



PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE:	September 18, 2018
AGENDA ITEM:	E.4.
CASE:	LUP2018-06005
REQUEST:	To amend the Future Land Use Map designation from Commercial General (CG) to Residential Medium (RM)
GENERAL DATA:	
<i>Applicant</i>	Caprena Latimore
<i>Owner</i>	Tampa Bay Community Development Corporation
<i>Location</i>	1434 and 1446 North Martin Luther King Jr. Avenue, located at the southwest corner of North Martin Luther King Jr. Avenue and Grant Street
<i>Property Size</i>	0.3 acres

Background:

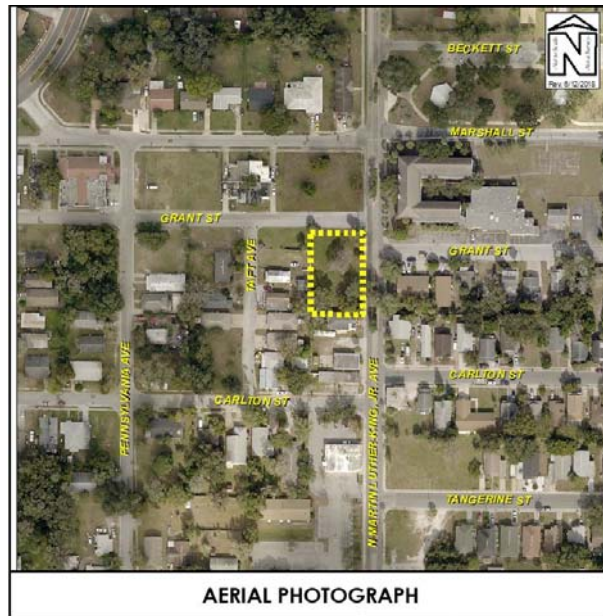
This case involves two parcels totaling 0.3 acres located on the west side of North Martin Luther King Jr. Avenue, located at the southwest corner of North Martin Luther King Jr. Avenue and Grant Street. The property is owned by Tampa Bay Community Development Corporation which provides education, counseling, and housing opportunities to revitalize neighborhoods for low to moderate income households. The owner purchased the property to develop with affordable housing units and has indicated the intent to construct two detached dwellings; however, no site plan application has been submitted at this time.

The request is to change the Future Land Use Map designation of the subject property from Commercial General (CG) to Residential Medium (RM). A request to rezone the property from the Commercial (C) District to the Medium Density Residential (MDR) District is being processed concurrently with this case (see REZ2018-06003). Detached dwellings are not a listed use in the Commercial (C) District and would require submission of a Comprehensive Infill Redevelopment application which is a Level II Flexible Development (FLD) application. This change would allow for the property to be developed with detached dwellings through a Level I process as either a Minimum Standard development or Flexible Standard development (FLS) application. The applicant understands all necessary approvals and permits must be obtained before development of the subject site occurs.

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



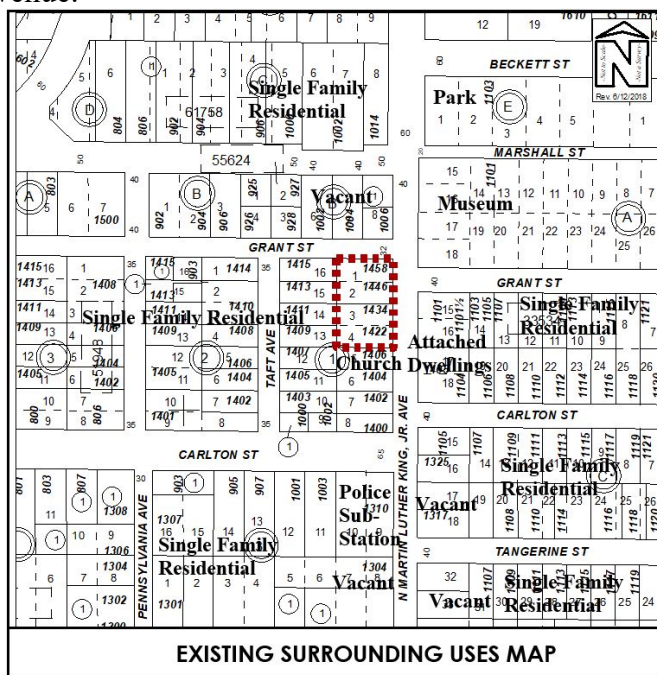
Map 1



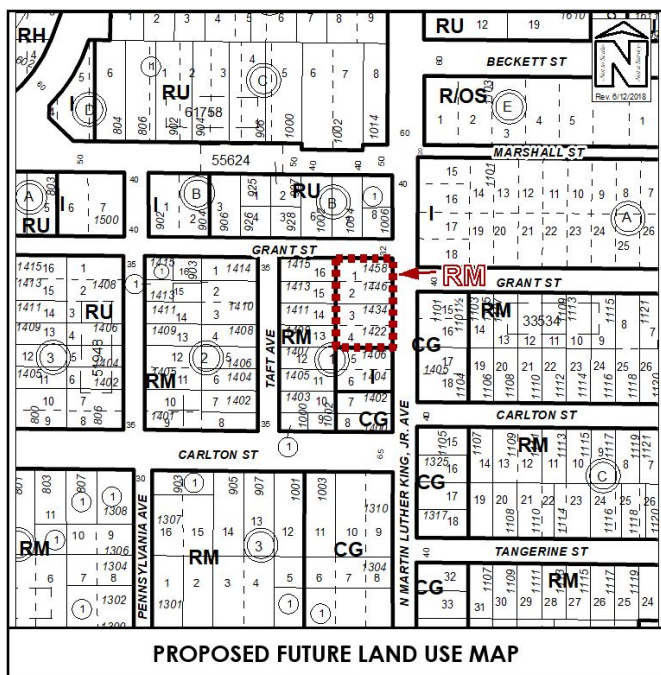
Map 2

Vicinity Characteristics:

Map 3 shows the existing surrounding uses. The site is largely surrounded by other residential uses, with detached dwellings (single family residential) comprising most of the properties in the vicinity and some attached dwellings (duplex/triplex) along North Martin Luther King Jr. Avenue. There are limited commercial uses found south of the subject property, and those stop just north of Carlton Street. There is also a mix of vacant properties zoned both for commercial and residential uses scattered throughout the area. Institutional uses include a church abutting the property to the south and the Pinellas County African American History Museum and Resource Center located to the northeast across North Martin Luther King Jr. Avenue.



Map 3



Map 4

As shown on Map 4, the abutting future land use designations are Residential Medium (RM) to the west and Institutional (I) to the south. The surrounding vicinity has areas designated Residential Urban (RU) to the north, across Grant Street, and Institutional (I) and Commercial General (CG) along North Martin Luther King Jr. Avenue.

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.

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

	Present FLUM Designation Commercial General (CG)	Requested FLUM Designation Residential Medium (RM)
Primary Uses:	Office; Retail Sales & Service; Overnight Accommodations	Moderate to High Density Residential; Residential Equivalent
Maximum Density:	24 Dwelling Units Per Acre; 40 Overnight Accommodations Units Per Acre	15 Dwelling Units Per Acre
Maximum Intensity:	FAR 0.55; ISR 0.90	FAR 0.50; ISR 0.75
Consistent Zoning Districts:	Commercial (C)	Medium Density Residential (MDR); Medium High Density Residential (MHDR)

REVIEW CRITERIA:

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

Recommended Findings of Fact:

Applicable goals, objectives 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.

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.

Policy A.5.4.3 North Martin Luther King, Jr. Avenue from Fairmont Street to Drew Street. The existing walkable community and livable neighborhood features should be maintained, while residential, office and institutional uses should be supported.

Objective C.1.1 Assure an adequate supply of housing in Clearwater by providing for additional new dwelling units in a variety of types, costs, and locations to meet the needs of the residents of the City of Clearwater.

Policy C.1.1.1 Maintain sufficient residentially zoned acreage, of varying densities and locations, to accommodate the existing and future housing needs of the City of Clearwater.

The proposed Residential Medium (RM) future land use designation is compatible with the surrounding single-family and institutional uses. The applicant has indicated the intention to develop the property with two affordable detached dwellings, which would be possible through the proposed future land use change. The proposed Residential Medium (RM) category allows for less intense and dense development than the property's current designation, which is appropriate as North Martin Luther King Jr. Avenue transitions to lower-density residential areas near the subject parcels. 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 as indicated in the goals, objectives, and policies listed above.

Consistency with the Countywide Rules

Recommended Findings of Fact:

The underlying *Countywide Plan Map* category on the proposed amendment area is Retail & Services (R&S). The proposed amendment area is on the northernmost edge of the Retail & Services (R&S) area along North Martin Luther King Jr. Avenue, with Residential Low Medium (RLM) to the north across Grant Street and Residential Medium (RM) abutting to the east. The proposed City of Clearwater future land use designation of Residential Medium (RM) will necessitate an amendment from the Retail & Services (R&S) category to the Residential Medium (RM) category to maintain consistency between the City's Future Land Use Map and the *Countywide Plan Map*.

Section 2.3.3.3 of the *Countywide Rules* states that the Residential Medium (RM) category is intended to depict those areas of the county that are now developed, or appropriate to be developed, in a medium-density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban qualities, transportation facilities, including transit, and natural resources of such areas.

Although the proposed use, as indicated by the applicant, is two detached dwellings, which is less dense than what the Residential Medium (RM) category allows, it is an appropriate use within the area and is 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 residential (north, west and east), church (south), vacant (north) and museum (east). The development of two detached dwellings on the subject property is compatible with the surrounding properties and the character of the neighborhood.

The proposed Residential Medium (RM) future land use category primarily permits residential development at a density of 15 units per acre. The future land use designations of surrounding properties include Residential Medium (RM), Residential Urban (RU), Commercial General (CG), and Institutional (I). The proposed Residential Medium (RM) future land use category is consistent with the surrounding future land use designations that exist near the subject property. The proposed amendment will allow for new residential development in the neighborhood, while maintaining a development pattern that is consistent with the other properties in the area.

Recommended Conclusions of Law:

The proposed Residential Medium (RM) 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 "CG"	Requested FLUM Designation "RM"	Net Change
Site Area	0.3 AC (13,068 SF)	0.3 AC (13,068 SF)	
Maximum Development Potential	0 DUs ¹ 7,187 SF 0.55 FAR	4 DUs 9,801 SF 0.50 FAR ²	+4 DUs +2,614 SF -.05 FAR
Notes:			
1. Residential uses are not listed uses in the consistent Commercial (C) District.			
2. The types of nonresidential uses are limited within the requested Medium Density Residential (MDR) District, and the subject property does not meet the minimum lot area requirement for most of those uses (e.g., schools, overnight accommodations – bed and breakfast).			
Abbreviations:			
FLUM – Future Land Use Map		SF – Square Feet	FAR – Floor Area Ratio
AC – Acres		DUs – Dwelling Units	

As shown in the table, there is an increase in residential development potential across the amendment area which would increase demand on several public facilities. This site has been vacant for many years, so any new development would generate new impacts to the City's facilities. For this evaluation, the maximum potential development of the proposed Residential Medium (RM) future land use developed with a

residential use (four dwelling units, which is two more than what the property owner indicated is planned) is compared to the maximum development potential of the existing Commercial General (CG) future land use category developed with a nonresidential use (7,187 SF of retail). An increase in demand of certain public facilities could be expected with the proposed change, but the City has adequate capacity to serve the property.

Potable Water

The change in development potential and use from this amendment would result in an increase in potable water use of 410 gallons per day. This is determined by comparing the potential potable water utilization of the maximum number of residential units allowed by the proposed land use (1,128 gallons per day) to the potential utilization of the subject property if developed with the maximum square feet of a nonresidential use allowed by the current land use designation (718 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 (2016-2026 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 change in development potential and use from this amendment would also result in an increase in wastewater production of 440 gallons per day. This is determined by comparing the potential wastewater generation of the proposed land use developed with four units (1,015 gallons) to the potential wastewater generation of the current land use designation developed with seven units (575 gallons). The subject property is served by the Marshall Street Water Reclamation Facility, which presently has excess permitted capacity estimated to be 5.12 million gallons per day. Therefore, there is excess sanitary sewer capacity to serve the amendment area.

Solid Waste

The proposed amendment could result in a decrease of 26.51 tons per year of solid waste generated when comparing the amount of waste generated by four residential units to that of 7,187 SF of retail. 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

Cherry Harris Park is located one block north and offers residents a playground and a covered picnic area. 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 west side of North Martin Luther King Jr. Avenue, at the corner of Grant Street. 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 (130) is calculated based on the typical traffic generation numbers for the consistent Retail & Services (R&S) category (433 trips per day per acre). The proposed *Countywide Plan Map* category of Residential Medium (RM) (96 trips per day per acre) would decrease the number of trips per day to 29 trips per day. This is a decrease of 101 trips per day compared to the number of trips under the current designation.

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 Commercial General (CG) to Residential Medium (RM).

Prepared by Planning and Development Department Staff: _____

Lauren Matzke, AICP
Long Range Planning Manager

ATTACHMENTS: Ordinance No. 9176-18
Resume
Photographs of Site and Vicinity