



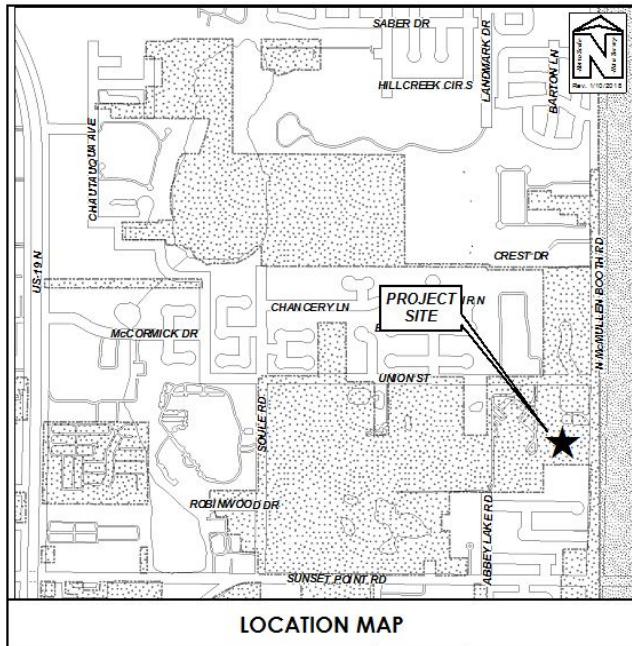
## PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

<b>MEETING DATE:</b>	February 20, 2018
<b>AGENDA ITEM:</b>	G.2.
<b>CASE:</b>	REZ2017-09009
<b>REQUEST:</b>	To amend the Zoning Atlas designation from Agricultural Estate (AE) Residential District (Pinellas County) to Medium Density Residential (MDR) District upon annexation.
<b>GENERAL DATA:</b>	
<i>Applicant</i> .....	T. Truett Gardner & Gardner Brewer Martinez-Monfort, P.A.
<i>Owner</i> .....	MB Investments of Clearwater, Ltd./ Laura Weikel; Sarah Davidson; Paul McMullen, Sr.
<i>Location</i> .....	1990 North McMullen Booth Road, located on the west side of North McMullen Booth Road approximately 500 feet south of Union Street.
<i>Property Size</i> .....	7.62 acres

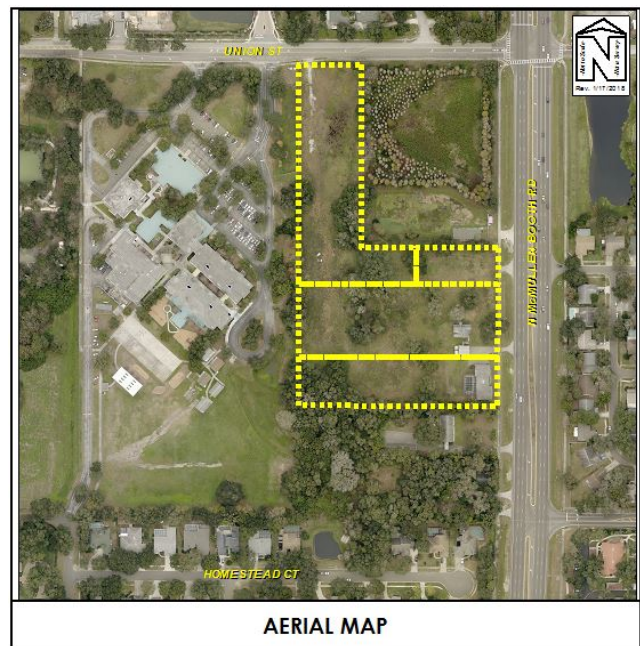
### Background:

This case involves four parcels totaling 7.62 acres located on the west side of North McMullen Booth Road approximately 500 feet south of Union Street. The parcels are owned by MB Investments of Clearwater, Ltd., Laura Weikel, Sarah Davidson and Paul McMullen, Sr. Two of the four parcels are vacant and the remaining two are occupied by single family homes. The subject property is within Pinellas County's jurisdiction, and the applicant has submitted a Petition for Annexation (ANX2017-09020) that is being processed concurrently with this case at the March 15, 2018 City Council meeting. Annexation is required in order to connect to City services when the site is redeveloped in the future. Maps 1 and 2 show the general location of the property and an aerial view of the amendment area.

The request is to change the Zoning Atlas designation of the subject property from Agricultural Estates (AE) Residential District (Pinellas County) to Medium Density Residential (MDR) District (City of Clearwater). A request to amend the future land use category of the proposed amendment area from the Residential Suburban (RS) category to the Residential Low Medium (RLM) category is being processed concurrently with this case (LUP2017-09009). The applicant has indicated they would like to develop an assisted living facility on the site, which would require a Flexible Development (FLD) application; 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.



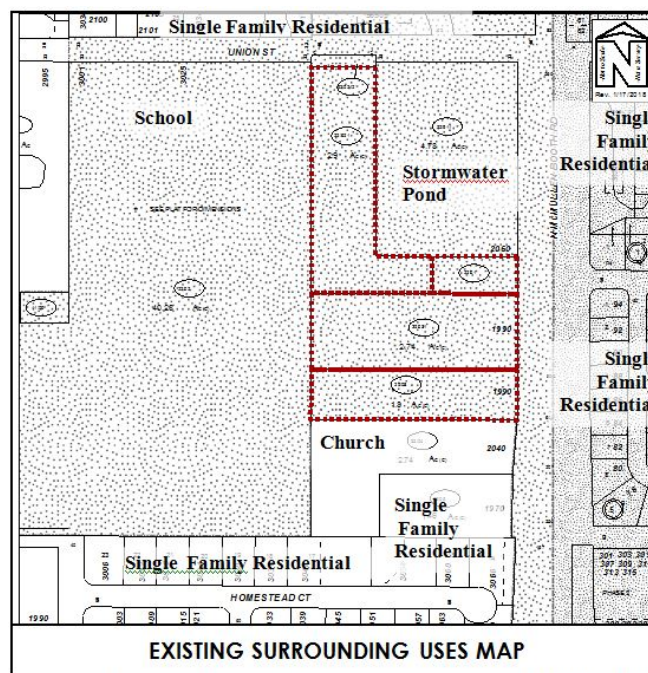
Map 1



Map 2

### Vicinity Characteristics:

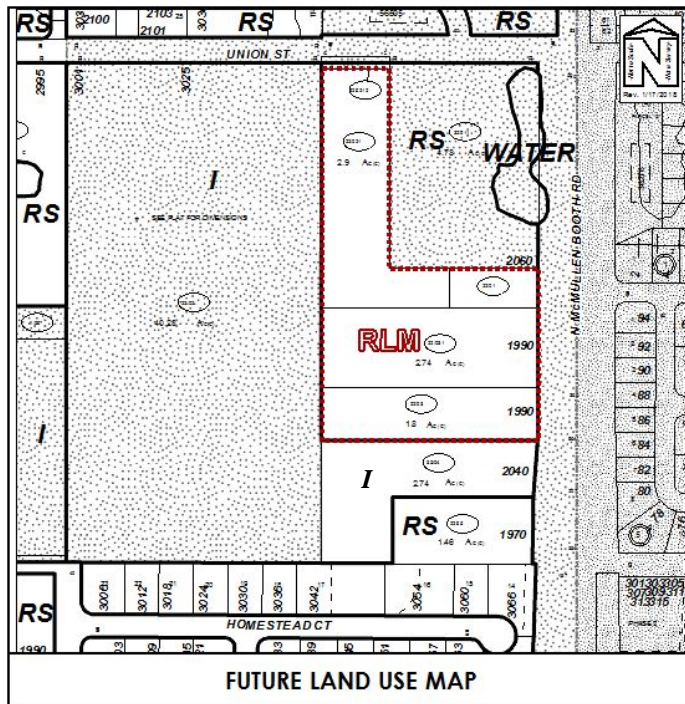
Map 3 shows the existing surrounding uses. The subject property is flag shaped and to the northeast is a Pinellas County stormwater retention pond. To the west is a school, to the south is a place of worship, to the east across North McMullen Booth Road and to the north across Union Street are single family homes.



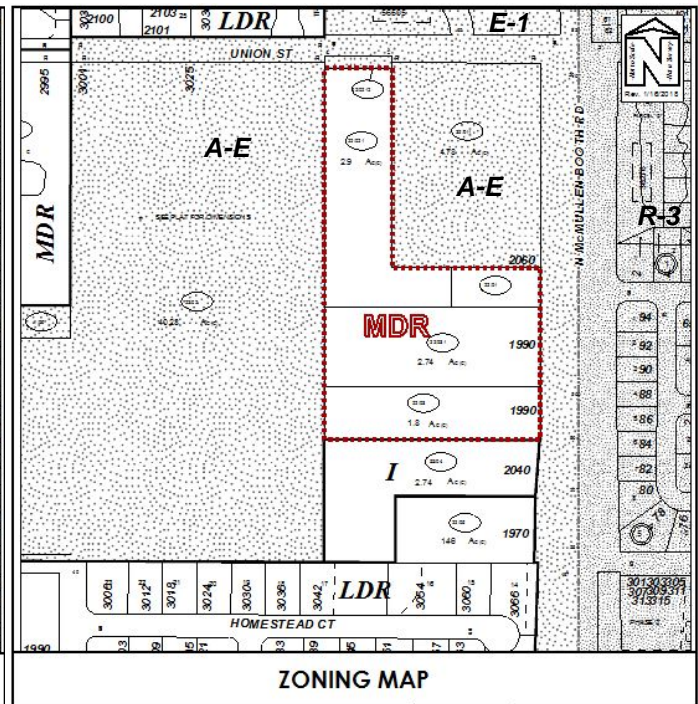
Map 3



As shown on Map 5, the abutting Zoning Atlas designations are Agricultural Estate (AE) Residential District (Pinellas County) to the west and east, and Institutional (I) to the south. Across Union Street, to the north, properties are zoned Estate Residential (E-1) (Pinellas County) and Low Density Residential (LDR), and to the east, across McMullen Booth Road, properties are zoned Conditional Mix Residential (R-3) (Safety Harbor).



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 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.

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

Division 3. Medium Density Residential District, Section 2-1201. Intent and Purpose. The intent and purpose of the Medium Density Residential District ("MDR") is to protect and preserve the integrity and value of existing, stable residential neighborhoods of medium density while at the same time, allowing a careful and deliberate redevelopment and revitalization of existing neighborhoods in need of revitalization or neighborhoods with unique amenities which create unique opportunities to increase property values and the overall attractiveness of the City.

Currently there are two single family homes on the subject property; however the applicant has indicated the intent to redevelop with an assisted living facility. The proposed Medium Density Residential (MDR) District is compatible with the surrounding institutional and residential uses in the area. 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 school (west), church (south) and single family homes (north, east). To the northeast is the Pinellas County owned property being used for a stormwater pond. The proposed use of the subject property is an assisted living facility, is compatible with the surrounding properties and neighborhood.

The proposed Medium Residential Density (MDR) District primarily permits residential uses, such as attached and detached dwellings, along with community residential homes and assisted living facilities. The proposed amendment will allow for the redevelopment of the property with uses consistent and in character with the surrounding properties and neighborhood.

**Recommended Conclusions of Law:**

The proposed Medium Density Residential (MDR) 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*

	<b>Present FLUM Designation “R/OG”</b>	<b>Requested FLUM Designation “T”</b>	<b>Net Change</b>
Site Area	7.62 AC (331,927.2 SF)	7.62 AC (331,927.2 SF)	
Maximum Development Potential	19 DUs 99,578 SF 0.30 FAR 0 Beds	76 DUs 165,963 SF 0.50 FAR 228 Beds	+57 DUs +66,385 SF +0.20 FAR +228 Beds
Abbreviations: FLUM – Future Land Use Map AC – Acres SF – Square feet			
DUs – Dwelling Units FAR – Floor Area Ratio Beds – 76 DUs x 3 beds per unit			

As shown in the table, there is an increase in 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 Medium (RLM) future land use developed with a residential equivalent use (228 bed assisted living facility) to the maximum development potential of the existing Residential Suburban (RS) future land use category developed with detached dwellings (19 DUs). An increase in demand of the 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 22,068 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 equivalent use (27,426 gallons per day) to the potential utilization of the maximum density allowed by the current land use designation (5,358 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 19,867 gallons per day of wastewater. This is determined by comparing the potential wastewater generation of the proposed land use developed with a residential equivalent use (24,689 gallons) to the potential wastewater generation of the current land use designation developed with a residential use (4,822 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 an increase of 400 tons per year of solid waste generated when comparing the amount of waste generated by the maximum density for a residential use under Residential Suburban (RS) to that of the maximum density residential equivalent use under Residential Low Medium (RLM). 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 property is located on the west side of North McMullen Booth Road approximately 500 feet south of Union Street. The amendment would not produce additional trips per day based on the typical traffic impacts figure (trips per day per acres) in the *Countywide Rules* for the current and proposed land use categories, which is the standard used to evaluate potential impacts for Future Land Use Map amendments. Since the *Countywide Plan Map* category of Residential Low Medium (RLM) is not changing, the traffic generation rate of 67 trips per day per acre remains the same for the proposed amendment. The property has access to McMullen Booth Road, which is a six-lane, divided facility that is classified as a principal arterial and maintained by Pinellas County. Additionally, the property has access to Union Street. The intersection of Union Street and North McMullen Booth Road is signalized.

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 Pinellas County Metropolitan Organization (MPO's) 2016 Level of Service Report shows that this segment of McMullen Booth Road is a deficient roadway; therefore, a transportation management plan and/or traffic impact study will be required along with payment of the multi-modal impact fee. 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 due to a policy or physical constraint.

**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 Medium Density Residential (MDR) District is logical and consistent with the boundaries of the subject property.

**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 pursuant to 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 an 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 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 Agricultural Estate (AE) Residential District (Pinellas County) to Medium Density Residential (MDR) District upon annexation.

Prepared by Planning and Development Department Staff: \_\_\_\_\_

Ellen Crandall  
Senior Planner

ATTACHMENTS: Ordinance No. 9128-18

Resume

Photographs of Site and Vicinity