



CITY OF PINELLAS PARK

Staff Report

Community Development Department
Planning & Development Services Division

I. APPLICATION DATA

- A. **Case Number:** AX19-5
- B. **Location:**
1. **Address:** 12400 & 12360 49th Street North
2. **Parcel Numbers:** 09-30-16-70992-400-0404 and 09-30-16-70992-400-0405
- C. **Request:** To annex the above referenced property into the municipal boundaries of the City of Pinellas Park
- D. **Applicant:** G.S.D. Limited Liability Company
- E. **Agent:** George Demas (owner) 727-572-5757 or FRE12360@tampabay.rr.com
Housh Ghovahee (engineer) 727-443-2869 or housh@northsideengineering.net
- F. **Legal Ad Text:** Not applicable
- G. **Public Hearings:**

Board of Adjustment Hearing Date: Not applicable

Planning and Zoning Commission Hearing Date: Not applicable

City or Community Redevelopment District Hearing Date(s): June 27 and July 11, 2019
Deadline to send public hearing notices: June 10, 2019
Advertising deadline: June 7, 2019

II. BACKGROUND INFORMATION

- A. **Site Area:** 2.24 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:** Four structures totaling 21,414 square feet
- D. **Proposed Use:** Office, warehouse and retail sales
- E. **Current Zoning District:**
12360 49th Street North: E-2 in Unincorporated County → M-1 in City
12400 49th Street North: E-1 in Unincorporated County → M-1 in City

1. Zoning District Purpose / Intent:

CH: The "CH" Heavy Commercial District is established in order to identify and provide those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a heavy commercial/light manufacturing and warehousing environment. This district is intended primarily for compatible retail, wholesale, distribution and light manufacturing operations, none of which require large areas for outdoor storage or display, and that do not involve the use of materials, processes, or machinery likely to cause undesirable effects upon neighboring properties, together with accessory uses and public facilities, customary to or required for such an environment.

M-1: The "M-1" Light Industrial District is established in order to identify and provide those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a light industrial environment, which does not create hazardous or other serious detrimental effects upon the public health in the surrounding areas. This district is intended primarily for a wide variety of industrial uses and compatible retail, wholesale, distributing operations, and in limited situations as provided in (B) below, single and multi-family dwellings, together with accessory uses and public facilities customary to or required for such an environment.

2. Staff Analysis:

The applicant has proposed development of warehouses on both properties. The following is a permitted use in the CH zoning district: Wholesale merchandise broker, offices, or showrooms with wholesale storage space limited to six thousand (6,000) square feet of gross floor area per establishment with no outdoor storage in CG. Warehouses, storage, mini-warehouses, and wholesaling establishments is a Conditional Use in CH. Wholesale and warehousing is a permitted use in the M-1 zoning district.

F. Proposed Zoning District (Rezoning applications only): Not applicable

G. Current Land Use:

12360 49th Street North: Countywide Plan Map Category E = IL (Industrial Limited)

12400 49th Street North: Countywide Plan Map Category E = IL (Industrial Limited)

1. Land Use Purpose / Intent:

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 limited industrial manner; and so as to encourage the reservation and use of consolidated areas for industrial and industrial/mixed use in a manner and location consistent with surrounding use, transportation facilities, and natural resource characteristics.

2. Key Standards:

Those uses appropriate to and consistent with this category include:

Primary Uses – Office; Research/Development; Light Manufacturing/Assembly (Class A) and (Class B); Wholesale/Distribution (Class A) and (Class B); Storage/Warehouse (Class A) and (Class B)

Secondary Uses – Residential (subject to master development plan approval by the Countywide Planning Agency); Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; Temporary Lodging; Institutional; Transportation/Utility; Recreation/Open Space; Transfer/Recycling; Incinerator Facility; Agricultural.

Density/Intensity Standards - Shall not exceed a floor area ratio (FAR) of 0.65 nor an impervious surface ratio (ISR) of 0.85.

3. Staff Analysis: Storage/Warehouse is indicated as a primary use in the IL (Industrial Limited) category. Any new development must meet density standards.

H. **Proposed Land Use (Land Use Map Amendment applications only):** Not applicable

I. **Flood Zone:** The properties are located in Flood Zone X, which is not a high-risk flood zone.

J. **Evacuation Zone:** The property is in Evacuation Zone C, which is the third level to evacuate in preparation for a storm. Zone C is evacuated when storm surge height is predicted to be up to 20 feet.

K. **Vicinity Characteristics:**

	Zoning	Land Use	Existing Use
North	City M-1	City IL	Various manufacturing and warehouses
South	County E-2	County Plan Map Category E	Goodyear Rubber Products, Inc.
East	City M-1	City IL	Frank's Body Shop Enterprise Truck Rental
West	City M-1	City IL	Duke Utility Corridor

III. APPLICABLE CRITERIA / CONSIDERATIONS

A. **Comprehensive Plan Policies:**

1. **Relevant Policies:**

POLICY LU.1.16.1

Maintain a sufficient supply of industrial land with a minimum of adverse effects on abutting properties.

2. **Staff Analysis:**

The annexation would add "M-1" Light Industrial and The "CH" Heavy Commercial zoned properties to the City.

B. **Land Development Code Standards**

1. **Key Standards:**

Sec. 18-1523.4. - DIMENSIONAL REGULATIONS.

(A) MINIMUM LOT REQUIREMENTS. 1. Lot Area: Fifteen thousand (15,000) square feet. 2. Lot Width: One hundred (100) feet. 3. Lot Depth: One hundred and fifty (150) feet. 4. Lots of record not meeting the lot area, width, or depth requirements of this section and having been of record prior to August 25, 1977 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

(B) MINIMUM YARD SETBACK REQUIREMENTS. 1. Front Yard Setback: Twenty (20) feet. 2. Secondary Front Yard Setback: Twenty (20) feet. 3. Side Yard Setback: Five (5) feet; ten (10) feet is required if abutting a residential zoning district. 4. Rear Yard Setback: Fifteen (15) feet. 5. For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations." 6. Refer to Section 18-1503.8 for measurement of yard setbacks on lots

adjacent to rights-of-way of insufficient width. 7. Refer to Section 18-1504.3(G) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

(C) MAXIMUM LOT COVERAGE. Seventy-five (75) percent.

(D) MINIMUM FLOOR AREA. Three hundred (300) square feet.

(E) MAXIMUM BUILDING HEIGHT. Forty (40) feet, excluding mechanical and/or elevator penthouse (additional height may be granted as a conditional use). See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

(F) FLOOR AREA RATIO. 1. Forty-five hundredths (0.45) in CG. 2. Forty-five hundredths (0.45) in CRD. 3. Fifty-five hundredths (0.55) in IL.

Sec. 18-1524.4. - DIMENSIONAL AND AREA REGULATIONS.

(A) MINIMUM LOT REQUIREMENTS. 1. Lot Area: Fifteen thousand (15,000) square feet. 2. Lot Width: One hundred (100) feet. 3. Lot Depth: One hundred fifty (150) feet. 4. Lots of record not meeting the lot area, width, or depth requirements of this section and having been of record prior to the adoption of these regulations may be used for a permitted or conditional use provided that all other dimensional regulations will apply. (B) MINIMUM YARD SETBACK REQUIREMENTS. 1. Front Yard Setback: Twenty (20) feet. 2. Secondary Front Yard Setback: Ten (10) feet. 3. Side Yard Setback: Five (5) feet; ten (10) feet is required if abutting a residential zoning district. 4. Rear Yard Setback: Five (5) feet, ten (10) feet is required if abutting a residential zoning district. 5. For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations." 6. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width. (C) MAXIMUM LOT COVERAGE. Seventy-five (75) percent. Refer to Section 18-1530.18 for maximum lot coverage allowances for master stormwater retention/detention ponds.

2. Staff Analysis: Any new development must meet zoning district standards.

C. Essential Services Issues:

1. Essential Services Review

Public Works Divisions:

Public Works Administrator:

Not submitted for review

Construction Services:

Pinellas County right-of-way.
City potable water available.
City sanitary sewer available.
No reclaimed water available.
49th Street is a Pinellas County maintained roadway, sidewalks appear in good condition. No objection to the annexation.

Utilities:

No comments or objection to annexation

Transportation & Stormwater:

The Public Works utilities provides water only, no sanitary sewer available at this time. We have no objections to this annexation.

Fire Department - Life Safety:

The fire department already provides services to these addresses so there will be no additional impact because of the annexation.

Police Department - Crime Prevention:

No objection to this annexation

Pinellas Park Water Management District:	Not submitted for review
Florida Department of Transportation:	Not submitted for review
<u>Community Development Divisions</u>	
Planning & Development Review Manager:	No, to objection to the annexation but, if possible, we should annex both parcels into the City with the same zoning designation. The M-1 designation would be most appropriate for both parcels and is consistent with the surrounding zoning.
Building Development Division:	No issues with the annexation.
Neighborhood Services Division:	Numerous items of outdoor storage, a semi-trailer stored at property, inoperable/parking issues, vehicle being parked/stored blocking a drive aisle, and no BTR were observed on the properties. We have no objection to the annexation but request the owner be required to bring the properties into a state consistent with the Pinellas Park Code of Ordinances / Land Development Code as part of the annexation to avoid enforcement action.
Community Redevelopment Area Manager (if applicable)	Not submitted for review
Planning & Development Services Director:	_____
Community Development Administrator:	_____

2. Staff Analysis:

This case has been reviewed by all relevant divisions and the recommendations have been shared with the property owner. Seeing no additional strain on our resources to provide services, Staff recommends that this property proceed with annexation, as M-1 zoned properties.

IV. SUMMARY

A. Findings

Based on the information and analysis contained in this report, staff finds as follows: The parcels meet the minimum requirements for annexation by being contiguous to properties within the City boundaries and not having any outstanding code enforcement issues with Pinellas County. There is older septic system on site and that the only way to connect to the City sewer system is through directional boring under 49th Street. Based on the amount of proposed redevelopment of these parcels it would be beneficial to have them within the City limits.

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 AX19-5.

V. ACTION:

CITY COUNCIL – MOVE TO:

- 1: APPROVE
- 2: APPROVE WITH THE FOLLOWING CONDITIONS:
- 3: 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 (Agreement)

AX19-5

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:

PARCELS: 09-30-16-70992-400-0404 and 0405
(Located at 12400 and 12360 49th Street North)

THE NORTH 150.00 FEET OF THE SOUTH 750.00 FEET OF LOTS 4 & 5, PINELLAS GROVES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS, COUNTY, FLORIDA, LYING EASTERLY OF THE DUKE ENERGY RIGHT OF WAY, ALSO LESS ROAD RIGHT OF WAY ON THE EAST FOR 49TH STREET RIGHT OF WAY. THIS PROPERTY IS LOCATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST, AND HAS A PARCEL# 09-30-16-70992-400-0404.

A PARCEL CONTAINING 1.49 ACRES M.O.L.

AND

THE NORTH 100.00 FEET OF THE SOUTH 600.00 FEET OF LOTS 4 & 5, PINELLAS GROVES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS, COUNTY, FLORIDA, LYING EASTERLY OF THE DUKE ENERGY RIGHT OF WAY, ALSO LESS THAT PART WITHIN 100.00 FEET OF THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 FOR 49TH STREET RIGHT OF WAY. THIS PROPERTY IS LOCATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 16 EAST, AND HAS A PARCEL# 09-30-16-70992-400-0405.

A PARCEL CONTAINING 0.75 ACRES M.O.L.

Containing 2.24 acres M.O.L.

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

G.S.D. Limited Liability Company
12360 49th Street North
Clearwater, FL 33762-4308

MANAGING MEMBER'S SIGNATURE:



Witness Signature



Geo S. Demas, Managing Member



Witness Name Printed



Witness Signature



Witness Name Printed

EXHIBIT "B"
Aerial Map

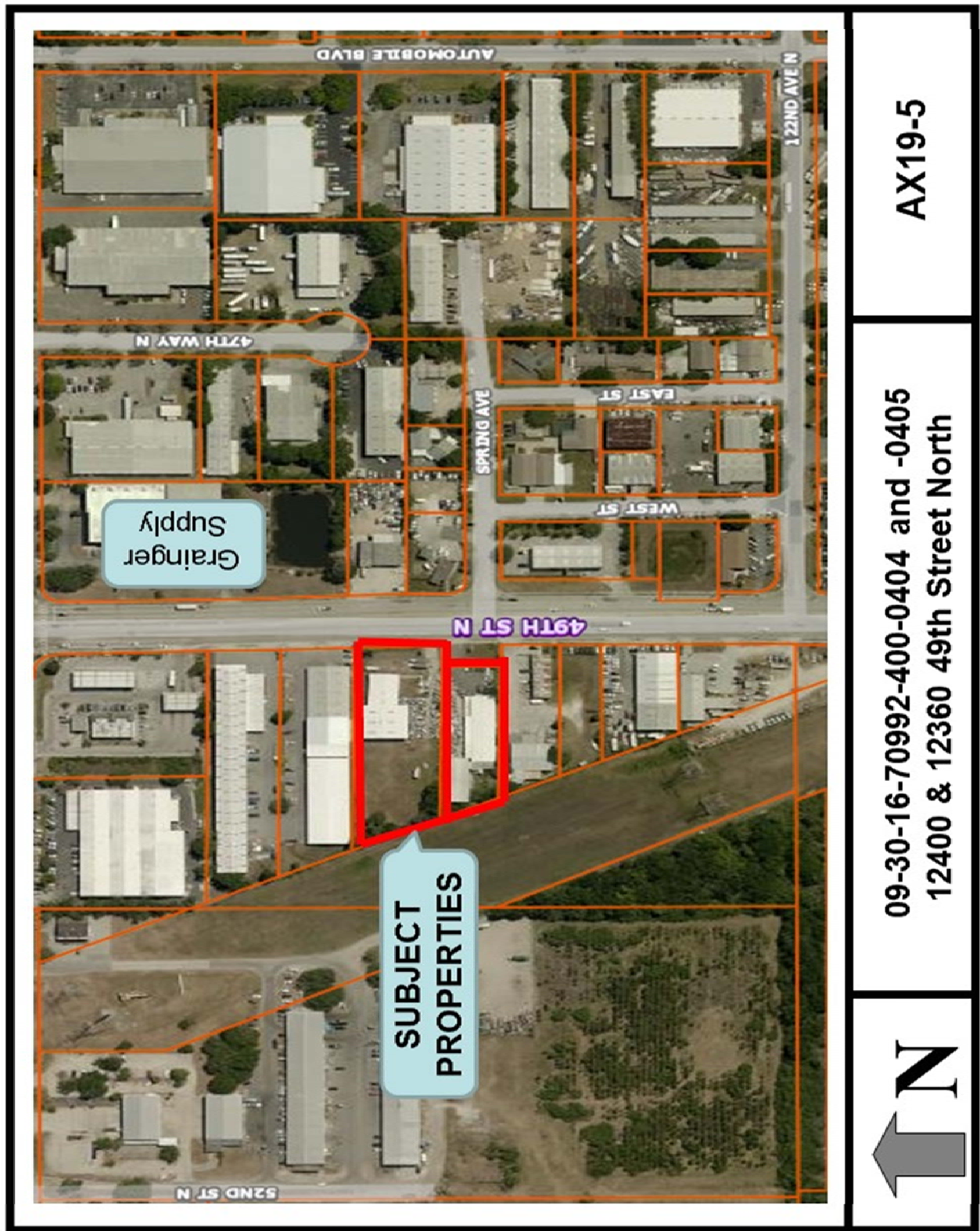


EXHIBIT "C" Future Land Use



EXHIBIT "D" Zoning Map

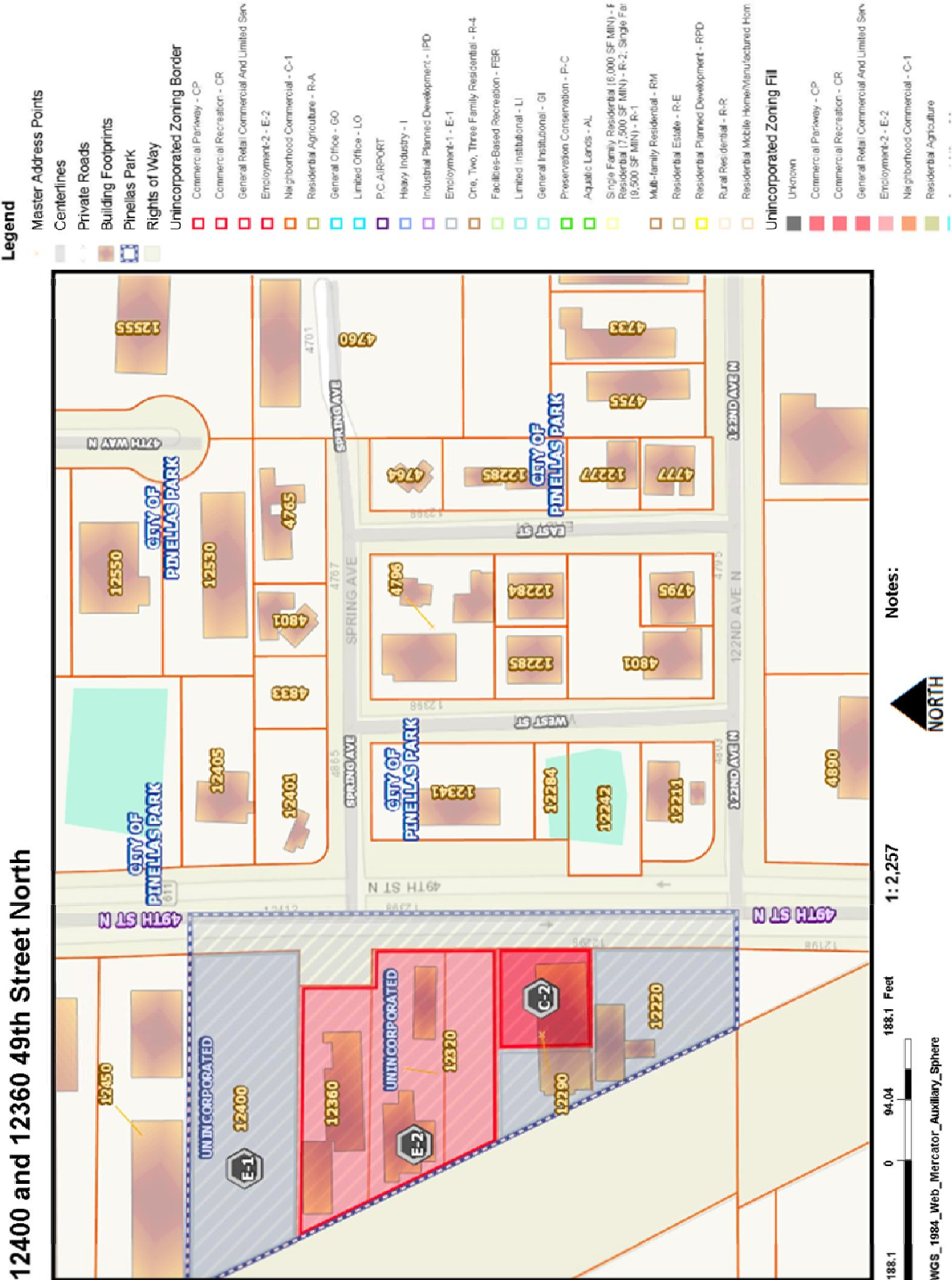
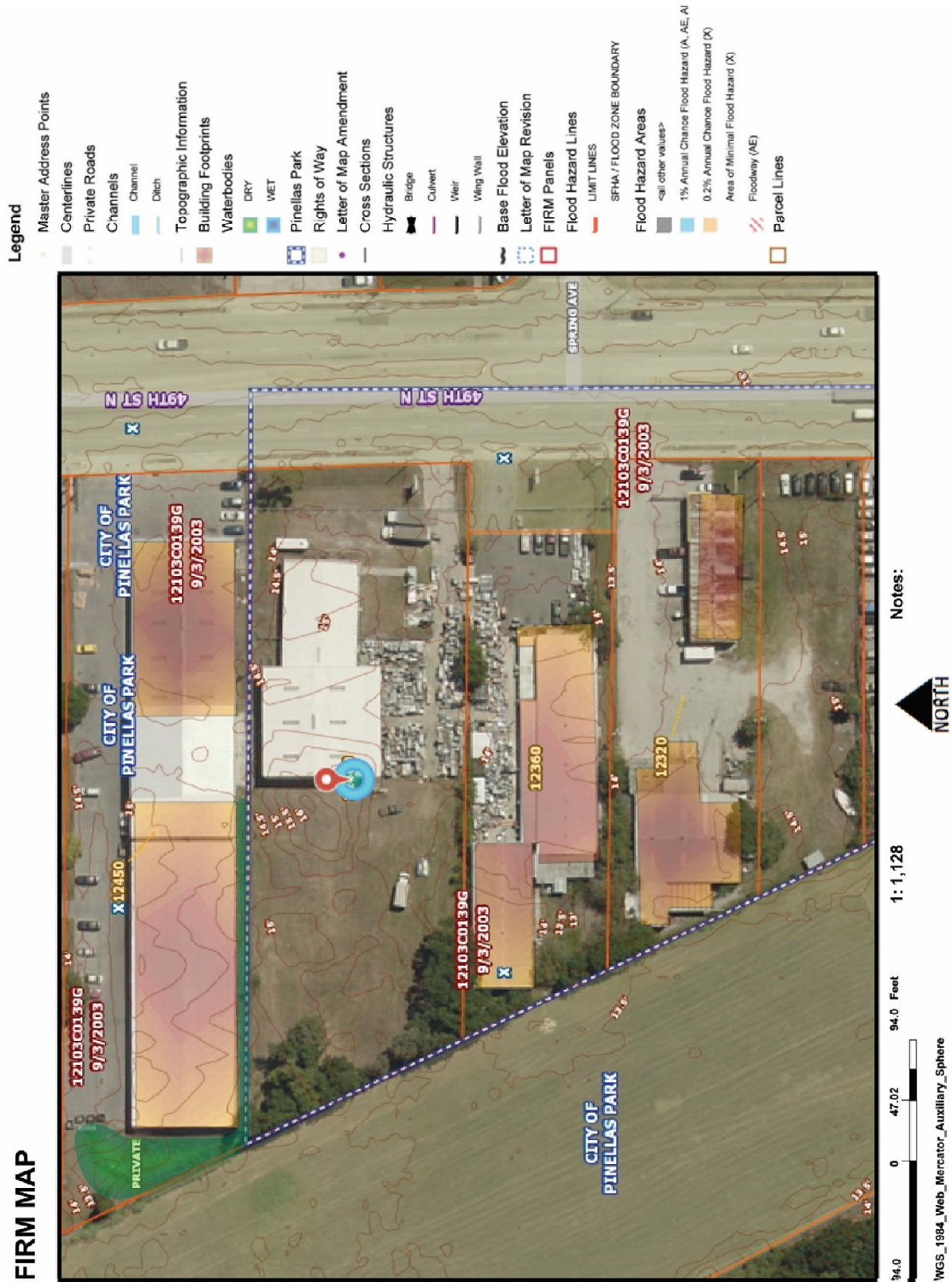


Exhibit "E" FIRM Map



ANNEXATION DATA SHEET

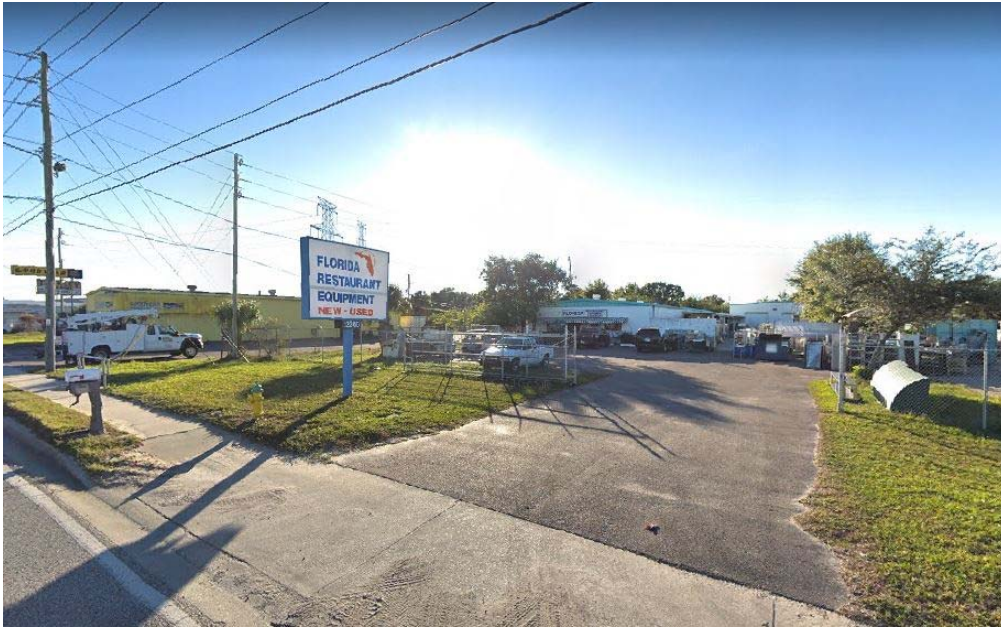
- 1. PARCELS:**
09-30-16-70992-400-0404 and 0405
- 2. OWNER:**
G.S.D. Limited Liability Company
- 3. STREET ADDRESS OF PROPERTY:**
Located at 12400 and 12360 49th Street North
- 4. SIZE OF PROPERTY:**
Agreement = 2.24 Acres MOL
Ordinance = 2.24 Acres MOL
- 5. COUNTY ZONING / LAND USE:**
E-1 and E-2 / E
- 6. CITY ZONING / LAND USE:**
M-1 / E
- 7. EXISTING PROPERTY IMPROVEMENTS:**
9,680 square foot commercial building
- 8. EXISTING BUSINESS ON PROPERTY:**
Florida Restaurant Equipment
- 9. EXISTING PROPERTY USE:**
Commercial
- 10. ANNEXATION AGREEMENT PROVISIONS:**
 - ◆ For a period of two (2) years from the date of execution of this Agreement, the City shall waive City land development fees, applicable for the construction of an approximate 10,800 sq. ft. building on the Property, in an amount not to exceed Ten Thousand Dollars (\$10,000.00).
 - ◆ For a period of two (2) years from the date of execution of this Agreement, the City shall waive the City's Business Tax Receipt fee for the use of the Property estimated to be Two Hundred Dollars (\$200.00) per year.
 - ◆ The City shall grant a variance to the parking space requirement of one space per 750 square feet to one space per 1,500 square feet for the construction of the 10,800 sq. ft. building to be constructed on the Property.
 - ◆ The City shall allow the Owner to fulfill their current solid waste service contract, which expires April 20, 2022. Within fourteen (14) days of the expiration of such contract, the Owner will contact the City's Utility Billing Division to establish solid waste services. There will be no deposit required.
 - ◆ For purposes of this Annexation, the City will not require a "Unity of Title" for the properties being annexed. However, should the Owner or successors, assigns, or legal representatives hereafter make a request or other application to the City that would normally require a "Unity of Title", then the Owner shall execute a "Unity of Title" if required by applicable codes and requested by the City.
- 11. OTHER PERTINENT INFORMATION:**
Contiguous
- 12. PROPOSED PROPERTY USE:**
Same
- 13. PROPOSED PROPERTY IMPROVEMENTS:**
Addition of approximate 10,800 sq. ft. building, parking and landscaping

Exhibit "G"
Revenue Analysis

Annexation Revenue Analysis Commercial / Industrial		
Annexation Number: AX19-5		Date: February 7, 2019
Owner's Name: G.S.D. Limited Liability Company		
Property Address: 12400 & 12360 49th Street North		
Ad Valorem Taxes:	Millage	Amount
*Information obtained from the Pinellas County Property Appraiser's records.		
Current Assessed Value	NA	\$824,000.00
Taxes Received by Pinellas Park	0.00549	\$4,523.76
Tangible Personal Property Taxes:		
Assessed Asset Value (Exempt below \$25,000)	NA	\$0.00
Tangible Taxes Received by Pinellas Park	0.00549	\$0.00
Business Tax Receipt		\$300.00
Est. Franchise Fees and/or Utility Taxes after development:		
Water (10% Utility Tax) ESTIMATE		\$330.00
Electric (\$163 monthly bill estimate) ESTIMATE		\$1,600.00
Gas		\$0.00
Communication Services Tax ESTIMATE		\$200.00
Franchise Fees and/or Utility Taxes Received by Pinellas Park		\$2,130.00
Taxes Received by Pinellas Park		\$4,523.76
Tangible Personal Property Tax Received by Pinellas Park		\$0.00
Business Tax Receipt Fee		\$300.00
Est. Franchise Fees and/or Utility Taxes Received by Pinellas Park		\$2,130.00
Anticipated Annual Revenues to Pinellas Park After Annexation		\$6,953.76

Current Est. Annual Revenues to Pinellas Park as Unincorporated Property:		
PF Fire District	0.0031976	\$2,634.82
Total Est. Annual Revenues to Pinellas Park as Unincorporated Property		\$2,634.82

EXHIBIT "H"
Site Photographs



12360 49th Street North



12400 49th Street North

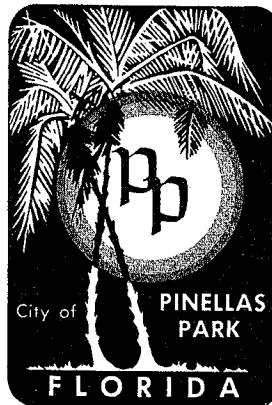
City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100

PINELLAS PARK, FL 33780-1100

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



FLORIDA

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SUNCOM • 969-1011

May 21, 2019

Ms. Shannon Coughlin
Economic Development Manager
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #19-144
AX19-5 G.S.D. Limited Liability Agreement

Dear Ms. Coughlin:

I have received and reviewed the above-mentioned revised Annexation Agreement. I would approve of the revised Agreement as to form and correctness.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lauren Christ Rubenstein'.

Lauren Christ Rubenstein
Assistant City Attorney

cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Asst. City Manager
Benjamin Ziskal, Community Development Director

LCR/law

19-144.05212019.LSC.AX19-5.wpd



PRINTED ON RECYCLED PAPER

ORDINANCE NO. 4084

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, ANNEXING INTO THE CITY OF PINELLAS PARK, FLORIDA, CERTAIN PARCELS OF LAND GENERALLY LOCATED AT 12400 AND 12360 49TH STREET NORTH, LEGALLY DESCRIBED AS ATTACHED HERETO IN EXHIBIT "A" AND MADE A PART HEREOF, LYING WITHIN SECTION 09, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; PROVIDING FOR AMENDMENT OF THE LEGAL DESCRIPTION OF THE CORPORATE BOUNDARIES OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR THE ASSIGNMENT OF CITY ZONING CLASSIFICATION; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES CONFLICTING HERewith; PROVIDING FOR AN EFFECTIVE DATE.

(G.S.D. LIMITED LIABILITY COMPANY AX19-5)

WHEREAS, the Owner of certain parcels of land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park have petitioned City Council requesting that said land be annexed into the City of Pinellas Park, Florida; and

WHEREAS, all requirements of Florida Statutes, Chapter 171, pertaining to the voluntary annexation have been complied with.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That the land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park, generally located at 12400 and 12360 49th Street North, and legally described as attached hereto in Exhibit "A" and made a part hereof, and further depicted in Exhibit "B" which is attached hereto and made a part hereof, lying within Section 09, Township 30 South, Range 16 East, Pinellas County, Florida, is hereby annexed into the City of Pinellas Park.

SECTION TWO: That the legal description of the corporate boundaries of the City of Pinellas Park, Florida, is hereby amended to include the land herein annexed. The legal description of the City of Pinellas Park, Florida, contained in the City Charter, and all official City maps and other official documents shall be amended

accordingly.

SECTION THREE: That the land herein annexed shall be assigned the City zoning classification of M-1 which is the closest compatible to the County E-1 and E-2 zoning on the subject parcels at the time of annexation.

SECTION FOUR: That the City Zoning Map is hereby amended to conform to the provisions of this Ordinance.

SECTION FIVE: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be, and they are hereby, repealed insofar as the same affects this Ordinance.

SECTION SIX: That this Ordinance shall become effective immediately upon its final passage and adoption.

FIRST READING _____ DAY OF _____, 2019

PUBLISHED MAP & TITLE _____ DAY OF _____, 2019

PUBLISHED MAP ONLY _____ DAY OF _____, 2019

PUBLIC HEARING _____ DAY OF _____, 2019

PASSED THIS _____ DAY OF _____, 2019

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2019

ATTEST:

SANDRA L. BRADBURY, MAYOR

DIANE M. CORNA, MMC, CITY CLERK

ANNEXATION ORDINANCE LEGAL

G.S.D. LIMITED LIABILITY COMPANY

PARCELS: 09-30-16-70992-400-0404 and 09-30-16-70992-400-0405

PROPERTY ADDRESSES: 12400 and 12360 49th Street North

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A PARCEL CONTAINING 0.75 ACRES M.O.L.

PARCELS CONTAINING A TOTAL OF 2.24 ACRES M.O.L.

