



# Pinellas County

## Legislation Details (With Text)

**File #:** 21-2488A **Version:** 1

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

**File created:** 12/9/2021 **In control:** Board of County Commissioners

**On agenda:** 1/25/2022 **Final action:** 1/25/2022

**Title:** Case No. FLU-21-03 (Palm Harbor Montessori School, Inc.) (Companion to Agenda Item No. 31)  
A request for a change of Land Use from Residential Low to Residential/Office Limited on approximately 2.25 acres located at 1961 East Lake Road in East Lake Tarpon. (Legislative)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. State-Filed ORD 22-3, 2. Adopted ORD 22-3, 3. Case Maps.pdf, 4. Impact Assessment.pdf, 5. Traffic Analysis.pdf, 6. Ordinance.pdf, 7. Boundary Survey.pdf, 8. Correspondence.pdf, 9. Public Notification Map.pdf, 10. Power Point Presentation.pdf, 11. Legal Ad.pdf, 12. Legal Ad Map.pdf, 13. AATF - Ordinance, 14. Electronic Affidavit of Publication, 15. Affidavit of Publication, 16. 30 Speaker Card

Date	Ver.	Action By	Action	Result
1/25/2022	1	Board of County Commissioners	approved	Pass

### **Subject:**

Case No. FLU-21-03 (Palm Harbor Montessori School, Inc.) (Companion to Agenda Item No. 31)  
A request for a change of Land Use from Residential Low to Residential/Office Limited on approximately 2.25 acres located at 1961 East Lake Road in East Lake Tarpon. (Legislative)

### **Recommended Action:**

Based upon evidence and findings contained in the staff report and attachments, Case No. FLU-21-03 is recommended for approval:

An Ordinance approving the application of Palm Harbor Montessori School, Inc. for a land use change from Residential Low (RL) to Residential/Office (R/LO) Limited on approximately 2.25 acres located at 1961 East Lake Road in East Lake Tarpon.

- The applicant is seeking a land use change on a 2.25-acre site that formerly contained a private school.
- The applicant is proposing to utilize the site for office use, but nothing specific is proposed. The existing RL land use does not allow offices. The proposed change to R/LO would allow offices while not increasing maximum residential density.
- The applicant is also seeking a zoning change under a separate case number.
- The Local Planning Agency unanimously recommended approval of the request; vote 6-0. No one appeared in favor or in opposition.
- One correspondence has been received with a concern regarding traffic.
  - a.) Anticipated traffic impacts are expected to decrease under this proposal, particularly when compared to the former school use.

## **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 parcels totaling approximately 2.25 acres located at 1961 East Lake Road in East Lake Tarpon, which is approximately 100 feet north of Woodlands Boulevard. The property is the former location of a private school, which was established via a Type-2 Use approval (special exception) granted by the Board of Adjustment in 1999. The onsite structure was built in 1971 and it is currently undecided if any future use would utilize the existing structure or if the site would be redeveloped. The property is designated RL on the Future Land Use Map (FLUM), which allows up to five (5) residential units per acre. The applicant wishes to have the ability to utilize the site for office uses. A FLUM amendment to R/OL is proposed, which would allow for office uses as well as residential up to the currently allowed density of five (5) units per acre. Like the existing RL category, the proposed R/OL category would allow up to 11 residential units on the property based on its acreage, however wetlands on the east side of the site would likely reduce the potential number of units. For nonresidential uses, the R/OL category allows a maximum floor area ratio (FAR) of 0.2, which is lower than the 0.3 allowed by RL. How the property is ultimately used will also depend on the property's zoning, as well as site plan requirements, wetland delineation, etc. The applicant is also pursuing a zoning amendment via a separate case number that would limit the site to office uses with no option for residential.

The subject property is located along the East Lake Road corridor, which is largely comprised of lower density residential uses and open space, with nodes of supporting nonresidential uses located near major road intersections. There is a fire station immediately to the south of the subject property, beyond which is Woodlands Boulevard, a collector roadway, and a main entrance into the gated East Lake Woodlands master planned community. To the north is a small townhome development, to the east is a conservation area, and to the west is a drainage pond on the other side of the 200-foot wide East Lake Road right-of-way. The land use designation is RL on all the surrounding properties, including the fire station, which is an institutional use approved via a Type-2 Use approval. The subject property is not part of an established development master plan.

The proposal could generate approximately 14 fewer average daily vehicle trips on East Lake Road, which is considered a deficient facility at this location. The potential traffic impacts decrease when compared to the development potential of the current land use category partly due to the low FAR of the proposed R/OL category, which would result in a smaller maximum building size than would be permitted in other land use categories. Even though the number of average daily trips is expected to decrease, it is not significant enough to impact the operational characteristics of the roadway.

East Lake Road is a designated Scenic/Non-Commercial Corridor (SNCC). Low density residential development (0-5 units per acre) is the preferred land use along SNCCs, although certain nonresidential uses have been approved and established along the East Lake Road corridor at appropriate locations. In this case, the requested R/OL land use meets the low-density criterion, as it allows a maximum of five (5) units per acre. The purpose of the R/OL category is to depict those areas that are now developed, or appropriate to be developed, in a residential and/or limited office

use consisted with the surrounding uses, transportation facilities and natural resource characteristics. The category is generally appropriate in locations where office and residential use is established or is determined appropriate as a means of encouraging reuse and neighborhood scale conversion; and along major transportation facilities where maintaining the traffic-carrying capacity is of paramount importance (e.g., SNCCs). These areas are typically near and served by the collector and arterial highway network.

The subject property is directly adjacent to a fire station, which creates compatibility issues with potential residential uses. East Lake Road is a principal arterial roadway and Woodland Boulevard, a short distance to the south, is a collector. In several ways, the R/OL category is specifically ideal for locations such as this along SNCCs, as it has low density maximums and a low intensity maximum of 0.2 FAR, which is the lowest of any land use category except Preservation. Any future development will be subject to increased SNCC landscaping requirements.

The subject property is located within the boundaries of the East Lake Tarpon Community Overlay as recognized by the Pinellas County Comprehensive Plan. 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 amendment is in keeping with the parameters of the Overlay. The proposed R/OL category is compatible with the surrounding area as it provides a logical transition from the fire station to the south to the townhomes to the north and is in proximity to a major signaled road intersection. It allows only low residential densities and limited office uses which could serve and be supportive of the surrounding residential community.

More than half of the subject property is within the Coastal High Hazard Area (CHHA) and it is entirely within the Coastal Storm Area (CSA). About a quarter acre of the property is within the Federal Emergency Management Agency's (FEMA) Special Flood Hazard Area, Flood Zone AE, more than half is within Pinellas County riverine floodplain, and most is within the Pinellas County 100-year coastal floodplain.

As the entire property is within the CSA and/or floodplain, it is important to note that the proposed R/OL land use category would not increase allowable density. In addition, the proposed companion zoning request would remove residential as a primary use entirely.

Staff is of the opinion that the proposed amendment and subject property are consistent with the purpose and locational criteria of the R/OL land use category. When considering the adjacent fire station, the subject property's past use as a school, and its location in proximity to a signalized intersection, the request seems appropriate. It is also consistent with the Pinellas County Comprehensive Plan, the East Lake Tarpon Community Overlay, and SNCC criteria. It will not increase residential density within the CSA and should help encourage reinvestment on the property while reducing impacts to infrastructure. It is anticipated that this request will also require approval from the Countywide Planning Authority.

### **Background Information:**

The LPA recommended approval of the request during its August 12, 2021 public hearing; vote Six (6) - Zero (0).

Surrounding property owners were notified by mail as required by Code. A sign advertising the public hearings was posted on the subject site.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Carol Stricklin, Director, Housing and Community Development

**Partners:**

N/A

**Attachments:**

LPA Report

Case Maps

Impact Assessment

Traffic Analysis

Ordinance

Boundary Survey

Correspondence

Public Notification Map

Power Point Presentation

Legal Ad

Legal Ad Map