



PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE:	December 19, 2017
AGENDA ITEM:	H.6.
CASE:	REZ2017-10012
REQUEST:	To amend the Zoning Atlas designation from Office (O) District to Commercial (C) District
GENERAL DATA:	
<i>Applicant</i>	Brian J. Aungst, Jr., Esq.
<i>Owner</i>	Rental Houses, LLC
<i>Location</i>	300 South Duncan Avenue, located on the west side of South Duncan Avenue approximately 280 feet north of Gulf to Bay Boulevard
<i>Property Size</i>	2.807-acre portion of a 3.196-acre property

Background:

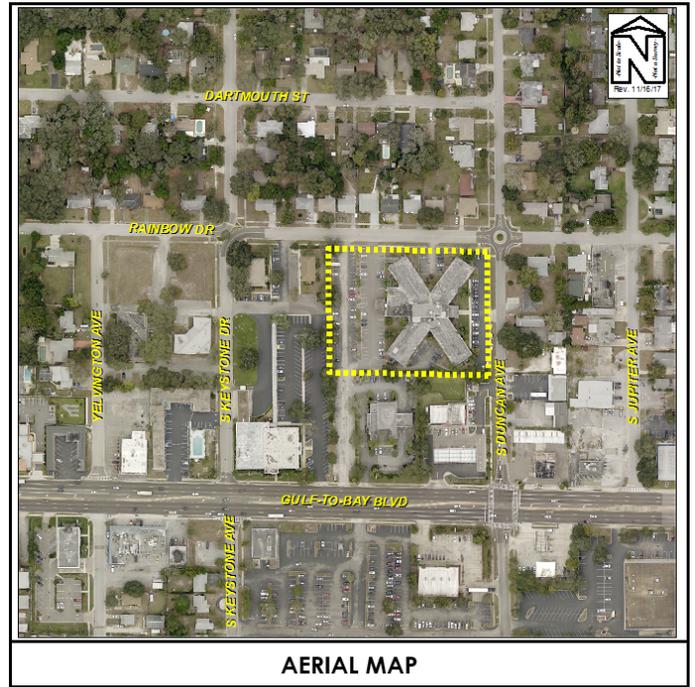
This case involves 2.807 acres of a 3.196-acre parcel located on the west side of South Duncan Avenue, approximately 280 feet north of Gulf to Bay Boulevard (SR 60). The property is owned by Rental Houses, LLC and is occupied by a three-story, 69,000 square foot office building with ancillary off-street parking. The overall parcel is a flag lot, where the proposed amendment area has frontage on South Duncan Avenue (310 feet) and Rainbow Drive (396 feet). A narrow portion of the parcel extends to Gulf to Bay Boulevard (60 feet of frontage), approximately 345 feet west of South Duncan Avenue, providing access to the office (excluded from the proposed amendment). Maps 1 and 2 show the general location of the property and an aerial view of the amendment area.

The existing office was constructed in 1976, and is over 88% leased. The building currently houses many targeted industries (i.e., Financial and Professional Services) including medical offices, attorneys, mortgage firms, real estate office, accounting offices and other professional businesses. Currently, there is 8,000 square feet of office space available, and the asking rent is \$10 per square foot. A development proposal to demolish the existing office and replace it with a 76,490 square foot self-storage facility consisting of 700 units spread across four buildings on the proposed amendment area and an 875 square foot sales office located on the remainder of the parcel has been submitted for review (continued case FLD2017-09018). The proposed self-storage use is not allowed within the property's current zoning district. The request is to change the Zoning Atlas designation of the proposed amendment area from Office (O) to Commercial (C), thereby establishing a uniform future land use designation across the parcel. A request to amend the future land use category of

the proposed amendment area from the Residential/Office General (R/OG) category to the Commercial General (CG) category is being processed concurrently with this case (see LUP2017-10011).



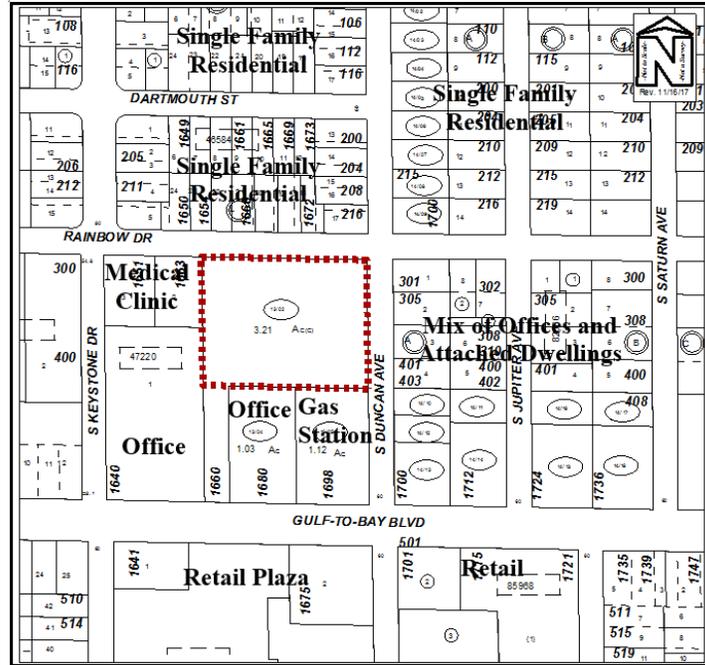
Map 1



Map 2

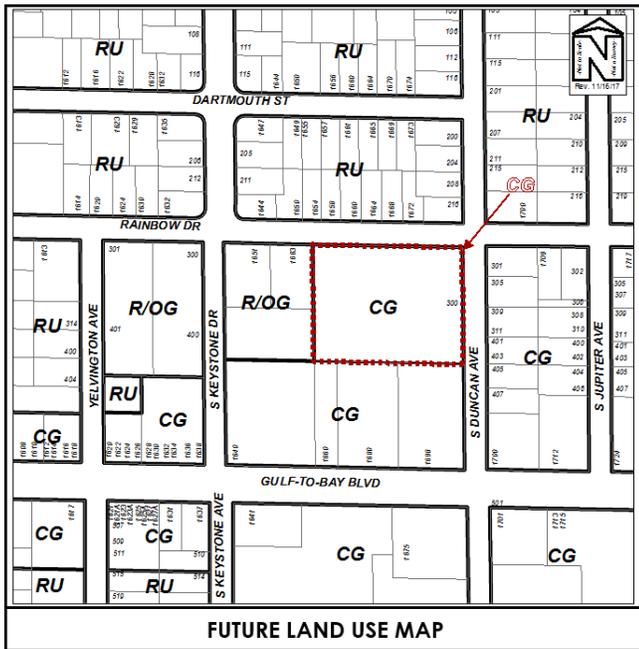
Vicinity Characteristics:

Map 3 shows the existing surrounding uses. The immediate area to the north across Rainbow Drive is developed with single-family houses. Abutting to the south is an office (Synovus Bank) and an automobile service station (Thorntons). The area to the east consists of offices, as well as attached dwellings and a single-family detached dwelling. The area to the west is a mixture of office and medical clinic uses.

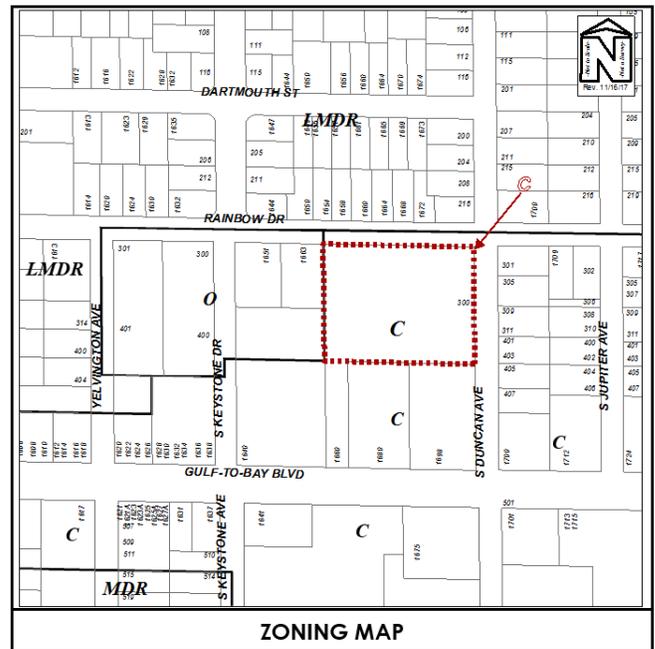


Map 3

As shown on Map 5, the abutting Zoning Atlas designations are Office (O) District to the west and Commercial (C) to the south. To the north, across Rainbow Drive, is Low Medium Density Residential (LMDR) and to the east, across South Duncan Avenue, is Commercial (C). The surrounding vicinity has additional areas designated Low Medium Density Residential (LMDR) along the north and south sides of Rainbow Drive, and a mix of Office (O) and Commercial (C) along the south side of Rainbow Drive.



Map 4



Map 5

REVIEW CRITERIA:**Consistency with the Clearwater Comprehensive Plan and Community Development Code and Regulations [Sections 4-602.F.1]****Recommended Findings of Fact:**

The following objectives and policies of the Clearwater Comprehensive Plan are not supportive of the proposed amendment:

Objective A.2.2 Future Land Use in the City of Clearwater shall be guided by the City's Future Land Use Map, which shall be consistent with the Countywide Plan for Pinellas County (The Countywide Plan) including the Countywide Plan Map, and shall be implemented through the City's Community Development Code.

Policy A.5.5.1 Development should be designed to maintain and support the existing or envisioned character of the neighborhood.

Objective A.6.1 The redevelopment of blighted, substandard, inefficient and/or obsolete areas shall be a high priority and promoted through the implementation of redevelopment and special area plans, the construction of catalytic private projects, city investment, and continued emphasis on property maintenance standards.

Policy A.6.1.6 Land use decisions in Clearwater shall support the expansion of economic opportunity, the creation of jobs and training opportunities as well as the maintenance of existing industries through establishment of enterprise zones, activity centers and redevelopment areas and by coordination with the Chamber of Commerce, Tourist Development Council and other economic development organizations and agencies.

Policy A.6.2.2 Encourage land use conversions on economically underutilized parcels and corridors, and promote redevelopment activities in these areas.

Applicable sections of the Community Development Code which are not supportive of the proposed amendment:

Division 10. Office District, Section 2-1101. Intent and Purpose. The intent and purpose of the Office "O" District is to provide the citizens of the City of Clearwater with convenient access to professional services and high quality jobs throughout the city without adversely impacting the integrity of residential neighborhoods, diminishing the scenic quality of the City of Clearwater or negatively impacting the safe and efficient movement of people and things within the City of Clearwater.

Division 7. Commercial District, Section 2-701. Intent and Purpose. The intent and purpose of the Commercial District is to provide the citizens of the City of Clearwater with convenient access to goods and services throughout the city without adversely impacting the integrity of residential neighborhoods, diminishing the scenic quality of the city or negatively impacting the safe and efficient movement of people and things within the City of Clearwater.

As stated in the introduction to the City's Comprehensive Plan Future Land Use Element, the Goals, Objectives and Policies provide for sustainable redevelopment and infill development, as well as neighborhood preservation, and are "... designed to preserve and enhance community character and quality

of life, while ensuring continued economic vitality of the community.” The Future Land Use Map depicts spatially where certain types of development are envisioned to occur. While the Community Development Code provides a path for individual property owners to request amendments to the Future Land Use Map, review of such requests must consider the achievement of the City’s Goals on balance.

In 2011, the City's Economic Development and Housing Department engaged TIP Strategies, Inc. to develop an Economic Development Strategic Plan to position Clearwater for future sustainable growth and economic prosperity. The Strategic Plan seeks to ensure long-term economic vitality through the guiding principles of tax base diversification, higher paying jobs, and business vitality. The City is committed to preserving land for targeted industries, and encourages the development of sites and buildings needed to accommodate higher intensity employment opportunities, consistent with the goals of the Economic Development Strategic Plan. Attracting target industries and higher wage jobs guide future economic development programs and activities in Clearwater. To attract target industries and accommodate higher-wage jobs, the City should more fully leverage existing sites for redevelopment.

This site is considered a strategic location for office uses, given its proximity to the Downtown and SR 60. The subject property is designated Office (O), consistent with its current use as a multi-tenant office, and consistent with the properties to the west, on the south side of Rainbow Drive. The City’s Community Development Code establishes that the Office (O) District is the primary district in which high quality jobs and employment opportunities will be located, whereas the proposed Commercial (C) District is primarily focused on providing convenient access to goods and services, such as the retail uses and restaurants typically found within the Commercial (C) District. The Office (O) District is the appropriate zoning district for this property.

The existing office is currently 88% leased, and many of the existing tenants are within targeted industries. According to the City’s Economic Development and Housing Department, the site is well-suited for continued office use, consistent with the City’s Economic Development Strategic Plan. Much of redevelopment is facilitated by removal of economically underutilized properties; however, the subject property is not economically underutilized, and the proposed use for the site as a self-storage use is the opposite of an office use. The existing office is a viable use, is not blighted or obsolete. Amending the zoning designation on the proposed amendment area would be inconsistent with Policy A.6.1.6 as it would permit redevelopment that does not expand economic opportunities or create jobs. Self-storage facilities of this size often have fewer than five employees, including part time employees. Such an amendment is also inconsistent with Policy A.6.2.2 as the site is not economically underutilized.

The requested change to the Commercial (C) District requires an amendment to the Future Land Use Map as well to remain consistent. However, the current mix of future land use categories is sufficient in this area to support the envisioned character of the properties along Rainbow Drive and South Duncan Avenue, the primary frontages on which the subject site is located. The Residential/Office General (R/OG) future land use category that is found on the south side of Rainbow Drive, west of South Duncan Avenue, is consistent with both Office (O) District and Medium Density Residential (MDR) District, both of which permit uses that are in character with the single family residential neighborhood to the north of the property. Staff recognizes that that over time, uses may change, but the uses allowed through either of the consistent zoning districts are appropriate and in character with the surrounding residential development.

South Duncan Avenue forms the line of demarcation between the area envisioned to remain Office (O) District to the west, and the area already designated as Commercial (C) District to the east. Within the area designated Commercial (C) District, there are many underutilized properties, including vacant parcels and closed businesses in one-story buildings, that are envisioned to transition over time, consistent with the zoning designation in place. Commercial (C) District is generally designated the length of Gulf to Bay Boulevard, and in most areas, is only applied to parcels with frontage on Gulf to Bay Boulevard and those abutting, or generally within the first 280 feet from the right-of-way. There are limited other areas, including the three blocks east of the proposed amendment area, where the entire block north to Rainbow Drive is all Commercial (C) District. However, these areas are more typically limited to the intersections of two arterials where there are larger parcels and the Commercial (C) District extends further north and south of Gulf to Bay.

Recommended Conclusions of Law:

The request is inconsistent with the goals, objectives and policies of the Clearwater Comprehensive Plan and conflicts with said plan and the Community Development Code as indicated above. The proposed change does not support the City's stated economic development goals and objectives.

Compatibility with Surrounding Property/Character of the City & Neighborhood [Section 4-602.F.2, 4-602.F.3 and Section 4-602.F.4]

Recommended Findings of Fact:

Existing surrounding uses consist primarily of single family residential (detached dwellings) (north) and offices and medical clinics (west and south). There is an assortment of offices and residential (attached dwellings) to the east, across South Duncan Avenue, and a gas station (south). The proposed use of the subject property is self-storage.

The proposed Commercial (C) zoning district is inconsistent with many of the surrounding zoning districts that exist in the vicinity of the subject property. The Commercial (C) zoning district permits a variety of commercial uses as minimum standard uses, including retail plazas, restaurants, offices, overnight accommodations, and vehicle sales/display. The proposed District does not appear to be appropriately located. While certain permitted uses may be compatible with the single-family uses in the area, these same uses are also already permitted through the existing Office (O) District. The request is not compatible with the surrounding area and may unreasonably affect the use of the properties in the area.

Recommended Conclusions of Law:

The proposed Commercial (C) zoning district is not in character with the zoning districts in the area. Further, the proposal is incompatible with surrounding uses and inconsistent with the character of the surrounding properties and neighborhood.

Sufficiency of Public Facilities [Section 4-602.F.5]

Recommended Findings of Fact:

To assess the sufficiency of public facilities needed to support potential development on the proposed amendment area, the maximum development potential of the property under the present and requested City

Future Land Use Map designations were analyzed (see Table 1). Even though this is a Zoning Atlas amendment application, maximum development potential is based on the underlying future land use, so for purposes of this analysis sufficiency of public facilities is based on the future land use map designation.

Table 1. Development Potential for Existing & Proposed FLUM Designations

	Present FLUM Designation "R/OG"	Requested FLUM Designation "CG"	Net Change
Site Area	2.807 AC (122,272 SF)	2.807 AC (122,272 SF)	
Maximum Development Potential	42 DUs ¹ 61,136 SF 0.50 FAR	67 DUs ² 67,249 SF 0.55 FAR	25 DUs 6,113 SF 0.15 FAR
Notes:			
<ol style="list-style-type: none"> 1. Residential uses permitted through consistent Office (O) District as part of mixed-use project. 2. Residential uses permitted through consistent Commercial (C) District as part of mixed-use project, or potentially through a Comprehensive Infill Redevelopment Project. 			
Abbreviations:			
FLUM – Future Land Use Map		DUs – Dwelling Units	
AC – Acres		FAR – Floor Area Ratio	
SF – Square feet			

As shown in the table, there is an increase in development potential across the amendment area which would increase demand on most public facilities, but would not degrade them below acceptable levels as detailed below. The following analysis compares the maximum potential development of the proposed Commercial General (CG) future land use developed with a self-storage use (67,249 square feet) to the maximum development potential of the existing Residential/Office General (R/OG) future land use category developed with an office use (61,136 square feet).

Potable Water

The increase in development potential from this amendment would result in an increase in potable water use of 612 gallons per day. This is determined by comparing the potential potable water utilization of the maximum square footage allowed by the proposed land use developed with a nonresidential use (6,725 gallons per day) to the potential utilization of a nonresidential use built out to the maximum square footage allowed by the current land use designation (6,113 gallons per day).

Wastewater

The increase in development potential from this amendment would also result in an increase in wastewater production of 489 gallons per day. This is determined by comparing the potential wastewater generation of the proposed land use developed with a nonresidential use (5,379 gallons) to the potential wastewater generation of the current land use designation developed with a nonresidential use (4,890 gallons).

Solid Waste

The proposed amendment could result in an increase of 70.3 tons per year of solid waste generated when comparing the amount of waste generated by a warehouse use to that of an office use. All solid waste disposal is handled by Pinellas County at the Pinellas County Waste-to-Energy Plant and the Bridgewater Acres Sanitary Landfill which has significant capacity. Additionally, the City provides a full-service citywide recycling program which diverts waste from the landfill, helping to extend the lifespan of Bridgewater Acres. There is excess solid waste capacity to serve the amendment area.

Parkland

The City's adopted LOS for parkland acreage, which is 4 acres per 1,000 population, will not be impacted by this proposed amendment. Under both the existing and proposed land use, the LOS citywide will remain at 15.46 acres per 1,000 population.

Stormwater

Site plan approval will be required before the property can be redeveloped. At that time, the stormwater management system for the site will be required to meet all City and SWFWMD stormwater management criteria.

Streets

The subject property is located at the southwest side corner of South Duncan Avenue and Rainbow Avenue, approximately 280 feet north of Gulf to Bay Boulevard. To evaluate potential impacts to streets, the typical traffic impacts figure (trips per day per acre) in the *Countywide Rules* for the corresponding *Countywide Plan Map* categories (current and proposed) are compared. The current number of trips per day (250 trips) is calculated based on the typical traffic generation numbers for the Office (O) category (89 trips per day per acre). The proposed *Countywide Plan Map* category of Retail & Service (R&S) (433 trips per day per acre) would increase the number of trips per day to 1,215 trips per day. This is an increase of 965 trips per day compared to the number of trips under the current designation. The proposed self-storage use, if constructed, would generate fewer trips overall; however, evaluations of potential impacts are based on the maximum impacts possible through the proposed future land use changes.

Recommended Conclusions of Law:

Based upon the findings of fact, it is determined that although the proposed change will result in increased demand on many public facilities, it will not result in the degradation of the existing levels of service for potable water, sanitary sewer, solid waste, parkland, stormwater management and streets.

Location of District Boundaries [Section 4-602.F.6]

Recommended Findings of Fact:

Although the proposed location for the Commercial (C) District is consistent with the ownership lines for the parcel and would consolidate the subject property into a single zoning district, the proposed rezoning would result in the expansion of the Commercial (C) District across South Duncan Avenue. South Duncan Avenue is an appropriate street to continue to serve as the line of demarcation between the existing Office (O) District on the west side of street and the Commercial (C) District on the east side of the street.

Recommended Conclusions of Law:

The District boundaries are appropriately drawn regarding ownership lines, existing improvements and the natural environment. However, the District boundaries are inappropriately drawn regarding location and classifications of streets.

SUMMARY AND RECOMMENDATION:

No amendment to the Zoning Atlas shall be recommended for approval or receive a final action of approval unless it complies with the standards contained in Section 4-602.F, Community Development Code. Table 2 below depicts the consistency of the proposed amendment with the standards pursuant to Section 4-602.F:

Table 2. Consistency with Community Development Code Standards for Review

CDC Section 4-602	Standard	Consistent	Inconsistent
F.1	The proposed amendment is consistent with and features the goals, policies and objectives of the <i>Comprehensive Plan</i> and furthers the purposes of this Development Code and other city ordinances and actions designed to implement the plan.		X
F.2	The available uses to which the property may be put are appropriate to the property which is subject to the proposed amendment and compatible with existing and planned uses in the area.		X
F.3	The amendment does not conflict with the needs and character of the neighborhood and the city.		X
F.4	The amendment will not adversely or unreasonably affect the use of other property in the area.		X
F.5	The amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner.	X	
F.6	The district boundaries are appropriately drawn with due regard to locations and classifications of streets, ownership lines, existing improvements and the natural environment.		X

The proposed use is inconsistent with certain goals and objectives of the Comprehensive Plan. The proposed use is inconsistent with the City’s strategic economic development plan. The property is not economically underutilized. The existing use of the property constitutes a higher level of viable economic use. The transition of properties along the Gulf to Bay Boulevard corridor to storage and warehousing does not constitute a preferred or desirable characteristic of this corridor. Large parcels with limited to no impacts as the result of constrained or limited employment and little or no traffic or trip generation resulting from lack of economic activity are not inherently advantageous or compatible with adjoining communities. To the contrary, such uses and activities lend themselves more appropriately to areas more suitable for limited commercial, employment, and transportation constraints.

Based on the foregoing, the Planning and Development Department recommends the following action:

Recommend DENIAL of the Zoning Atlas amendment from Office (O) District to Commercial (C) District.

Prepared by Planning and Development Department Staff: _____

Lauren Matzke, AICP
Long Range Planning Manager

ATTACHMENTS: Ordinance No. 9102-18
Resume
Photographs of Site and Vicinity