



COMMUNITY DEVELOPMENT BOARD PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT

MEETING DATE: August 19, 2014
AGENDA ITEM: G.4.
CASE: DVA2014-06001 (Related to FLD2014-05013)
REQUEST: Review, and recommendation to the City Council, of a Development Agreement between PV-Pelican Walk, LLC (“Paradise”) and the City of Clearwater, to allow for a parking garage with 642 parking spaces (including 11,482 square feet of retail sales and service space) in the Tourist (T) District as per Community Development Code Section 4-606; adopt Resolution No. 14-23, and authorize the appropriate officials to execute same.

GENERAL DATA:

Agent..... Brian J. Aungst, Jr., Esq.
Applicant / Owner..... PV-Pelican Walk, LLC (“Paradise”)
Location..... 483 Mandalay Avenue; west side of Poinsettia Avenue, approximately 65 feet south of Baymont Street
Property Size..... 1.68 acres
Future Land Use Plan..... Resort Facilities High (RFH)
Zoning..... Tourist (T) District
Special Area Plan..... *Beach by Design* (Restaurant/Retail District)
Adjacent Zoning... *North:* Tourist (T) District
 South: Tourist (T) District
 East: Tourist (T) District
 West: Tourist (T) District
Existing Land Use..... Surface parking lot, retail sales and services, and restaurants
Proposed Land Use..... Parking garage, retail sales and services, and restaurants

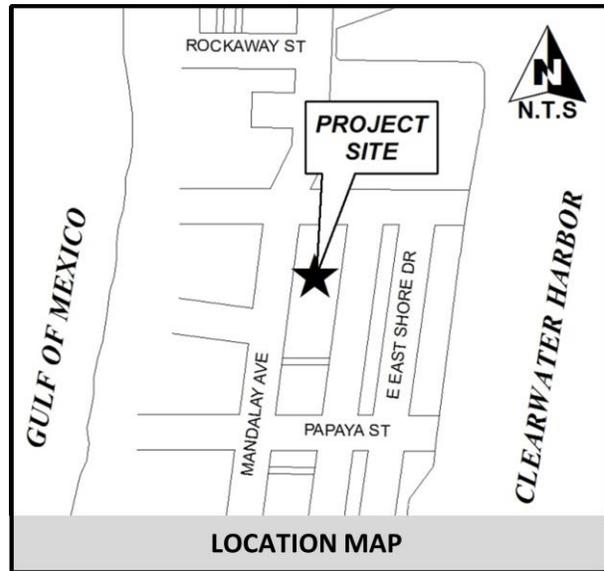


AERIAL MAP

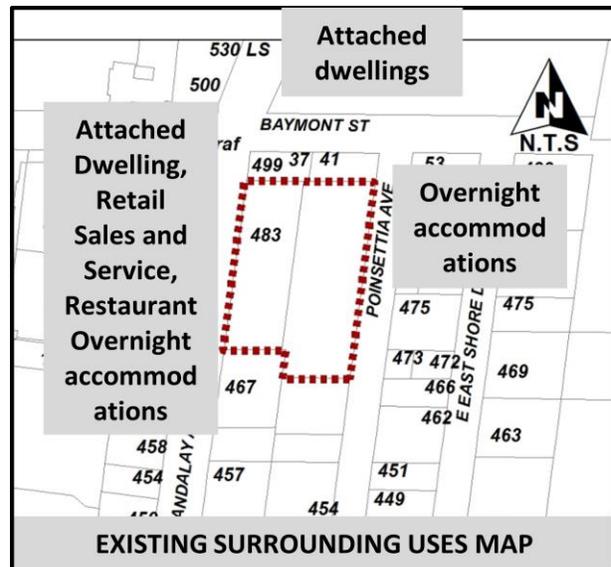
ANALYSIS:

Site Location and Existing Conditions:

The 1.68-acre subject property is located on the west side of Poinsettia Avenue approximately 65 feet south of Baymont Street with 350 feet of frontage along Poinsettia Avenue. The property also has approximately 300 linear feet of frontage on Mandalay Avenue. The property is zoned Tourist (T) District and is located within the Restaurant/Retail District of *Beach by Design*. This district encompasses the area bounded by Memorial Causeway, Mandalay Avenue, Baymont Street and Poinsettia Avenue.

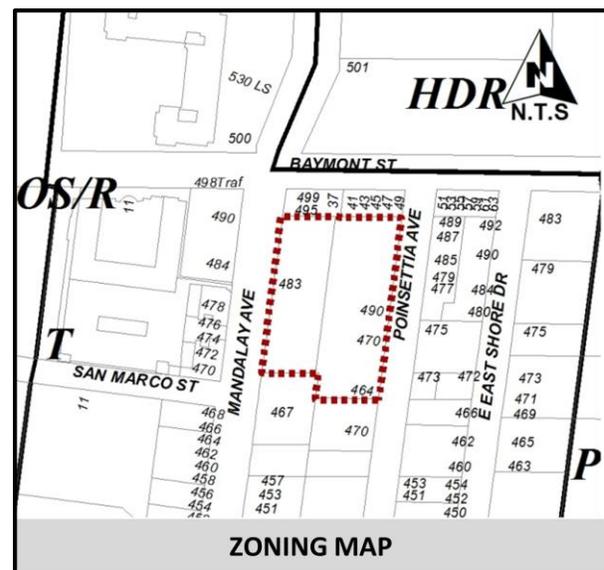


The development proposal consists of two parcels of land which have an overall acreage of 1.68 acres (a condition of approval of FLD2014-05013 requires the properties to be combined via a Unity of Title). The western parcel is 0.74 acres and consists of the two-story Pelican Walk shopping center, which has 39,580 square feet of commercial floor area. The eastern parcel is 0.94 acres and consists of a surface parking lot that supports the shopping center.



The immediate area is characterized by a variety of uses including restaurants, retail sales and services, overnight accommodations, and attached dwellings.

The subject parcel is used as a surface parking lot for the Pelican Walk shopping center. It has 94 parking spaces. The property also has loading zones and solid waste enclosures that support the various uses within the shopping center.



Code Compliance Analysis:

There are no active Code Compliance cases for the subject property.

Development Proposal:

The proposal is to construct a seven-level parking garage on the eastern parcel to support

the existing Pelican Walk shopping center as well as the businesses within the overall retail and restaurant district in *Beach by Design*.

Vehicle access to the parking garage will be from Poinsettia Avenue. There will be one entrance/exit driveway at the north end of the building and an exit only driveway on the south end of the building. Interior and exterior walkways will be provided that will connect with existing breezeways in the shopping center to allow access to and from Mandalay Avenue. This garage will be seven levels with a building height of 64.3 feet (from Base Flood Elevation to top wall of seventh level parking deck) and 85.11 feet (from Base Flood Elevation to top of elevator room shaft/stairway towers). There will be a total of 642 parking spaces. It is proposed that the first 89 parking spaces will be for the Pelican Walk shopping center, the next 450 spaces will be the public parking spaces, and the remaining 101 parking spaces will be available for private use of surrounding businesses.

The first level also consists of 11,482 square feet of commercial space divided into six units to be used for retail sales and service and restaurant uses or any allowable use permitted in a Retail Plaza. It is anticipated that a few of these commercial units will consist of restaurants that may take advantage of the seventeen foot wide sidewalk provided along Poinsettia Avenue for outdoor cafes. The additional 11,482 square feet of commercial space added to the existing 39,580 square feet of commercial space in the Pelican Walk shopping center will bring the total square footage to 51,062 square feet.

The proposed parking garage does not exceed 100 feet in height (all heights are measured from BFE). Since no portion of the building exceeds 100 feet in height separation requirements from other buildings greater than 100 feet in height as otherwise required by *Beach by Design* do not apply. The materials and colors of the garage will support the Coastal Contemporary style of Pelican Walk shopping center. The parking garage structure will be painted various shades of pink and white that reflect the colors used on the shopping center. The roof tiles used on towers will also be the same materials used on the shopping center roof. The east, north, and south facades will consist of ornamental vertical mesh panels etched with “sea grass” pattern, etched cornice frieze with “sea grass” pattern, ornamental louvers, three-colored awnings, and sloped tile roofs. The proposed parking garage design is compatible with the surrounding uses and complements the existing shopping center.

Development Agreement:

The Development Agreement states that the “Paradise” shall create a five unit commercial condominium out of the overall Pelican Walk shopping center. The City shall purchase Unit Four which has 450 off-street parking spaces. Unit one shall consist of the existing retail center; Unit Two shall consist of the new commercial space in the ground-level of the parking garage; Unit Three shall consist of the lowest 89 parking spaces in the garage; and Unit Five shall consist of the remaining 101 parking spaces.

The purpose of this agreement is to further the implementation of *Beach by Design* by providing for additional public parking on Clearwater Beach to enhance the quality of life, increase employment and improve aesthetic and useful enjoyment of Clearwater Beach all in accordance with and in furtherance of the Comprehensive Plan and as authorized by and in accordance with

the provisions of Florida Law. The City of Clearwater will enter into a partnership with PV-Pelican Walk, LLC to construct a multi-story parking garage with 642 parking spaces and 11,482 square feet of retail commercial space. The City will purchase 450 off-street parking spaces for general public use. The development agreement includes the following main provision:

- The development agreement will be in effect for ten years which complies with the duration of a general development agreement set forth in CDC Section 4-606.B.1.

In addition, at the City Council meeting on June 4, 2014, the City Council unanimously voted to approve the purchase agreement (Exhibit C).

The Community Development Board unanimously approved the site plan and building design on July 15, 2014 (FLD2014-05013).

The Community Development Board (CDB) has been provided with the most recent Development Agreement.

The City Council may enter into Development Agreements to encourage a stronger commitment on comprehensive and capital facilities planning, to ensure the provision of adequate public facilities for development, to encourage the efficient use of resources, and to reduce the economic cost of development. The CDB is required to review the proposed Development Agreement and make a recommendation to the City Council.

SUMMARY AND RECOMMENDATION:

The Development Review Committee (DRC) reviewed the application and supporting materials at its meeting of July 3, 2014, and deemed the development proposal to be legally sufficient to move forward to the Community Development Board (CDB), based upon the following findings of fact and conclusions of law:

Findings of Fact:

The Planning and Development Department, having reviewed all evidence submitted by the applicant and requirements of the Community Development Code (CDC), finds that there is substantial competent evidence to support the following findings of fact:

1. The overall site is 1.68 acres located on the west side of Poinsettia Avenue approximately 65 feet south of the Baymont Street and Poinsettia Avenue intersection;
2. That the subject property is located in the Retail/Restaurant District of *Beach by Design*;
3. Commercial uses, including retail sales and services, restaurants and overnight accommodations, dominate this tourist area along the east and west sides of Mandalay Avenue, from Baymont Street in the north to the Memorial Causeway to the south;
4. The project consists of two parcels: 08-29-15-16434-001-0020 and 08-29-15-16416-002-0320;
5. The existing Pelican Walk shopping center is located on the western parcel (08-29-15-16416-002-0320);
6. The parking garage will be built on the eastern parcel (08-29-15-16434-002-0020);
7. The two parcels will be tied together through a Unity of Title;
8. The Development Agreement will be in effect for ten years;
9. That the City of Clearwater will purchase 450 of the off-street parking spaces (Unit Four);

10. The parcel proposed for development currently consists of a surface parking lot with 95 parking spaces;
11. The parking garage will have a total of 642 parking spaces within the structure;
12. The ground level will consist of six commercial units with a total of 11,482 square feet of commercial space;
13. The Pelican Walk shopping center has 39,580 square feet of commercial space on two levels;
14. Both parcels combined have an overall lot area of 73,363 square feet;
15. A total of nine medjool date palms will be planted in the public right-of-way;
16. That the Pelican Walk parking garage is a key element to the redevelopment of the Retail/Restaurant district as set forth in *Beach by Design*;
17. The proposal provides parking available to the general public, which will be convenient to patrons of the Retail and Restaurant District of *Beach by Design*;
18. The height of the parking garage (64.3 feet (from BFE top of flat roof) and 85.11 feet (from BFE to top of stairwell tower) was determined by a parking demand study commissioned by the City which concluded that 450 off-street general public parking spaces is financially feasible and will generate revenue;
19. There are no active Code Compliance cases for the subject property.

Conclusions of Law:

The Planning and Development Department, having made the above findings of fact, reaches the following conclusions of law:

1. That the Development Agreement implements and formalizes the requirements for the construction of on-site and off-site improvements under the related site plan proposal (FLD2014-05013);
2. That the Development Agreement complies with the standards and criteria of CDC Section 4-606; and
3. That the Development Agreement is consistent with and furthers the Visions, Goals, Objectives and Policies of the Comprehensive Plan.

Based upon the above, the Planning and Development Department recommends the **APPROVAL** and recommendation to the City Council, of a Development Agreement between PV-Pelican Walk Plaza, LLC (“Paradise”) and the City of Clearwater, for the property at 483 Mandalay Avenue.

Prepared by Planning and Development Department Staff: _____
Kevin W. Nurnberger, Planner III

ATTACHMENTS: Photographs