.

The adjacent segment of SR 580 is currently operating at a Level of Service C, which is above the adopted roadway level of service standard, and the adjacent segment of McMullen Booth Road is currently operating at a Level of Service F, which is below the adopted roadway level of service. McMullen Booth Road is listed as a constrained facility by the Pinellas County Metropolitan Planning Organization (MPO), which means that it cannot be expanded as necessary to alleviate a substandard level of service condition due to a policy or physical

constraint. However, the potential addition of one PM Peak Hour trip on either McMullen Booth Road or SR 580 as the result of this amendment is de minimis.

*Table 6. Maximum Potential Traffic*

<b>SR 580: US 19 to McMullen Booth Road</b>	<b>Existing Conditions</b>	<b>Current FLUM<sup>1</sup></b>	<b>Proposed FLUM<sup>2</sup></b>	<b>Net New Trips</b>
Potential Additional Maximum Daily Trips	N/A	14	19	5
Potential Additional Maximum PM Peak Hour Trips <sup>3</sup>	N/A	1	2	1
Roadway Volume (Annual Average Daily)	37,650	37,664	37,669	5
Roadway Volume (PM Peak Hour) <sup>3</sup>	3,577	3,578	3,579	1
Roadway Level of Service PM Peak Hour	C <sup>4</sup>	C <sup>5</sup>	C <sup>5</sup>	
Adopted Roadway Level of Service Standard	<b>D Peak Hour</b>			
<b>Abbreviations and Notes:</b>				
N/A = Not Applicable.				
FLUM = Future Land Use Map, Clearwater Comprehensive Plan.				
1. Based on PPC calculations of 67 trips per day per acre in the Residential Urban (RU) future land use category.				
2. Based on PPC calculations of 89 trips per day per acre in the Residential/Office General (R/OG) future land use category with a medical facilities use.				
3. Based on MPO K-factor of 0.095.				
4. Source: Pinellas County Metropolitan Planning Organization 2015 Level of Service Report.				
5. Based on a comparison between the Pinellas County Metropolitan Planning Organization 2015 Level of Service Report and the 2012 Florida Department of Transportation Quality/Level of Service Handbook.				

Recommended Conclusions of Law:

Based upon the findings of fact, it is determined that the traffic generated by the proposed amendment will not result in the degradation of the existing levels of service on the segments of SR 580 and McMullen Booth Road. There is an increase in demand for potable water and generation of wastewater, as well as solid waste, but there is adequate capacity to accommodate the maximum demand generated by the proposed amendment. Furthermore, parkland and recreation facilities will not be affected by the proposed amendment.

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

Recommended Findings of Fact:

No wetlands appear to be located on the subject parcel. Landscaping will be required on the parcel. Prior to redevelopment of this property, site plan approval will be required. Any future redevelopment is required to be compliant with the City’s tree preservation and storm water management requirements.

**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 as there are no wetlands on the subject parcels.

**REVIEW PROCEDURE:**

Approval of the Future Land Use Map amendment does not guarantee the right to develop the subject parcels. The Future Land Use Map amendment is subject to approval by the Pinellas Planning Council and Board of County Commissioners acting as the Countywide Planning Authority. Based on the size of the parcel, review and approval by the Florida Department of Economic Opportunity (Division of Community Planning) is not required. The parcel's owner must comply with all laws and ordinances in effect at the time development permits are requested, including transportation concurrency provisions of the Concurrency Management System in Division 9, Community Development Code.

**RECOMMENDATION:**

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

Recommend APPROVAL of the request for Future Land Use Map amendment from Residential Urban (RU) to Residential/Office General (R/OG) designation.

Prepared by Planning and Development Department Staff:



Katie See  
Senior Planner

ATTACHMENTS: Resume  
Photographs of Site and Vicinity