



## PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

**MEETING DATE:** November 21, 2017  
**AGENDA ITEM:** G.3.  
**CASE:** LUP2017-09008  
**REQUEST:** To amend the Future Land Use Map designation from Residential Low (RL) and Residential High (RH) to Residential/Office General (R/OG)  
**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:

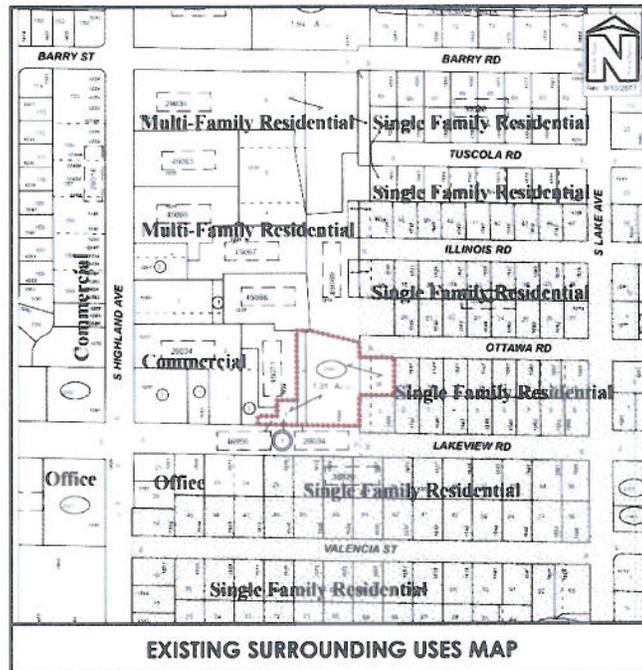
This case involves a 1.332-acre property located on the north side of Lakeview Road approximately 500 feet east of South Highland Avenue. The parcel, owned by Spare Investors Realty, LLC, is occupied by a vacant 10,196 square foot office building. Currently, the property has two future land use map designations: the office building and main parking lot occupy the portion designated Residential High (RH) which is applied to the majority of the site, and additional parking and landscaping occupy the remainder of the site, which is designated Residential Low (RL). 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, consistent with the underlying future land use categories. This disconnect between the design purposes of the building and the property's current designations has hampered efforts by the property owner to attract new tenants. The request is to change the Future Land Use Map designations of the property from Residential Low (RL) and Residential High (RH) to Residential/Office General (R/OG). A request to rezone the property from the Low Medium Density Residential (LMDR) and High Density Residential (HDR) Districts to the Office (O) District is being processed concurrently with this case (see REZ2017-09008). 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



### Vicinity Characteristics:

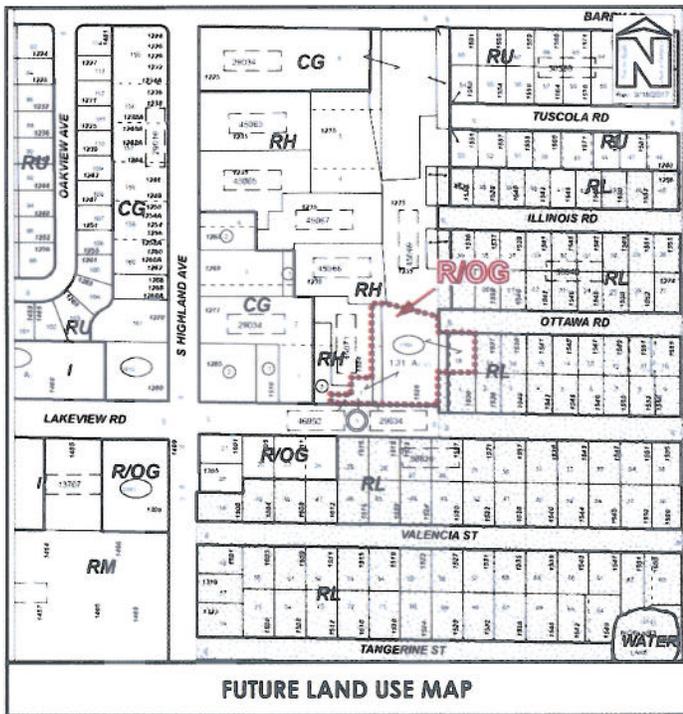
Map 3 shows the existing surrounding uses. To the east and the south, in unincorporated Pinellas County, are single family neighborhoods. To the north are two age restricted (55+) residential communities (Pine Berry Senior Apartments and Kalmia Condominiums), one of which accesses Lakeview Road to the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



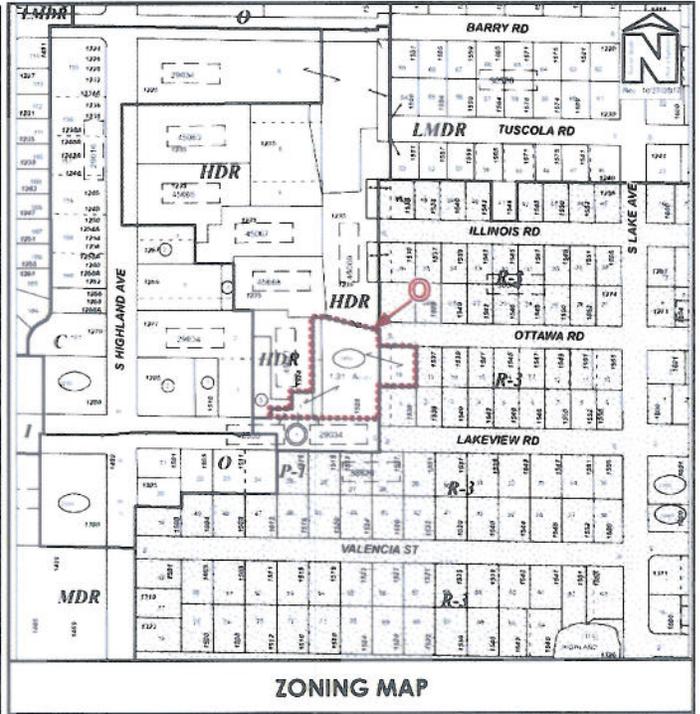
Map 3

As shown on Map 4, the abutting future land use designations are Residential High (RH) to the north and immediately adjacent to the west, and Residential Low (RL) to the east and south (Pinellas County). The intersection of South Highland Avenue and Lakeview Road has Commercial General (CG) along the north side of the intersection, and Residential/Office General (R/OG) along the south side of the intersection. Both of those designations extend to the east of the intersection towards the subject property.

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



Map 4



Map 5

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

	Present FLUM Designation Residential Low (RL)	Present FLUM Designation Residential High (RH)	Requested FLUM Designation Residential/Office General (R/OG)
<b>Primary Uses:</b>	Low Density Residential	High Density Residential; Residential Equivalent	Medium Density Residential; Residential Equivalent; Office
<b>Maximum Density:</b>	5 Dwelling Units Per Acre	30 Dwelling Units Per Acre	15 Dwelling Units Per Acre
<b>Maximum Intensity:</b>	FAR 0.40; ISR 0.65	FAR 0.60; ISR 0.85	FAR 0.50; ISR 0.75
<b>Consistent Zoning Districts:</b>	Low Density Residential (LDR); Low Medium Density Residential (LMDR)	Medium High Density Residential (MHDR); High Density Residential (HDR)	Medium Density Residential (MDR); Office (O)

## **REVIEW CRITERIA:**

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

#### **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.

The proposed Residential/Office General (R/OG) future land use designation is compatible with the surrounding single family residential, multi-family residential, office and commercial uses. The applicant has indicated that the property will continue to be utilized as an office, which is the historical 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). The Residential/Office General (R/OG) designation allows for less intense development than the current Residential High (RH) designation located on a majority of the parcel, but allows for more intense development than the Residential Low (RL) designation on the eastern portion. Overall, the scale of development allowed will be less than permitted by the current land use designations.

#### **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, objective and policy listed above.

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

#### **Recommended Findings of Fact:**

The underlying *Countywide Plan Map* categories on the proposed amendment area are Residential High (RH) and Residential Low Medium (RLM). Residential properties to the east and south are Residential Low Medium (RLM), with Residential High (RH) designated to the north and west. There are properties designated Office (O) to the south and designated Retail & Services (R&S) to the west at the intersection of Highland Avenue and Lakeview Road. The proposed City of Clearwater future land use designation of Residential/Office General (R/OG) will necessitate a *Countywide Plan Map* amendment from the Residential Low Medium (RLM) and Residential High (RH) categories to the Office (O) category in order to maintain consistency between the City's Future Land Use Map and the *Countywide Plan Map*.

Section 2.3.3.5 of the *Countywide Rules* states that the Office (O) 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.

The current and proposed use, as indicated by the applicant, is an office use, which is an appropriate use within the area and 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 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 Residential/Office General (R/OG) future land use category primarily permits residential development at a density of 15 dwelling units per acre and non-residential development at a Floor Area Ratio (FAR) of 0.50. The future land use designations of surrounding properties include Residential Low (RL), Residential High (RH), Residential/Office General (R/OG) and Commercial General (CG).

The proposed Residential/Office General (R/OG) future land use category, which primarily allows for moderate density residential, residential equivalent uses and office uses, is consistent with the surrounding future land use designations that exist in the vicinity of the subject property, which primarily allow low and high density residential uses as well as office uses. The proposed amendment will allow development that will serve as a transition from the high intensity commercial uses at the intersection of South Highland Avenue and Lakeview Road west of the subject property to the single family residential uses to the east of the property.

Recommended Conclusions of Law:

The proposed Residential/Office General (R/OG) 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 property under the present and requested City Future Land Use Map designations were analyzed.

*Table 2. 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 <sup>1</sup> 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 an office 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.

#### **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 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 from Residential Low (RL) and Residential High (RH) to Residential/Office General (R/OG).

Prepared by Planning and Development Department Staff: 

Kyle Brotherton  
Senior Planner

ATTACHMENTS: Ordinance No. 9094-18  
Resume  
Photographs of Site and Vicinity