



## Legislation Details (With Text)

<b>File #:</b>	LUP2023-01001	<b>Version:</b>	1	<b>Name:</b>	Ord 9666-23; LUP2023-01001; A Portion of 1849 Gulf to Bay Boulevard; Jasmine Naik Development, LLC
<b>Type:</b>	Planning Case	<b>Status:</b>	Passed		
<b>File created:</b>	2/24/2023	<b>In control:</b>	Planning & Development		
<b>On agenda:</b>	4/20/2023	<b>Final action:</b>	4/20/2023		
<b>Title:</b>	Approve a Future Land Use Map Amendment from the Residential Urban (RU) category to the Commercial General (CG) category for a portion of property located at 1849 Gulf to Bay Boulevard and pass Ordinance 9666-23 on first reading. (LUP2023-01001)				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Ord 9666-23, 2. LUP2023-01001\_Staff\_Report\_March\_21, 3. 1849\_GulftoBay\_Site\_Photos

Date	Ver.	Action By	Action	Result
4/20/2023	1	City Council		
4/17/2023	1	Council Work Session		
3/16/2023	1	City Council		
3/13/2023	1	Council Work Session		

### SUBJECT/RECOMMENDATION:

Approve a Future Land Use Map Amendment from the Residential Urban (RU) category to the Commercial General (CG) category for a portion of property located at 1849 Gulf to Bay Boulevard and pass Ordinance 9666-23 on first reading. (LUP2023-01001)

### SUMMARY:

This Future Land Use Map Amendment involves a 0.125-acre portion of a 1.135-acre property located on the south side of Gulf to Bay Boulevard approximately 540 feet east of Keene Road. The amendment area is the southern 35 feet, more-or-less, of the subject property. The applicant, Jasmine Naik Development, LLC, is requesting to amend the future land use category of the amendment area from Residential Urban (RU) to Commercial General (CG). The applicant has submitted a Zoning Atlas Amendment which is being processed concurrently with this case (REZ2022-11007).

The property has been vacant since 2007, and historically the property was developed with a restaurant use. The proposed Commercial General (CG) category has a maximum density of 24 dwelling units per acre and a maximum floor area ratio (FAR) of 0.55. The proposed Commercial General (CG) category is compatible with the surrounding land use categories of Commercial General (CG) and Residential Urban (RU), and uses, which consists of retail and sales, restaurants, and detached dwellings. The proposed amendment would allow the property to have one consistent future land use category of Commercial General (CG). The applicant currently has a building permit in review for a restaurant use.

The Planning and Development Department has determined that the proposed future land use amendment is consistent with the provisions of the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Countywide Plan Rules.
- The proposed amendment is compatible with the surrounding properties and character of the neighborhood.
- Sufficient public facilities are available to serve the property.
- The proposed amendment will not have an adverse impact on the natural environment.
- The proposed amendment will not have an adverse impact on the use of property in the immediate area.

The proposed City of Clearwater future land use category of Commercial General (CG) is consistent with the *Countywide Plan Map* Retail & Services (R&S) category; therefore, an amendment of the *Countywide Plan Map* is not needed. In accordance with the Countywide Plan Rules, the land use plan amendment will be accepted by Forward Pinellas, in its role as the Pinellas Planning Council, and the Board of County Commissioners acting as the Countywide Planning Authority, as an administrative item. The application is a small-scale amendment so review and approval by the Florida Department of Economic Opportunity is not required.

The Community Development Board reviewed this application at its February 21, 2023 public hearing and made a unanimous recommendation of approval to City Council. However, due to an error with the public notice, the item will be re-noticed and presented to the Community Development Board at its March 21, 2023 meeting, and will be presented to City Council at its April meetings.