



LOCAL PLANNING AGENCY (LPA) STAFF REPORT

Case Number: ZON-22-08

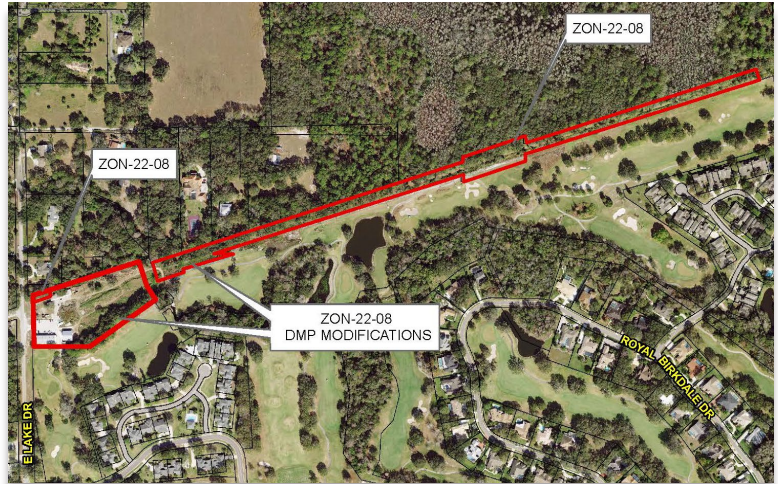
LPA Public Hearing: Oct. 11, 2023

Applicant: Cypress Run of FL, LLC

Representative: Cynthia H. Tarapani

Subject Property: Approximately 9.67 acres located on the east side of East Lake Drive across from the intersection of North Highland Avenue in East Lake.

Parcel ID(s): 04/27/16/00000/410/0100 & 09/27/16/20197/000/0001 (portion)



REQUEST:

Zoning Atlas amendment from R-A, Residential Agriculture to RPD, Residential Planned Development (5.46 acres) and from RPD to R-A (0.05 acre) with a Development Master Plan (DMP) modification to allow for the addition of 5.41 net acres to the Cypress Run DMP, three residential units, and two multi-use (maintenance/recreation/self-storage) buildings.

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:

The LPA finds the proposed Zoning Atlas amendment and Development Master Plan modification consistent with the Pinellas County Comprehensive Plan and recommends approval by the Board of County Commissioners. (The vote was 4-0, in favor).

PLANNING STAFF RECOMMENDATION:

- **Staff recommends** that the LPA find the proposed Zoning Atlas amendment and DMP modification **consistent** with the Pinellas County Comprehensive Plan, based on this report.
- **Staff further recommends** that the LPA recommend **approval** of the proposed Zoning Atlas amendment and DMP modification to the Pinellas County Board of County Commissioners.

SUMMARY REPORT

The Development Review Committee (DRC) reviewed this application on September 11, 2023. The DRC Staff summary discussion and analysis follows:

The subject area consists of 9.67 acres located on the east side of East Lake Drive across from the intersection of North Highland Avenue in East Lake Tarpon. There are multiple components to this application request, including Zoning Atlas amendments at two separate locations and a Development Master Plan (DMP) modification. The subject area is located on the north side of the Cypress Run master planned development and consists of a portion of the existing Cypress Run golf course parcel and another nearby parcel that is the remnant of a long-abandoned CSX railroad corridor. The area within the golf course parcel (described as 'Tract 13' by the applicant) currently contains a golf course maintenance facility and the railroad parcel is currently vacant. The maintenance facility is accessed via a gated entrance off East Lake Drive. There is no direct roadway connection to the other developed portions of Cypress Run, although it is connected via golf cart paths. The applicant wishes to redevelop the maintenance facility area with three attached or detached single family homes and a multi-use building that could be utilized for indoor recreation purposes, as a maintenance facility, and/or as a self-storage facility for residents of Cypress Run. A second similar multi-use building is proposed on the railroad parcel. No outdoor recreation uses are proposed. In addition, the applicant wishes to carve out a small piece of the maintenance facility area and add it to a small adjacent residential parcel to the north to make room for a proposed homesite expansion on that residential parcel.

The maintenance facility area covers approximately 4.21 acres and is currently zoned RPD, Residential Planned Development. As mentioned previously, it is part of the Cypress Run master planned development. Cypress Run was established in 1981. It was approved for a total of 164 single family detached and attached homes along and includes the Cypress Run Golf Course, a clubhouse and tennis courts for use by residents and golf club members. Final subdivision plats have been established and recorded for all the 164 approved residential lots. In order to develop the three new residential units, the applicant has purchased and is proposing to incorporate the railroad parcel into the Cypress Run DMP. The railroad parcel contains 5.46 acres, which would allow for three residential units based on the maximum density potential of the underlying Residential Rural Future Land Use Map (FLUM) category (0.5 residential units per acre). Those three units would be transferred to the existing maintenance facility area via the DMP modification. The railroad parcel is currently zoned R-A, Residential Agriculture. To facilitate the inclusion of the railroad parcel into the DMP and the transfer of its three residential units, a zoning change to RPD is required. Notably, the Board of County Commissioners approved a Future Land Use Map (FLUM) amendment of the maintenance facility area from Transportation/Utility (T/U) to Residential Rural (RR) earlier this year (Case # FLU-22-06). This change allowed for the siting of the proposed residential units, as the former T/U designation did not permit residential uses.

The small residential parcel to the north of the maintenance facility area mentioned previously is zoned R-A. It is a substandard lot of record with a recently built home. The owner would like to expand the residential homesite, however there is currently no room to do so. The requested carve-out from the maintenance facility area is 0.05 acre in size and would allow for the desired expansion. This area is proposed to be rezoned to R-A, which would make the small residential property more conforming with R-A lot size requirements.

In addition to providing for the inclusion of the railroad parcel into the DMP and the transfer of its residential entitlements, the DMP modification request also establishes the development parameters for the new development areas, such as building type, building setbacks, and building height. This is a requirement of the RPD zoning district, as it is inherently flexible and depends upon the DMP to set such parameters. Importantly, a 100-foot-wide Duke Energy easement bisects the subject area. The three residential units are proposed to be located on the south side of the easement, while the multi-use buildings are proposed on the north side (one on Tract 13 and one on the railroad parcel). The structures will utilize the existing access point off East Lake Drive. The proposed multi-use buildings are separated from the properties to the north outside of Cypress Run by landscape buffers and must adhere to required setbacks. The areas immediately to the north of the proposed multi-use buildings are heavily vegetated, which creates additional buffering to existing homes. The maximum height for all buildings would be 35 feet, the same as the rest of Cypress Run.

Surrounding Uses and Zoning Designations

The existing golf course maintenance area is in the NW corner of the Cypress Run development and the railroad parcel runs along the center portion of its northern boundary. Immediately to the south of these two areas is part of the Cypress Run Golf Course, beyond which are preservation areas and the residentially developed sections of Cypress Run. Properties with single family homes exist to the north of the maintenance area and the western portion of the railroad parcel. County-owned preservation lands are to the north and east of the eastern side of the railroad parcel. There are also single-family homes to the west of the maintenance area across East Lake Drive. All the Cypress Run areas to the south are zoned RPD, while the surrounding single-family homes outside of Cypress Run are zoned R-A. The County-owned land to the northeast has preservation-related designations.

Cypress Run is in the more rural northeast portion of Pinellas County in the East Lake Tarpon area. It is subject to the East Lake Community Overlay as recognized by the Pinellas County Comprehensive Plan and identified on the FLUM. The Overlay describes the community's desire to maintain its low-density residential character, expansive open spaces, and limited commercial development. It is staff's opinion that the requested zoning amendment and DMP modification are in keeping with the parameters of the Overlay as the residential density remains low and a significant portion of the railroad parcel will remain open space. The proposed multi-use buildings are in line with the existing maintenance and recreation facilities within Cypress Run and will be amenities for its residents.

Flood Risk

The existing golf course maintenance area and the railroad parcel are separated by Hollins Creek, which is a linear floodway that is also within the Coastal High Hazard Area (CHHA). Importantly, there are no additional planned improvements for this flood sensitive area. The proposed residences would be well to the west and the multi-use building to the east would be accessed via an existing driveway that bridges the creek.

Conclusion

The DRC is of the opinion that the proposed zoning changes and DMP modifications are appropriate. The planned incorporation of the railroad parcel into the Cypress Run development and the associated transfer of its three residential unit entitlements, along with the planned multi-use buildings, are consistent with the Residential Rural land use category and is allowable within the RPD zoning district. The associated development parameters (e.g., residential building types, building height, setbacks, etc.) are also in keeping with the existing development within Cypress Run. In addition, buffering is proposed at appropriate locations along the north property line, no additional development is planned for flood sensitive areas, and a significant portion of the railroad parcel will remain open space. In general, the proposal is compatible with the surrounding uses and is consistent with the Pinellas County Comprehensive Plan and the East Lake Tarpon Community Overlay.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning District	Existing Use
Subject Property:	Transportation/Utility & Residential Rural	R-A & RPD	Maintenance Facility & Vacant
Adjacent Properties:			
North	Residential Rural, Preservation-Resource Management, & Preservation	R-A, P-RM, & PC	Single Family Homes & Preservation
East	Residential Rural & Preservation-Resource Management	P-RM	Golf Course & Preservation
South	Recreation/Open Space	RPD	Golf Course
West	Residential Rural	R-A	Single Family Homes

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

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

FUTURE LAND USE ELEMENT

- Goal 1: Provide a variety of land use character areas to meet the needs of a diverse population and support thriving, resilient, quality communities.
- Objective 1.2: Maintain a Land Development Code that responds to the unique challenges of infill and (re)development within Unincorporated Pinellas County.
- Policy 1.2.2: Consider creative regulatory solutions to support (re)development.
- Strategy 2.4.1.5: Manage land use compatibility and building scale and character transitions between established residential neighborhoods and adjacent non-residential uses.
- Objective 3.1: Increase development and design flexibility to encourage a greater diversity of housing types in Unincorporated Pinellas County.

EAST LAKE TARPON COMMUNITY OVERLAY

- Objective ELT 1: The Board of County Commissioners will utilize a community overlay to define East Lake Tarpon as a cohesive community and their decisions will support the local vision, community character and natural environment. Small businesses support the residential character of the community. Maintaining the community's quality of life, low density residential character, and expansive open spaces is to be considered before any zoning changes or increased densities are considered.
- Policy ELT 1.1: Land use, zoning and conditional use decisions by Pinellas County that affect properties in East Lake Tarpon should be compatible with the established residential development pattern and passive recreation areas, allow for

recreational boating, fishing and water activities consistent with the character of East Lake Tarpon, and/or enhance the viability of local businesses that serve the community.

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: November 14, 2022

CORRESPONDENCE RECEIVED TO DATE: One email received in opposition.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING: No one appeared.

ATTACHMENTS: (Maps)