



Pinellas County

Legislation Details (With Text)

File #: 22-2050A **Version:** 1

Type: Zoning / Land Use and Related Item **Status:** Held

File created: 11/4/2022 **In control:** Board of County Commissioners

On agenda: 12/13/2022 **Final action:**

Title: Case No. ZON 22-05 (Community Assisted & Supported Living, Inc.)
 A request for a change of Zoning on approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole 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. (Quasi-Judicial)

Sponsors:

Indexes:

Code sections:

Attachments: 1. AATF - Resolution.pdf, 2. LPA Report.pdf, 3. Case Maps.pdf, 4. Response to Question 13.pdf, 5. Supporting Narrative.pdf, 6. Ownership Certification.pdf, 7. Survey.pdf, 8. Public Notification Map.pdf, 9. Correspondence.pdf, 10. PowerPoint Presentation.pdf, 11. BCC Legal Ad.pdf, 12. BCC Legal Ad Map.pdf, 13. Continuance Request.pdf, 14. Electronic Affidavit of Publication, 15. Affidavit of Publication, 16. FLU 22-04 & ZON 22-05

Date	Ver.	Action By	Action	Result
12/13/2022	1	Board of County Commissioners	continued	Pass

Subject:

Case No. ZON 22-05 (Community Assisted & Supported Living, Inc.)
A request for a change of Zoning on approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole 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. (Quasi-Judicial)

Recommended Action:

Based upon the evidence and findings contained in the staff report and attachments, Case No. ZON-22-05 is recommended for approval:

A resolution approving the application of Community Assisted & Supported Living, Inc. for a change in zoning from Residential Estate (R-E) to Multi-family Residential - Conditional Overlay (RM-CO) with the Conditional Overlay (CO) 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.

- The applicants are seeking a zoning change on a 2.79-acre property that is currently developed with a single-family home and accessory structures.
- The proposed future use as limited by the CO is housing for the developmentally disabled with supportive services.
- The subject property is in a transitional location fronting a four lane divided arterial roadway that is adjacent to a commercial/office node.
- The applicants are also pursuing a Future Land Use Map (FLUM) amendment under a separate case number.
- The applicants hosted a neighborhood meeting during the evening of November 3, 2022, to explain the proposal.
- The Local Planning Agency recommended denial of the request (vote 3-2) based on compatibility concerns with the neighboring residential area. Seven people spoke in opposition and six letters in opposition and two letters in support have been received. The primary reasons given for opposition include compatibility concerns, traffic impacts, drainage, and resident evacuation concerns.
- On November 15, 2022, the applicants submitted a request that the Board of County Commissioners continue this case and the companion FLUM amendment case to the scheduled January 31st, 2023, public hearing. The continuance is being requested to allow the applicant time to attempt to address some neighborhood concerns through changes to the conditional overlay. The Board must take action and vote on whether or not to continue the cases as requested.

Strategic Plan:

Foster Continual Economic Growth and Vitality

4.3 Catalyze redevelopment through planning and regulatory programs

Deliver First Class Services to the Public and our Customers

5.2 Be responsible stewards of the public's resources

Summary:

The subject property consists of two (2) parcels that total 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole. The site has a single-family home and some related accessory structures. The applicants seek to construct 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 (1), two (2), and three (3)-bedroom units in single story duplex or triplex structures. Supporting

housing services would be provided to occupants of the development and a clubhouse and other associated amenities would be included. The property is currently zoned R-E, which allows only single-family detached homes and accessory agriculture uses. Therefore, the proposed use requires a zoning change. An amendment to RM-CO, is proposed. The CO 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 FLUM amendment on the subject property from Residential Suburban (RS) (2.5 units per acre maximum) to Residential Low (RL) (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 per Code requirements and the overall development would be subject to full site plan review and permitting. Without the density bonus, a maximum of 14 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.

The subject property is located on the south side of Park Boulevard adjacent to a commercial/office node that is centered on the 131st Street North intersection to the west. Park Boulevard is a four (4)-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 owned by the applicants and utilized for a similar type of independent housing on a smaller scale. 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 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.

The subject property is within Hurricane Evacuation Zone D but is not within the Coastal High Hazard Area or Coastal Storm Area. Overall, it has a low flood risk.

Staff is of the opinion that the proposed RM-CO zoning is appropriate when considering the limitations being placed by the CO and the subject property's transitional location fronting an arterial roadway between the neighboring commercial node and single-family homes. The CO 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.

Background Information:

The LPA recommended denial of the request during its November 9, 2022, public hearing (Vote 3-2).

Surrounding property owners within 750 feet of the subject site were notified by mail. A sign advertising the public hearings was posted on the subject property.

Fiscal Impact:

N/A

Staff Member Responsible:

Carol Stricklin, Director, Housing and Community Development

Partners:

N/A

Attachments:

LPA Report
Case Maps
Resolution
Response to Question #13
Narrative
Certification of Ownership
Survey
Public Notification Map
PowerPoint Presentation
Legal Ad
Legal Ad Map
Correspondence