



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, November 13, 2018
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File: LGCP 2018-02
Outdoor Performing Arts Venue

This is a private application requesting that the Community Planning and Preservation Commission (“CPPC”), in its capacity as the Local Planning Agency (“LPA”), make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** of the following text amendment to the Comprehensive Plan pertaining to the Industrial General land use category.

APPLICANT INFORMATION

APPLICANT: Robert and Cherrie Beaman
415 20th Street South
St. Petersburg, Florida 33712

AGENT: Kevin T. Beck
615 27th Street South, STE E
St. Petersburg, FL 33712

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

As stated by the applicant, the proposed text amendment is in support of establishing an open air or outdoor performing arts venue within the Industrial Traditional (IT) zoning district. To accomplish this goal, the applicant has proposed a text amendment to the Comprehensive Plan, Industrial General (IG) Future Land Use category that adds a provision classifying an outdoor performing arts venue as a Commercial Recreation use, which shall be allowed with no acreage limitation. A companion text amendment to Chapter 16, Land Development Regulations to amend the Use Permissions and Parking Requirements Matrix and Use Specific Standards will also be required. The proposed Comprehensive Plan amendment is not site-specific but a regulatory use provision applicable City-wide.

BACKGROUND

Industrial Traditional (IT) and Industrial Suburban (IS) are the City's two industrial zoning districts, while IT is the predominant industrial zoning district. The purpose of the IT zoning district regulations are to permit rehabilitation, improvement and redevelopment in a manner that is consistent with the character of the neighborhood and respects adjacent residential uses. Many of the City's older industrial areas were developed along the two railroad lines which brought in goods and services. These industrial lands create a string of industrial property that runs throughout the City instead of being concentrated within a defined industrial park. Please see the attached City-wide map identifying the location of Industrial Traditional (IT) zoned property.

Various areas within industrial corridors may appear unattractive, with aged and in some cases obsolete buildings. Such conditions have resulted in parcels becoming blighted and designated a Community Redevelopment Area. Allowing for an open air or outdoor performing arts venue in the IT zoning district provides an interim economic use to under performing industrial parcels without permanently removing them from the City's supply of industrial zoned land, allowing them to remain available for industrial uses in the future.

LGCP 2018-02: PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

The Industrial General (IG) Future Land Use category currently allows Commercial Recreation uses only as accessory within the structure, not to exceed 25% of the floor area of the principal use. Consistent with the Countywide Plan Rules' Industrial (I) category, new language is proposed identifying an outdoor performing arts venue as an allowable Commercial Recreation use, with no acreage limitation, which changes it from an accessory to a primary use.

The proposed change to the Industrial General (IG) Future Land Use category (shown in underline format) is as follows:

LU3.1.C.2. Industrial General (IG) - Allowing a mixture of light or heavy industrial and industrial park uses with a floor area ratio up to 0.75. A buffer shall be provided between land designated Industrial General and adjoining plan classification other than Industrial or Transportation/Utility. Public/Semi-Public or Ancillary Non- Residential Uses, alone or when added to existing contiguous like uses which exceed or will exceed five (5) acres shall require a land use plan amendment which shall include such use and all contiguous like uses. Office, Retail Uses, Commercial Recreation, Commercial/Business Service and Personal/Office Service, shall be allowed as accessory uses within the structure to which it is accessory and shall not exceed 25% of the floor area of the principal use to which it is accessory. Recognized as a commercial recreation use, an outdoor performing arts venue shall be allowed as a primary use with no acreage limitation.

As per LDR Section 16.10.020.02 – Matrix: Zoning Districts and Compatible Future Land Use Categories, the Industrial General (IG) Future Land Use category is consistent only with the IT zoning district, therefore an outdoor performing arts venue would only be allowed in the IT zoning district. To further effectuate the applicant's goal of allowing an outdoor performing arts venue in the IT zoning district, amendments to LDR Section 16.10.020.1 – Matrix: Use Permissions and Parking Requirements are necessary.

Even though the applicant has proposed a location in their submitted application, the proposed amendments are not site specific and if approved will apply to all parcels within the City that have a Future Land Use category of Industrial General (IG) and zoning designation of IT.

CONSISTENCY with the COUNTYWIDE PLAN:

Proposed amendments to local future land use plans and land development regulations are to be consistent with the Countywide Plan Map and the criteria and standards set forth in the Countywide Rules. Countywide Policy 2.3.3.9 speaks to the Industrial (I) land use category purpose and use characteristics, which lists Commercial Recreation as a permitted use in the Industrial category not subject to acreage limitations:

2.3.3.9 Category/Symbol – Industrial (I).

Purpose – This plan category is intended to depict areas developed, or appropriate to be developed, in a general industrial manner; and so as to encourage the reservation and use of areas for industrial use in a manner consistent with surrounding use, transportation facilities, other necessary infrastructure, and natural resources.

Use Characteristics - Those uses appropriate to and consistent with this category include:

Permitted Uses Not Subject to Acreage Thresholds or Other Limitations – Research/Development-Light; Research/Development-Heavy; Storage/Warehouse-Light; Storage/Warehouse-Heavy; Manufacturing-Light; Manufacturing-Medium; Manufacturing-Heavy; Agricultural Processing; Vehicular Salvage; Transfer/Recycling; Solid Waste/Refuse Disposal; Electric Power Generation Plant; Incinerator Facility; Commercial Recreation.

Current Countywide Rules definition:

Commercial Recreation Use - A private or quasi-public recreation facility designed for participant or spectator sports for a charge, including but not limited to marina, miniature golf, dog race track, horse race track, jai-alai fronton, stock car race track, sports stadium, and indoor recreation/entertainment uses such as billiard halls, bowling alleys, movie theatres, and video game parlors.

A consistency interpretation was received from Forward Pinellas staff confirming that “an outdoor performance venue would be classified as a Commercial Recreation use, which is allowed with no acreage limitations in the Industrial Category.” Forward Pinellas staff is currently processing a text amendment to the Countywide Rules to further clarify the definition as follows:

Commercial Recreation Use – A private or quasi-public recreation facility designed for participant or spectator sports activities for a charge, including but not limited to marina, miniature golf, dog race track, horse race track, jai-alai fronton, stock car race track, sports stadium, performance venues, and indoor recreation/entertainment uses such as billiard halls, bowling alleys, movie theatres, and video game ~~areades:~~ parlors.

Therefore, City staff finds that the proposed text amendment allowing a performing arts venue with no acreage limitation in the Industrial General (IG) land use category is consistent with Countywide Rules and no further action is anticipated regarding the Countywide Plan.

CONSISTENCY with the COMPREHENSIVE PLAN

The Comprehensive Plan contains the following Industrial Corridor Recommendations:

- Create buffers and transitional zones between industrial corridors and abutting neighborhoods.
- Increased standards and incentives for design including site planning architecture, signage and lighting.
- Strengthen guidelines regarding shielding of storage areas walls and fences to provide for a better visual environment.
- Increased flexibility for quality economic development.
- Allow residential in industrial areas providing for live work spaces for artists.

Allowing for an open air or outdoor performing arts venue in the Industrial General (IG) land use category provides the flexibility needed for quality economic development in the industrial corridor. The proposed text amendment allows for an interim economic use of under performing industrial lands without permanently removing them from the City's supply of industrial land, allowing them to remain available for industrial use in the future. The use will be proposed in the Land Development Regulations as allowed only through the Special Exception permit process with accompanying Use Specific Development Standards that will provide for an appropriate level of review and public input to ensure that a site-specific proposal shall only be approved in a manner that mitigated potential impacts while providing appropriate buffers to abutting neighbors.

The proposed text amendment is applicable to the following Comprehensive Plan policies:

- *Policy LU 2.5:* The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locations where excess capacity is available.
- *LU 3.1.C.2. (proposed for amendment)* Industrial General (IG) Future Land Use Category - Allowing a mixture of light or heavy industrial and industrial park uses with a floor area ratio up to 0.75. A buffer shall be provided between land designated Industrial General and adjoining plan classification other than Industrial or Transportation/Utility. Public/Semi-Public or Ancillary Non-Residential Uses, alone or when added to existing contiguous like uses which exceed or will exceed five (5) acres shall require a land use plan amendment which shall include such use and all contiguous like uses. Office, Retail Uses, Commercial Recreation, Commercial/Business Service and Personal/Office Service, shall be allowed as accessory uses within the structure to which it is accessory and shall not exceed 25% of the floor area of the principal use to which it is accessory. Recognized as a commercial recreation use, an outdoor performing arts venue shall be allowed as a primary use with no acreage limitation.
- *LU3.26* Land development regulations shall provide performance standards that ensure compatibility with surrounding uses.
- *LU3.26.a* Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations
- *Policy LU 3.4:* 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.
- *Policy LU 3.5:* 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.
- *Policy LU 3.6:* Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.
- *Policy LU 20.2:* The Future Land Use Element of the St. Petersburg Comprehensive Plan shall be consistent with the Countywide Future Land Use Plan, including the categories, rules, policies, and procedures thereof.
- *Policy LU 21.1:* The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions

to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

- Policy R3.1: Encourage the private sector to continue to provide recreational and cultural facilities and programs.
- Policy R3.2: Coordinate innovative and cooperative recreational and cultural projects between the City and the private sector.

PUBLIC NOTICE

Public hearing notice was published in the Tampa Bay Times on Friday, November 2, 2018 in accordance with Florida Statutes, Section 163.3174(1). Even though the applicant has proposed a possible location in their submitted application, the proposed amendments are not site specific but applicable to all City-wide parcels with a Future Land Use category of Industrial General (IG) and zoned Industrial Traditional (IT), therefore supplemental public hearing notices were not mailed to affected owners of real property within 200 feet. However, mail notices to affected neighbors will be required at the time of processing an application for a Special Exception and site plan approval.

PUBLIC HEARING PROCESS

The proposed ordinance associated with the Comprehensive Plan text amendment requires one (1) public hearing before the Community Planning & Preservation Commission (CPPC) and two (2) City Council public hearings. The amendment will also be transmitted for expedited state, regional and county review. Forward Pinellas (formerly known as Pinellas Planning Council) will review the Comprehensive Plan text amendment for consistency with the Countywide Rules.

SUMMARY

City staff and the applicant have reached a compromise solution for implementing an outdoor performing arts venue provision that respects the health, safety and economic interest of the citizens of St. Petersburg.

Based upon the analysis contained in this report, City staff finds that the proposed text amendment is consistent with the Comprehensive Plan. The proposed amendments have the potential to diversify the City's arts community, broaden the industrial base and expand the tourism sector, which furthers Comprehensive Plan recommendations for increased flexibility for quality economic development within the Industrial Corridor.

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 text amendments described herein.

ATTACHMENTS

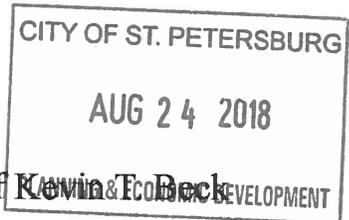
1. Application
2. City-wide map of the IT zoning district



ATTACHMENT NO. 1

Application

Kevin T. Beck
Attorney at Law



Law Office of Kevin T. Beck

State and Federal Criminal Defense

615 27th Street South, STE E
St. Petersburg, FL 33712
727.204.3199
888.269.4240 (Facsimile)
kevintbeck@hotmail.com

August 24, 2018

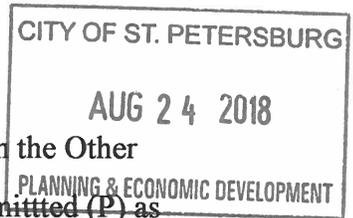
Derek Kilborn, Manager
Urban Planning and Historic Preservation Division
Planning and Economic Development Department
City of St. Petersburg, Florida

Re: Amendments to the Comprehensive Plan and Land Development Regulations

Dear Mr. Kilborn,

This document is intended to serve as an application to amend the City of St. Petersburg Comprehensive Plan and Land Development Regulations. It is being submitted on behalf of Robert and Cherrie Beaman, owners of two parcels of property located at 415 20th Street South, St. Petersburg, FL. The Parcel ID or Tract Numbers are 24-34-16-18378-000-370 and 24-31-16-00000-320-0800.

On behalf of Mr. Beaman, I am applying for a text amendment to the City of St. Petersburg Municipal Code - Chapter 16, Land Development Regulations; specifically Section 16.10.020.1 -Use Permissions and Parking Requirements Matrix and Zoning Matrix. This application provides alternative mechanisms for amending the Zoning Matrix. The project entails the development and operation of an outdoor performing arts venue exceeding 500 seats. We are therefore applying for an amendment to the Use category for Performing Arts Venue (more than 500 seats) to include a verbiage in the Definition category that expressly includes



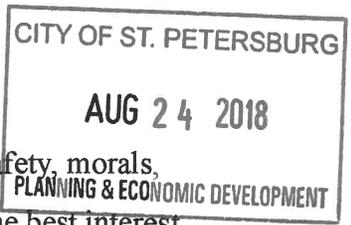
outdoor performing arts venues. The application also seeks a text amendment in the Other category applicable to Industrial Traditional as a Special Exception (SE) or Permitted (P) as opposed to its current status as Nonconforming (NC). Alternatively, we are applying for a separate category for Outdoor Performing Arts Venue (more than 500 seats) expressly permitting outdoor performing arts venues and an Use Permission for Industrial Traditional as a Special Exception (SE) or Permitted (P) use. I believe these amendments to the Land Development Regulations are consistent with the City of St. Petersburg Comprehensive Plan.

To accomplish the goal of developing and operating an outdoor performing arts venue utilizing the aforementioned parcels, I am also seeking a text amendment to the City of St. Petersburg Comprehensive Plan; in particular Chapter Three, Category C, Section 2 Industrial General (IG). We are applying for a text amendment that expressly includes outdoor performing arts venues with verbiage that mirrors the language of Pinellas Countywide Plan. We are applying for a text amendment to the definition of Industrial General that expressly states “An outdoor performing venue would be classified as a Commercial Recreation use, which is allowed with no acreage limitation in the Industrial General category.

THE DOME INDUSTRIAL PARK PERFORMING ARTS PROJECT

The City of St. Petersburg is expressly committed to protecting and enriching the quality of life of its residents. It is also committed to the promotion of a healthy and stable economy. The City through its agencies and elected officials has recognized the importance of public/private cooperation in reaching its stated goals and objectives. The Dome Industrial Park (DIP) project constitutes such an opportunity. The project is consistent with the goals and objectives of the City of St. Petersburg Comprehensive Plan, St. Pete Vision2020, Warehouse Arts District/Deuces Live Joint Project Plan and the Dome Industrial Park (DIP) Community Redevelopment Plan.

The City of St. Petersburg Comprehensive Plan’s first goal is to “Protect the public health, safety, and general welfare.” LU-2 The DIP has been recognized by the City of St. Petersburg as a “slum or blighted area... the rehabilitation, conservation, or redevelopment, or a



combination thereof of said area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City.” No. 2005-450. The Dome Project is in the best interest of the residents of the City and will be privately funded.

The Dome project will provide the City a unique and viable open air performing arts center that remedies many of the issues and concerns present with current performing arts venues such as Al Lang Field and Vinoy Park. The DIP Performing Arts Center will be sited in the Dome Industrial Park thereby avoiding the necessity of closing essential roads and sidewalks and avoidance of noise concerns arising from the proximity of those venues and the residential communities adjacent to them. The Venue Dome will also benefit the City through increased revenue, the development of existing blighted property and expanded performances. The DIP Performing Arts Center will also promote the Dome Industrial Park and contribute to the economic success of the surrounding businesses in DIP, Grand Central, Deuces Live and downtown St. Petersburg by attracting nationally recognized performing artists, marketing the Arts Warehouse District through event promotions and land redevelopment.

The Dome Project proposes the development of two parcels of land located within St. Petersburg’s Dome Industrial Park. The smaller parcel currently has an unattractive and vacant metal building located on it. The building has not been utilized since 2012. The second larger parcel is empty and unused and has been so since 1991. The existing building will be transformed into a space appropriate for glass blowing and cultural events. Public education events are also planned. Upon approval of the text amendment, the second parcel will be transformed into an open air performing art center. Nationally recognized promoters and artists have already committed to utilizing the performing art center on a scale and quality which does not currently exist in St. Petersburg or Pinellas County.

The benefit of the project in response to the City’s goals and objectives is clear. The Dome project meets the City’s goal of developing two separate parcels which are and have been underutilized and vacant for years. For more than a decade the City has identified parcels within the DIP as blighted and underutilized. This project will result in renovation of the existing structure and improvements throughout the project.

- The Dome project meets the City's goal of enhancing tax base of the City through the sale of tickets, merchandise and beverages by an anticipated \$500,000.00 annually. Additional tax revenue from enhanced nearby beverage, food and merchandise sales.
- The Dome project will meet the City's goal of retaining present property owner Bob Beaman's presence in the DIP and enhancing his businesses through the introduction of two new entities; a non-profit Art Glass Center and a for-profit performing art venue.
- The Dome project will meet the City's goal of improving and expanding the DIP through the development and marketing of the two entities.
- The Dome project will meet the City's goal of promoting and enriching the quality of life for its residents through the expansion of two additional cultural event venues and the attendant public art installations planned for the project.
- The Dome project will meet the City's goal of expanding and improving its trail system by providing lights and security to the portions of the Pinellas Trail effected by the project.
- The Dome project is consistent with the City's goal of supporting businesses and economic development.
- The Dome project will assist the City's stated goal of preserving waterfront park view corridors and pedestrian access by moving events from Al Lang Field and Vinnoy Park.
- The Dome project has negotiated a parking agreement with the Tampa Bay Rays organization to coordinate and lease parking from the Rays for its events. The Dome project will coordinate with PSTA and local vendors to provide safe and convenient parking and transportation to and from the venue.
- The Dome project will have no negative impact on residential neighborhoods. The nearest residential property is three city blocks to the west. The Dome project will utilize physical features to tamp noise including walls, a sound dampening roof and other passive and active methods.
- Experts have established the necessity for establishing tax revenue as a critical component for city/community development. The performing art venue will generate revenue allowing the city to continue to develop public infrastructure supporting both businesses and non-profit organizations in the DIP and surrounding communities.

CITY OF ST. PETERSBURG
AUG 24 2018
PLANNING & ECONOMIC DEVELOPMENT

- The Dome project is private. It will cost the City of St. Petersburg no monies and will benefit the entire Arts Warehouse District and surrounding communities.

Thank you for your attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,


Kevin T. Beck, Esq.



st.petersburg
www.stpete.org

CITY OF ST. PETERSBURG
AUG 24 2018
PLANNING & ECONOMIC DEVELOPMENT

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: ~~Bob Beaman~~ Bob Beaman

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

Property Address: 415 20th Street South

Parcel ID No.: 24-31-16-18378-000-0370 and 24-31-16-00000-320-0800

Request: 1. Amend the text of the City's Land Development Regulations to permit by right or special exception, a "performing arts venue, more than 500 seats" in the IT zoning category.

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): Kevin T. Beck, Esq.

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): [Signature] Bob Beaman
Printed Name

Sworn to and subscribed on this date

Identification or personally known: personally known

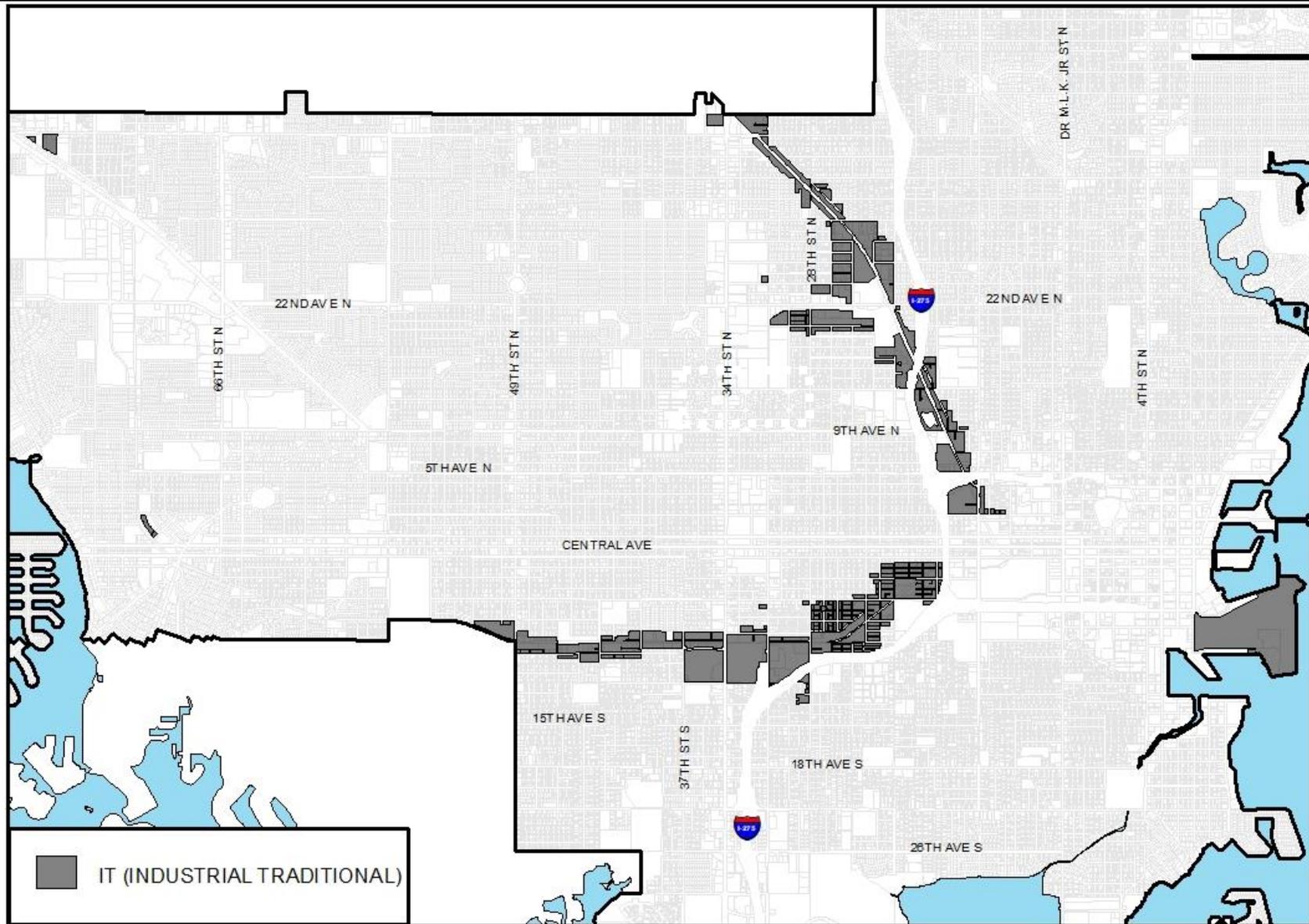
Notary Signature: [Signature] Date: 7/11/18

Commission Expiration (Stamp or date):

 **MELISSA ROBERTSON**
MY COMMISSION # FF 158781
EXPIRES: September 10, 2018
Bonded Thru Budget Notary Services



ATTACHMENT NO. 2
City-wide IT Zoning Map



City-wide Industrial Traditional (IT) Zoning District
 City of St. Petersburg
 Planning and Development Services Department

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