



# Pinellas County

## Legislation Details (With Text)

**File #:** 23-1567A **Version:** 1  
**Type:** Ordinance **Status:** Passed  
**File created:** 9/28/2023 **In control:** Board of County Commissioners  
**On agenda:** 10/31/2023 **Final action:** 10/31/2023  
**Title:** Case No. FLU-23-03 (Community Assisted & Supported Living, Inc.)  
A request for a change to the Future Land Use Map from Residential Suburban to Residential Low on approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole, through Katie Cole, Esq, & Angela Rauber, Esq. Will, Ward, Henderson, PA, Representatives. (Companion to Item No. 7)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. State-Filed ORD 23-23, 2. Adopted ORD 23-23, 3. Affidavit of Publication, 4. Electronic Affidavit of Publication, 5. Case Maps, 6. Ordinance, 7. Impact Assessment, 8. Traffic Analysis, 9. Application Narrative, 10. Planning Report, 11. Ownership Certification, 12. Survey, 13. Legal Advertisement, 14. Legal Advertisement Map, 15. Public Notification Map, 16. Correspondence - Opposed, 17. Correspondence - Opposed, 18. Correspondence - Opposed, 19. Correspondence - Opposed, 20. Email Comment - Opposed, 21. Presentation, 22. BCC Presentation, 23. 6 Applicant PowerPoint, 24. 6 Citizen Document, 25. 6 Public Comment Cards

Date	Ver.	Action By	Action	Result
10/31/2023	1	Board of County Commissioners	approved	Pass

**Subject:**

Case No. FLU-23-03 (Community Assisted & Supported Living, Inc.)  
A request for a change to the Future Land Use Map from Residential Suburban to Residential Low on approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole, through Katie Cole, Esq, & Angela Rauber, Esq. Will, Ward, Henderson, PA, Representatives. (Companion to Item No. 7)

**Recommended Action:**

Based upon the evidence and findings contained in the staff report and attachments, Case No. FLU-23-03 is recommended for approval.

An ordinance approving the application of Community Assisted & Supported Living, Inc. for a change to the Future Land Use Map (FLUM) from Residential Suburban to Residential Low.

- The applicants are seeking a Land Use change on a 2.79-acre single family residential property.
- The subject property is in a transitional location with higher intensity Land Use designations and uses directly to the northeast, north, northwest, and west; and is adjacent to a commercial/office node.
- The subject property's sole frontage and access is along Park Boulevard, a four lane divided arterial roadway.
- The applicants are also pursuing a Zoning Atlas amendment under a separate case number,

Case No. ZON-23-03.

- The proposed future use of the property as identified in the companion Zoning Atlas amendment and further limited by a Conditional (zoning) Overlay, Development Agreement and Concept Plan is housing for the developmentally disabled with supportive services.
- In January 2023, the Board denied without prejudice this same request, under a different case number, Case No. ZON-22-04, to allow the applicant time to address compatibility concerns with nearby residential uses in the companion Zoning Atlas amendment case.
- The applicant has attempted to address such concerns through the Zoning Atlas amendment application, by increasing setbacks and including a Development Agreement to make the concept plan legally binding.
- The Local Planning Agency recommended approval of the current request and the companion Zoning Atlas case (vote 5-2, respectively), with most members concluding that compatibility concerns had been adequately addressed. Four people spoke in opposition with five people, donating their time so one could speak longer, and six letters in opposition and a petition with 338 signatures in opposition were received.

### **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:**

On January 31, 2023, the Board denied this case without prejudice and, by default, a companion Zoning Atlas amendment case in order to allow the applicant time to address compatibility concerns with nearby residential uses in the companion Zoning Atlas amendment case. This Land Use amendment request remains unchanged since last heard by the Board in January 2023. The companion Zoning Atlas case, ZON-23-03, has been amended in an attempt to address concerns expressed by the Board and residents in opposition to the proposal.

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 with frontage on and limited access to Park Boulevard, a four (4)-lane divided arterial roadway. The applicants are requesting a FLUM amendment on the subject property from Residential Suburban (2.5 units per acre maximum) to Residential Low (5.0 units per acre maximum).

Companion zoning amendment -

The companion Zoning Atlas amendment on the subject property submitted by the applicants requests to change the zoning from Residential Estate (R-E) to Multi-family Residential with a Conditional Overlay (RM-CO), Development Agreement, and binding concept plan. The applicants wish to change the existing use of the property and develop independent housing for up to 24 persons with developmental disabilities as defined by Florida Statute Section 393.063(1), which is: "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.

#### Surrounding area and uses -

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 and the sole means of ingress and egress to the subject property. The subject property does not functionally connect to nor enjoy access from streets or properties to the east and south. It is functionally not a part of such residential areas/neighborhoods.

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 Commercial General and Residential Office General designated properties to the north and directly to the west 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 with single-family Land Use designations, the proposed Land Use change can be considered an appropriate transition between the commercial designations and 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 four (4) or higher hurricane (Evacuation Zone D).

#### Conclusion -

The Development Review Committee (DRC) finds the proposed Residential Low Land Use designation appropriate when considering the subject property's transitional location fronting a 4-lane divided arterial roadway between the neighboring commercial node and single-family homes. As the only access to the subject property is from Park Boulevard, there is no direct connection nor access to the surrounding residential properties. The amendment is also consistent with the Pinellas County Comprehensive Plan.

#### **Background Information:**

The LPA recommended approval of the request during its September 13, 2023, public hearing (Vote 5-2).

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:**

Ordinance

LPA Report

Impact Assessment

Traffic Impacts

Case Maps

Application Narrative

Planning Report

Certification of Ownership

Boundary Survey

Public Notification Map

Correspondence

Legal Ad

Legal Ad Map

Presentation