



Staff Report to the St. Petersburg Community Planning & Preservation Commission

Prepared by the Planning & Development Services Department,
Urban Planning and Historic Preservation Division

For Public Hearing on Tuesday, January 8, 2019
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

According to Planning and Development Services records, no Community Planning & Preservation Commission members reside, or own property located within 2,000 feet of the subject property. All other possible conflicts should be declared upon announcement of the item.

City File: FLUM-53

Hope Lutheran Church, 1801 62nd Ave. N

This is a private initiated application requesting the Community Planning and Preservation Commission (“CPPC”), in its capacity as the Local Planning Agency (“LPA”), to make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** of the following Future Land Use Map amendment from Institutional (I) to Residential Urban (RU) for only the northern portion of the Hope Lutheran Church property.

APPLICANT INFORMATION

APPLICANT: Hope Lutheran Church of St. Petersburg, Inc
1801 62nd Ave N
St. Petersburg, Florida 33702

AGENT: Joseph Nix
1313 Murok Way South
St. Petersburg, FL 33705

STAFF CONTACT: Britton Wilson, AICP, Planner II
Urban Planning and Historic Preservation Division
Planning and Development Services Department
One – 4th Street North
St. Petersburg, Florida 33711
Britton.Wilson@stpete.org
(727) 551-3542

REQUEST

The purpose of the proposed Future Land Use Map amendment from Institutional (I) to Residential Urban (RU) is to allow for single-family residential development. The proposed map amendment is applicable to only the northern undeveloped portion of the Hope Lutheran Church property, the southern developed portion will remain as an operational church designated as Institutional (I) on the Future Land Use map. The amendment

boundary was determined with the legal description produced from the attached preliminary plat (submitted with the application materials) that depicts four (4) subdivided single-family parcels in conformance with the NS-1 zoning district.

SITE DESCRIPTION

Street Address:	1801 62 nd Ave N, St. Petersburg, FL 33702
Parcel ID Number:	36-30-16-56885-001-0010 (portion of)
Acreage:	0.688 acres
Zoning:	Neighborhood Suburban Single Family – 1 (NS-1)
Existing Future Land Use:	Institutional (I)
Proposed Future Land Use:	Residential Urban (RU), allowing up to 7.5 du/acre
Existing Countywide Plan Map:	Public/Semi-Public (PSP)
Proposed Countywide Plan Map:	Residential Low Medium (RLM)
Existing Use:	Vacant – Undeveloped
Surrounding Uses:	North, East and West – Single Family Residential South – Hope Lutheran Church
Neighborhood Association:	Meadowlawn Marlene Murray, President No Neighborhood Plan

BACKGROUND

The subject property's current zoning designation of Neighborhood Suburban Single Family – 1 (NS-1) has been in place since September 2007, following the implementation of the City's Vision 2020 Plan, the Citywide rezoning and update of the Land Development Regulations (LDRs). From 1977 to 2007, the subject property was zoned RS-75. A concurrent rezoning is not needed in this circumstance since the current NS-1 zoning is compatible with the requested Residential Urban (RU) Future Land Use category as outlined in LDR Section 16.10.020.2 – Matrix: Zoning districts and compatible future land use categories.

In support of subdividing the northern undeveloped portion of the Hope Luther Church site into four (4) single-family home parcels, the applicant has submitted two other concurrent applications: a preliminary plat and a modification to the existing Special Exception (SE) use for a House of Worship, which proposes an amendment to the church site boundary. In review of these applications, it was determined that the current land use category of Institutional (I) was inconsistent with the proposed residential development and required a Future Land Use Map amendment to Residential Urban (RU) prior to plat and SE modification approval. Under the Institutional land use designation, residential use is only allowed as accessory to the primary institutional use.

The Hope Lutheran Church of St. Petersburg has road frontage on the north side of 62nd Ave N, directly opposite of the Town Plaza commercial retail development. The northern rear of the church property proposed for amendment encroaches into the Meadowlawn neighborhood with single-family homes on all three sides.

CONSISTENCY AND COMPATIBILITY

The primary issues associated with this private application are consistency and compatibility of the requested designation with the established surrounding land use and zoning patterns and provisions of adequate public services and facilities.

The applicant's proposal to create four (4) single family lots to be conveyed separately for ownership and construction of single-family homes as a principal use is not consistent with the current Institutional (I) Future Land Use Map designation. The Institutional (I) designation reflects the ownership and use of the property as a house of worship. As set forth in the Comprehensive Plan, the Institutional designation is "limited to the designation of federal, state and local public buildings and grounds, cemeteries, hospitals, churches and religious institutions, and educational uses." The Institutional designation allows residential uses only as accessory to the primary institutional use. The proposed Future Land Use Map amendment to Residential

Urban (RU) allowing up to 7.5 dwelling units per acre will allow for the proposed four (4) lots with a land use designation and density consistent with the surrounding Meadowlawn neighborhood.

The requested designation is also consistent with Policy LU3.6 which states that *land use planning decisions shall weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated* and Policy LU3.7 which states that *land use planning decisions shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions*. The established character of the immediate area is dominated by single-family residential development within the Meadowlawn Neighborhood Association. The proposed amendment would bring the subject property into conformance with the character of the surrounding area, see attached map series showing the single-family residential uses, zoning and future land use designation on the north, east and west sides of the subject property. The proposed lot sizes are also substantially similar to the surrounding lots.

Policy LU3.8 of the City's Comprehensive Plan *seeks to protect existing residential uses from incompatible uses and other intrusions that may detract from an area's long-term desirability*. If approved, the requested designation will result in less of an intrusion into the surrounding single-family neighborhood than if developed at its current Institutional (I) land use designation. The remaining Church property will continue to allow for a compatible land use transition from the low intensity single-family uses to the higher intensity commercial development to the south side of 62nd Ave N.

RELEVANT CONSIDERATIONS ON AMENDMENTS TO THE FUTURE LAND USE MAP

1. Compliance of the proposed use with the goals, objectives, polices and guidelines of the Comprehensive Plan;

The following policies and objectives from the Comprehensive Plan are applicable:

- LU3.1(D)(2) Institutional (I) - Limited to designation of federal, state and local public buildings and grounds, cemeteries, hospitals, churches and religious institutions and educational uses. Residential uses having a density not to exceed 12.5 dwelling units per acre, are also allowed. Residential equivalency uses are not to exceed 3 beds per dwelling unit. Non-residential uses permitted in the land development regulations are not to exceed a floor area ratio of 0.55.
- LU3.1(2) Residential Urban (RU) - Allowing low density residential uses not to exceed 7.5 dwelling units per net acre; Residential equivalent uses not to exceed 3 beds per dwelling unit; non-residential uses allowed by the land development regulations up to a floor area ratio of 0.40. An ancillary non-residential use which exceeds three (3) acres, a transportation/utility use which exceeds three (3) acres, or an institutional use (except public educational facilities which are not subject to this threshold) which exceeds five (5) acres, whether alone or when added to existing contiguous like use(s), shall require a Future Land Use map amendment that shall include such use and all contiguous like uses.
- LU3.4 The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.
- LU3.5 The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.

- LU3.6 Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.
- LU3.7 Land use planning decisions shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions.
- LU3.8 The City shall protect existing and future residential uses from incompatible uses, noise, traffic and other intrusions that detract from the long-term desirability of an area through appropriate land development regulations.
- LU3.17 Future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan.
- LU4(1) Residential – the City shall provide opportunities for additional residential development where appropriate.
- LU5.3 The Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.

2. Whether the proposed amendment would adversely affect environmentally sensitive lands or properties which are documented as habitat for the listed species as defined by the conservation element of the Comprehensive Plan;

The subject property is an improved vacant lot, consisting of open maintained lawn and perimeter tree canopy. Based on aerial photographs, the area has been used for grass parking. The proposed amendment will not impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

3. Whether the proposed changes would alter the population density pattern and thereby adversely affect residential dwelling units;

The proposed change will not significantly alter the City’s population. The proposed change will allow for four single-family homes with an estimated occupancy of 2.5 people per home. Thus, the proposal is estimated to support an additional population of 10 people.

4. Impact of the proposed amendment upon the adopted level of service (LOS) for public services and facilities including, but not limited to: water, sewer, sanitation, recreation and stormwater management and impact on LOS standards for traffic and mass transit. The POD may require the applicant to prepare and present with the application whatever studies are necessary to determine what effects the amendment will have on the LOS;

The below LOS impact analysis concludes that the proposed FLUM amendment from Institutional (I) to Residential Urban (RU) will not have a significant impact on the City’s adopted LOS standards for public services and facilities including potable water, sanitary sewer, solid waste, traffic, mass transit, recreation, and stormwater management. Upon application for site plan review, or development permits, a full concurrency review will be completed to determine whether or not the proposed development may proceed. The property owner must comply with all laws and ordinances in effect at the time development permits are requested.

POTABLE WATER

Under the existing inter-local agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit, on or before February 1st of each year the anticipated water demand for the following year. TBW is contractually obligated to meet the City's and other member government's water supply needs. The City's adopted LOS standard is 125 gallons per capita per day (gpcd), while the actual current usage equates to approximately 81 gpcd. The City's overall potable water demand is approximately 29 million gallons per day (mgd), while the systemwide capacity is 68 mgd. Therefore, there is excess water capacity to serve the amendment area.

WASTEWATER

The subject property is served by the Northeast Water Reclamation Facility, which presently has an estimated excess average daily capacity of 8.46 million gallons per day (mgd). The estimate is based on permit capacity of 16 mgd and a calendar year 2017 daily average flow of 7.54 mgd. Therefore, there is excess average daily capacity to serve the subject property.

SOLID WASTE

Solid waste collection is the responsibility of the City, while solid waste disposal is the responsibility of Pinellas County. The City and the County have the same designated LOS of 1.3 tons per person per year. The County currently receives and disposes of municipal solid waste generated throughout Pinellas County. All solid waste disposed of at Pinellas County Solid Waste is recycled, combusted or buried at the Bridgeway Acres sanitary landfill. The City and County's commitment to recycling and waste reduction programs, and the continued participation of residents and businesses in these programs, have assisted in keeping down the actual demand for solid waste disposal, which continues to extend the life span of Bridgeway Acres Sanitary Landfill. The landfill is expected to remain in use for approximately 84 years, based on current design (grading) and disposal rates. Thus, there is excess solid waste capacity to serve the amendment area.

TRAFFIC

The subject property is located north of 62nd Avenue North, which is a four-lane, minor arterial that is maintained by Pinellas County. Based on the Forward Pinellas 2017 Level of Service Report, the level of service for 62nd Avenue North from US 19 to 16th Street is "C." This level of service is based on the 2016 average annual traffic (AADT) volume of 19,498. The volume-capacity ratio for this road segment is 0.637, so there is spare capacity to accommodate new vehicular trips. The roads adjacent to the subject property are local roads that are maintained by the City. The proposed change from Institutional to Residential Urban represents in a decrease of estimated P.M. peak hour trips.

The statutory provisions for transportation concurrency were rescinded in 2011. In the absence of state-mandated transportation concurrency, the Pinellas County Metropolitan Planning Organization, now known as Forward Pinellas, formed the multi-jurisdictional Mobility Plan Task Force. The Task Force's goal was to develop a countywide approach to managing the transportation impacts associated with development through the site plan review process. The efforts of the Task Force resulted in the City adopting the Pinellas County Mobility Plan, which amended the Land Development Regulations and eliminated transportation concurrency requirements. The City continues to monitor the LOS for motor vehicles on major roadways and the availability of transit service for site impact review and transportation planning purposes.

MASS TRANSIT

The Citywide LOS for mass transit will not be affected. The closest PSTA local transit service is Route 75 providing service from Tyrone Square Mall to Gateway Mall with 60-minute headways. The subject property is not located within a ¼ mile of a transit stop.

RECREATION

The City's adopted LOS for recreation and open space is 9 acres per 1,000 population, the actual LOS City-wide is estimated to be 21.3 acres per 1,000 population. If approved, there will be no noticeable impact on the adopted LOS standard for recreation and open space.

STORMWATER MANAGEMENT

The level of service standard for drainage is implemented by the City through the review of drainage plans for new development and redevelopment. Prior to development of the subject property, site plan approval will be required. At that time, City Code and SWFWMD site requirements for stormwater management criteria will be implemented. Per City Code 16.40.030.6, a proposed residential development of up to four dwelling units which is not part of a larger unified plan of development, is exempt from the water quality and water quantity requirements of the City's Drainage and Surface Water Management Ordinance.

5. Appropriate and adequate land area sufficient for the use and reasonably anticipated operations and expansions;

The land area is both appropriate and adequate for the anticipated single-family residential use of the subject property. The property conforms with the lot dimension requirements of the existing NS-1 zoning to allow for the anticipated four (4) individual lots.

6. The amount and availability of vacant land or land suitable for redevelopment for similar uses in the City or on contiguous properties;

The City has limited vacant land available for single-family residential development. The contiguous neighborhood of Meadowlawn is entirely built-out.

7. Whether the proposed change is consistent with the established land use pattern of the areas in reasonable proximity;

The requested Residential Urban (RU) land use designation and anticipated single-family development is consistent with the surrounding established single-family land use pattern to the north, east and west. The proposed lots are approximately 8,000 square feet each, consistent with existing neighborhood lot sizes.

8. Whether the exiting district boundaries are logically drawn in relation to existing conditions on the property proposed for change;

The purpose of the proposed land use category change to Residential Urban (RU) is to allow redevelopment of a portion of the existing church for four single-family homes. The subject property boundary is logically drawn to allow for the four (4) proposed single-family lots, as depicted in the preliminary plat submitted with the application.

9. If the proposed amendment involves a change from residential to a nonresidential use or a mixed use, whether more nonresidential land is needed in the proposed location to provide services or employment to residents of the City;

Not applicable.

10. Whether the subject property is within the 100-year floodplain, hurricane evacuation level zone A or coastal high hazard areas as identified in the coastal management element of the Comprehensive Plan;

The subject property is outside of the 100-year floodplain and coastal high hazard areas.

11. Other pertinent facts.

The Community Planning and Preservation Commission and City Council may bring up other pertinent information as necessary.

CONSISTENCY with the COUNTYWIDE PLAN:

The subject property is categorized on the Countywide Plan Map as Public/Semi-Public (P/SP). This plan category is intended to recognize institutional and transportation/utility uses that serve the community or region. To achieve consistency with the Countywide Plan Map, an amendment to Residential Low Medium (RLM) is required and shall be requested through Forward Pinellas.

PUBLIC NOTICE

Mail notices were sent to affected neighbors within 200 feet of the subject property and the Meadowlawn Neighborhood Association.

PUBLIC HEARING PROCESS

The proposed ordinance associated with the Comprehensive Plan Future Land Use Map amendment requires one (1) public hearing before the Community Planning & Preservation Commission (CPPC) and one (1) City Council public hearing. Forward Pinellas (formerly known as Pinellas Planning Council) will review the Comprehensive Plan Future Land Use Map amendment for consistency with the Countywide Rules.

SUMMARY

Based upon the analysis contained in this report, City staff finds that the proposed Future Land Use Map amendment from Institution (I) to Residential Urban (RU) is consistent with the Comprehensive Plan. The proposed amendment furthers Comprehensive Plan Policy LU3.6 by bringing the subject property into conformance with the established character of the surrounding single-family residential neighborhood, while the remaining church property will continue to function as a compatible land use transition, buffering the residential uses from the higher intensity commercial uses to the south.

RECOMMENDATION

Staff recommends that the Community Planning and Preservation Commission, in its capacity as the Local Planning Agency, make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** of the Comprehensive Plan Future Land Use Map amendment described herein.

ATTACHMENTS

1. Legal Description
2. Maps
3. Application



ATTACHMENT NO. 1

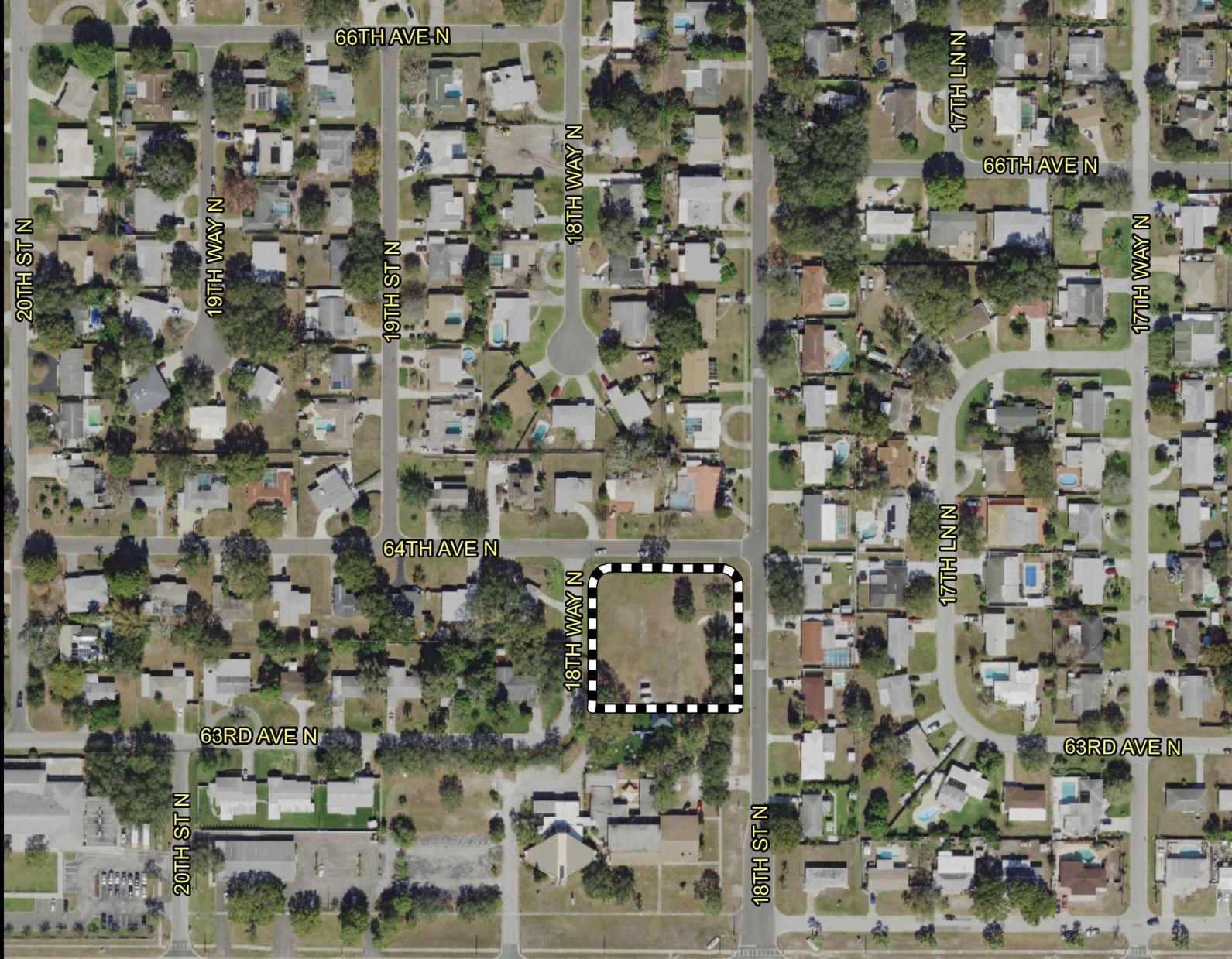
Legal Description

Begin at the Northwest corner of Lot 1, Block 1, MEADOW LAWN SEVENTEETH ADDITION, as recorded in Plat Book 76, Page 73, of the Public Records of Pinellas County, Florida; thence run S 89°44'27" E, 150.00 feet along the South right-of-way of 64th Avenue North; thence along the Arc of a Curve to the right, having a Radius of 25.05 feet, Arc of 39.29 feet, Chord of 35.39 feet and Chord Bearing S 44°48'12" E; thence S 00°08'13" W, 167.37 feet along the West right-of-way of 18th Street North; thence N 89°44'27" W, 200.58 feet; thence along a Curve to the Left, having a Radius of 85.00 feet, Arc of 9.92 feet, Chord of 9.91 feet, Chord Bearing N 03°28'43" E along the East right-of-way of 18th Way North; thence N 00°08'13" E, 157.47 feet along said East right-of-way; thence along a Curve to the right, having a Radius of 24.95 feet, Arc of 39.24 feet, Chord of 35.32 feet and Chord Bearing N 45°11'53" E to the Point of Beginning.



ATTACHMENT NO. 2

Maps



AERIAL

CITY FILE

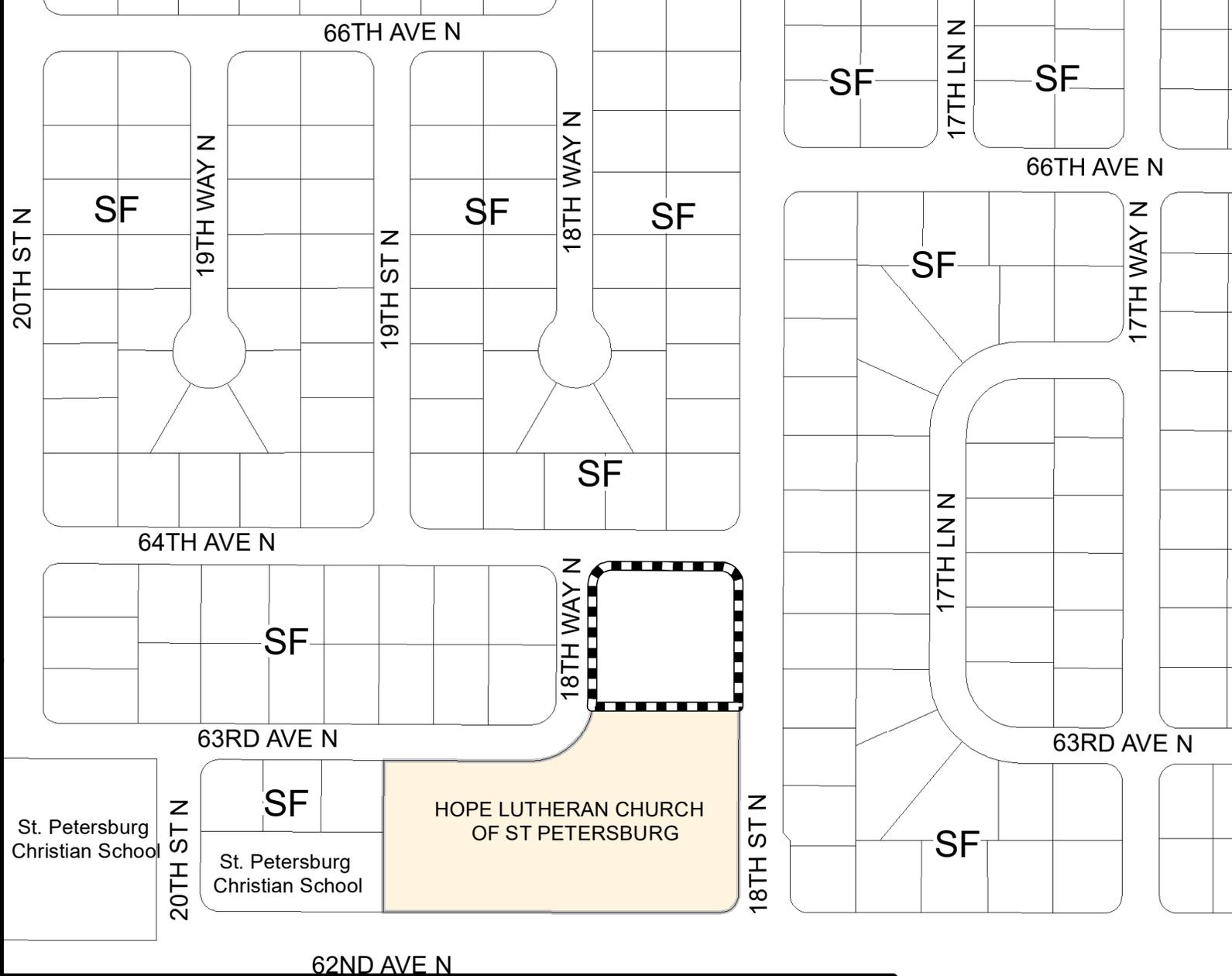
FLUM-53

SCALE: 1 " = 203 '

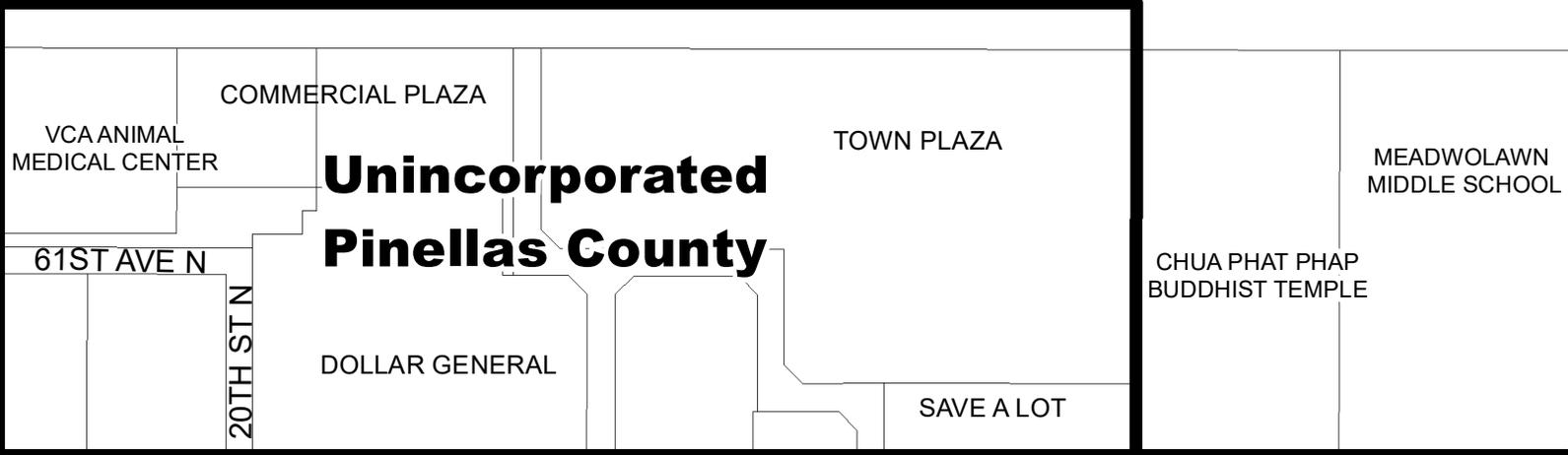


SUBJECT AREA





**Unincorporated
Pinellas County**



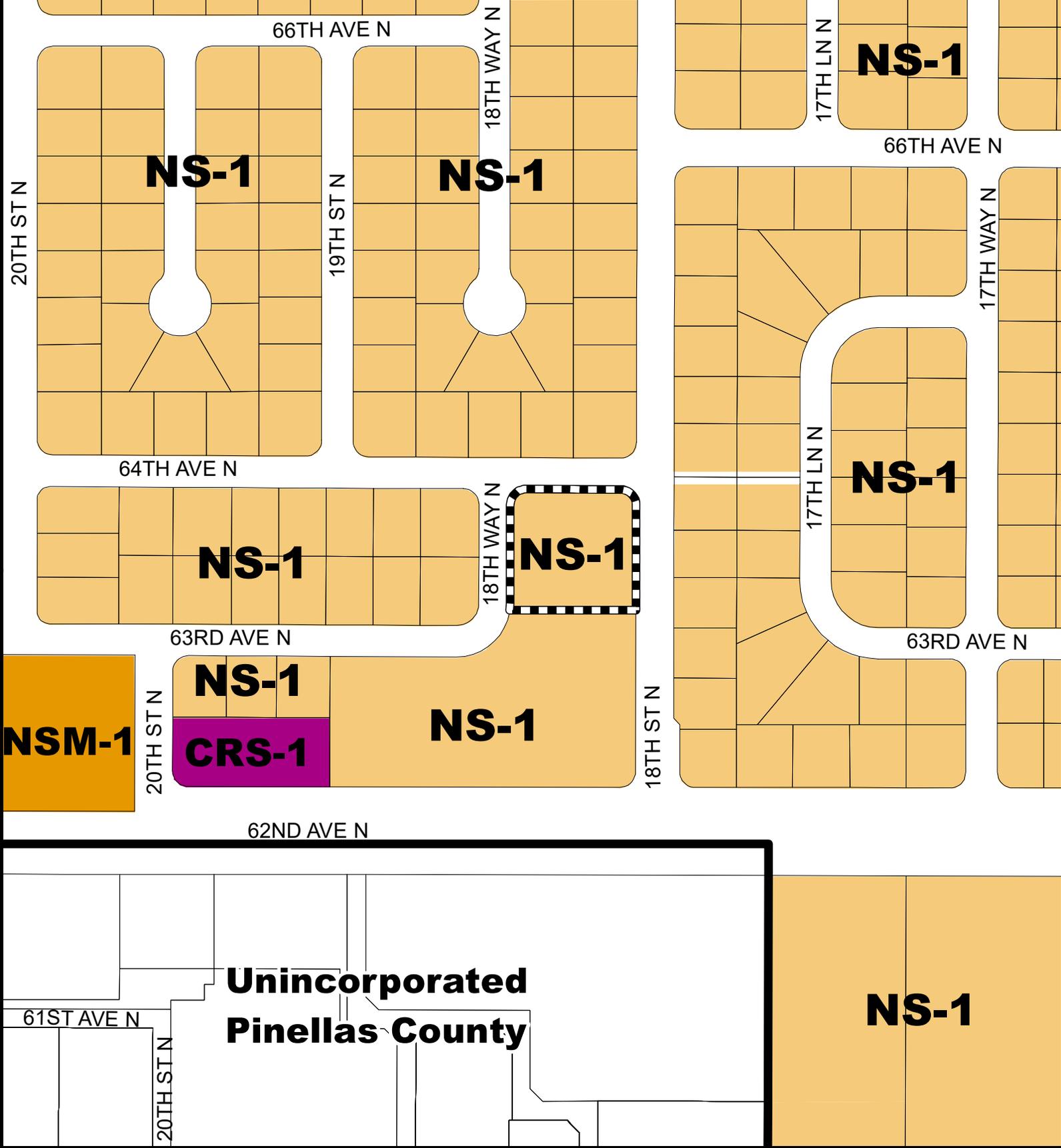
EXISTING SURROUNDING USES

CITY FILE
FLUM-53
SCALE: 1" = 203'



SUBJECT AREA





EXISTING ZONING

CITY FILE

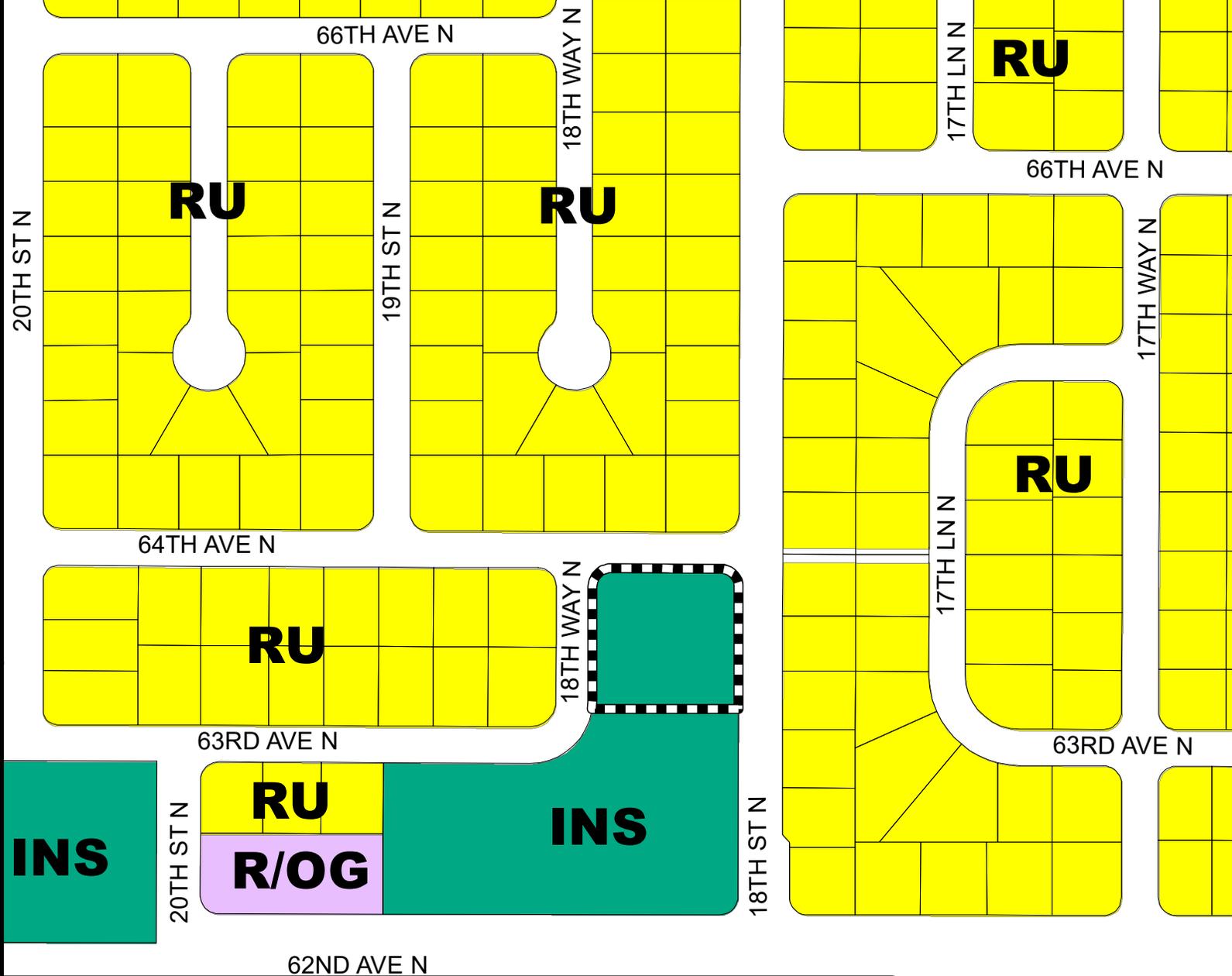
FLUM-53

SCALE: 1" = 203'

NS-1 (Neighborhood Suburban Single Family - 1)

 SUBJECT AREA

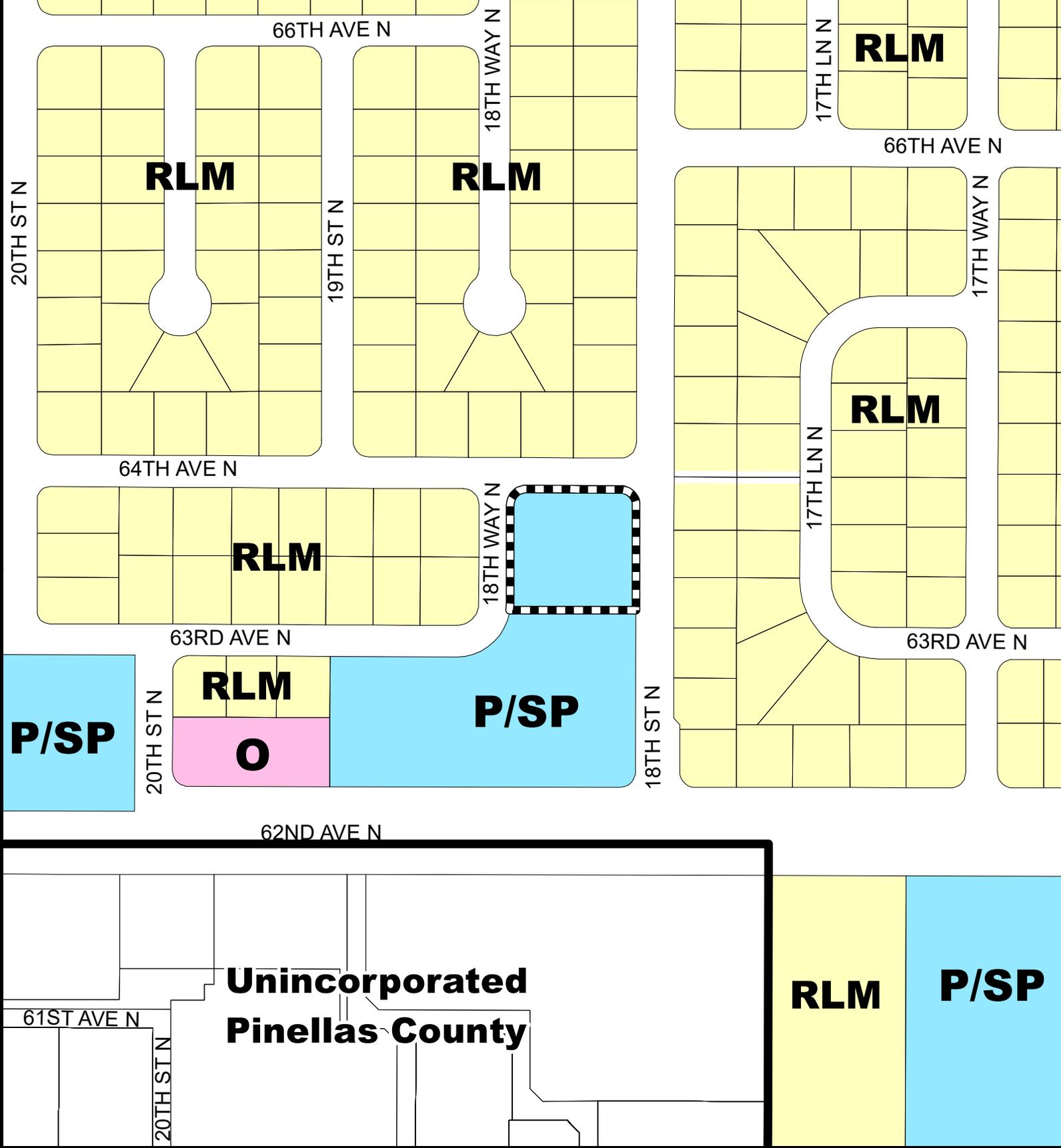




**Unincorporated
Pinellas County**

FUTURE LAND USE

CITY FILE	From: INS (Institutional)	To: RU (Residential Urban)	
FLUM-53		SUBJECT AREA	
SCALE: 1" = 203'			



**Unincorporated
Pinellas County**

COUNTYWIDE PLAN MAP

CITY FILE

FLUM-53

SCALE: 1" = 203'

**From: P/SP
(Public/Semi-Public)**

**To: RLM
(Residential Low Medium)**



SUBJECT AREA





ATTACHMENT NO. 3

Application



FUTURE LAND USE PLAN CHANGE REZONING

Application No. _____
(To Be Assigned)

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Planning and Economic Development Department, located on the 8th floor of the Municipal Services Building, One Fourth Street North, St. Petersburg, Florida.

GENERAL INFORMATION	
APPLICATION	
Date of Submittal:	11/21/18
Street Address:	1801 62 nd Ave N
Parcel ID or Tract Number:	36-30-16-56885-001-0010
Zoning Classification:	Present: <u>I</u> Proposed: <u>R/U</u>
Future Land Use Plan Category:	Present: <u>P/S P</u> Proposed: <u>RLM</u>
NAME of APPLICANT (Property Owner): West FLA Developers Group INC (JOE NIX) Pres	
Street Address:	2832 W. VINA DELMAR BLVD
City, State, Zip:	ST PETERS BEACH FL 33706
Telephone No:	727 687-0555
Email Address:	JNIX @ BHHS FL PG. COM
NAME of any others PERSONS (Having ownership interest in property):	
Specify Interest Held:	HOPE Lutheran - EDMUND LA FRANCE
Is such Interest Contingent or Absolute:	ABSOLUTE
Street Address:	1801 62 nd Ave N
City, State, Zip:	ST PETERSBURG
Telephone No:	727 458-6290
Email Address:	ELFRAN1 @ TAMPA BAY . RR . COM
NAME of AGENT OR REPRESENTATIVE: ROBERT BRESEMANN	
Street Address:	1801 62 nd Ave N
City, State, Zip:	ST PETERSBURG
Telephone No:	727 458-6290
Email Address:	BOBBRESEMANN @ GMAIL . COM

RECEIVED
 NOV 21 2018
 DEVELOPMENT REVIEW
 SERVICES

AUTHORIZATION

Future Land Use Plan amendment and / or rezoning requiring a change to the Countywide Map	\$ 2,400.00
Future Land Use Plan amendment and / or rezoning NOT requiring a change to the Countywide Map	\$ 2,000.00
Rezoning only	\$ 2,000.00

Cash or credit card or check made payable to the "City of St. Petersburg"

The UNDERSIGNED CERTIFIES that the ownership of all property within this application has been fully divulged, whether such ownership be contingent or absolute, and that the names of all parties to any contract for sale in existence or any options to purchase are filed with the application. Further, this application must be complete and accurate, before the public hearings can be advertised, with attached justification form completed and filed as part of this application.

Signature: _____ Date: 11-21-18
 Must be signed by title holder(s), or by an authorized agent with letter attached.



FUTURE LAND USE PLAN CHANGE REZONING

NARRATIVE (PAGE 1 of 1)

NARRATIVE

PROPERTY INFORMATION:

Street Address: 1801 62ND Ave N

Parcel ID or Tract Number: 36-30-16-56885-001-0010

Square Feet: 30,000 SF

Acreage: .688

Proposed Legal Description: Future land use map to be CHANGED from I (INSTITUTIONAL) to R/U (RESIDENTIAL URBAN). The countywide PLAN map to be CHANGED from P/SP to RLM

Is there any existing contract for sale on the subject property: YES

If so, list names of all parties to the contract: EDMUND La FRANCE, HOPE LUTHERAN

Is contract conditional or absolute: ABSOLUTE

Are there any options to purchase on the subject property: NO

Is so, list the names of all parties to option: NONE

REQUEST: CHANGE from I to R/U

The applicant is of the opinion that this request would be an appropriate land use and / or rezoning for the above described property, and conforms with the Relevant Considerations of the Zoning Ordinance for the following reasons:

THE LAND IS OF NO USE TO THE SELLER (HOPE LUTHERAN) and is a prime site for Residential Housing. the Lots will be 7500 SF meeting the Res zoning. The site HAS Existing ROADWAYS. The new proposed homes will be conforming to the neighborhood.



CITY OF ST. PETERSBURG
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION

DEVELOPMENT REVIEW COMMISSION
AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: HOPE LUTHERAN CHURCH OF ST PETERSBURG INC

This property constitutes the property for which the following request is made

Property Address 1801 62ND AVE N

Parcel ID No: 36-30-16-56885-001-0610

Request DIVIDE VACANT ADJOINING LAND INTO 4 buildable lots
modification to EXISTING SPECIAL EXCEPTION. Subdividing the
Northern portion of the property and establishing a new property line
for the church

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s).

Agent's Name(s): JOE NIX

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

I(we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner) Edmond J. LaFrance

EDMOND J. LAFRANCE
Printed Name

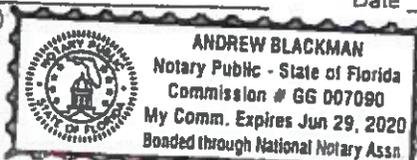
Sworn to and subscribed on this date

Identification or personally known FL DRIVER LICENSE

Notary Signature [Signature]

Date 2-9-18

Commission Expiration (Stamp or date)



City of St. Petersburg - One 4 Street North - PO Box 2842 - St. Petersburg FL 33731-2842 - (727) 893-7471
www.stpate.org/kli