



CITY OF PINELLAS PARK

Community Development Department
Planning & Development Services Division

Staff Report

I. APPLICATION DATA

- A. **Case Number:** AX21-18
- B. **Location:**
1. **Address:** 6018 107th Avenue North
 2. **Parcel Number:** 17-30-16-33399-000-0190
- C. **Request:** The Applicant desires to join the City of Pinellas Park in order to receive the benefits of specific City services. The property currently has a mobile home on the site and the owner would like to build a single family home there.
- D. **Applicant:** Café Bros, LLC (Owner)
- E. **Agent:** Au D. Dieu
- F. **Legal Ad Text:** Not applicable. For Agreement only. Ordinance to be advertised.
- G. **Public Hearings:**
- City Council Hearing Date(s): 12/09/21 and 1/13/2022
Deadline to send public hearing notices: N/A
Advertising deadline: 12/12/21 (Ordinance only)

II. BACKGROUND INFORMATION

- A. **Site Area:** 0.30 acres
- B. **Property History:**
1. **Previous Land Use Plan or Zoning Amendments:** None on record
 2. **Permits and Development:** None on record
 3. **Previous Approvals:** None on record
- C. **Existing Use:** Residential
- B. **Proposed Use:** Single-Family detached dwelling
- C. **Current Land Use:** RL, Residential Low (Pinellas County)
- D. **Proposed Land Use:** RLM, Residential Low Medium

1. Land Use Purpose:

It is the purpose of this category to depict those areas of the City that are now developed, or appropriate to be developed, in a low to moderately intensive residential manner, and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban qualities, transportation facilities and natural resource characteristics of such areas.

2. Key Standards:

Primary Uses – Residential

Secondary Uses - Density/Intensity – Residential Equivalent; Institutional; Transportation/ Utility; Public Educational Facility; Ancillary Non-Residential; Recreation/Open Space

3. Staff Analysis:

The subject property is developed with a residential use consistent with the proposed Residential Low Medium (RLM) Future Land Use designation.

Staff finds that the proposed RLM Future Land Use designation is consistent with the surrounding area.

E. Current Zoning District: RMH, Residential Mobile / Manufactured Home District (Pinellas County)

F. Proposed Zoning District: “T-1” Manufactured Home Subdivision District

1. Zoning District Purpose / Intent:

The “T-1” Manufactured Home Subdivision District is established to identify and stabilize those geographic areas within the City of Pinellas Park that are presently platted or developed as manufactured home subdivisions. The district is intended to be used primarily for manufactured home dwellings for residential occupancy upon lots owned by the resident or designated tenant, but conversion of these sites to standard single-family detached dwellings is encouraged as a means of improving these areas over time. It is the intent of the City to strictly limit further rezonings of land into this zoning category. Criteria for acceptance of rezoning petitions are stated in Section 18-1515.6, “Criteria for Acceptance of Rezoning Petitions to “T-1”, below. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low Medium (RLM), Residential Medium (RM), Transportation/Utility (T/U) and Community Redevelopment District (CRD).

2. Staff Analysis:

The subject property is surrounded by “T-1” Zoned or the County equivalent making it an appropriate geographic area for residential development. The proposed development and use of residential is consistent with the “T-1” Zoning District’s intent of residential uses.

G. Flood Zone: The property is located in Flood Zone X, which is a low-risk flood zone.

H. Evacuation Zone: The property is in Evacuation Zone D, which is the fourth level to evacuate in preparation for a storm. Zone D is evacuated when storm surge height is predicted to be up to 28 feet.

I. Vicinity Characteristics:

| | Zoning | Land Use | Existing Use |
|--------------|---------------|-----------------|-------------------------------|
| North | T-1(City) | RL (City) | Residential Manufactured Home |
| South | T-1(City) | RL (City) | Residential Manufactured Home |
| East | T-1(City) | RL (City) | Residential Manufactured Home |
| West | RMH (County) | RL (County) | Residential Manufactured Home |

III. APPLICABLE CRITERIA / CONSIDERATIONS

A. Comprehensive Plan Policies:

1. Relevant Policies:

POLICY PW 1.3.1

The Public Works Department shall analyze the condition and adequacy of any water distribution system that the City may inherit through annexation and prepare cost estimates for upgrading those systems to meet City requirements.

POLICY SW.1.3.1

The City shall make available at the time of annexation solid waste collection service or require proof of existing service by a licensed solid waste collection service.

OBJECTIVE ICE.1.8

The City will identify, implement, and coordinate joint planning areas for annexation and provision of services.

POLICY ICE.1.8.1

The City will coordinate with the Pinellas Planning Council, and other jurisdictions as appropriate, to establish a more comprehensive and better integrated annexation process that will include consideration of the following:

- a. Advance Notices - a procedure that provides for advance notice of all annexations to the respective parties of interest;
- b. Accurate Legal Descriptions - a means to review and validate the legal descriptions for annexations;
- c. State Law Compliance - definitions and examples by which to determine compliance with the state law for contiguity, compactness, enclaves, and procedures for annexation agreements/indentures;
- d. Ability to Serve - pre-determined or administrative means to establish a municipality's ability to serve the area;
- e. Service Contracts - enabling provisions for Pinellas County and each municipality to enter into mutually acceptable agreements to provide selected services where it is beneficial to the citizenry and cost-effective to do so in lieu of annexation;

- f. Consistency - a requirement for consistency with the Comprehensive Future Land Use Plan at the time of annexation; and
- g. Coordination with State Plan Amendment Review Process - to establish eligibility for waiver of the requirement for plan amendment pursuant to Section 163.3171(3) FS, at the time of annexation.

2. Staff Analysis:

The subject property is located within the boundaries of the former and proposed Annexation Planning Area Agreement as coordinated with Pinellas County, and all procedures are being followed. Additionally, the subject property is already served by public water, sewer and solid waste services.

Staff finds that the proposed annexation is consistent with the City's adopted Comprehensive Plan.

B. Land Development Code Standards:

1. Key Standards:

Sec. 18-1501.13. - ZONING OF ANNEXED PROPERTIES.

Property heretofore or hereafter annexed to the City shall be given the zoning classification which most closely relates to the Pinellas County zoning classification in effect at the time of such annexation, and the Official Zoning Map shall be amended or posted accordingly. Should a petition for annexation include a request for a zoning classification other than that which most closely relates to the Pinellas County zoning classification in effect for said property at the time said petition is filed, City Council may, in its sole discretion: refer said petition to the Planning and Zoning Commission for its recommendation; pass the proposal for said annexation of the property at the zoning requested in the petition; or deny the proposal. Any rezoning of an annexed area shall be consistent with F.S. § 171.062(2), as may be amended from time to time, which provides that if an annexed area was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area.

SECTION 18-1515. - "T-1" MANUFACTURED HOME SUBDIVISION DISTRICT

Sec. 18-1515.1. - STATEMENT OF INTENT.

The "T-1" Manufactured Home Subdivision District is established to identify and stabilize those geographic areas within the City of Pinellas Park that are presently platted or developed as manufactured home subdivisions. The district is intended to be used primarily for manufactured home dwellings for residential occupancy upon lots owned by the resident or designated tenant, but conversion of these sites to standard single-family detached dwellings is encouraged as a means of improving these areas over time. It is the intent of the City to strictly limit further rezonings of land into this zoning category. Criteria for acceptance of rezoning petitions are stated in Section 18-1515.6, "Criteria for Acceptance of Rezoning Petitions to "T-1", below. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low Medium (RLM), Residential Medium (RM), Transportation/Utility (T/U) and Community Redevelopment District (CRD).

Table 18-1515.3: Authorized Land Uses in R-4 District

| <i>Land Use</i> | <i>Approval Type</i> | <i>Conditions</i> |
|---|----------------------|-------------------|
| <i>RESIDENTIAL AND ACCOMMODATION USES</i> | | |
| <i>Dwellings, Manufactured Home</i> | <i>P</i> | 1 per lot |
| <i>Dwellings, Single-family Detached</i> | <i>P</i> | |

Sec. 18-1512.4. - DIMENSIONAL AND AREA REGULATIONS.

(A) MINIMUM LOT REQUIREMENTS.

1. *For lots platted prior to November 24, 1992, the following dimensional regulations shall apply:*
 - (a) *Lot Area: Five thousand (5,000) square feet.*
 - (b) *Lot Width: Fifty (50) feet.*
 - (c) *Lot Depth: Ninety (90) feet.*
2. *For lots platted on or after November 24, 1992, the following shall apply:*
 - (a) *Lot Area: Seven thousand five hundred (7,500) feet.*
 - (b) *Lot Width: Seventy-five (75) feet, except on a corner ninety (90) feet is required.*
 - (c) *Lot Depth: Ninety (90) feet.*
3. *Lots not meeting the lot area, width or depth requirements of this Section and having been of record prior to June 12, 1986 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.*

(B) MINIMUM YARD SETBACK REQUIREMENTS.

1. *For lots platted prior to November 24, 1992, the following shall apply:*
 - (a) *Front Yard Setback: Twenty (20) feet.*
 - (b) *Secondary Front Yard Setback: Ten (10) feet.*
 - (c) *Side Yard Setback: Five (5) feet.*
 - (d) *Rear Yard Setback: Fifteen (15) feet, or ten (10) feet if abutting an alley.*
2. *For lots platted on or after November 24, 1992, the following shall apply:*
 - (a) *Front Yard Setback: Twenty-five (25) feet.*
 - (b) *Secondary Front Yard Setback: Twenty-five (25) feet.*
 - (c) *Side Yard Setback: Ten (10) feet.*
 - (d) *Rear Yard Setback: Fifteen (15) feet.*
3. *For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations."*
4. *Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.*

5. Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

(C) **MINIMUM LIVEABLE FLOOR AREA.**

1. *Manufactured Home Dwellings: Four hundred fifty (450) square feet.*
2. *Single-family Detached Dwellings: Eight hundred (800) square feet.*

(D) **MAXIMUM BUILDING HEIGHT.** *Thirty-five (35) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.*

(E) **MAXIMUM LOT COVERAGE.** *Nonresidential Uses: Sixty-five (65) percent in RLM; seventy-five (75) percent in RM land use.*

(F) **FLOOR AREA RATIO.**

1. *Nonresidential Uses:*
 - (a) *Forty-hundredths (0.40) in RLM or RM.*

2. Staff Analysis:

As required by Section 1501-13 the proposed "T-1" Zoning District is consistent with the County's RMH district for mobile/manufactured homes and the surrounding area. Single Family (Detached) dwellings are a permitted use in the "T-1" Zoning district.

Staff finds that the proposed "T-1" Zoning District is consistent with the Land Development Code.

IV. SUMMARY

A. Findings

Based on the information and analysis contained in this report, staff finds as follows:

1. The property has no outstanding code enforcement violations with Pinellas County.
2. The parcel is contiguous to the City and meets all of the annexation requirements set forth in Florida Statute 171.044.

B. Staff Recommendation

Consistent with the above identified findings, and subject to such additional findings of fact as are established at a public hearing, if applicable, staff recommends **APPROVAL** of case number AX21-18.



Nick A. Colonna, AICP
Planning & Development Services Director



Date



Benjamin J. Ziskal, AICP, CEcD
Community Development Administrator



Date

V. CITY COUNCIL – MOVE TO:

- A. APPROVE
- B. APPROVE WITH THE FOLLOWING CONDITIONS:
- C. DENY

VI. ATTACHMENTS:

Exhibit A: Application with Legal Description

Exhibit B: Aerial Map

Exhibit C: Land Use Map

Exhibit D: Zoning Map

Exhibit E: FIRM Map

Exhibit F: Data Sheet

Exhibit G: Revenue Analysis

Exhibit H: Site Photographs

Exhibit I: Attorney Letter

PETITION FOR ANNEXATION TO THE CITY OF PINELLAS PARK, FLORIDA

The undersigned, being the sole OWNER ("*OWNER*" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires) of the following described real property located within Pinellas County, Florida, hereby consents and agrees to annexation of such property by the City of Pinellas Park, Florida, and further requests the City of Pinellas Park to forthwith undertake annexation proceedings to annex the said real property:

PARCEL: 17-30-16-33399-000-0190
(Located at 6018 107th Avenue North)

LOT 19, GREENTREE MANOR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 23, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, PARCEL# 17-30-16-33399-000-0190, ALONG WITH THAT PORTION OF 107TH AVENUE RIGHT OF WAY, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 19, GREENTREE MANOR, FURTHER DESCRIBED ABOVE, SAID POINT BEING THE POINT OF BEGINNING, RUN SOUTH 00°17'07" WEST 100.00 FEET; THENCE NORTH 89°41'01" WEST 60.00 FEET; THENCE NORTH 00°17'07" EAST 160.00 FEET TO THE NORTH RIGHT OF WAY LINE OF 107TH AVENUE; THENCE SOUTH 89°41'01" EAST ALONG SAID RIGHT OF WAY LINE 120.00 FEET TO THE WEST RIGHT OF WAY LINE OF 60TH STREET NORTH; THENCE LEAVING THE NORTH RIGHT OF WAY LINE OF 107TH AVENUE, RUN SOUTH 00°17'07" WEST ALONG SAID RIGHT OF WAY LINE 60.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF 107TH AVENUE; THENCE LEAVING THE WEST RIGHT OF WAY LINE OF 60TH STREET, RUN NORTH 89°41'01" WEST 60.00 FEET TO THE POINT OF BEGINNING.

Containing 0.30 acres MOL

The names and addresses of the undersigned representing all of the legal owners of the above-described property are as follows:

Café Bros LLC
Attn: Au D. Dieu
5800 34th Street North
St Petersburg, FL 33714

**Café Bros LLC Authorized Person's
Signature:**

By: Au D. Dieu, Authorized Person

Travis Webster

Witness (Signature)

TRAVIS WEBSTER

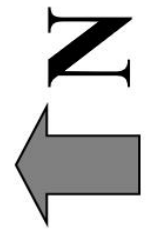
Witness Printed Name

Rebecca Stephenson

Witness (Signature)

Rebecca Stephenson

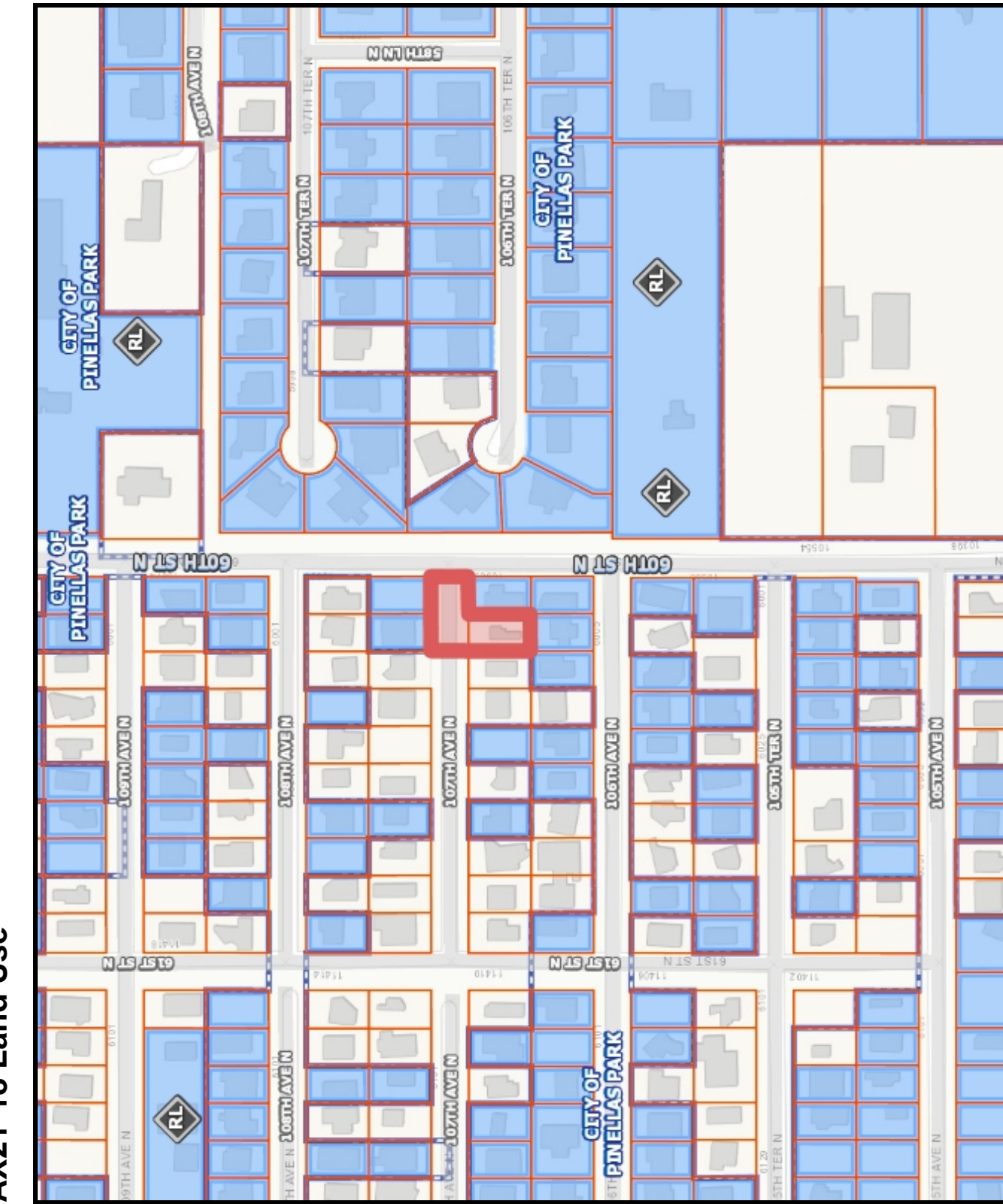
Witness Printed Name



17-30-16-33399-000-0190
6018 107th Avenue North

AX21-18

Legend



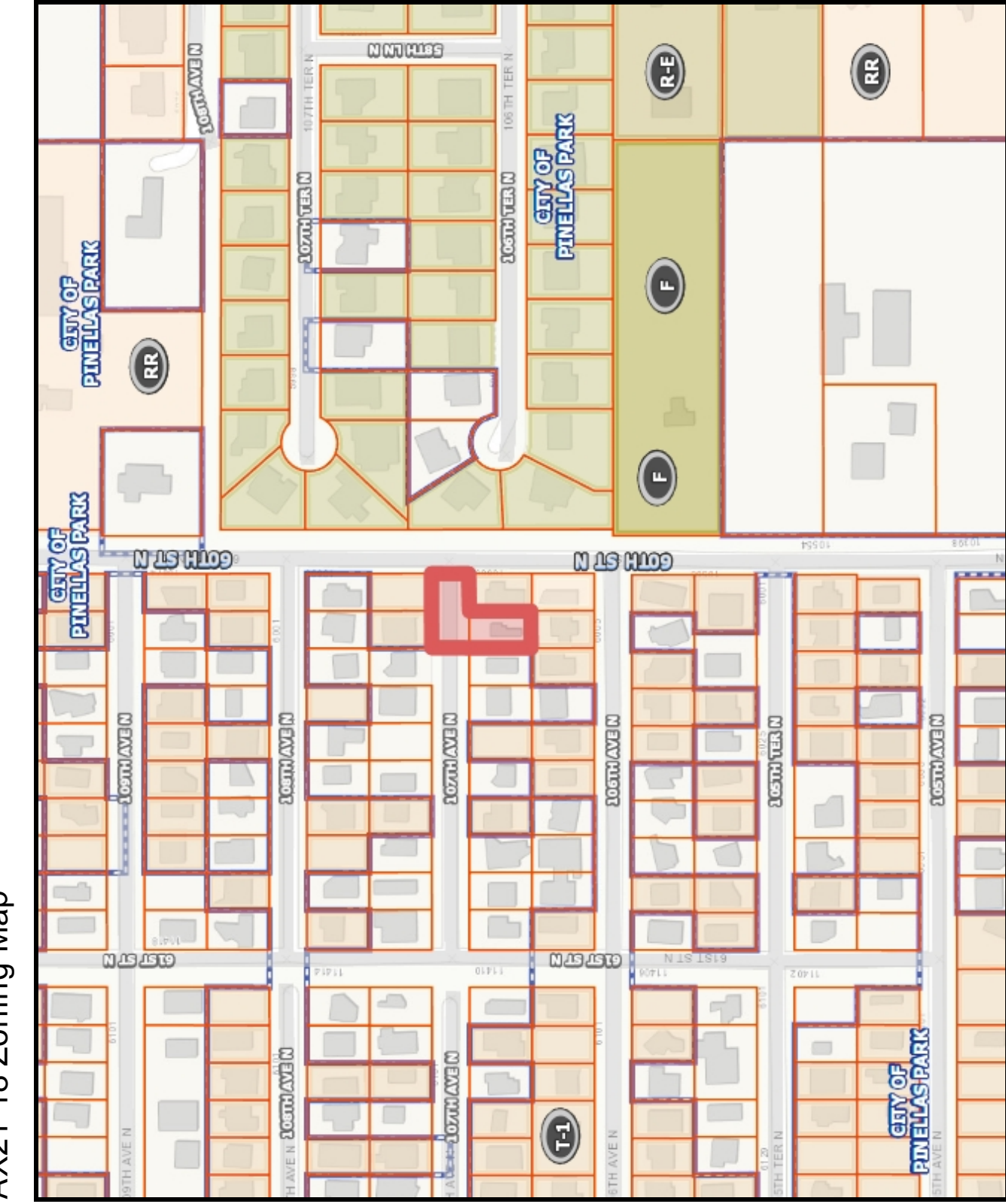
1:3,125



| | | | |
|-------|---|--------|------------|
| 260.4 | 0 | 130.22 | 260.4 Feet |
|-------|---|--------|------------|

WGS_1984_Web_Mercator_Auxiliary_Sphere

Legend



1:3,125

| | | | |
|-------|---|--------|------------|
| 260.4 | 0 | 130.22 | 260.4 Feet |
|-------|---|--------|------------|

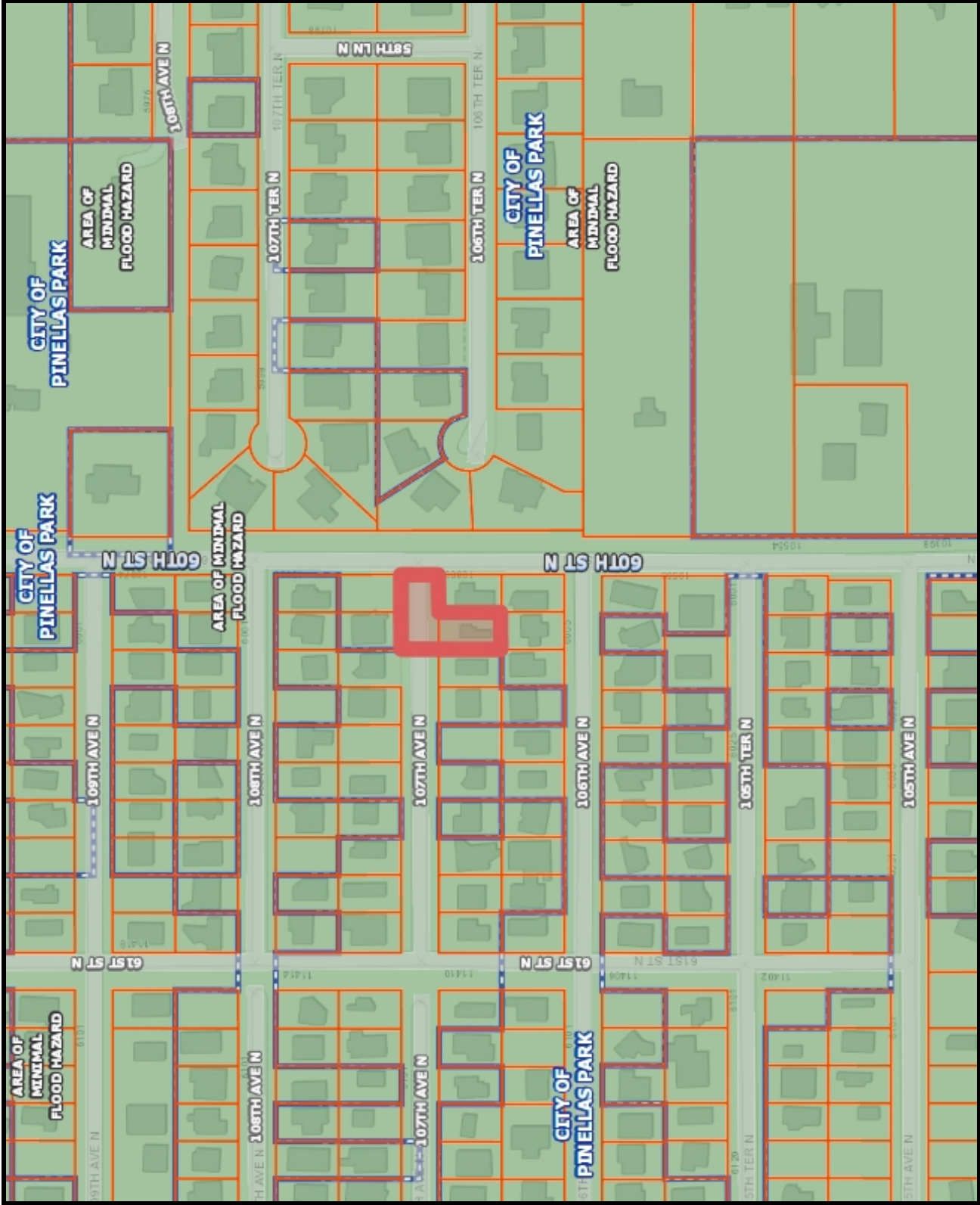


WGS_1984_Web_Mercator_Auxiliary_Sphere



AX21-18 Digital FIRMS Map

- Legend
- Parcel Lines
 - Centerlines
 - Pinellas Park
 - Floodplain Delineations
 - Minimal Flood Hazard
 - 500 Year Floodplain (0.2% Annual Risk)
 - 100 Year Floodplain (1% Annual Risk)
 - Floodway
 - Coastal High Hazard Area



Notes:



1: 3,125

260.4 0 130.22 260.4 Feet

ANNEXATION DATA SHEET

- 1. PARCEL:**
17-30-16-33399-000-0190
- 2. OWNER:**
CAFE BROS, LLC
- 3. STREET ADDRESS OF PROPERTY:**
Located at 6018 107th Avenue North
- 4. SIZE OF PROPERTY:**
Petition = 0.30 Acres MOL
Ordinance = 0.30 Acres MOL
- 5. COUNTY ZONING / LAND USE:**
RMH/RL
- 6. CITY ZONING / LAND USE:**
T-1/RLM
- 7. EXISTING PROPERTY IMPROVEMENTS:**
A manufactured home is currently on the site
- 8. EXISTING BUSINESS ON PROPERTY:**
N/A
- 9. EXISTING PROPERTY USE:**
Residential
- 10. ANNEXATION AGREEMENT PROVISIONS:**
 - ♦ The City agrees that as part of the consideration of this Agreement, for a period of five (5) years from the date of this Agreement, the City shall waive all City land development fees applicable for the redevelopment of the subject Property, in an amount not to exceed Three Thousand Dollars (\$3,000). This waiver of fees does not include a waiver of traffic impact fees.
- 11. OTHER PERTINENT INFORMATION:**
Contiguous
- 12. PROPOSED PROPERTY USE:**
Same
- 13. PROPOSED PROPERTY IMPROVEMENTS:**
Demo the existing trailer and build a single-family home on the site

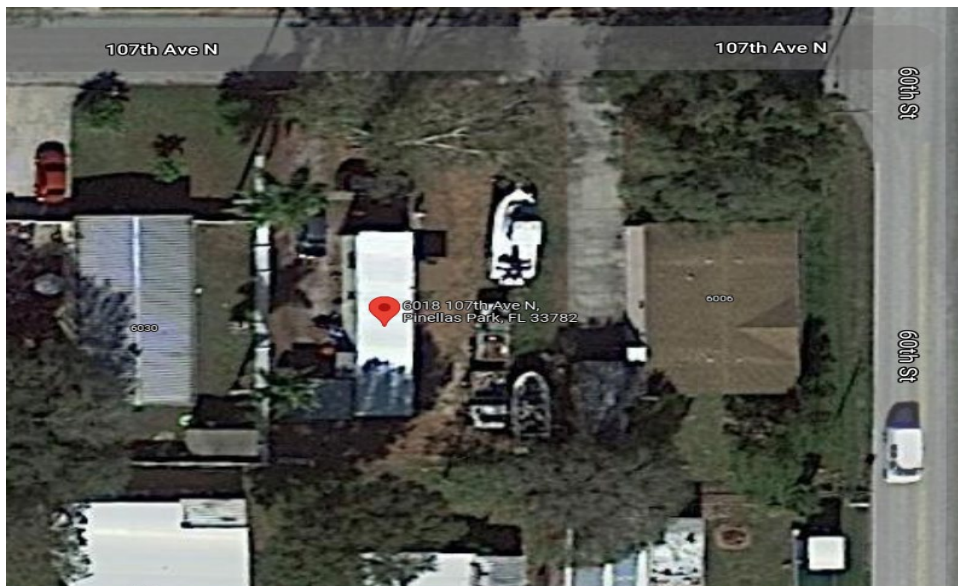
Exhibit "G"
Revenue Analysis

| Annexation Revenue Analysis Residential | | |
|---|-----------------------|-------------------------------|
| Annexation Number: AX21-18 | | Date: October 18, 2021 |
| Owner's Name: Café Bros, LLC | | |
| Property Address: 6018 107th Avenue N. | | |
| | <u>Millage</u> | <u>Amount</u> |
| Ad Valorem Taxes: | | |
| Current Assessed Value (cap value) | NA | \$56,078.00 |
| Homestead Exemption | NA | \$0.00 |
| Taxable Value | NA | \$56,078.00 |
| Taxes Received by the City | 0.00549 | \$307.87 |
| Est. Assessed Value After Development of a Single-Family Home | NA | \$225,000.00 |
| Est. Homestead Exemption | NA | \$50,000.00 |
| Est. Taxable Value After Development | NA | \$175,000.00 |
| Anticipated Taxes Received After Development | 0.00549 | \$960.75 |
| Est. Franchise Fees and/or Utility Taxes After Development | | |
| Water (10% Utility Tax) (Estimate) | | \$110.00 |
| Electric (Estimate) | | \$310.00 |
| Gas | | \$48.00 |
| Communication Services Tax (Estimate) | | \$35.00 |
| Stormwater Fees (\$4.00 per month) | | \$48.00 |
| Anticipated Franchise Fees and/or Utility Taxes After Development | | \$551.00 |
| Anticipated Taxes Received by the City After Development | | \$960.75 |
| Anticipated Franchise Fees and/or Utility Taxes Received After Development | | \$551.00 |
| Anticipated Annual Revenues to be Received by the City | | \$1,511.75 |

| | | |
|--|-----------|-----------------|
| Current Est. Annual Revenues to Pinellas Park as Unincorporated Property: | | |
| PF (PFW) Fire District Tax (est. currently received) | 0.0031976 | \$179.32 |
| 25% Water and Sewer Surcharge (est. currently received) | | \$150.00 |
| Anticipated Total Annual Revenues to the City as Unincorporated Property | | \$329.32 |

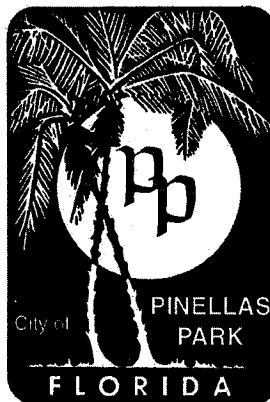
| | |
|--|-------------------|
| Anticipated New Money (est.) to the City Received Thru Annexation | \$1,182.43 |
|--|-------------------|

**Exhibit "H" Site
Photographs**



City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100



FLORIDA

PHONE • (727) 369-0700
FAX • (727) 544-7448

Please Respond To:

James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

November 8, 2021

Ms. Amanda Conte
CRA Manager
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #21-291
Annexation Agreement AX21-18, Café Bros LLC

Dear Ms. Conte:

We have received and reviewed the above-referenced Annexation Agreement with Café Bros LLC. We note that the legal name of the entity, Café Bros LLC, does not have a comma between "Bros" and "LLC." Please update all references to Café Bros LLC in both the Agreement and Petition. Once such changes have been made, and assuming the legal description contained in Exhibit A is correct and that the property is owned in the legal name of the Petitioner, we would approve of the Agreement and Petition as to form and correctness.

Very truly yours,

James W. Denhardt
City Attorney

cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Bart Diebold, Assistant City Manager
Lisa Hendrickson, Assistant City Manager
Ben Ziskal, Community Development Administrator
Nick Colonna, Planning & Development Services Director

JWD/dh

21-291.11082021.LAC.Annex Agmt AX21-18 Cafe Bros LLC.wpd



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