

# Countywide Plan Map Amendment Application Form

## Local Government Contact Information

Requesting Local Government:	City of Clearwater
Local Government Contact:	Kyle Brotherton, Planner II
Address:	100 S Myrtle Avenue, Clearwater, 33756
Phone:	727-444-8778
E-Mail Address:	kyle.brotherton@myclearwater.com
Local Government Case #:	LUP2024-02001
Local Government Ordinance #:	9765-24

## Property Owner Contact Information

Name(s):	St. Paul's Lutheran Church, Inc.
Address:	407 S Saturn Avenue, Clearwater, FL 33755
Phone:	Use Agent's Phone
E-Mail Address:	Use Agent's E-Mail

## Agent Contact Information (if applicable)

Name(s):	Mark Bentley & Ryan Manasse
Address:	400 North Ashley Drive, Suite 3100, Tampa, FL 33602
Phone:	813-225-2500
E-Mail Address:	development@jpfirm.com

## Characteristics of the Subject Property

Site Address(s):	407 S Saturn Avenue, Clearwater 33755
Total Acreage of the Amendment Area:	2.284± acres
Existing Use(s):	Place of Worship
Proposed Use(s):	Commercial
Parcel Identification #:	13-29-15-82584-001-0040, 14-29-15-00000-140-1900, 14-29-15-82566-003-0030
Legal Description of the Amendment Area:	See attached deed
Countywide MAX Index Score:	9.7
Grid Cell MAX Index Score:	30.75

Does the Amendment Area impact:  
[check all that apply]

- |   |   |
|---|---|
| <input type="checkbox"/> Activity Center                | <input type="checkbox"/> Industrial or Employment Land            |
| <input type="checkbox"/> Multimodal Corridor            | <input type="checkbox"/> Target Employment Center                 |
| <input type="checkbox"/> Planned Redevelopment District | <input checked="" type="checkbox"/> Scenic/Noncommercial Corridor |
| <input type="checkbox"/> Coastal High Hazard Area       |   |

### Disclosure of Interest Statement

Do any other persons have any ownership interest in the subject property?	No
If so, provide the name and address of the person(s):	N/A
If so, is the interest contingent or absolute?	N/A
If so, what specific interest is held?	N/A
Does a contract exist for the sale of the subject property?	Yes
If so, is the contract contingent or absolute?	Contingent
If so, provide the names of all parties to the contract:	Mike Desai
Are there any options to purchase the subject property?	No.
If so, provide the names of all parties to the option:	N/A
Please provide any other pertinent information which the applicant may wish to submit pertaining to the requested plan map amendment:	N/A

### Countywide Plan Map Information

Current Countywide Plan Map Category(ies):	Public/Semi-Public (P/SP)
Proposed Countywide Plan Map Category(ies):	Retail & Services (R&S)
Amendment tier (subject to confirmation):	<input type="checkbox"/> Tier I <input checked="" type="checkbox"/> Tier II <input type="checkbox"/> Tier III <input type="checkbox"/> To be determined

### Local Future Land Use Plan Map Information

Current Local Future Land Use Plan Map Category(ies):	Institutional (I)
Proposed Local Future Land Use Plan Map Category(ies):	Commercial General (CG)

## Local Action Date

Date local ordinance was considered at public hearing and authorized by an affirmative vote of the governing body for transmittal of, and concurrence with, the local government future land use plan map amendment:

Public Hearing Date:	First Hearing: June 20, 2024. Second Hearing: July 15, 2024
Verdict and Vote:	Approved unanimously on both First and Second Hearings
Please note if any public comment was made and elaborate as applicable:	No public comment was received at the city council meeting or at the Community Development Board meeting. No written objections or letters of support were received either.

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## Application Checklist

Note: Our email server cannot accept files with a .zip extension. If you need help with transmitting documents electronically, please call 727.464.8250 or email [info@forwardpinellas.org](mailto:info@forwardpinellas.org).

### All Amendments

The following MUST be furnished with all applications (incomplete applications will not be accepted):

- A completed Countywide Plan Map amendment application form
- A map or map series depicting the current and proposed future land use categories of the subject property and surrounding area
- A copy of the ordinance being considered by the governing body
- A copy of the local government staff report and any other pertinent information considered during the local public hearing process
- A GIS shapefile of the amendment area (if technically feasible)
- A boundary survey (if applicable)
- A development agreement (if applicable)\*
- Review against locally-adopted Coastal High Hazard Area balancing criteria consistent with Countywide Rules Section 4.2.7.1 A-H (if applicable)
- Review against conversion criteria for employment-related categories and uses of Countywide Rules Section 6.5.4.4 (if applicable)
- Summary of public outreach conducted and/or public comment received (if applicable)

### Additional Requirements for Activity Centers (ACs), Multimodal Corridors (MMCs) and Planned Redevelopment Districts (PRDs)

Tier I, II and III amendments must additionally provide the following:

- Parcel specific boundary map(s) of the entire AC, MMC, or PRD, and shapefile or list of parcels
- Current future land use designations and their acreages, permitted uses and maximum densities/intensities
- Proposed future land use designations and their acreages, permitted uses and maximum densities/intensities, including areawide density/intensity averaging if applicable
- For AC and MMC categories, documentation of consistency with size criteria
- For amendments of 10 acres or more, documentation of how the Planning and Urban Design Principles will be addressed

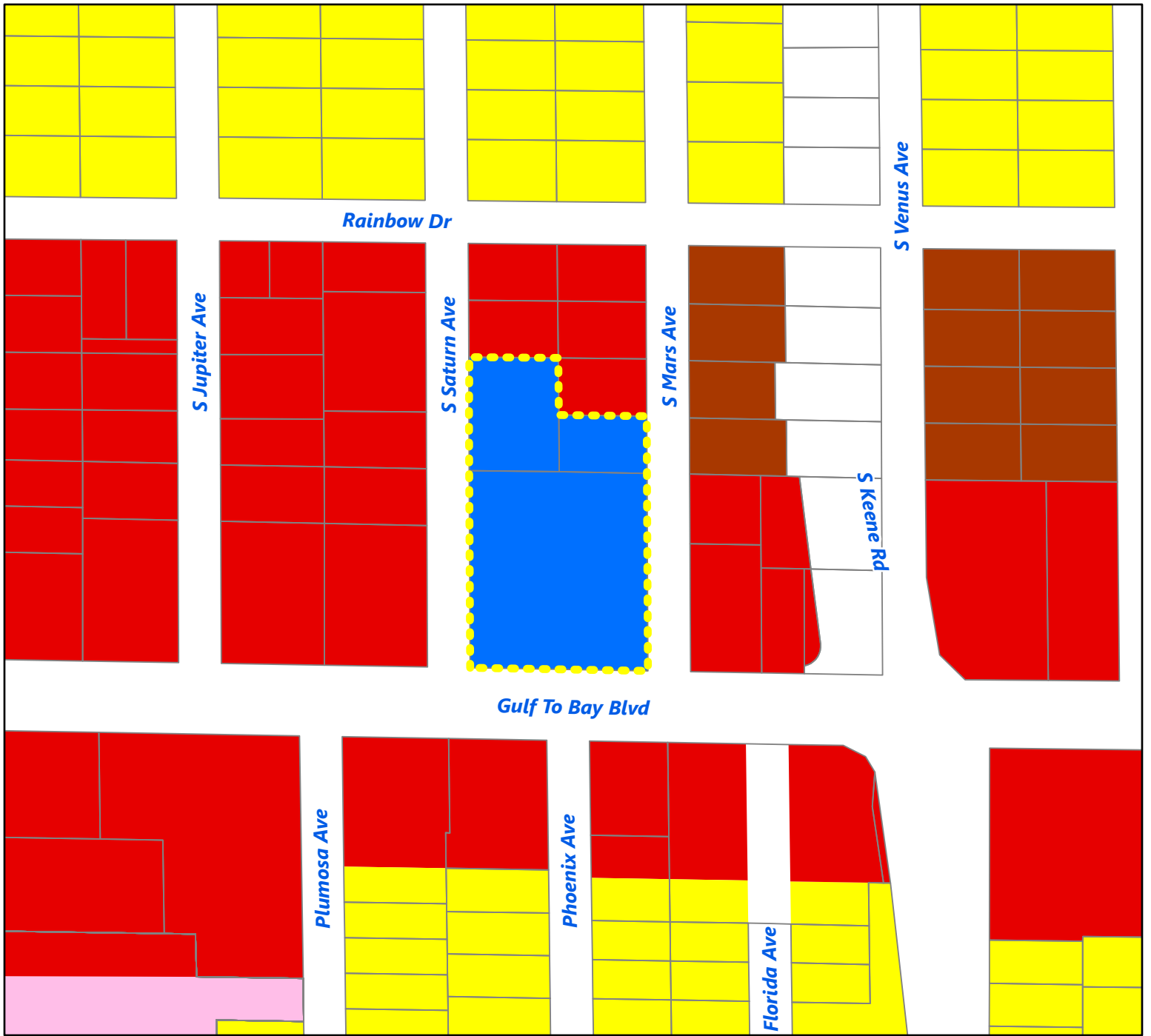
Tier II and III amendments must additionally provide the following:

- Pre-application meeting
- For amendments of 10 acres or more, transportation impact analysis pursuant to Countywide Rules Section 6.2.5
- Enumeration of existing and proposed plan/code provisions, including schedule for proposed adoption

Tier III amendments must additionally provide the following:

- Justification narrative demonstrating one or more of these unanticipated changes:
  - Improvement in transit facilities
  - Increases in population or employment densities
  - Local government funding study for public infrastructure
  - Other unique conditions

\* Any development agreement submitted as part of an application for Countywide Plan Map amendment may become a condition of approval of the amendment and will be subject to the provisions of Countywide Rules Section 6.1.5.



## LUP2024-02001 Current City Future Land Use

### Future Land Use

- (CG) Commercial General
- (I) Institutional
- (R/OG) Residential/Office General
- (RH) Residential High
- (RU) Residential Urban

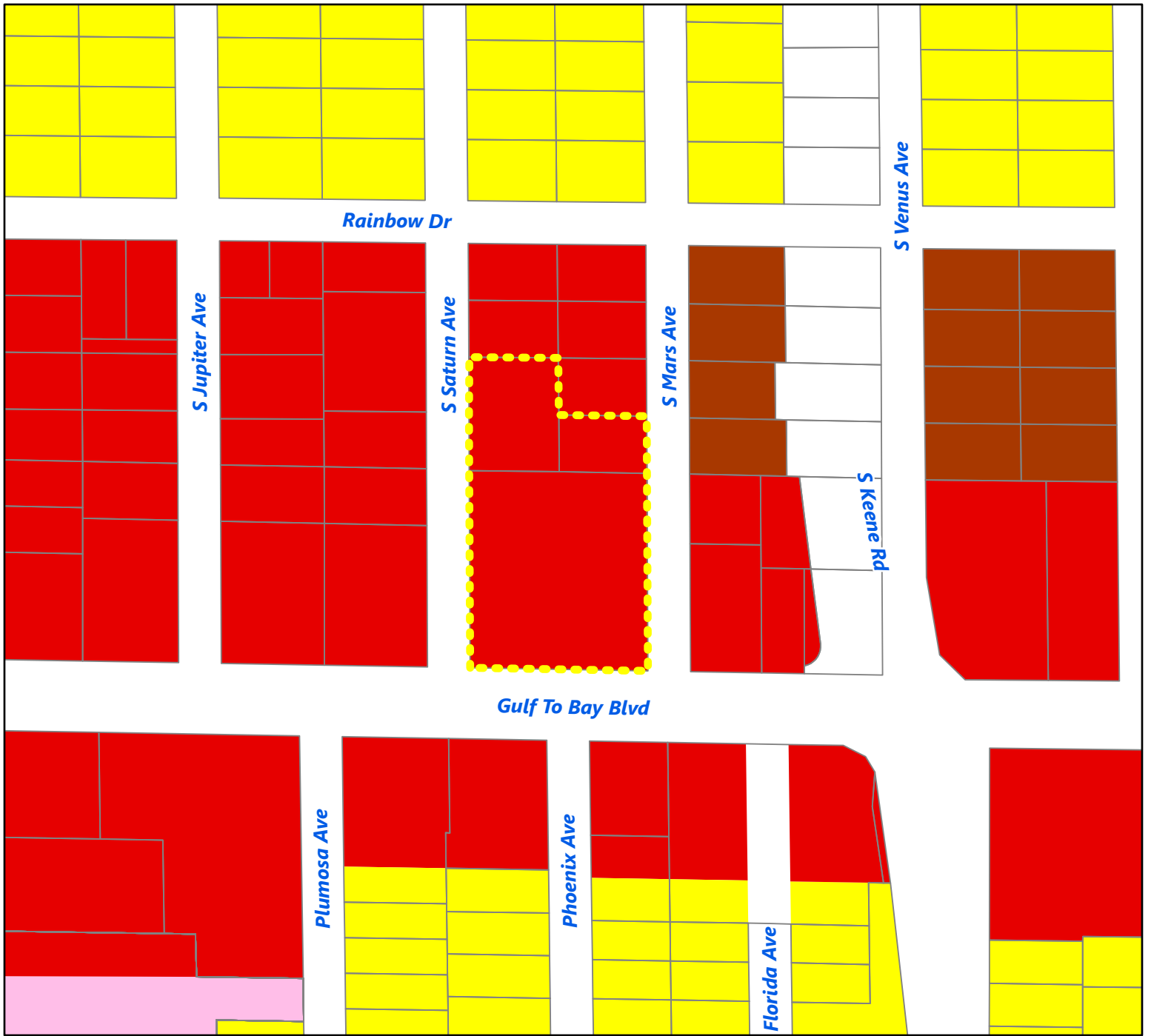
407 South Saturn Avenue

13-29-15-82584-001-0040

14-29-15-00000-140-1900

14-29-15-82566-003-0030

2.284± acres



## LUP2024-02001 Proposed City Future Land Use

### Future Land Use

- (CG) Commercial General
- (I) Institutional
- (R/OG) Residential/Office General
- (RH) Residential High
- (RU) Residential Urban

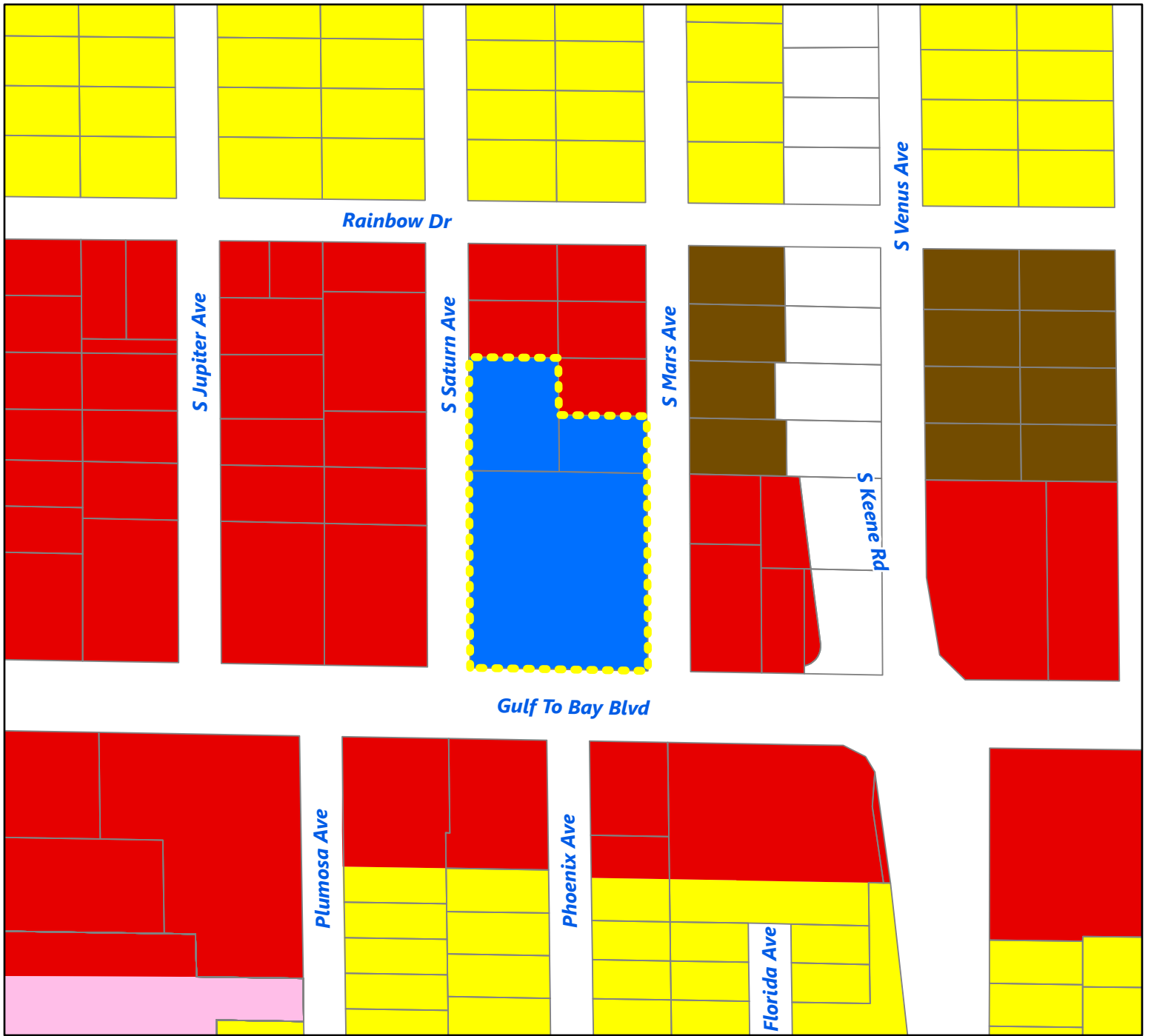
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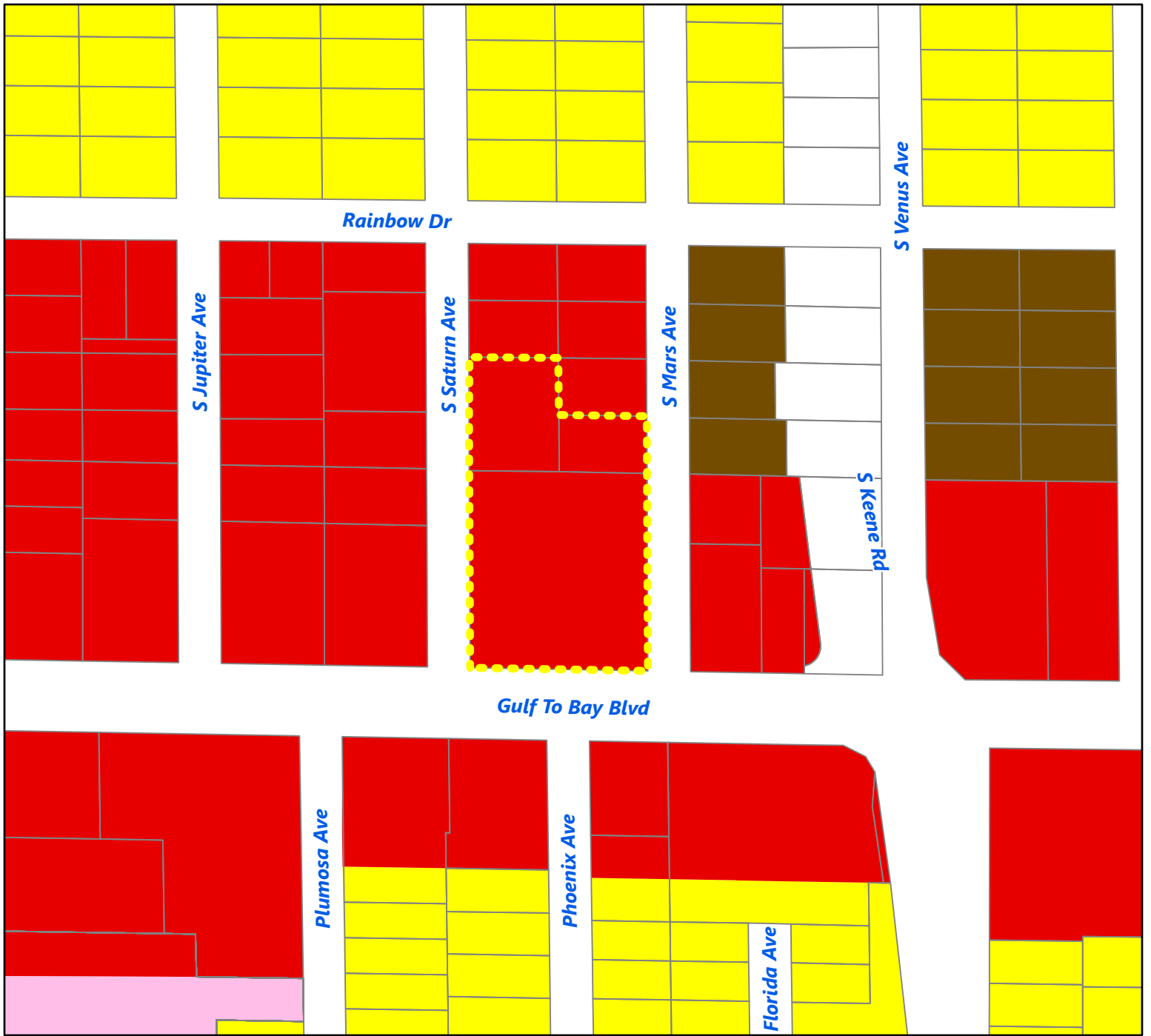
## LUP2024-02001 Existing CWP Future Land Use

### CWP Categories

- Office
- Public/Semi-Public
- Residential High
- Residential Low Medium
- Retail & Services

407 South Saturn Avenue  
 13-29-15-82584-001-0040  
 14-29-15-00000-140-1900  
 14-29-15-82566-003-0030  
 2.284± acres



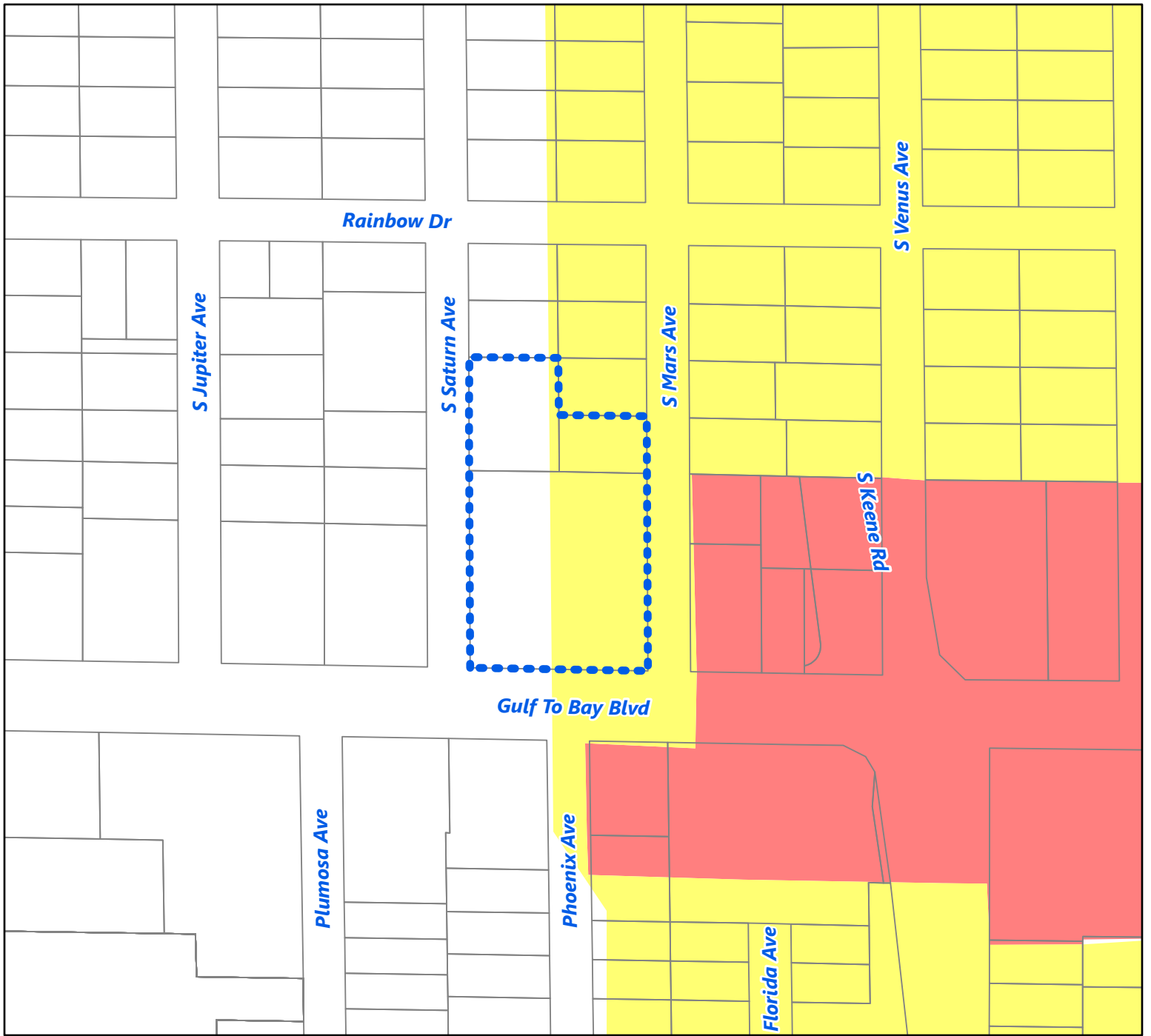


## LUP2024-02001 Proposed CWP Future Land Use

### CWP Categories

- Office
- Public/Semi-Public
- Residential High
- Residential Low Medium
- Retail & Services

407 South Saturn Avenue  
 13-29-15-82584-001-0040  
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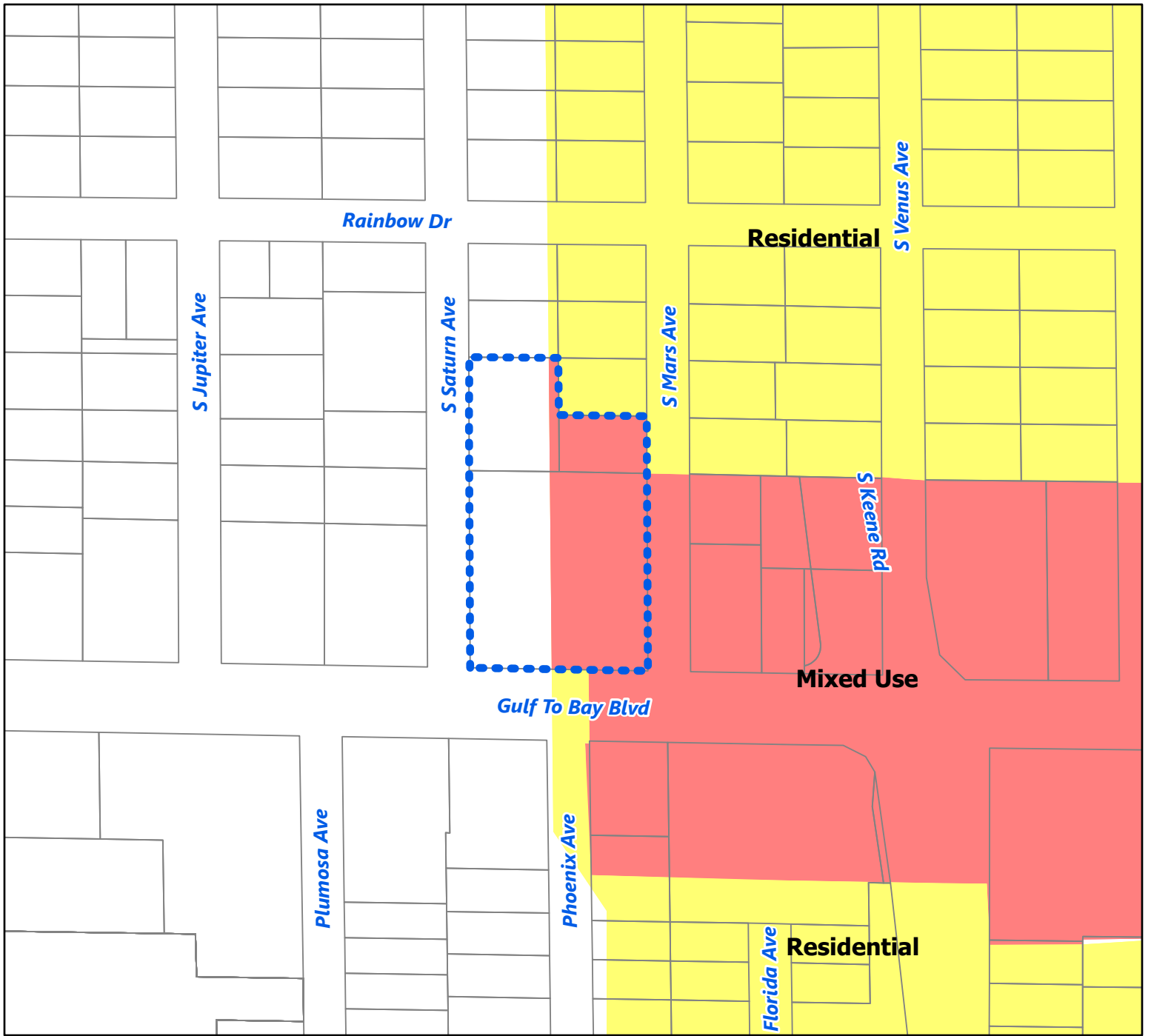
### Current Scenic/Noncommercial Corridor

Subject Property



SNCC Categories

- Mixed Use
- Residential



## Proposed Scenic/Noncommercial Corridor

Subject Property



SNCC Categories

- Mixed Use
- Residential

**ORDINANCE NO. 9765-24**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY, TO CHANGE THE LAND USE DESIGNATION FOR CERTAIN REAL PROPERTY LOCATED ON THE NORTHEAST CORNER OF SOUTH SATURN AVENUE AND GULF TO BAY BOULEVARD, WHOSE POST OFFICE ADDRESS IS 407 SOUTH SATURN AVENUE, CLEARWATER, FLORIDA 33755, FROM INSTITUTIONAL (I), TO COMMERCIAL GENERAL (CG); PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendment to the Future Land Use Element of the Comprehensive Plan of the City as set forth in this ordinance is found to be reasonable, proper and appropriate, and is consistent with the City's Comprehensive Plan; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. The Future Land Use Element of the Comprehensive Plan of the City of Clearwater is amended by designating the land use category for the hereinafter described properties, as follows:

<u>Properties</u>	<u>Land Use Category</u>
See attached Exhibit "A" for legal descriptions;	From: Institutional (I)
	To: Commercial General (CG)

(LUP2024-02001)

The map attached as Exhibit "B" is hereby incorporated by reference.

Section 2. The City Council does hereby certify that this ordinance is consistent with the City's Comprehensive Plan.

Section 3. This ordinance shall take effect contingent upon approval of the countywide plan land use designation by the Pinellas County Board of Commissioners, where applicable, and thirty-one (31) days post-adoption. If this ordinance is appealed within thirty (30) days after adoption, then this ordinance will take effect only after approval of the land use designation by the Pinellas County Board of Commissioners and upon issuance of a final order determining this amendment to be in compliance either by the Department of Commerce (DOC) or the Administration Commission, where applicable, pursuant to Section 163.3187, Florida Statutes. The Community Development Coordinator is authorized to transmit to Forward Pinellas, in its role as the Pinellas Planning Council, an application to amend the Countywide Plan in order to achieve consistency with the Future Land Use Element of the City's Comprehensive Plan as amended by this ordinance.

PASSED ON FIRST READING

June 20, 2024

PASSED ON SECOND AND FINAL READING AND ADOPTED

July 15, 2024

Signed by:

*Bruce Rector*

DE8F06322074ED

Bruce Rector  
Mayor

Approved as to form:

DocuSigned by:

*Matthew Mytych*

60CE93D088D81AD...

Matthew J. Mytych, Esq.  
Senior Assistant City Attorney

Attest:

DocuSigned by:

*Rosemarie Call*

620DDCFE0F7E10F...

Rosemarie Call, MPA, MMC  
City Clerk

DS



## Exhibit "A"

LUP2024-02001 and REZ2024-02001, 407 S. Saturn Avenue, Clearwater, FL, 33755  
Parcel Numbers: 13-29-15-82584-001-0040; 14-29-15-00000-140-1900; 14-29-15-82566-003-0030

### Legal Descriptions:

#### 13-29-15-82584-001-0040

Lot 4, Block "A", Unit "B", SKYCREST SUBDIVISION, as recorded in Plat Book 28, page 24, public records of Pinellas County, Florida.

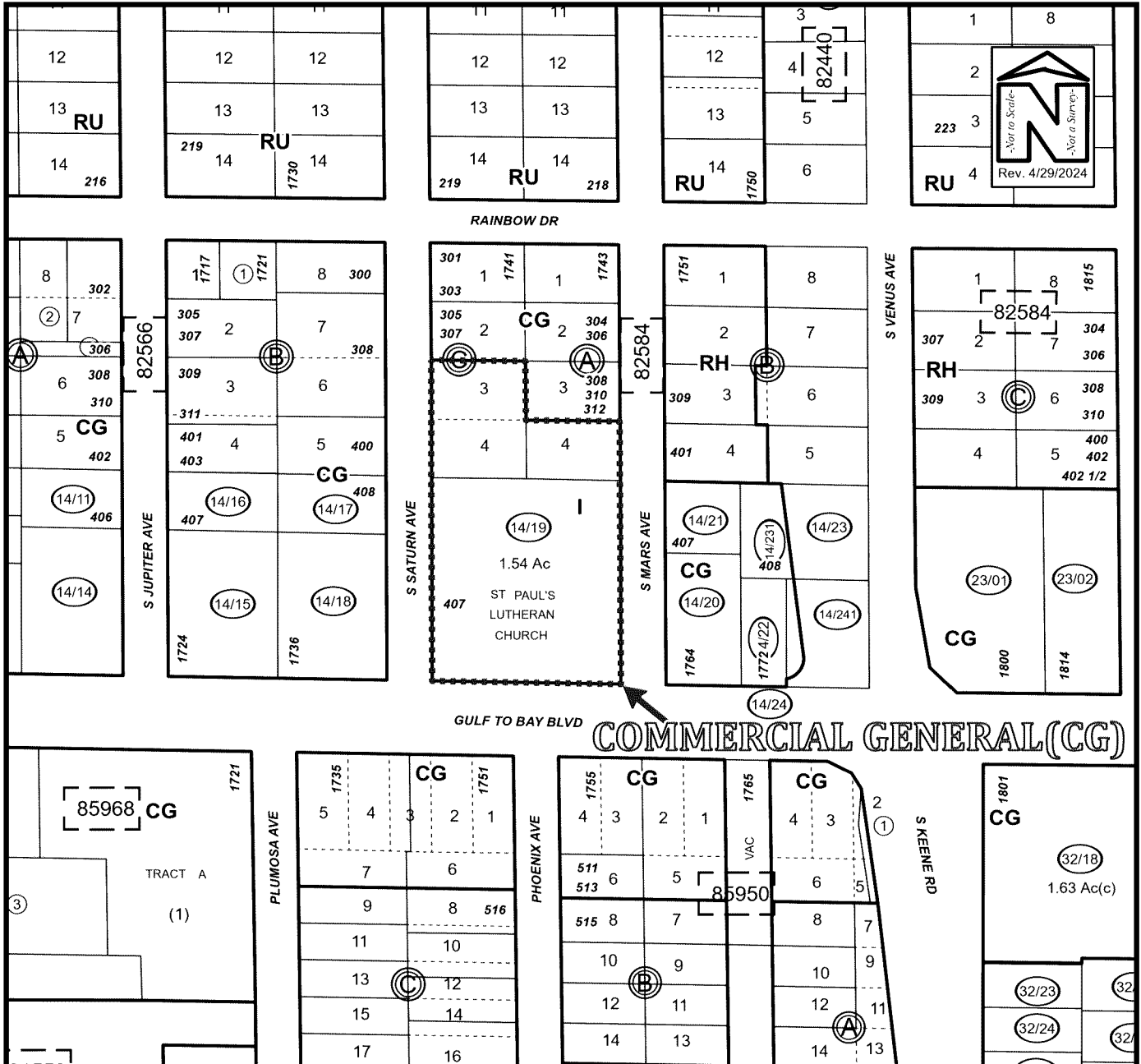
#### 14-29-15-00000-140-1900

TRACT 1: That certain unplatted tract of land in the SE 1/4 of the NE 1/4 of Section 14, Township 29 South, Range 15 East, Pinellas County, Florida, described as follows: From the SE corner of Lot 4, Block "A", Unit "B", SKYCREST SUBDIVISION as recorded in Plat Book 28, page 24, public records of Pinellas County, Florida, run West 124.91 feet along the South line of said Lot 4, to the SW corner thereof; continue West 125.0 feet along the South line of Lot 4, Block "C", Unit "A", SKYCREST SUBDIVISION as recorded in Plat Book 28, page 4, public records of Pinellas County, Florida, to the SW corner of said Lot 4, Block "C", Unit "A"; run thence South 140.0 feet along the East line of Saturn Avenue; thence East 250.0 feet along the line parallel to said South line of Lot 4, Block "C", Unit "A" and the South line of Lot 4, Block "A", Unit "B" to an intersection with the West boundary of Mars Avenue; thence North 140.0 feet along the West line of Mars Avenue to P.O.B.

TRACT 2: That part of the SE 1/4 of the NE 1/4 of Section 14, Township 29 South, Range 15 East, Pinellas County, Florida, described as follows: From the SW corner of Lot 4, Block "C", Unit "A", SKYCREST SUBDIVISION, as recorded in Plat Book 28, page 4, public records of Pinellas County, Florida, run Southerly 140.0 feet along the East line of Saturn Avenue to P.O.B.; continue Southerly along the East line of Saturn Avenue 140.0 feet more or less to the North line of Gulf-to-Bay Boulevard; run thence East 250.0 feet more or less along the said North line of Gulf-to-Bay Boulevard to the West line of Mars Avenue; thence North 140.0 feet more or less along the West side of Mars Avenue to a point measured 140.0 feet along the West side of Mars Avenue from the SE corner of Lot 4, Block "A", Unit "B", SKYCREST SUBDIVISION as recorded in Plat Book 28, page 24, public records of Pinellas County, Florida; thence West 250.0 feet more or less along a line parallel to and 140.0 feet distant from the South line of said Lot 4, Block "A", Unit "B" and the South line of said Lot 4, Block "C", Unit "A", SKYCREST SUBDIVISION to P.O.B.

#### 14-29-15-82566-003-0030

Lots 3 and 4, Block "C", Unit "A", SKYCREST SUBDIVISION, as recorded in Plat Book 28, page 4, public records of Pinellas County, Florida.



## PROPOSED FUTURE LAND USE MAP

Owner(s):	St. Paul's Lutheran Church, Inc	Case:	LUP2024-02001
Site:	407 South Saturn Avenue	Property Size(Acres):	2.284 (LUP)
Land Use		Zoning	
From:	Institutional (I)	PIN:	13-29-15-82584-001-0040 14-29-15-00000-140-1900 14-29-15-82566-003-0030
To:	Commercial General (CG)		
Atlas Page:			288B



## PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

**MEETING DATE:** May 21, 2024

**AGENDA ITEM:** F.1.

**CASE:** LUP2024-02001

**REQUEST:** Amendment to the city’s Future Land Use Map for the property located at 407 S Saturn Avenue from the Institutional (I) category to the Commercial General (CG) category.

**GENERAL DATA:**

*Agent(s)*..... Ryan Manasee & Mark Bentley, Johnson, Pope, Bokor, Ruppel, & Burns, LLP

*Owner(s)*..... St. Paul’s Lutheran Church, Inc.

*Location* ..... 407 South Saturn Avenue, located on the northeast corner of Gulf to Bay Boulevard and South Saturn Avenue

*Property Size* ..... 2.284 acres

### BACKGROUND & PROPOSAL

This case involves a property consisting of three parcels totaling 2.284-acres located on the northeast corner of Gulf to Bay Boulevard and South Saturn Avenue. The property is owned by St. Paul’s Lutheran Church, Inc. The largest parcel fronting Gulf to Bay Boulevard is currently occupied by a place of worship containing three structures, and the parcels to the north contain the associated parking. The request is to change the Future Land Use Map designation of this property from Institutional (I) to Commercial General (CG). A Zoning Atlas Amendment application (REZ2024-02001) is also being processed concurrently with this case.

The earliest structure was constructed in 1957 and is located along the northwest corner of the larger parcel that fronts Gulf to Bay Boulevard. A two-story building was constructed in 1958 and is adjoined to the original structure to the east. The third structure was constructed in 1970 and is adjoined to and sits south of the original 1957 structure. In total, the three structures contain just over 25,000 square feet of building area. Ownership of the property was originally transferred to St. Paul’s Lutheran Church in 1963. This deed included the two parcels currently used as parking, and the northern half of the larger parcel which contained the two structures constructed in 1957 and 1958, respectively. In 1967, the entirety of the three parcels were under the same ownership when the church purchased the southern half of the larger parcel.

Should this proposed amendment be approved, the existing place of worship would become a nonconforming use, as this use is not permitted within the consistent Commercial (C) District. The use would be able to remain as a nonconforming use and permitted to make any repairs or maintenance as necessary but would not be allowed to expand. It is anticipated that upon approval of the amendment, St. Paul’s



Lutheran Church, Inc. will be merging with another congregation in the city and the property would be sold. The applicants have indicated the future use to be commercial; however, a specific use has not been determined at this time. Site plans are not required to be submitted as part of, or in conjunction with, a Future Land Use Plan Amendment application.

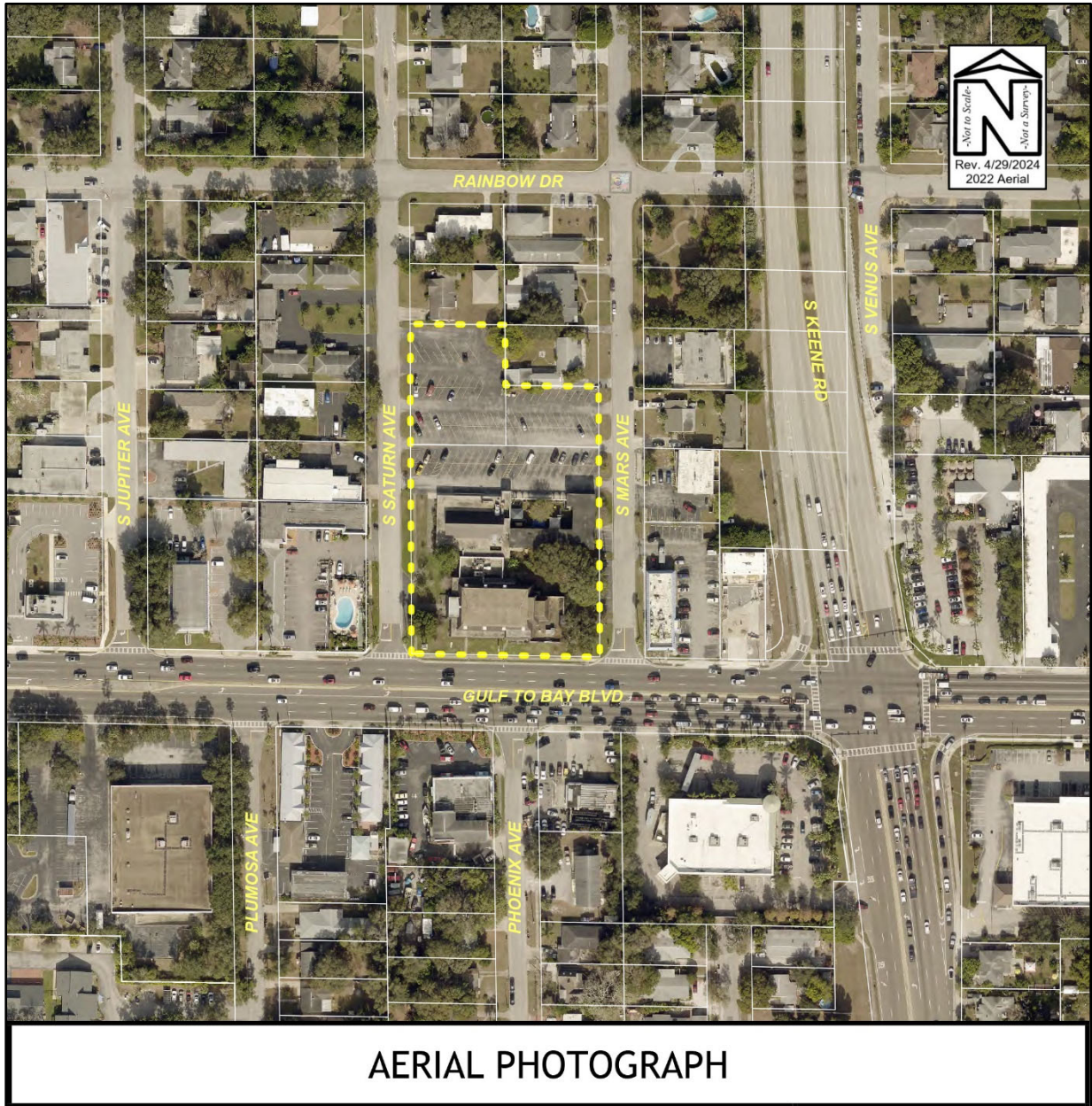
The requested amendment to the Commercial General (CG) category is consistent with the surrounding parcels and would allow for future development that is compatible with surrounding uses and is appropriate to be located along Gulf to Bay Boulevard. An amendment to the *Countywide Plan Map* will also be required to bring consistency between the City's Future Land Use Map and the *Countywide Plan Map*. The applicant understands all necessary approvals and permits must be obtained before development of the subject site occurs.

### VICINITY CHARACTERISTICS

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

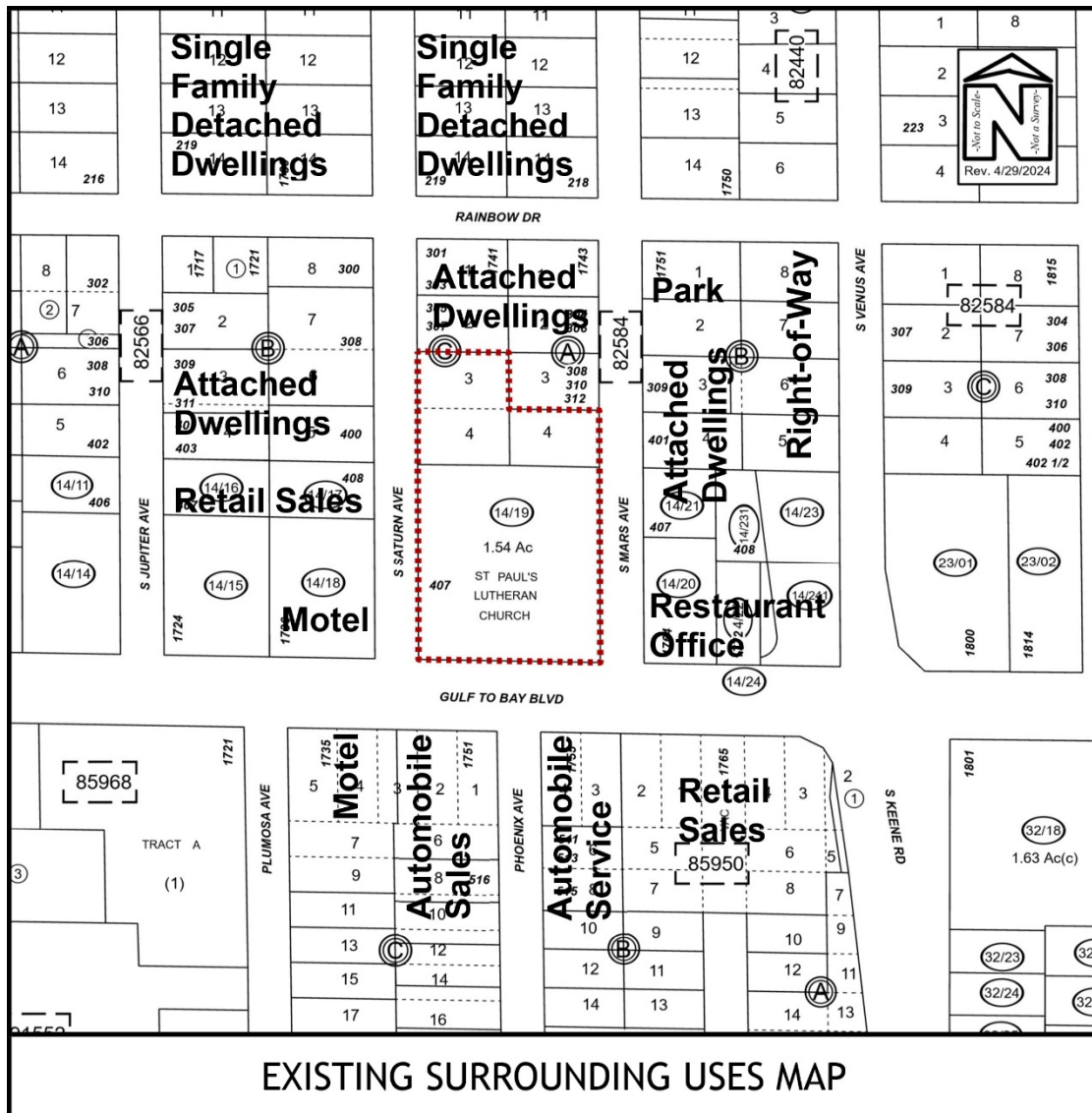


Map 1



Map 2

Map 3 shows the existing surrounding uses which are a mix of residential and commercial as is typical in the blocks north and south of the Gulf to Bay Boulevard corridor in this area. The properties to the north abutting the amendment area, along with properties to the west/northwest across South Saturn Avenue and east/northeast across South Mars Avenue, consist of attached dwellings. Further to the northeast are city-owned parcels consisting of a small park. Further to the north, across Rainbow Drive, are single family detached dwellings. Properties to the west, across South Saturn Avenue, consist of small retail sales and motel uses, and to the east across South Mars Avenue are a restaurant and office. Further east, parcels owned by Pinellas County are utilized as Keene Road right-of-way. To the southwest, across Gulf to Bay Boulevard are a motel and automobile sales uses. To the southeast across Gulf to Bay Boulevard are an automobile service use and a standalone retail sales use.



Map 3





A comparison between the uses, densities, and intensities allowed by the existing and proposed Future Land Use Map (FLUM) designations appears in Table 1, along with the consistent zoning districts.

*Table 1. Uses, Densities and Intensities Allowed by Existing and Proposed Future Land Use Map Designations*

	Existing FLUM Designation Institutional (I)	Proposed FLUM Designation Commercial General (CG)
<b>Primary Uses:</b>	Public/Private Schools; Churches; Public Offices; Hospitals; Residential Equivalent	Office; Retail Sales & Service; Overnight Accommodations
<b>Maximum Density:</b>	12.5 Dwelling Units per Acre	24 Dwelling Units per Acre 40 Overnight Accommodation Units per Acre
<b>Maximum Intensity:</b>	FAR 0.65; ISR 0.85	FAR 0.55; ISR 0.90
<b>Consistent Zoning Districts:</b>	Institutional (I)	Commercial (C)

**REVIEW CRITERIA**

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

Recommended Findings of Fact:

*Applicable objectives and policies of Clearwater 2045, the Clearwater Comprehensive Plan, that support the proposed amendment include:*

Objective QP 5.1 Use Table QP 1. Future Land Use Categories and Map QP 3. Future Land Use to guide development in the city consistent with the Countywide Plan Map and implemented through the CDC.

Policy QP 5.1.1 Recognize the consistency between the countywide future land use categories, the city’s future land use categories, and the city’s zoning district as shown in Table QP 1. Future Land Use Categories.

Objective QP 5.2 Continue to review and evaluate amendments to the Future Land Use Map to ensure proposed uses and density or intensity are compatible with surrounding areas and consistent with the Countywide Rules.

Policy QP 5.2.5 Direct amendments of higher density and intensity future land use categories to Multimodal Corridors or Future Transit Corridors as delineated by the Land Use Strategy Map in the Countywide Rules.

Policy QP 5.2.6 Evaluate proposed amendments to ensure there are appropriate density and intensity transitions within neighborhoods.

Policy QP 5.2.7 Ensure proposed amendments will not create uses, densities, or intensities that are incompatible with the surrounding neighborhood or any applicable special area or redevelopment plans.

Policy QP 5.2.8 Continue to evaluate that sufficient public facilities are available to support proposed increases to density or intensity and require mitigation strategies if sufficient public facilities will not be available.

Policy M 1.1.5 Continue implementation of the current Mobility Management System, including the multimodal impact fee, through the Community Development Code (CDC) to generate funding for multimodal mobility improvements.

#### Recommended Conclusions of Law:

The request is consistent with the goals, objectives, and policies of *Clearwater 2045*, the Clearwater Comprehensive Plan. The proposed Commercial General (CG) future land use category is compatible with the Commercial General (CG) future land use category that exists abutting to the north, across South Saturn Avenue to the west, across South Mars Avenue to the east, and across Gulf to Bay Boulevard to the south. Additionally, it is compatible with the Residential High (RH) category that exists to the northeast. Rainbow Drive provides a transitional separation from the Commercial General (CG) future land use category to the south to the Residential Urban (RU) future land use category further to the north, which provides greater compatibility with the surrounding neighborhood. Gulf to Bay Boulevard is delineated as a Future Transit Corridor on the Land Use Strategy Map, which is an appropriate corridor for higher density and intensity future land use categories, including the proposed Commercial General (CG) category. Any future trips generated would be reviewed at the time of site plan review in accordance with the Mobility Management System. 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).

#### **Consistency with the Countywide Rules**

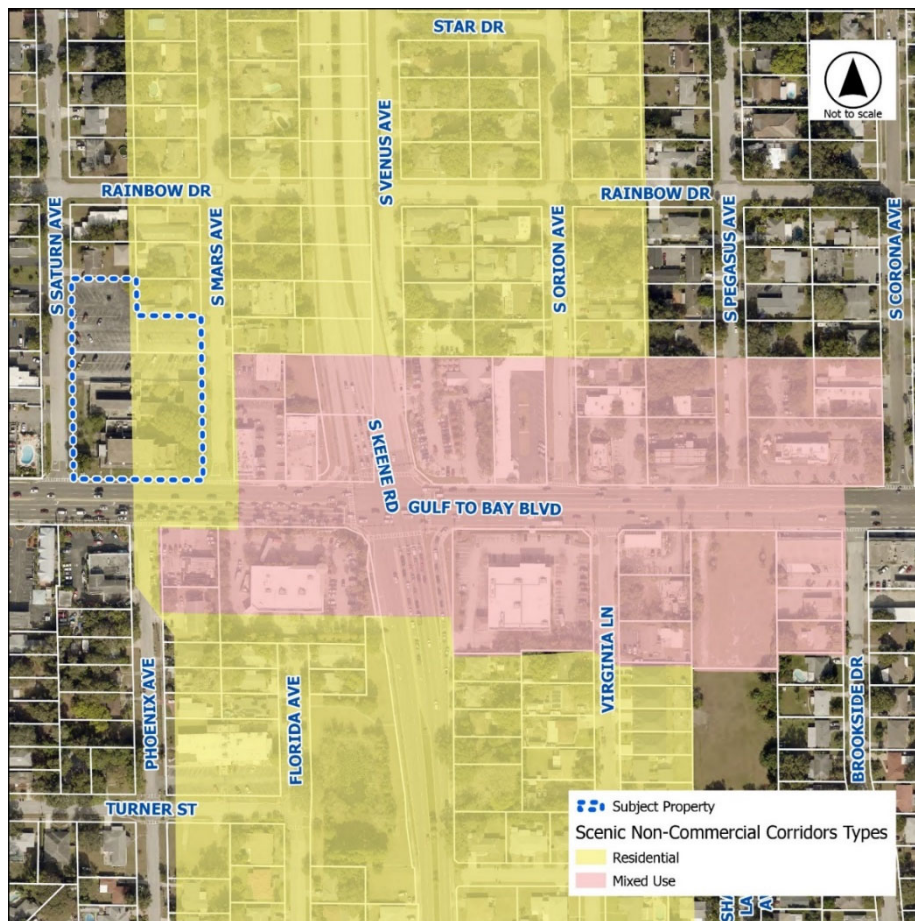
##### Recommended Findings of Fact:

The underlying *Countywide Plan Map* category on the proposed amendment area is Public/Semi-Public (P/SP). Section 2.3.3.11 of the *Countywide Rules* states that the current Public/Semi-Public (P/SP) category is intended to recognize institutional and transportation/utility uses that serve the community or region, especially larger facilities having acreage exceeding the thresholds established in other plan categories, which are consistent with the need, character, and scale of such uses relative to the surrounding uses, transportation facilities, and natural resource features, and may include residential as part of the mix of uses.

The proposed City of Clearwater future land use designation of Commercial General (CG) will necessitate a *Countywide Plan Map* amendment from the Public/Semi-Public (P/SP) category to the Retail & Services (R&S) category in order to maintain consistency between the City's Future Land Use Map and the *Countywide Plan Map*. Section 2.3.3.8 of the *Countywide Rules* states that the Retail & Services (R&S) category is intended to depict areas developed with, or appropriate to be developed with, a mix of businesses that provide for the shopping and personal service needs of the community or region, provide for employment opportunities and accommodate target employment uses, and may include residential uses as part of the mix of uses.

The Retail & Services (R&S) category currently exists on the properties abutting to the north of the subject property, as well as to the west, east, and south. The proposed amendment to the Retail & Services (R&S) category is supported due to Gulf to Bay Boulevard being denoted as a Future Transit Corridor, Secondary Corridor on the Land Use Strategy Map, and through close proximity to two PSTA bus stops, one located to the east at the corner of Gulf to Bay Boulevard and South Mars Avenue, and the second to the west at the approximate midpoint between South Saturn and Jupiter Avenues on Gulf to Bay Boulevard. The proposed amendment would also close the Retail & Services (R&S) “gap” created by the current Public/Semi-Public (P/SP) category on the subject property.

Keene Road is delineated as a Scenic/Noncommercial Corridor with a Residential Classification according to Section 6.5.4.1.3.A of the *Countywide Rules* and as depicted on the Land Use Strategy Map. This Residential Classification extends approximately 500 feet to the west and east of the centerline of Keene Road. The intersection of Gulf to Bay Boulevard and Keene Road has a Mixed Use Classification, which generally includes parcels fronting Gulf to Bay Boulevard and those that have a *Countywide Plan Map* category of Retail & Services (R&S). As shown in Map 5, the Mixed Use Classification extends to the east from Phoenix Avenue and South Mars Avenue (acting as the western boundary) to Brookside Drive and South Corona Avenue (acting as the eastern boundary), with the Residential Classification following the more general corridor as described above.



Map 5



The subject property falls partially within the Residential Classification corridor area. As detailed in Table 6-4 of the *Countywide Rules*, the existing *Countywide Plan Map* category of Public/Semi-Public (P/SP) is consistent with this Residential Classification; however, the proposed Retail & Services (R&S) category is not consistent with the Residential Classification. Other categories consistent with the Residential Classification are Residential Rural (RR), Residential Very Low (RVL), Recreation/Open Space (R/OS), and Preservation (P), with Residential Low Medium (RLM) and Residential Medium (RM) being potentially consistent subject to specific use restrictions. All *Countywide Plan Map* categories are consistent with the Mixed Use Classification, with the exception of the Retail & Services (R&S), Employment (E), and Industrial (I) categories. The Retail & Services (R&S) and Employment (E) categories are potentially consistent with the Mixed Use Classification subject to the following specific use restrictions: Manufacturing-Medium and Incinerator Facility uses are not permitted within the Mixed Use Classification.

As the subject property fronts Gulf to Bay Boulevard and meets locational criteria for the Retail & Services (R&S) category in the *Countywide Rules*, an amendment to the Land Use Strategy Map to amend the subject property to the Scenic/Noncommercial Corridor, Mixed Use Classification is necessary. While nonresidential uses and land use categories within Scenic/Noncommercial corridors are discouraged, exceptions are permitted according to Section 6.5.4.1.4.B.2 of the *Countywide Rules*. The proposed Retail & Services (R&S) category meets the criteria for exception as the category is a logical infill and extension of the Retail & Services (R&S) category that exists abutting to the north of the subject property, as well as to the west, east, and south of the subject property. Similarly, the subject property is currently a nonresidential use, and has nonresidential uses to the west, east, and south, and this amendment is a logical infill and extension of existing nonresidential uses. These exceptions would allow for the proposed Retail & Services (R&S) category to be consistent with the Mixed Use Classification provisions of the Scenic/Noncommercial Corridors Element.

#### Recommended Conclusions of Law:

The proposed Future Land Use Map Amendment will require amendments to the *Countywide Plan Map* and the Land Use Strategy Map contained within the *Countywide Rules*. The proposed Commercial General (CG) future land use category will require an amendment to the *Countywide Plan Map* category from Public/Semi Public (P/SP) to Retail & Services (R&S). The proposed Retail & Services (R&S) category will necessitate an amendment to the Land Use Strategy Map to amend the property from the Scenic/Noncommercial Corridor, Residential Classification to the Scenic/Noncommercial Corridor, Mixed Use Classification. The proposed amendment would ensure that future nonresidential uses are directed away from the Scenic/Noncommercial Corridor of Keene Road, thereby meeting the intent and purpose of the Scenic/Noncommercial Corridor Plan Element. The proposed amendments are consistent with the purpose of the proposed Retail & Services (R&S) category in the *Countywide Rules* and with the criteria for *Countywide Plan Map* and Scenic/Noncommercial Corridor consistency.



## **Compatibility with Surrounding Properties/Character of the City & Neighborhood [Section 4-603.F.3 and Section 4-603.F.6]**

### Recommended Findings of Fact:

The proposed amendment area is currently utilized as St. Paul's Lutheran Church and associated parking and has a future land use category of Institutional (I). Adjacent to the north, across South Saturn Avenue to the northwest, and across South Mars Avenue to the northeast are attached dwellings. Further to the northeast is a small park at the southeast corner of South Mars Avenue and Rainbow Drive. To the west, across South Saturn Avenue, are a small retail shop and a motel, and to the east across South Mars Avenue are a restaurant and an office. To the south, southwest, and southeast, across Gulf to Bay Boulevard, are a motel, automobile sales, automobile service, and standalone retail sales, respectively.

The proposed Commercial General (CG) future land use category primarily permits nonresidential development at a floor area ratio (FAR) of 0.55, and overnight accommodation uses at a density of 40 overnight accommodation units per acre. The future land use designation of surrounding properties is Commercial General (CG) abutting to the north, across South Saturn Avenue to the west and northwest, across South Mars Avenue to the east, and across Gulf to Bay Boulevard to the south, southwest, and southeast. Additionally, Residential High (RH) exists across South Mars Avenue to the northeast.

### Recommended Conclusions of Law:

The proposed Commercial General (CG) future land use category is consistent with the surrounding properties and character of the neighborhood. Gulf to Bay Boulevard is a principal arterial road and is the main east/west commercial corridor through the city, and nonresidential uses are appropriate and encouraged to locate along such corridors. The existing attached dwellings to the north provide a transition from higher intensity uses along Gulf to Bay Boulevard to the single family detached dwellings further north across Rainbow Drive. While the existing place of worship use would become a nonconforming use, with this proposed amendment, it would be permitted to exist at its current size but would not be permitted to expand.

## 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 existing and proposed city Future Land Use Map designations were analyzed.

*Table 2. Development Potential for Existing & Proposed FLUM Designations*

	Existing FLUM Designation "I"	Proposed FLUM Designation "CG"	Net Change						
Site Area	2.284 AC (99,491 SF)	2.284 AC (99,491 SF)							
Maximum Development Potential	0 DUs <sup>1</sup> / 84 Beds <sup>2</sup> 0 OAUs <sup>4</sup> 64,669 SF 0.65 FAR	0 DUs <sup>1</sup> / 0 Beds <sup>3</sup> 91 OAUs 54,720 SF 0.55 FAR	0 DUs / -84 Beds +91 OAUs -9,949 SF -0.10 FAR						
<p>Notes:</p> <ol style="list-style-type: none"> <li>1. Residential uses are not permitted in the consistent Institutional (I) or Commercial (C) Districts; therefore, the development potential is zero.</li> <li>2. Residential uses are not permitted through the consistent Institutional (I) District; however, residential equivalent uses are permitted (3 beds per unit per acre).</li> <li>3. Residential equivalent uses are not permitted in the consistent Commercial (C) District; therefore, the development potential is zero.</li> <li>4. Overnight accommodations uses are not permitted in the consistent Institutional (I) District; therefore, the development potential is zero.</li> </ol> <p>Abbreviations:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">FLUM – Future Land Use Map</td> <td style="width: 50%;">DUs – Dwelling Units</td> </tr> <tr> <td>AC – Acres</td> <td>OAUs – Overnight Accommodation Units</td> </tr> <tr> <td>SF – Square feet</td> <td>FAR – Floor Area Ratio</td> </tr> </table>				FLUM – Future Land Use Map	DUs – Dwelling Units	AC – Acres	OAUs – Overnight Accommodation Units	SF – Square feet	FAR – Floor Area Ratio
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SF – Square feet	FAR – Floor Area Ratio								

As shown in the table, there is a decrease in nonresidential development potential of nearly 10,000 square feet and a decrease in the number of residential equivalent development potential of 84 beds, but there is an increase for an overnight accommodation (hotel) use of 91 units. The following analysis compares the existing place of worship (church) use under the Institutional (I) future land use to a restaurant development and a hotel use built to the maximum potential of the Commercial General (CG) future land use. Future development would potentially increase the demand for public facilities, which is further detailed below; however, since any future development would need to meet applicable zoning standards resulting in square footages less than the maximums detailed above, the increases would likely be less than what is shown below.

### *Potable Water*

The change in development potential from this amendment could result in an increase in potable water use of up to 2,961 gallons per day. This increase is determined by taking the potential potable water utilization of the proposed land use developed with the maximum square footage permitted (5,472 gallons per day) and subtracting it from the usage of the existing 25,105 square foot church use (2,511 gallons per day).

Nonresidential uses utilize a percentage of the total square footage for potable water calculations, so the utilization would be the same for both a restaurant and hotel use.

Due to future development having to meet zoning code requirements, it's likely that the actual development would be less than the maximum development potential of 54,720 square feet, meaning the increase in potable water would be less than the maximum potential of 5,472 gallons per day as shown in the analysis.

The city's current potable water demand is 11.209 million gallons per day (MGD). The city's adopted level of service (LOS) standard for potable water service is 100 gallons per capita per day, while the actual usage is estimated at 76.24 gallons per capita per day (2023 Public Supply Annual Report). The city's 10-year Water Supply Facilities Work Plan (2022-2023 Planning Period), completed July 2022, 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 (Sanitary Sewer)*

The change in development potential from this amendment could result in an increase in wastewater use of up to 2,370 gallons per day. This increase is determined by taking the potential wastewater utilization of the proposed land use developed with the maximum square footage permitted (4,378 gallons per day) and subtracting it from the usage of the existing 25,105 square foot church use (2,008 gallons per day). Nonresidential uses utilize a percentage of the total square footage for wastewater calculations, so the utilization would be the same for both a restaurant and hotel use.

Due to future development having to meet zoning code requirements, it's likely that the actual development would be less than the maximum development potential of 54,720 square feet, meaning the increase in wastewater would be less than the maximum potential of 4,378 gallons per day as shown in the analysis.

The amendment area is served by the East Water Reclamation Facility, which presently operates around 2 million gallons per day. The city's adopted LOS standard for wastewater service is 100 gallons per capita per day, and the current operational capacity is well within its permitted capacity of 5 million gallons per day. Therefore, there is excess wastewater capacity to serve the amendment area.

#### *Solid Waste*

The change in development potential from this amendment could result in an increase of 108.5 to 661.2 tons per year of solid waste generated. This increase is determined by taking the utilization of the proposed land use developed with a hotel use built at the maximum square footage permitted (128.6 tons per year) or with a restaurant use at the maximum square footage permitted (681.3 tons per year) and subtracting it from the existing 25,105 square foot church use (20.1 tons per year).

Due to future development having to meet zoning code requirements, it's likely that the actual development would be less than the maximum development potential, meaning the increase in solid waste would be less than the maximum potential between 108.5 to 661.2 tons per year as shown in the analysis.

The city's adopted LOS standard for solid waste service is 1.3 tons per year, or 7.12 pounds per person per day; however, Pinellas County handles all solid waste disposal 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 future land use, the LOS citywide for parkland will continue to exceed the adopted LOS of 4 acres per 1,000 residents. The city is currently providing 7.95 acres of parkland per 1,000 residents. This is calculated using the total acreage of parks within the city, dividing it by the 2022 Florida Bureau of Economic and Business Research (BEBR) population estimates, and then multiplying by 1,000. Based on this impact analysis, the current provision of 7.95 acres of parkland per 1,000 would remain unchanged [Source: Parks and Recreation Facilities Impact Fee Study, prepared by Benesch (formerly Tindale Oliver) May 23, 2022].

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 Future Land Use Map Amendment will have no additional impact on parkland.

### *Stormwater*

Site plan approval will be required before the amendment area can be redeveloped. At that time, the stormwater management system for the site will be required to meet all city and Southwest Florida Water Management District stormwater management criteria.

### *Streets*

The amendment area is located on the north side of Gulf to Bay Boulevard, approximately 350 feet west of Keene Road and bounded by South Saturn Avenue to the west and South Mars Avenue to the east. To evaluate potential impacts to streets, the typical traffic impacts figures (trips per day per acre) in the *Countywide Rules* for the corresponding *Countywide Plan Map* categories (existing and proposed) are compared. The current number of trips per day (238 trips) is calculated based on the traffic generation numbers for a religious/civic use in the Public/Semi-Public (P/SP) category (104 trips per day per acre), and the proposed number of trips under the Retail & Services (R&S) category would be 989 trips (433 trips per day per acre). This could result in an increase of 751 trips from the amendment area.

The amendment property fronts Gulf to Bay Boulevard, but access is currently provided through multiple ingress and egress points along South Saturn and Mars Avenues. South Saturn and Mars Avenues can be accessed from westbound Gulf to Bay Boulevard, but South Saturn Avenue can only be accessed from eastbound Gulf to Bay Boulevard. Additionally, South Saturn and Mars Avenues intersect with Rainbow Drive, Cleveland Street, and Drew Street, all to the north, and the grid pattern in the overall amendment area provides for multiple means of access to the amendment property. Gulf to Bay Boulevard is a six-lane, divided principal arterial roadway and South Saturn and Mars Avenues are both two-lane undivided roadways.

Since the numbers provided within the *Countywide Rules* for this review are aggregate trips per acre based on multiple commercial uses, the Public Works Department's Traffic Engineering Division will review any proposed redevelopment and provide traffic-related comments as part of that review. The review would

address code requirements, including but not limited to, parking and loading, vehicle stacking, ingress and egress, and the implementation of the city's Mobility Management System.

The Mobility Management System applies to both deficient and nondeficient roadways which are determined by operating LOS. The segment of Gulf to Bay Boulevard abutting the amendment area is between Highland Avenue and Keene Road and is operating at a LOS C according to the 2023 *Annual Level of Service Report* from Forward Pinellas making it a nondeficient roadway. Based on the number of net new trips created, either the multimodal impact fee would be paid or, depending on the traffic impacts identified by the city's Traffic Engineering Division, a traffic impact study or transportation management plan could be required.

**Recommended Conclusions of Law:**

Based upon the findings of fact, the proposed amendment would increase the demand on several of the public facilities; however, it is determined that the proposed change will not result in the degradation of the existing levels of service for potable water, wastewater, solid waste, parkland, stormwater management, and streets.

**Impact on Natural Resources [Section 4-603.F.5]**

**Recommended Findings of Fact:**

No wetlands have been located within the amendment area. The city's Community Development Code requires that development is compliant with the city's tree preservation, landscaping, and stormwater management requirements.

**Recommended Conclusions of Law:**

Amending a properties future land use designation does not have an immediate impact to natural resources. Impacts to natural resources are felt when development occurs. Any future development would be required to meet the city's Community Development Code, which includes protections for natural resources. Therefore, this proposed Future Land Use Map Amendment will not impact natural resources within the amendment area.

**SUMMARY & 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 under 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 findings of fact and conclusions of law stated above, the Planning and Development Department recommends the following action:

Recommend APPROVAL of the Future Land Use Map Amendment from Institutional (I) to Commercial General (CG).

Prepared by Planning and Development Department Staff:



Kyle Brotherton  
Planner II

ATTACHMENTS: Ordinance No. 9765-24  
Photographs of Site and Vicinity  
Resume

## **407 South Saturn Avenue, Case LUP2024-02001**

This property does not fall within the Coastal High Hazard Area; therefore, Section 4.2.7.1 A-H are not applicable.

This proposal is not amending the subject property away from a Target Employment Center; therefore, Section 6.5.4.4 is not applicable.

City and Forward Pinellas staff held a pre-application meeting for the proposal on May 8, 2024.