



PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE: December 15, 2020
AGENDA ITEM: F.4.
CASE: REZ2020-10002
REQUEST: To amend the Zoning Atlas designation from Low Density Residential (LDR) District to Medium Density Residential (MDR) District
GENERAL DATA:
Owner..... Larry L. & Gladys Hilker, as trustees under the trust dated the 30th day of August, 2005
Applicant..... Larry L. & Gladys Hilker, as trustees under the trust dated the 30th day of August, 2005
Agent/Representative..... Housh Ghovae, Northside Engineering, Inc

Location 2250 Nursery Road, approximately 645 feet east of Belcher Road
Property Size 0.875 acres

Background:

This case involves a 0.875-acre property located on the north side of Nursery Road approximately 645 feet east of Belcher Road. The request is to change the Zoning Atlas designation of the property from Low Density Residential (LDR) to Medium Density Residential (MDR). A request to amend the property's future land use designation from Residential Suburban (RS) to Residential Urban (RU) is being processed concurrently with this case (see LUP2020-10002).

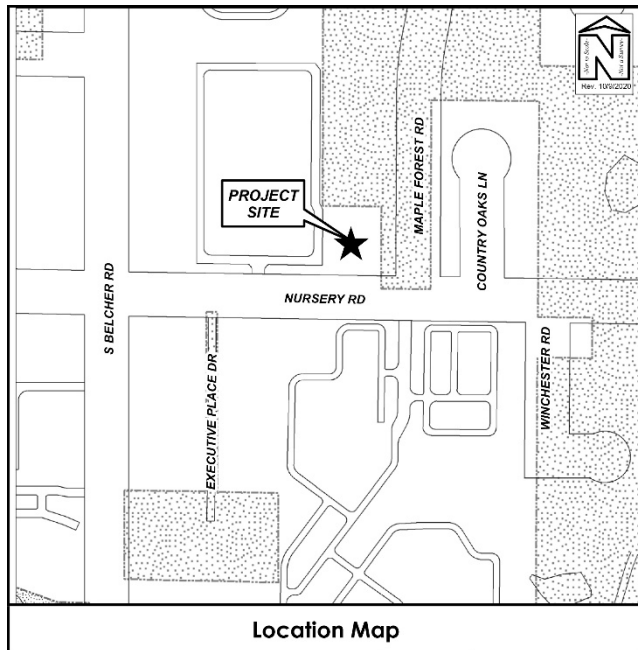
The original house was constructed in Pinellas County in 1961. In 1986, a detached garage was added (the northern building), which according to county records was later converted in 1998 to a single family residence. In 1999, the owners requested annexation for the two units into the City in order to receive city water and sewer service (case A99-10). The applicant has indicated there are four units currently on the property; however, there is no record of permits establishing the two additional units. Additionally, the applicant has indicated they would like to redevelop the site with up to six attached dwellings (townhouses) which would require map amendments. However, no site plan application has been received at this time.

Currently, the property's zoning district is Low Density Residential (LDR). The requested amendments would allow the property to become conforming in terms of density and could allow the site to request redevelopment as attached dwellings in the future through the Residential Infill Project use. The Residential

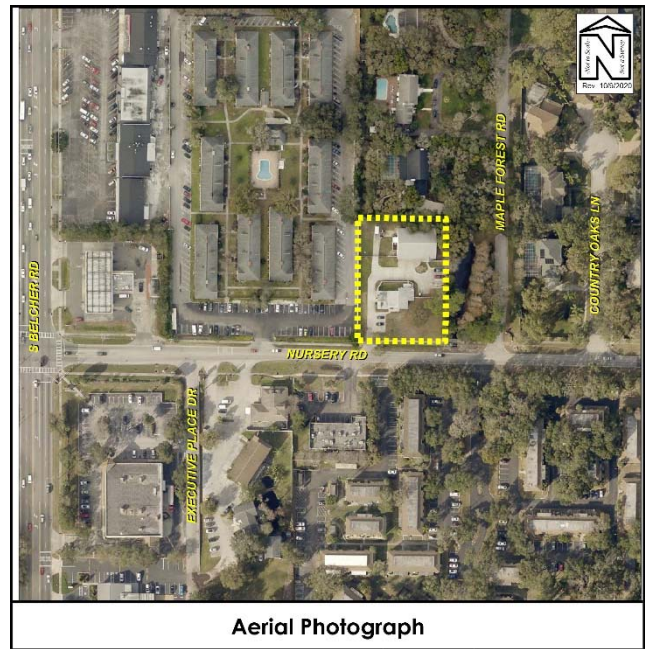
Infill Project use would be required due to the subject property being adjacent to low density residential properties.

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 3 shows the existing surrounding uses.

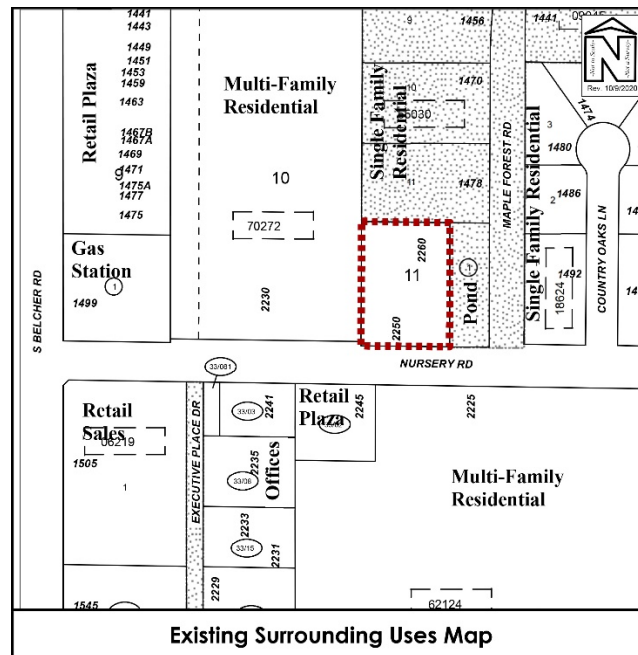


Map 1



Map 2

To the west there is multi-family residential, and to the south across Nursery Road are multi-family residential and a small retail plaza. North of the subject property are large-lot single family residences, and to the east is a stormwater pond owned by Pinellas County, all of which are within Pinellas County jurisdiction.

**Map 3**

As shown on Map 4, the abutting Zoning Atlas designations are High Density Residential (HDR) to the west, Residential Estate (R-E, Pinellas County) to the north and General Retail Commercial and Limited Services District (C-2, Pinellas County) to the east. Medium Density Residential (MDR) and Commercial (C) are located across Nursery Road to the south.



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, 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.

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

Policy A.5.5.4 The transition between intensive redevelopment areas and adjacent low density areas should be sensitive to the scale of development in those low density areas.

Goal A.6 The City of Clearwater shall utilize innovative and flexible planning and engineering practices, and urban design standards in order to protect historic resources, ensure neighborhood preservation, redevelop blighted areas, and encourage infill development.

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.

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.

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

Division 3. Medium Density Residential District, Section 2-301. Intent and Purpose. The intent and purpose of the Medium Density Residential (“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 such neighborhoods in need to revitalization or neighborhoods with unique amenities which create unique opportunities to increase property values and the overall attractiveness of the City.

The proposed Medium Density Residential (MDR) District is compatible with the surrounding multi-family neighborhoods to the west and south, and with the single family neighborhood to the north. The applicant has indicated that the property could be redeveloped in the future with attached dwellings, though there has been no site plan submitted at this time. Since the project is located contiguous to parcels zoned low density residential, attached dwellings are not permitted and such a proposed use would need to be reviewed as a Residential Infill Project use per Section 2.303.A.2 of the Community Development Code. 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 largely multi-family residential to the west and to the south. Single family residential exists to the north and farther to the east. Additionally, there is a small retail plaza to the south. The proposed use of the subject property of residential is compatible with the surrounding properties and neighborhood.

The proposed Medium Density Residential (MDR) zoning district is consistent with the surrounding zoning districts that exist in the vicinity of the subject property. The proposed amendment could allow the property to request redevelopment as attached dwellings in the future as a Residential Infill Project. The criteria for Residential Infill Projects address that the design of such projects must create a form and function which enhances the community character of the immediate vicinity of the parcel proposed for development and the City of Clearwater as a whole. Residential Infill Projects are permitted as Level Two uses, to ensure that development is compatible with and in character with the surrounding properties and neighborhood.

Recommended Conclusions of Law:

The proposed Medium Density Residential (MDR) zoning district would allow development that 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 current 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

	Present FLUM Designation “RS”	Requested FLUM Designation “RU”	Net Change
Site Area	0.875 AC (38,115 SF)	0.875 AC (38,115 SF)	
Maximum Development Potential	2 DUs / 0 Beds ¹ 0 SF ² 0.30 FAR	6 DUs / 18 Beds ³ 0 SF ² 0.40 FAR	+4 DUs / +18 Beds 0 SF +0.10 FAR
Notes: 1. Residential equivalent uses are not permitted through the consistent Low Density Residential (LDR) District. 2. FAR is not used to regulate residential uses and there are no non-residential uses permitted through the consistent Low Density Residential (LDR) District and requested Medium Density Residential (MDR) District; therefore, the square footage development potential is zero. 3. Residential equivalent uses are permitted through the consistent Medium Density Residential (MDR) District at 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 four units. The following analysis compares the maximum potential development of the proposed Residential Urban (RU) future land use developed with six attached dwellings to the maximum development potential of the existing Residential Suburban (RS) future land use category developed with a residential use (two dwelling units). Since the existing residential development (four dwelling units) exceeds the current density, a second analysis is provided that compares the existing usage to the maximum potential usage under the proposed future land use category (six units).

Potable Water

The change in development potential from this amendment would result in an increase in potable water use of up to 1,152 gallons per day. This increase is determined by taking the potential potable water utilization of the proposed land use developed with the maximum number of dwelling units allowed (1,728 gallons per day) and subtracting it from the potential usage of a residential use built out at the maximum number of units permitted by the current land use designation (576 gallons per day).

When comparing the potable water utilization of the proposed number of dwelling units (6 units; 1,728 gallons per day) to the utilization of the existing residential development (4 units; 1,152 gallons per day) it shows that the proposed change could result in approximately 576 gallons per day, even less of an increase in demand for potable water.

The City’s current potable water demand is 10.53 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 73 gallons per day per capita (2019 Annual Water Report). The City’s 10-year Water Supply Facilities Work Plan (2016-2026 Planning Period), completed 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 from this amendment would result in an increase in wastewater use of up to 1,036.8 gallons per day. This increase is determined by taking the potential potable water utilization of the proposed land use developed with the maximum number of dwelling units allowed (1,555.2 gallons per day) and subtracting it from the potential usage of a residential use built out at the maximum number of units permitted by the current land use designation (518.4 gallons per day).

When comparing the wastewater utilization of the proposed number of dwelling units (6 units; 1,555.2 gallons per day) to the utilization of the existing residential development (4 units; 1,036.8 gallons per day) it shows that the proposed change could result in approximately 518.4 gallons per day, even less of an increase in demand for wastewater.

The subject property is served by the East Water Reclamation Facility, which presently has excess permitted capacity estimated to be 3.01 million gallons per day. Therefore, there is excess sanitary sewer capacity to serve the amendment area.

Solid Waste

The change in development potential from this amendment would increase up to 10.1 tons per year of solid waste generated. This increase is determined by taking the utilization of the proposed land use developed with the maximum number of dwelling units (15.2 tons per year) and subtracting it from the potential utilization of a residential use built out at the maximum number of units permitted by the current land use designation (5.1 tons per year).

When comparing the solid waste generated from the proposed number of dwelling units (15.2 tons per year) to the solid waste generated by the existing residential use (10.1 tons per year) it shows that the proposed change could result in approximately 5.1 tons per year, even less of an increase of solid waste generated.

Pinellas County handles all solid waste disposal is handled 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 land use, the LOS citywide will continue to exceed the adopted LOS of 4 acres per 1,000 residents. The City is currently providing 7.98 acres of parkland per 1,000 residents. With the proposed future land use amendment, two additional units could be developed resulting in five additional residents. This is calculated using the most recent ACS estimate of 2.4 persons per household within the City of Clearwater. Based on this impact analysis, the current provision of 7.98 acres of parkland per 1,000 would remain unchanged [Source: Draft Parks and Recreation Facilities Impact Fee Study, prepared by Tindale Oliver Draft Date March 18, 2020].

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 zoning atlas amendment will have no additional impact on parkland. However, Parks and Recreation Impact Fees required to provide new recreation facilities and services will be assessed at the time of development and will be based on the maximum increase in residents.

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 Nursery Road approximately 645 feet east of Belcher Road. To evaluate potential impacts on 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. 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 or 59 trips for the subject property remains the same for the proposed amendment.

Recommended Conclusions of Law:

Based upon the findings of fact, the proposed development of residential units would increase the demand on several public facilities when compared to the existing residential development; 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 Medium Density Residential (MDR) District is 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 support 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
F.1	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	
F.2	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	
F.3	The amendment does not conflict with the needs and character of the neighborhood and the city.	X	
F.4	The amendment will not adversely or unreasonably affect the use of other property in the area.	X	
F.5	The amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner.	X	
F.6	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 the Low Density Residential (LDR) District to the Medium Density Residential (MDR) District.

Prepared by Planning and Development Department Staff:



Kyle Brotherton
Senior Planner

ATTACHMENTS: Ordinance No. 9428-21

Resume

Photographs of Site and Vicinity