



# Pinellas County

## Staff Report

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File #: 17-896A, Version: 1

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### **Subject:**

Q Z/LU-08-05-17 (Heather Haven III, Inc.)

A request for zoning change from A-E, Agricultural Estate Residential to IL-CO, Institutional Limited-Conditional Overlay, and a land use change from Residential Suburban to Institutional with a Conditional Overlay limiting the use of the property to an assisted living facility, and a variance to allow for the expansion of the existing assisted living facility to within a minimum distance of 635 feet from another assisted living facility, where 1,000 feet of separation is required on approximately 1.75 acres located at 10476 131st Street North in the unincorporated area of Seminole.

### **Recommended Action:**

Adopt Case No. Q Z/LU-08-05-17 approving:

1) An Ordinance approving the application of Heather Haven III, Inc. for a change in land use from Residential Suburban to Institutional, and

2) A Resolution approving a change in zoning from A-E, Agricultural Estate Residential to IL-CO, Institutional Limited-Conditional Overlay with the Conditional Overlay limiting the use of the property to an assisted living facility, and

3) A variance allowing the expansion of the existing assisted living facility to within a minimum distance of 635 feet from another assisted living facility where 1,000 feet of separation is required subject to the following conditions: 1) full site plan review; 2) the applicant shall obtain all required permits and pay all applicable fees, regarding approximately 1.75 acres located at 10476 131st Street North.

### **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 one parcel totaling 1.75 acres on the west side of 131st Street North approximately 620 feet from the intersection of 102nd Avenue North. The property contains a 24-bed assisted living facility (ALF) granted via a special exception approved by the Board of Adjustment in 1996. It is designated Residential Suburban (RS) on the Future Land Use Map (FLUM) and zoned A-E, Agricultural Estate Residential. The applicants wish to expand the number of beds in the existing ALF, which will require changes to the FLUM and Zoning Atlas. They are proposing a FLUM amendment to Institutional and a zoning change to IL-CO, Institutional Limited with a Conditional Overlay limiting the use of the property to an ALF only. If approved, this could potentially allow for a maximum of 65 beds.

The subject property is surrounded by larger lot single family homes on parcels that are all zoned

Rural Residential. Other institutional type uses in the general area include a place of worship two parcels to the south at the intersection of 102nd Avenue North and a child care center adjacent to that church.

This application also involves a variance request to allow for the expansion of the existing ALF to within a minimum of 635 feet from another ALF, where 1,000 feet of separation is required. The other ALF is a small facility within a single family home located to the northwest along 106th Avenue North. The subject property is separated from the other ALF by four parcels and 106th Avenue North. Because there is already an existing ALF on the subject property, approval of the requested variance would pose minimal impacts in regard to the separation intent of the Code.

Comparing the current development potential of the amendment area as residential with the potential use associated with the requested Institutional FLUM category, the proposal could generate approximately 97 additional average daily vehicle trips on 131st Street North. In this location, the roadway is operating at a peak hour level of service (LOS) C and it is not considered constrained. The change in average daily trips is not expected to significantly impact the operational characteristics of 131st Street North. It should be noted that the increased traffic numbers are based on a purely residential use vs. an ALF, and do not take into consideration that a smaller ALF already exists on site. The actual traffic increase will be less. The proposal is also projected to modestly increase potable water and wastewater demand and solid waste generation.

The proposed Institutional FLUM and IL-CO zoning designations are appropriate based on the subject property's historic and current use as an ALF, general compatibility with nearby uses and consistency with the Pinellas County Comprehensive Plan. The Conditional Overlay would limit the use of the property to an ALF, which is a quiet use that generates little traffic and poses minimal overall impacts.

**Background Information:**

The Local Planning Agency (LPA) recommended approval of the request during its May 10, 2017 public hearing (Vote 7-0).

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Renea Vincent, Director, Planning

**Partners:**

N/A

**Attachments:**

LPA Report  
Case Maps  
Impact Assessment  
Traffic Analysis  
Resolution  
Ordinance  
Legal Ad

Ad Map  
PowerPoint Presentation