



## LOCAL PLANNING AGENCY (LPA) STAFF REPORT

**Case Number:** ZON-22-05

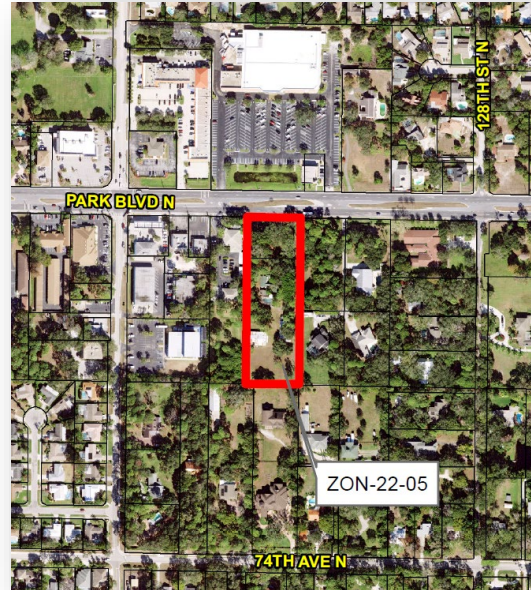
**LPA Public Hearing:** November 9, 2022

**Applicant:** Community Assisted & Supported Living, Inc.

**Representative:** Katie Cole, Esq. &  
Angela Rauber, Esq.

**Subject Property:** Approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole.

**Parcel ID(s):** 29/30/15/70794/400/0701 & 0703



### **REQUEST:**

A Zoning Atlas amendment from R-E, Residential Estate to RM-CO, Multi-family Residential – Conditional Overlay, with the Conditional Overlay limiting the number of residential dwelling units to a maximum of 21 that will include a combination of one, two, and three bedroom units in single story duplex or triplex residential structures, to be occupied as independent housing for a maximum of 28 Persons with Developmental Disabilities, as defined by Florida Statute Section 393.063(1), to include permanent supportive housing services, provided, however, that no such permanent supportive services shall be provided to persons who are not occupants of the development. A clubhouse and other associated amenities will be included.

### **LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:**

The LPA finds that the proposed Zoning Atlas amendment is **inconsistent** with the Pinellas County Comprehensive Plan due to compatibility concerns with the surrounding residential area and recommends **denial** by the Board of County Commissioners. (The vote was 3 - 2, in favor of denial)

### **PLANNING STAFF RECOMMENDATION:**

- **Staff recommends** that the LPA find the proposed Zoning Atlas amendment **consistent** with the Pinellas County Comprehensive Plan, based on this report and subject to the Future Land Use Map amendment in case # FLU-22-04.
- **Staff further recommends** that the LPA recommend **approval** of the proposed Zoning Atlas amendment to the Pinellas County Board of County Commissioners.

## **SUMMARY REPORT**

The Development Review Committee (DRC) reviewed this application on October 10, 2022. The DRC Staff summary discussion and analysis follows:

The subject property consists of two parcels that total approximately 2.97 acres located on the south side of Park Boulevard about 435 feet east of 131<sup>st</sup> Street North (Vonn Road) in unincorporated Seminole (address: 13000 Park Boulevard). The site currently has a single-family home and some related accessory structures. The applicants wish to change the use and develop independent housing for up to 28 persons with developmental disabilities as defined by Florida Statute Section 393.063(1), which is as follows: *“Development disability” means a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Down syndrome, Phelan-McDermid syndrome, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.* A maximum of 21 residential dwelling units are proposed, which would include a combination of one-, two-, and three-bedroom units in single story duplex or triplex structures. Permanent supporting housing services would be provided to occupants of the development and a clubhouse and other associated amenities would be included. The existing single-family home would be utilized as part of the project. The property is currently zoned R-E, Residential Estate, which allows only single-family detached homes and accessory agriculture uses. Therefore, the proposed use will require a zoning change. An amendment to RM-CO, Multi-family Residential – Conditional Overlay, is proposed. The Conditional Overlay would limit the uses as described above, otherwise alternative types of multifamily development, such as an apartment or condominium complex, would be permissible.

The applicants are also pursuing a Future Land Use Map (FLUM) amendment on the subject property from Residential Suburban (2.5 units per acre maximum) to Residential Low (5.0 units per acre maximum) (Case # FLU-22-04) to help facilitate the desired number of residential units. If the FLUM and zoning amendments are approved, the applicants have indicated that they will then pursue an affordable housing density bonus to allow the 21 proposed residential dwelling units. The density bonus request would be administratively reviewed by staff and the overall development would be subject to site plan review and permitting. Without the density bonus, a maximum of 15 residential units would be allowed if the companion land use case is approved. As of this writing, the applicant has not submitted a concept plan to be reviewed as part of this case and is not required to do so.

### **Surrounding Uses and Zoning Designations**

The subject property is located on the south side of Park Boulevard adjacent to a commercial node that is centered on the Vonn Road intersection to the west. Park Boulevard is a four-lane divided arterial roadway. A medical clinic is immediately adjacent to the west of the subject site, beyond which are various commercial uses including retail, a restaurant, and a gas station. A retail shopping center anchored by a grocery store is to the north across Park Boulevard and single-family homes are to the south and east. The adjacent house fronting Park Boulevard to the east is utilized for a similar type of independent housing that is proposed on the subject property, but on a smaller scale that is appropriate and permitted in a single-family home setting. Most of the properties fronting Park Boulevard in this general area that are outside of commercial/office nodes are single-family residential in nature, with some scattered institutional type uses. The nearest existing multifamily use is several blocks to the east, however the C-2 zoned properties within the adjacent commercial node would allow for multifamily development. While the subject property is located along the periphery of an established single-family neighborhood, the proposed multifamily project can be considered an appropriate transition use between the commercial node to the north and west and the single-family homes to the south and east.

### **Flood Risk**

The subject property has a low flood risk and is not within the Coastal High Hazard Area or Coastal Storm Area, however it is potentially susceptible to storm surge from a Category 4 or higher hurricane (Evacuation Zone D). The Land Development Code does not prohibit the proposed use in such areas.

Conclusion

The DRC is of the opinion that the proposed RM-CO zoning is appropriate when considering the limitations being placed by the Conditional Overlay and the subject property's transitional location fronting an arterial roadway between the neighboring commercial node and single-family homes. The Conditional Overlay will not allow traditional apartment or condominium development and will limit new construction to single-story only. The amendment is also consistent with the Pinellas County Comprehensive Plan, subject to the approval of the companion FLUM amendment case.

**SURROUNDING ZONING AND LAND USE FACTS:**

	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Existing Use</b>
<b>Subject Property:</b>	Residential Suburban	R-E	Single family home & two outbuildings
<b>Adjacent Properties:</b>			
<b>North</b>	Commercial General	C-2	Retail commercial
<b>East</b>	Residential Suburban	R-E	Single Family Homes
<b>South</b>	Residential Suburban	R-E	Single Family Homes
<b>West</b>	Residential/Office General	GO	Office

**IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN**

Staff finds that the proposed amendment is consistent with the following adopted goals, objectives, and policies of the Pinellas County Comprehensive Plan:

**FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT**

- Goal 1: The pattern of land use in Pinellas County shall provide a variety of urban environments to meet the needs of a diverse population and the local economy, conserve and limit demands on natural and economic resources to ensure sustainable built and natural environments, be in the overall public interest, and effectively serve the community and environmental needs of the population.
- Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
- Policy 1.2.2 The Local Planning Agency (LPA) of the Board shall ensure that zoning provisions within the Land Development Code are in conformance with the density, intensity and other relevant standards contained within the Future Land Use and Quality Communities Element.
- Policy 1.2.3 Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.

**COUNTY DEVELOPMENT REGULATIONS**

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

**PROPOSED BCC HEARING DATE:** December 13, 2022

**CORRESPONDENCE RECEIVED TO DATE:** Six letters in opposition and two letters in support.

**PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:** Seven persons appeared and spoke in opposition.

**ATTACHMENTS: (Maps)**