



## PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

**MEETING DATE:** October 3, 2023

**AGENDA ITEM:** F.3.

**CASE:** REZ2023-06001

**REQUEST:** To amend the Zoning Atlas designation from R-3, Single Family Residential (Pinellas County) to Institutional (I)

### GENERAL DATA:

*Agent*..... Brian J. Aungst, Jr. Esq.; Macfarlane Ferguson & McMullen

*Owner* ..... First Baptist Church of Clearwater, Inc.

*Location* ..... 210 Meadow Lark Lane and an unaddressed parcel, both located on the west side of Meadow Lark Lane approximately 820 feet north of Gulf to Bay Boulevard.

*Property Size*..... 0.540 acres

### Background:

This case involves two parcels totaling 0.540-acres located on the west side of Meadow Lark Lane approximately 820 feet north of Gulf to Bay Boulevard. The properties are owned by First Baptist Church of Clearwater, Inc. and are currently vacant. The parcels are within Pinellas County's jurisdiction, and the applicant has submitted a Petition for Annexation (ANX2023-06007) that is being processed concurrently with this case. The request is to change the Zoning Atlas designation of these properties from R-3, Single Family Residential (Pinellas County) to Institutional (I). A Future Land Use Plan Amendment application (LUP2023-06002) is also being processed concurrently with this case.

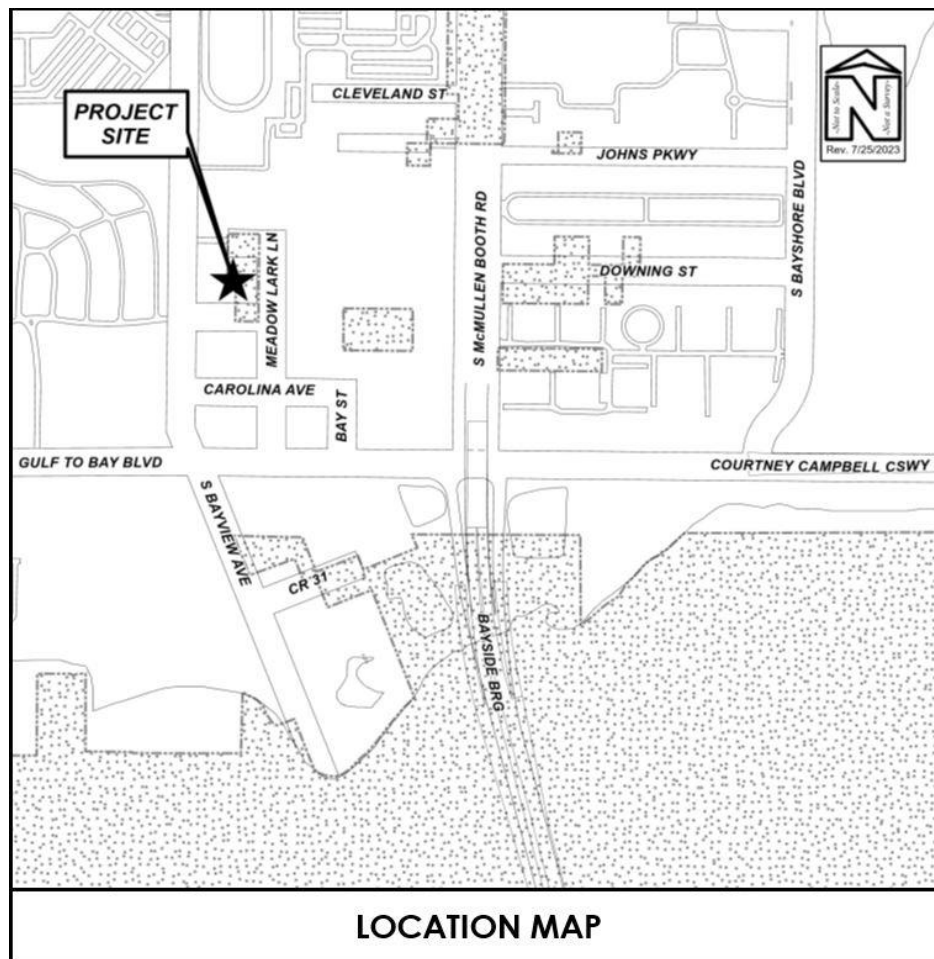
The church has continued to purchase residential properties in the areas adjacent to and in vicinity of its 41.016-acre main parcel which includes Calvary Baptist Church, Calvary Christian High School, athletic facilities, and other institutional uses that support the church. As this expansion has occurred over time, properties have been annexed and assembled into the main parcel, future land use and zoning amendments have been approved to ensure the overall property would have a consistent institutional designation. The subject parcels border the church's main parcel to the north and west. Additionally, the church owns the properties to the east of the subject parcels which includes batting cages and storage serving as accessory uses to the school, as well as a residential property. Refer to Map 2 for an aerial view of the subject parcels and property owned by the church in the surrounding area.

The subject parcels are currently vacant as the prior existing structures were demolished in mid-2023, according to demolition permits filed with Pinellas County. Prior to demolition, the northern parcel was developed with two detached dwellings, while the southern parcel has historically been vacant. The applicant has indicated that the properties will be used for a softball field, but no site plans have been submitted at this time. However, in response to staff comments requesting more information on potential mitigation to limit

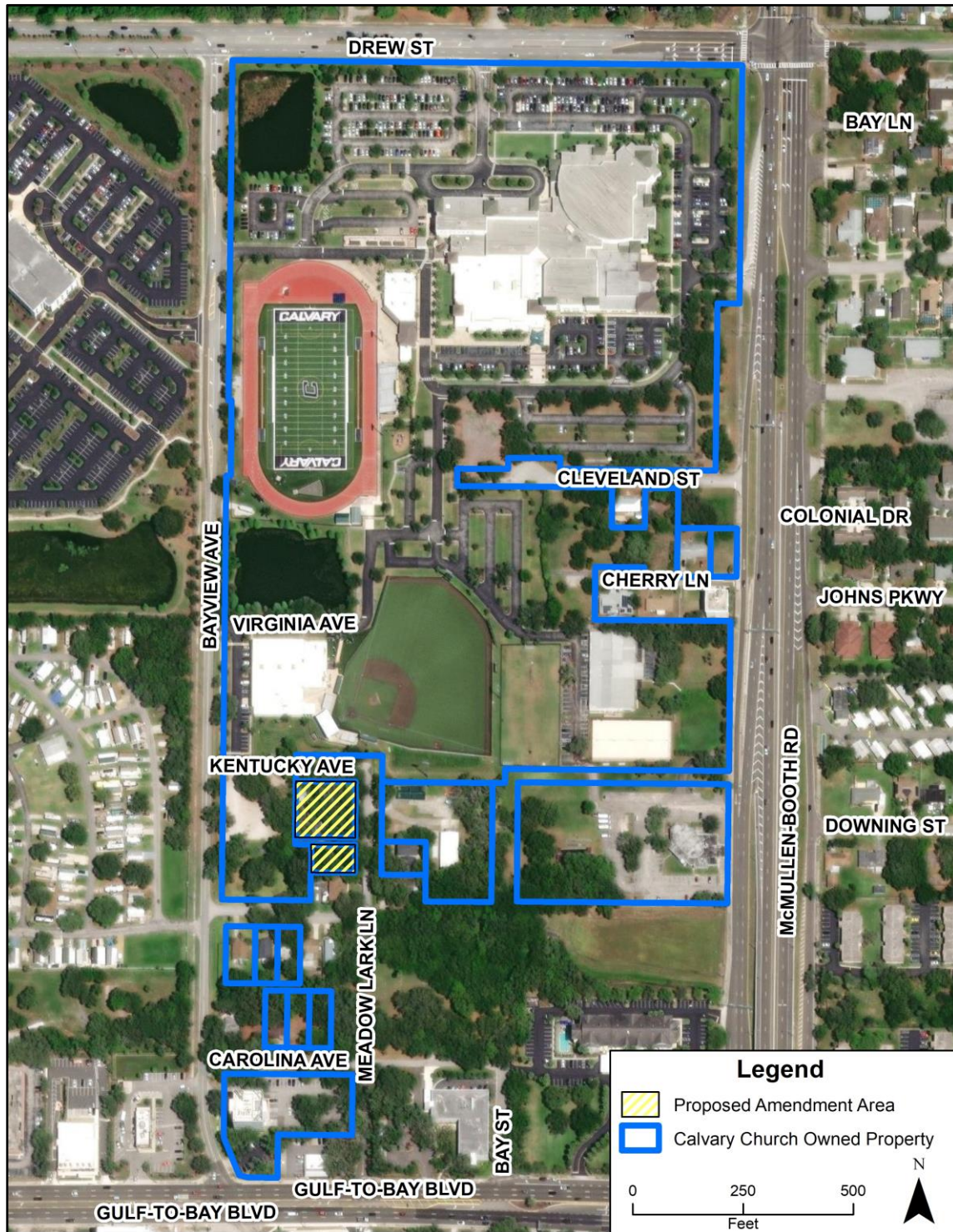
impacts on the remaining residential properties in the area, the applicant submitted a preliminary design as a part of their application. The submittal of the preliminary design is not required nor reviewed as a part of this application, and the site plan is not one of the factors to consider when rendering a decision on a zoning atlas amendment pursuant to Community Development Code Section 4-602. Any potential future development and site plans would be reviewed during the development review process.

**Vicinity Characteristics:**

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



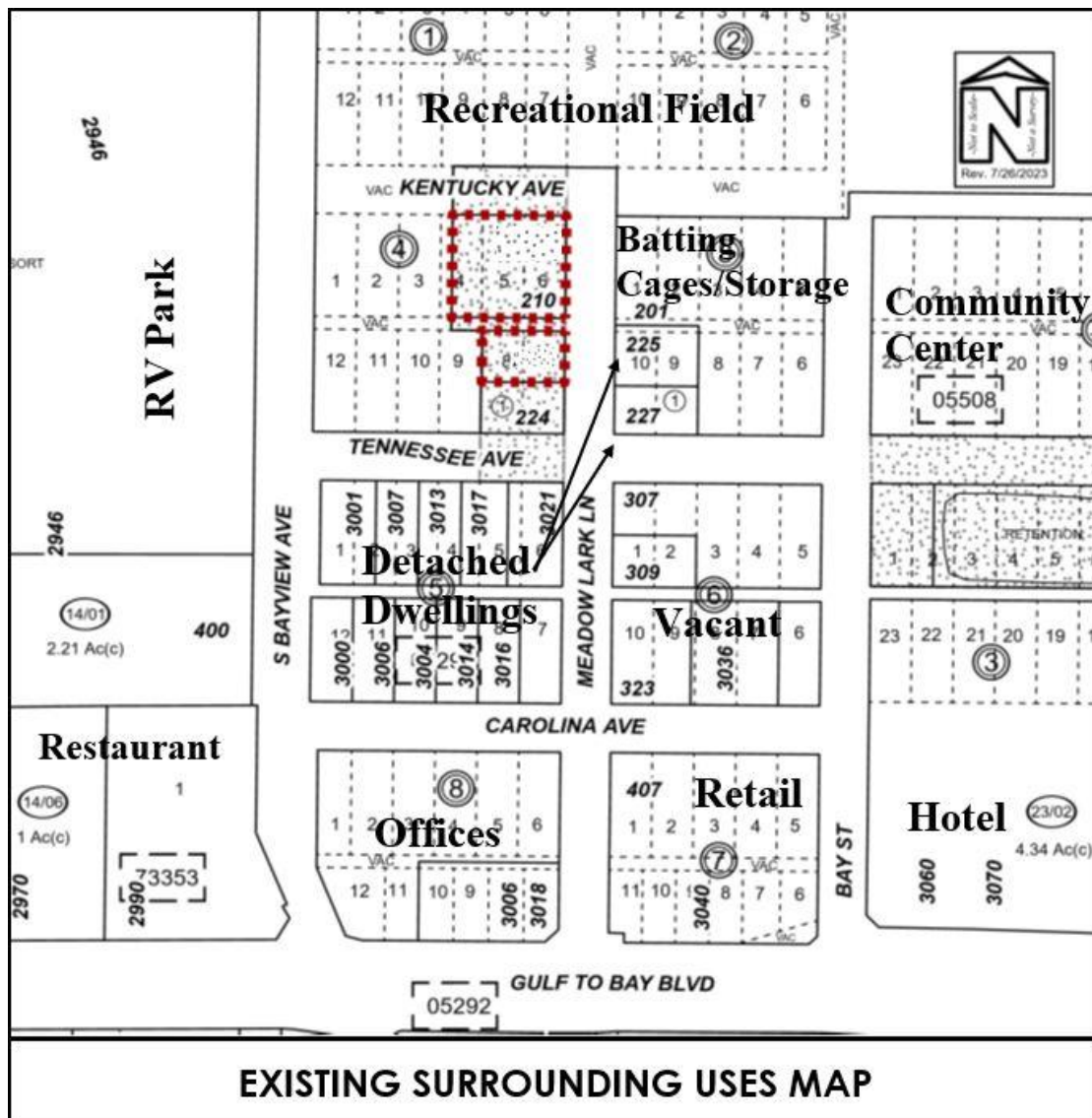
**Map 1**



**Map 2**

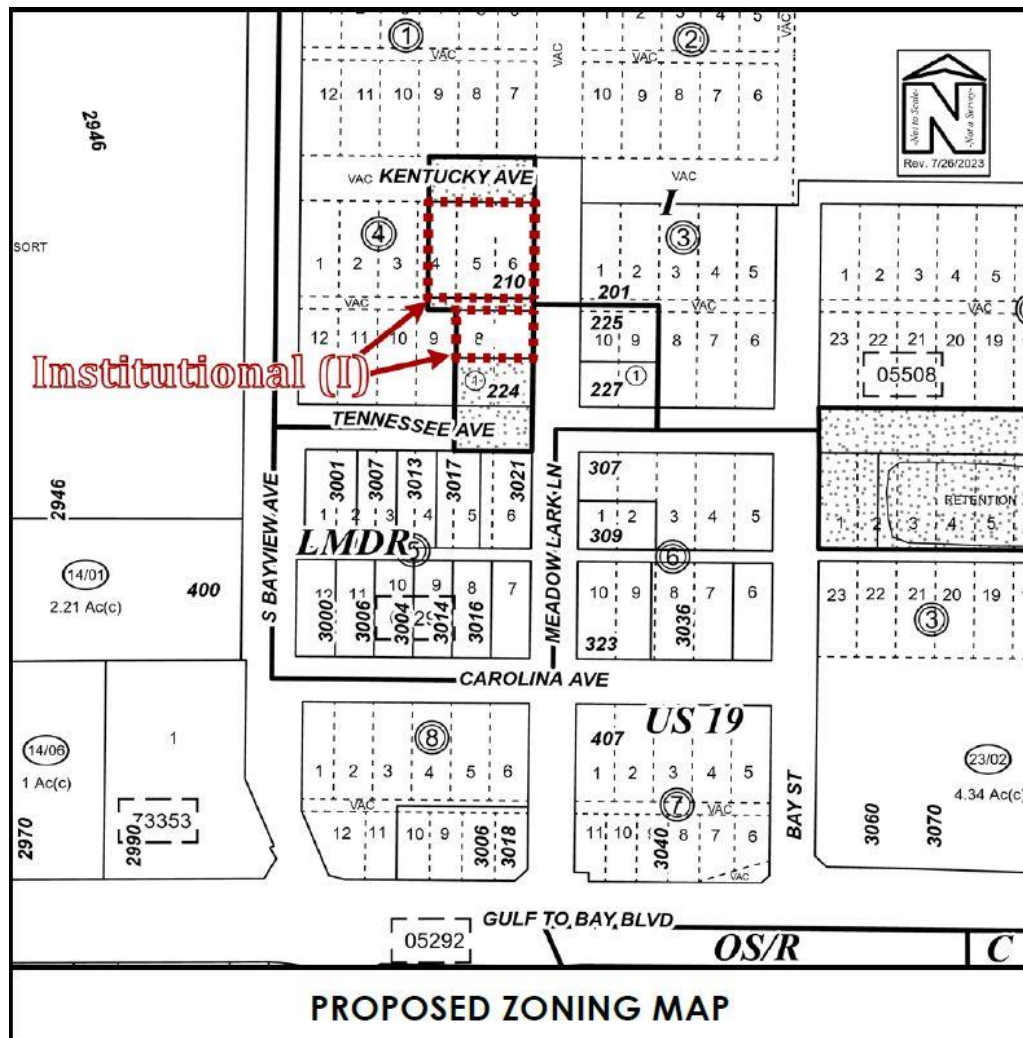


Map 3 shows the existing surrounding uses. The proposed amendment area is abutting to the main Calvary Baptist Church parcel and campus, which consists of a church, high school, athletic facilities, parking, and additional institutional uses supporting the main church. To the east of the amendment area along Meadow Lark Lane there is a parcel being used for batting cages and storage, and two detached dwellings. Detached dwellings also exist to the south between Tennessee Avenue and Carolina Avenue. To the west across Bayview Avenue there is an RV Park and further south along Gulf to Bay Boulevard there is a mix of uses including restaurants, a hotel, offices, and retail.



Map 3

As shown on Map 4, the Zoning Atlas designations abutting the amendment area are Institutional (I) to the north, west and east recognizing the church owned property, and Low Medium Density Residential (LMDR) to the east. Institutional (I) also exists further north along Bayview Avenue and further east of the amendment area across Bay Street. The unincorporated property to the south of the amendment area is designated R-3, Single Family Residential under Pinellas County's jurisdiction. Low Medium Density Residential (LMDR) also exists to the south between Tennessee Avenue and Carolina Avenue. The US 19 (US 19) Zoning District exists to the west across Bayview Avenue, to the southeast along Carolina Avenue, and further south along Gulf to Bay Boulevard.



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.

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.

*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 proposed Institutional (I) Zoning District is compatible with the existing Institutional (I) Zoning District that exists on the abutting 41.016-acre Calvary Baptist Church parcel which borders the amendment area to the north and west. Historically, as the church has acquired additional properties and expanded its main parcel the zoning designations of those properties were also amended to Institutional so that one designation encompassed the parcel. Although the proposed amendment involves parcels currently outside of the church's main parcel, it would follow historical precedence and would allow for the subject parcels to be amended to the Institutional (I) Zoning District. Although Low Medium Density Residential (LMDR) and R-3 Single Family Residential (Pinellas County) exists to the south of the amendment area, the character of this area is largely institutional because of the church's past expansion and ownership in the area.

Any future trips generated would be reviewed at the time of site plan review in accordance with the Mobility Management System. 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 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 area is currently vacant and abuts the church's main parcel to the north and west which has a zoning designation of Institutional (I). The church's main parcel consists of a church, high school, athletic facilities, parking, and additional institutional uses supporting the main church. To the east of the amendment area along Meadow Lark Lane there is an institutionally designated parcel and two detached dwellings. Detached dwellings also exist to the south between Tennessee Avenue and Carolina Avenue. To the west across Bayview Avenue there is a RV Park, and further south along Gulf to Bay Boulevard there is a mix of uses including restaurants, a hotel, offices, and retail.

The proposed Institutional (I) Zoning District, which primarily allows for public/private schools, churches, public offices, or residential equivalent, is consistent with the surrounding areas, including the 41.016-acre parcel owned by the applicant that borders the subject parcels to the north and west, and to the institutionally zoned parcel to the east which is also owned by the church. The abutting zoning districts are residential (both city and Pinellas County) to the south and east, but the area is largely institutional in nature. The proposed Institutional (I) Zoning District would allow the properties to have a consistent zoning district with the surrounding area, and this district has existed in the area for numerous years. The proposed use of a softball field is potentially 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 amendment area, the maximum development potential under the existing and proposed city Future Land Use Map designations were as analyzed.

*Table 1. Development Potential for Existing & Proposed FLUM Designations*

	Existing FLUM Designation “RU”	Proposed FLUM Designation “I”	Net Change
Site Area	0.540 AC (23,522 SF)	0.540 AC (23,522 SF)	
Maximum Development Potential	4 DUs / 0 Beds <sup>1</sup> 9,408 SF 0.40 FAR	0 DUs <sup>2</sup> / 18 Beds 15,289 SF 0.65 FAR	-4 DUs / +18 Beds +5,881SF +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 over 5,000 square feet. The following analysis compares the maximum potential development of the proposed Institutional (I) future land use developed with a 15,289 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 4 dwelling units. Since the amendment area is vacant, any development would increase the demand for public facilities, which is further detailed below.

### *Potable Water*

The change in development potential from this amendment would result in an increase in potable water use of up to 487.9 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 permitted (1,528.9 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 (1,041 gallons per day).

Since the amendment area is currently vacant, the potable water utilization could increase up to 1,528.9 gallons per day if the amendment area were to be developed with a non-residential use at the maximum development potential of 15,289 square feet. However, due to future development having to meet zoning code requirements, it's likely that the actual development would be less than the maximum development potential, meaning the increase in potable water would be less than the maximum potential of 1,528.9 gallons per day as shown in the analysis.

The city's current potable water demand is 11.26 million gallons per day (MGD). The city's adopted level of service (LOS) standard for potable water service is 120 gallons per capita per day, while the actual usage is estimated at 78 gallons per capita per day (2021 Annual Water Report). The city's 10-year Water Supply Facilities Work Plan (2022-2023 Planning Period), completed July 2022, 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 286 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 permitted (1,223 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 (937 gallons per day).

Since the amendment area is currently vacant, the wastewater utilization could increase up to 1,223 gallons per day if the amendment area were to be developed with a non-residential use at the maximum development potential of 15,289 square feet. However, due to future development having to meet zoning code requirements, it's likely that the actual development would be less than the maximum development potential, meaning the increase in wastewater would be less than the maximum potential of 1,223 gallons per day as shown in the analysis.

The amendment area is served by the East Water Reclamation Facility, which presently operates around 1.91 million gallons per day, which is well within its permitted capacity of 5 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 increase up to 16.7 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 (26.8 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 (10.1 tons per year).

Since the amendment area is currently vacant, the solid waste created could increase up to 16.7 tons if the amendment area were to be developed with a non-residential use at the maximum development potential of 15,289 square feet. However, due to future development having to meet zoning code requirements, it's likely that the actual development would be less than the maximum development potential, meaning the increase in solid waste would be less than the maximum potential of 26.8 tons per year as shown in the analysis.

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 total acreage of parks within the city, dividing it by the 2022 Florida Bureau of Economic and Business Research (BEBR) population estimates, and then multiplying by 1,000. 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 amendment area 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 area is generally located at the corner of Meadow Lark Lane and Kentucky 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 (36 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 103 trips (192 trips per day per acre). This could be an increase of 67 trips from the amendment area. Since the amendment area is currently vacant, any development would increase the number of trips to and from the site.

The amendment area can be accessed from Gulf to Bay Boulevard via Meadow Lark Lane and from Drew Street via Bayview Avenue and Kentucky Avenue. Gulf to Bay Boulevard is a six-lane, divided principal arterial roadway and Drew Street is a four-lane, divided collector roadway. Meadow Lark Lane and Kentucky Avenue are both two-lane undivided roadways, and Bayview Avenue is a two-lane, divided roadway. There have been preliminary discussions for a traffic signal to be added at the intersection of Bayview Avenue and Gulf to Bay Boulevard, but funding has not been secured at this time. The Public Works Department's Traffic Engineering Division would likely provide traffic-related comments at the time of site plan review to address code requirements.

### Recommended Conclusions of Law:

Based upon the findings of fact, the proposed amendment would increase the demand on several of the public facilities since the amendment area is currently vacant; 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 amendment area.

### 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
<b>F.1</b>	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	
<b>F.2</b>	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	
<b>F.3</b>	The amendment does not conflict with the needs and character of the neighborhood and the city.	X	
<b>F.4</b>	The amendment will not adversely or unreasonably affect the use of other property in the area.	X	
<b>F.5</b>	The amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in a unreasonably or disproportionate manner.	X	
<b>F.6</b>	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 R-3, Single Family Residential (Pinellas County) to the Institutional (I) District.

Prepared by Planning and Development Department Staff:



Dylan Prins  
Planner

ATTACHMENTS: Ordinance No. 9708-23  
Photographs of Site and Vicinity  
Resume