



## PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

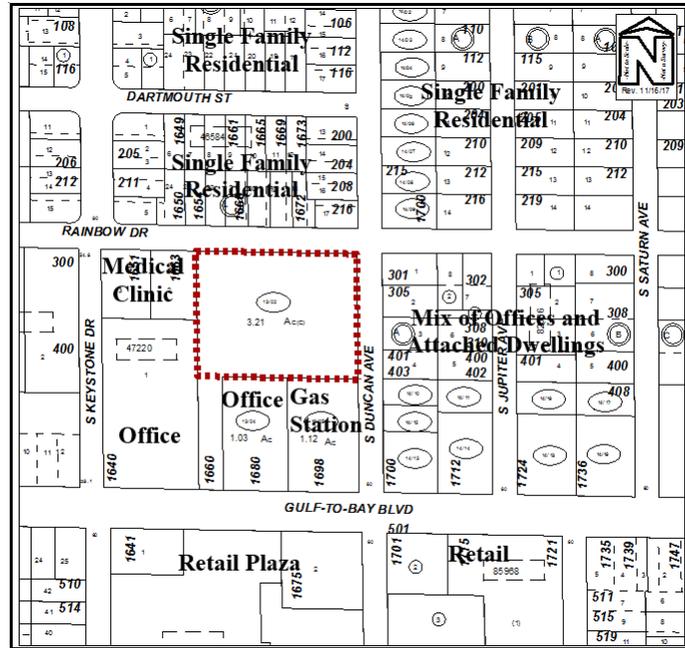
<b>MEETING DATE:</b>	December 19, 2017
<b>AGENDA ITEM:</b>	H.5.
<b>CASE:</b>	LUP2017-10011
<b>REQUEST:</b>	To amend the Future Land Use Map designation from Residential/Office General (R/OG) to Commercial General (CG)
<b>GENERAL DATA:</b>	
<i>Applicant</i> .....	Brian J. Aungst, Jr., Esq.
<i>Owner</i> .....	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 Future Land Use Map designation of the proposed amendment area from Residential/Office General (R/OG) to Commercial General (CG), thereby establishing a uniform future land use designation across the parcel. A

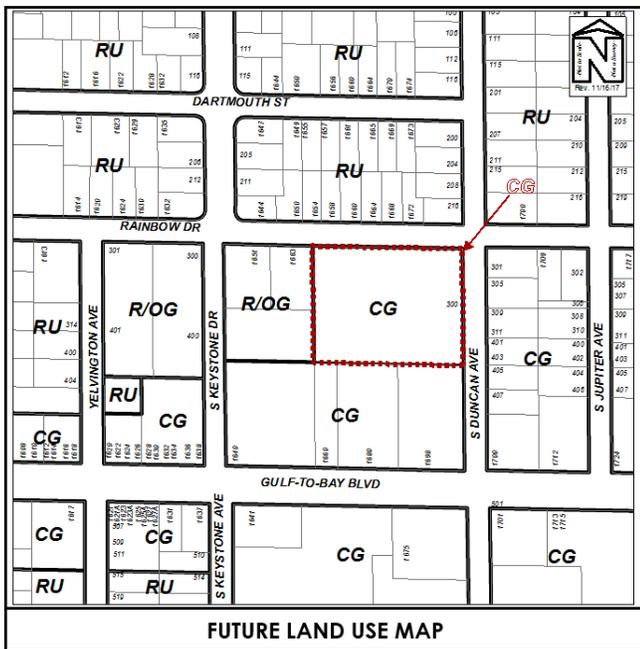




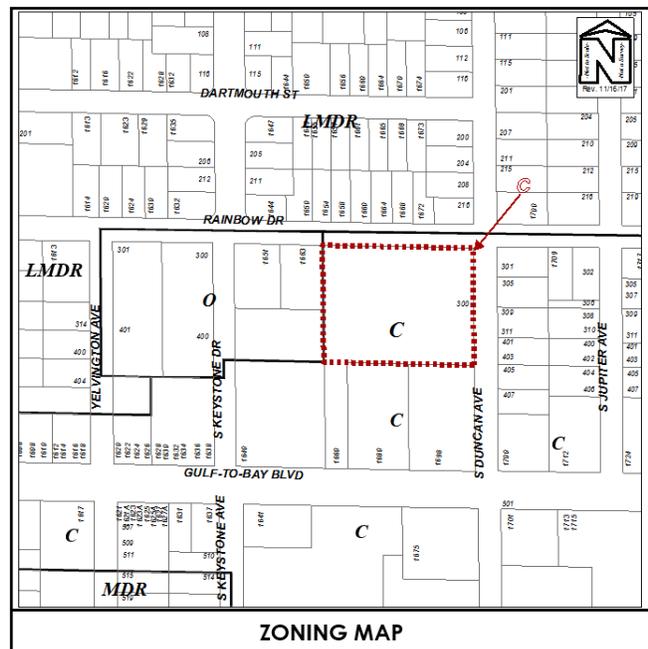
Map 3

As shown on Map 4, the abutting future land use designations are Residential/Office General (R/OG) to the west and Commercial General (CG) to the south. To the north, across Rainbow Drive, is Residential Urban (RU) and to the east, across South Duncan Avenue, is Commercial General (CG). The surrounding vicinity has additional areas designated Residential Urban (RU) along the north and south sides of Rainbow Drive, and a mix of Residential/Office General (R/OG) and Commercial General (CG) along the south side of Rainbow Drive.

A comparison between the uses, densities and intensities allowed by the present and proposed Future Land Use Map designations appears in Table 1, along with the consistent zoning districts.



Map 4



Map 5

*Table 1. Uses, Densities and Intensities Allowed by Present and Proposed Future Land Use Designations*

	<b>Present FLUM Designation Residential/Office General (R/OG)</b>	<b>Requested FLUM Designation Commercial General (CG)</b>
<b>Primary Uses:</b>	Medium Density Residential; Residential Equivalent; Office	Office; Retail Sales and Service; Overnight Accommodations
<b>Maximum Density:</b>	15 Dwelling Units Per Acre	24 Dwelling Units Per Acre; 40 Overnight Accommodation Units Per Acre
<b>Maximum Intensity:</b>	FAR 0.50; ISR 0.75	FAR 0.55; ISR 0.90
<b>Consistent Zoning Districts:</b>	Medium Density Residential (MDR) Office (O)	Commercial (C)

**REVIEW CRITERIA:**

**Consistency with the Clearwater Comprehensive Plan [Sections 4-603.F.1 and 4-603.F.2]**

Recommended Findings of Fact:

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

Goal A.2 A sufficient variety and amount of future land use categories shall be provided to accommodate public demand and promote infill development.

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.

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 Residential/Office General (R/OG), consistent with its current use as a multi-tenant office, and consistent with the properties to the west of the property on the south side of Rainbow Drive. 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 future land use 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.

Additionally, 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.

Maintaining the subject property as Residential/Office General (R/OG) is consistent with Goal A.2, in that there is already a sufficient variety and amount of future land use categories within this general area promote infill development and there is not a need to add commercially designated property within this area. South Duncan Avenue forms the line of demarcation between the area envisioned to remain office to the west, and the area already designated as Commercial General (CG) to the east. Within the Commercial General (CG) area, 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 future land use designation in place. Commercial General (CG) 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 General (CG). However, these areas are more typically limited to the intersections of two arterials where there are larger parcels and the Commercial General (CG) future land use designation 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 said plan as indicated in the goals, objectives and policies listed above. The proposed change does not support the City's stated economic development goals and objectives.

#### **Consistency with the Countywide Rules**

##### Recommended Findings of Fact:

The underlying *Countywide Plan Map* category on the proposed amendment area is Office (O), which is on the edge of two districts found on the south side of Rainbow Drive, with South Duncan Avenue currently serving as the dividing line between the two areas. Section 2.3.3.5 of the *Countywide Rules* states that the current Office (O) category is intended to accommodate areas developed, or appropriate to be developed, with office uses, low-impact employment uses, and residential uses (subject to a five-acre maximum threshold), in areas characterized by a transition between residential and commercial uses and in areas well-suited for community-scale residential/office mixed-use development.

The proposed City of Clearwater future land use designation of Commercial General (CG) will necessitate an amendment from the Office (O) category to the Retail & Services (R&S) category to maintain consistency between the City's Future Land Use Map and the *Countywide Plan Map*. Section 2.3.3.7 of the *Countywide Rules* states that the Retail & Services (R&S) category is intended to depict areas developed with, or appropriate to be developed with, a mix of businesses that provide for the shopping and personal service needs of the community or region, provide for employment opportunities and accommodate target employment uses, and may include residential uses as part of the mix of uses.

The proposed amendment area, which constitutes the majority of the parcel on which the proposed self-storage use would be located, is located across the Rainbow Drive right-of-way from single family homes to the north, and to other office and medical clinic uses to the west. Office (O) category is designated on the surrounding properties adjacent and to the west, and Retail & Services (R&S) is designated on properties to the south along Gulf to Bay Boulevard, and east across South Duncan Avenue. Property along the north side of Rainbow Drive is designated Residential Low Medium (RLM).

Although the proposed Retail & Services (R&S) category is intended for a mix of employment, including targeted industries, it is also intended for other commercial uses, and is more typically developed with retail commercial (e.g., grocery, pharmacy, apparel, jewelry, electronics, sporting goods, specialty shops, building supplies, convenience goods, restaurant, indoor recreation/entertainment uses). While this category is partially consistent with the City's vision for this area, in that the City wants to maintain the property for office/targeted industries, the proposed self-storage use is not a target employment use. Additionally, the other uses that are consistent with this category are not appropriate in this area.

The existing office building is an appropriate use in the area and is consistent with the current underlying *Countywide Plan Map* category and the designations on the surrounding properties. It is also consistent with the City's Comprehensive Plan, as outlined above. The *Countywide Plan Map* currently uses South Duncan Avenue as the dividing line between the two categories, which is appropriate in this area, and the area currently designated with the Office (O) category appropriately serves as a transition between the commercial uses along Gulf to Bay to the south and east and the residential uses to the north and west.

Recommended Conclusions of Law:

While the proposed Future Land Use Map amendment is consistent with the purpose of the proposed category in the *Countywide Rules* it is inconsistent with the designations on the surrounding properties. The existing category in the *Countywide Rules* is appropriately designated and is consistent with the current use and surrounding designations on the *Countywide Plan Map*.

**Compatibility with Surrounding Properties/Character of the City & Neighborhood [Section 4-603.F.3 and Section 4-603.F.6]**

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 General (CG) future land use category primarily permits nonresidential development at an intensity of 0.55 FAR. Residential development is permitted at a density of 24 dwelling units per acre (allowed through mixed-use), and overnight accommodations are permitted at 40 overnight accommodation units per acre. The future land use designations of surrounding properties include Residential Urban (RU), Residential Office/General (R/OG) and Commercial General (CG).

The proposed Commercial General (CG) future land use category is consistent with the Commercial (C) zoning district, which permits a variety of commercial uses as minimum standard uses, including retail plazas, restaurants, offices, overnight accommodations, and vehicle sales/display. The proposed category and district do 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 General (CG) future land use category is not in character with the Future Land Use Map designations 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 4-603.F.4]**

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.

*Table 2. 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 <sup>1</sup> 61,136 SF 0.50 FAR	67 DUs <sup>2</sup> 67,249 SF 0.55 FAR	25 DUs 6,113 SF 0.15 FAR
Notes: 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 AC – Acres SF – Square feet DUs – Dwelling Units FAR – Floor Area Ratio			

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.

### **Impact on Natural Resources [Section 4-603.F.5]**

#### Recommended Findings of Fact:

No wetlands appear to be located on the subject property. The City's codes require that development is compliant with the City's tree preservation, landscaping and stormwater management requirements.

The City’s codes require that development is compliant with the City’s tree preservation, landscaping and stormwater management requirements.

**Recommended Conclusions of Law:**

Based upon the findings of fact, it is determined that the proposed Future Land Use Map amendment will not negatively impact natural resources on the subject property.

**SUMMARY AND RECOMMENDATION:**

No amendment to the Comprehensive Plan or Future Land Use Map shall be recommended for approval or receive a final action of approval unless it complies with the standards contained in Section 4-603.F, Community Development Code. Table 3 below depicts the consistency of the proposed amendment with the standards pursuant to Section 4-603.F:

*Table 3. Consistency with Community Development Code Standards for Review*

CDC Section 4-603	Standard	Consistent	Inconsistent
<b>F.1</b>	The amendment will further implementation of the <i>Comprehensive Plan</i> consistent with the goals, policies and objectives contained in the Plan.		X
<b>F.2</b>	The amendment is not inconsistent with other provisions of the <i>Comprehensive Plan</i> .		X
<b>F.3</b>	The available uses, if applicable, to which the properties may be put are appropriate to the properties in question and compatible with existing and planned uses in the area.		X
<b>F.4</b>	Sufficient public facilities are available to serve the properties.	X	
<b>F.5</b>	The amendment will not adversely affect the natural environment.	X	
<b>F.6</b>	The amendment will not adversely impact the use of properties in the immediate area.		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 Future Land Use Map Amendment designation from Residential/Office General (R/OG) to Commercial General (CG).

Prepared by Planning and Development Department Staff: \_\_\_\_\_

Lauren Matzke, AICP  
Long Range Planning Manager

ATTACHMENTS: Ordinance No. 9101-18  
Resume  
Photographs of Site and Vicinity