



## CITY OF PINELLAS PARK

# Staff Report

### Community Development Department Planning & Development Services Division

#### I. APPLICATION DATA

- A. **Case Number:** Amendment to AX18-38 The John G. Axley Trust, William C. Axley & Julie A. Pauley F/K/A Julie A. Axley, Trustees and The Lillian C. Axley Trust, Lillian C. Axley, Trustee
- B. **Location/Address:** 12300 62nd Street North
- C. **Request:** Amend the annexation agreement AX18-38 to acknowledge a change in ownership
- D. **Applicant:** Cypress Business Park, LLC
- E. **Agent:** Craig B. Hill, Attorney for Cypress Business Park, LLC 863-683-6511, chill@petersonmyers.com
- 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 Council Hearing Date(s):** 7/11/2019

**Deadline to send public hearing notices:** 6/26/2019

**Advertising deadline:** 6/21/2019

(City Clerk has not received ad proofs back from publications 6/27/2019)

#### II. BACKGROUND INFORMATION

- A. **Site Area:** 14.48 acres
- B. **Property History:**
1. **Previous Land Use Plan or Zoning Amendments:** None on record
  2. **Permits and Development:** None on record
  3. **Variances or Waivers:** None on record
- C. **Existing Use:** Two structures totaling 9,588 square feet
- D. **Proposed Use:** Warehouse and Office
- E. **Current Zoning District:** E-1 in Unincorporated County → M-1 in City
1. **Zoning District Purpose / Intent:**

**Section 18-1524 M-1 Light Industrial**

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:**

Offices and warehouses are permitted uses in the M-1 Zoning District.

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

**G. Current Land Use:** Countywide Plan Map Category IL = City 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:**

Office and Warehouses are primary uses in the IL (Industrial Limited) category. Retail Commercial is a secondary use. Any new development must meet density standards.

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

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

**J. Evacuation Zone:** C

**K. Vicinity Characteristics:**

	Zoning	Land Use	Existing Use
North	R-6 County E-1/C2	IL / RMH IL	MOBILE HOME PARK, STORES, APTS

<b>South</b>	P	INS	PINELLAS PARK HIGH SCHOOL
<b>East</b>	M-1	IL	INDUSTRIAL USE
<b>West</b>	County E-1	IL	INDUSTRIAL USE

### 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 increases the amount of industrial zoned land in the City.

#### B. Zoning District Standards:

##### 1. **Key Standards:**

*Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Industrial Limited (IL) or Community Redevelopment District (CRD) Future Land Use Categories.*

##### 2. **Staff Analysis:**

The Land Use of the property is IL (Industrial Limited), which is appropriate for the zoning district.

#### C. Essential Services Issues:

Public Works Administrator: No objection to annexation

Planning & Development Services: No objection to annexation

Building Development Division: No objection to annexation

Fire Department - Life Safety: No objection to annexation

Police Department Crime Prevention: No objection to annexation

Construction Services Division:

**62nd Street N.** – Pinellas County road

**123rd Avenue N.** – Pinellas County road

Public Utilities Division: No objection to annexation

Transportation & Stormwater:

While this property is in the Pinellas County utility service area it is on the fringe of both the Pinellas County and Pinellas Park infrastructure. If Pinellas County is unable to provide water or sewer services needed for this development, I think we could help.

Neighborhood Services: No objection to annexation

Planning & Development Services Director:

Community Development Administrator:

*[Signature]* 6/27/19  
*[Signature]* 6/27/19

**Staff Analysis:**

This case has been reviewed by all relevant divisions and there are no objections.

**IV. SUMMARY**

**A. Findings**

Based on the information and analysis contained in this report, staff finds as follows: The property is eligible to be annexed and would not cause any undue strain on current resources to service the property.

The proposed use is permitted in the M-1 Zoning District. Office and Warehouses are primary uses in the IL (Industrial Limited) category. The annexation increases the amount of industrial zoned land in the City, which is consistent with Comprehensive Plan Policy POLICY LU 1.16.1.

**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 the amendment to AX18-38 The John G. Axley Trust, William C. Axley & Julie A. Pauley F/K/A Julie A. Axley, Trustees and The Lillian C. Axley Trust, Lillian C. Axley, Trustee.

**VI. ACTION:**

**CITY COUNCIL– MOVE TO:**

- 1: APPROVE
- 2: APPROVE WITH THE FOLLOWING CONDITIONS
- 3: DENY

**VII. ATTACHMENTS:**

- A. **Exhibit A: Application with Legal Description**
- B. **Exhibit B: Aerial Photograph**
- C. **Exhibit C: Future Land Use Plan Map**
- D. **Exhibit D: Zoning Map**
- E. **Exhibit E: Site photographs**
- F. **Exhibit F: Annexation Data Sheet**
- G. **Exhibit G: Annexation Revenue Analysis**
- H. **Exhibit H: 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:

**CYPRESS BUSINESS PARK, LLC**  
**PARCEL: 08-30-16-70974-300-1600**  
**Located at: 12300 62<sup>nd</sup> Street North**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF PINELLAS, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS: LOT 16 OF PINELLAS GROVES, INC.; AND THAT PART OF LOT 2 OF PINELLAS GROVES, INC. DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 16 IN THE SW 1/4, RUN THENCE WESTERLY ALONG THE SOUTHERLY BOUNDARY OF LAND CONVEYED TO GARY PRESTON, ET AL BY DEED BOOK 1552, PAGE 459 (CLERK'S INST. NO. 222707A) PINELLAS COUNTY RECORDS, A DISTANCE OF 335.06 FEET TO THE WEST BOUNDARY OF SAID LOT 2; THENCE SOUTH TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE EAST TO THE SOUTHEAST CORNER OF SAID LOT 2, AND THENCE NORTH TO THE POINT OF BEGINNING; ALL IN THE S W 1/4 OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 16 EAST, ACCORDING TO THE PLAT OF PINELLAS GROVES INC., RECORDED IN PLAT BOOK 1, PAGE 55, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

LESS AND EXCEPT THAT PART OF SAID LOT 16, CONVEYED TO PINELLAS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY VIRTUE OF OFFICIAL RECORDS BOOK 4520, PAGE 1941, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**Containing 14.48 acres MOL**

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

**Cypress Business Park, LLC**  
**2133 Harden Blvd.,**  
**Suite 120**  
**Lakeland, FL 33803**

**CYPRESS BUSINESS PARK, LLC**  
**a Florida limited liability company**

**BY: Blue Steel Holdings, LLC**  
**a Florida limited liability company**  
**Its Manager**

CBHLL  
1<sup>st</sup> Witness (Signature)

CRAIG B. HILL  
1<sup>st</sup> Witness Printed Name

Flor A. Reyes  
2<sup>nd</sup> Witness (Signature)

Flor A. Reyes  
2<sup>nd</sup> Witness Printed Name

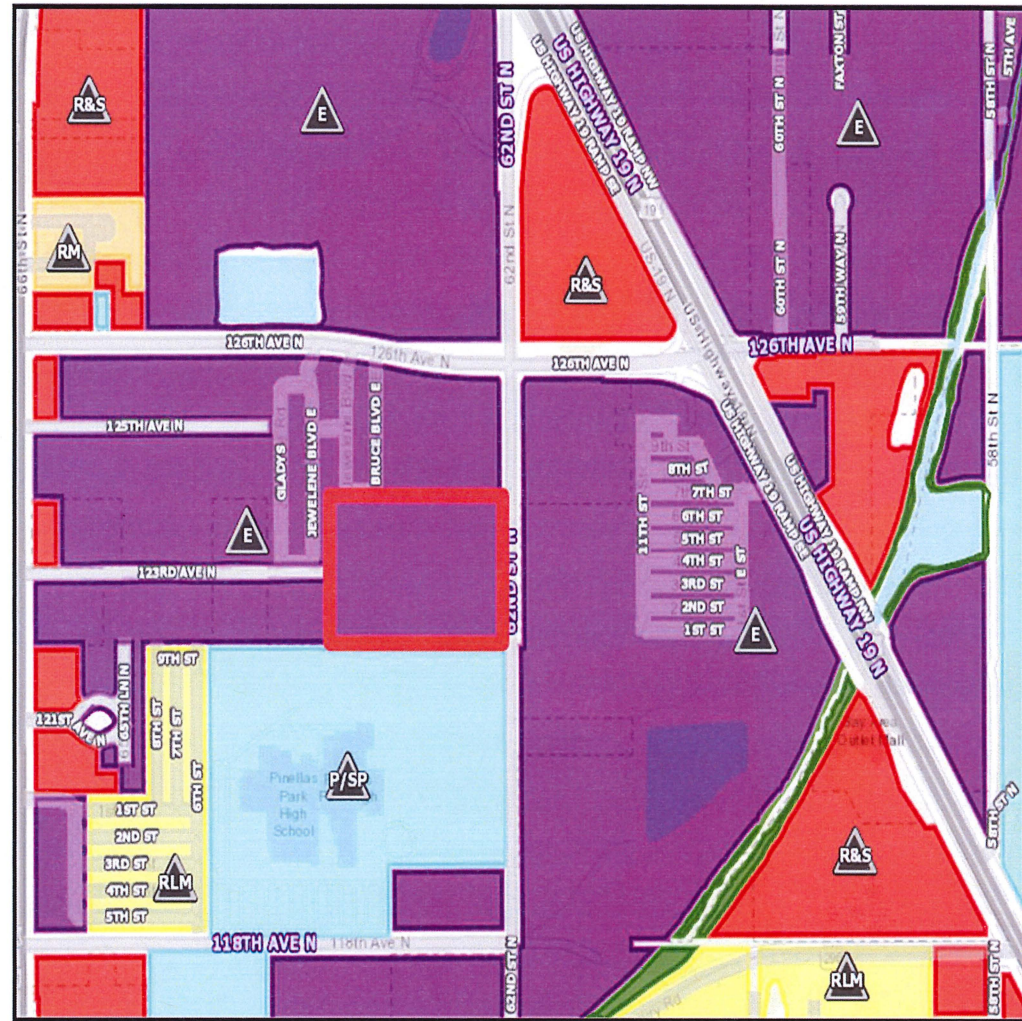
Print: Austin T. Jones  
Title: Manager



EXHIBIT "B"  
Aerial Photograph



# Future Land Use Amendment to AX18-38



752.3 0 376.17 752.3 Feet 1: 9,028

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere



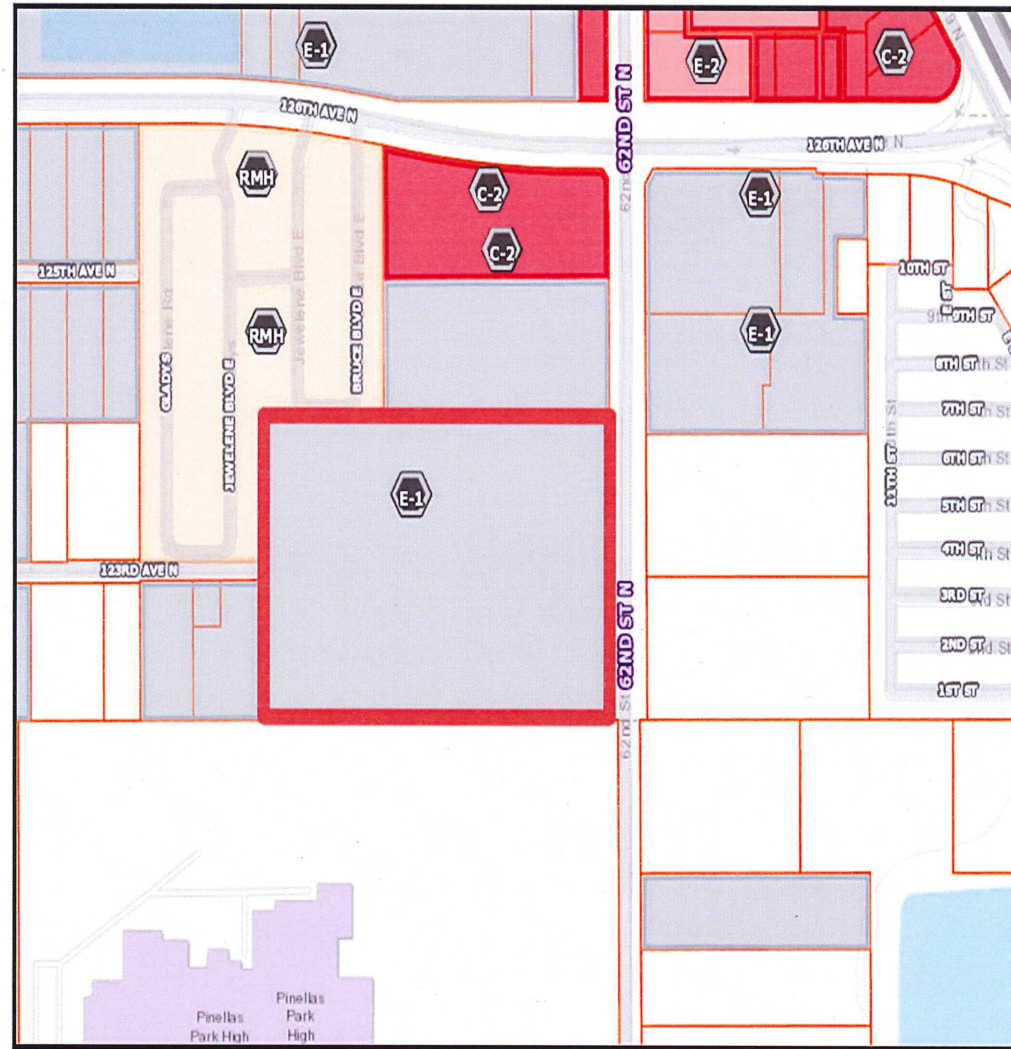
Notes:

## Legend

- Centerlines
- Future Land Use Borders
  - Residential Very Low - RVL
  - Residential Low Medium - RLM
  - Residential Medium - RM
  - Residential High - RH
  - Office - O
  - Resort - R
  - Retail & Services - R&S
  - Employment - E
  - Industrial - I
  - Public/Semi-Public - P/SP
  - Recreation/Open Space - R/OS
  - Preservation - P
  - Activity Center - AC
  - Multimodal Corridor - MMC
- Future Land Use Fill
  - Residential Very Low - RVL
  - Residential Low Medium - RLM
  - Residential Medium - RM
  - Residential High - RH
  - Office - O
  - Resort - R
  - Retail & Services - R&S
  - Employment - E
  - Industrial - I
  - Public/Semi-Public - P/SP
  - Recreation/Open Space - R/OS
  - Preservation - P
  - Activity Center - AC
  - Multimodal Corridor - MMC

EXHIBIT "C"  
Future Land Use

# Unincorp. Zoning Amendment to AX18-38



376.2 0 188.08 376.2 Feet 1:4,514  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere



Notes:

## Legend

- Centerlines
- Unincorporated Zoning Border
- Commercial Parkway - CP
- Commercial Recreation - CR
- General Retail Commercial And Limited Serv
- Employment-2 - E-2
- Neighborhood Commercial - C-1
- Residential Agriculture - R-A
- General Office - GO
- Limited Office - LO
- P.C.AIRPORT
- Heavy Industry - I
- Industrial Planned Development - IPD
- Employment-1 - E-1
- One, Two, Three Family Residential - R-4
- Facilities-Based Recreation - FBR
- Limited Institutional - LI
- General Institutional - GI
- Preservation Conservation - P-C
- Aquatic Lands - AL
- Single Family Residential (6,000 SF MIN) - F
- Residential (7,500 SF MIN) - R-2; Single Fam (9,500 SF MIN) - R-1
- Multi-family Residential - RM
- Residential Estate - R-E
- Residential Planned Development - RPD
- Rural Residential - R-R
- Residential Mobile Home/Manufactured Hom
- Unincorporated Zoning Fill
- Unknown
- Commercial Parkway - CP
- Commercial Recreation - CR
- General Retail Commercial And Limited Serv
- Employment-2 - E-2
- Neighborhood Commercial - C-1
- Residential Agriculture
- General Office - GO
- Limited Office - LO
- P.C.AIRPORT
- Heavy Industry - I
- Industrial Planned Development - IPD

EXHIBIT "D"  
Zoning Map



**EXHIBIT "E"**  
**Site Photographs**



**EXHIBIT "F"**  
**Annexation Data Sheet**

Agmt-Ord  
Amendment to AX18-38

**ANNEXATION DATA SHEET**

- 1. PARCEL:**  
08-30-16-70974-300-1600
- 2. OWNER:**  
Cypress Business Park, LLC
- 3. STREET ADDRESS OF PROPERTY:**  
Located at 12300 62<sup>nd</sup> Street North
- 4. SIZE OF PROPERTY:**  
Agreement = 14.48 Acres MOL  
Ordinance = 14.48 Acres MOL
- 5. COUNTY ZONING - LAND USE:**  
E-1 / IL
- 6. CITY ZONING - LAND USE:**  
M-1 / IL
- 7. EXISTING PROPERTY IMPROVEMENTS:**  
Two structures totaling 9,588 square feet
- 8. EXISTING BUSINESS ON PROPERTY:**  
Sawmill
- 9. EXISTING PROPERTY USE:**  
Commercial and Residential
- 10. ANNEXATION AGREEMENT PROVISIONS:**
  - ◆ For a period of five (5) years from the date of execution of this Agreement, the City agrees to waive a portion of the City land development fees for future redevelopment of the properties located at 12300 62<sup>nd</sup> Street North (08-30-16-70974-300-1600). This waiver of fees shall not exceed Forty Thousand Dollars (\$40,000.00) total, will include any variance and-or waiver application fees if applicable, but will not include a waiver of traffic impact fees.
  - ◆ For a period of one (1) year from the date of execution of this Agreement, the City shall waive the City's Business Tax Receipt fees for all businesses occupying space on the properties.
- 11. OTHER PERTINENT INFORMATION:**  
Contiguous
- 12. PROPOSED PROPERTY USE:**  
Commercial
- 13. PROPOSED PROPERTY IMPROVEMENTS:**  
Redevelopment of parcel into warehouse space.

# Annexation Revenue Analysis Commercial / Industrial

**Annexation Number:** Amendment to AX18-38

**Date:** March 14, 2019

**Owner's Name:** Cypress Business Park, LLC

**Property Address:** 12300 62nd Street North

**Ad Valorem Taxes:**

	<u>Millage</u>	<u>Amount</u>
*Information obtained from the Pinellas County Property Appraiser's records.		
Current Assessed Value	NA	\$1,600,000
Taxes Received by Pinellas Park	0.00549	\$8,784.00

**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**

\$1,000.00

***Est. Franchise Fees and/or Utility Taxes after development:***

Water (10% Utility Tax) - property is not in our service area	\$0.00
Electric (\$600 monthly bill estimate)	\$3,800.00
Gas	\$0.00
Communication Services Tax	\$300.00
Franchise Fees and/or Utility Taxes Received by Pinellas Park	\$4,100.00

<b>Taxes Received by Pinellas Park</b>	<b>\$8,784.00</b>
<b>Tangible Personal Property Tax Received by Pinellas Park</b>	<b>\$0.00</b>
<b>Business Tax Receipt Fee</b>	<b>\$1,000.00</b>
<b>Est. Franchise Fees and/or Utility Taxes Received by Pinellas Park</b>	<b>\$4,100.00</b>
<b>Anticipated Annual Revenues to Pinellas Park After Annexation</b>	<b>\$13,884.00</b>

**Current Est. Annual Revenues to Pinellas Park as Unincorporated Property:**

PF Fire District

0.0030163

\$4,826.08

**Total Est. Annual Revenues to Pinellas Park as Unincorporated Property**

**\$4,826.08**

**New Money (est.) to Pinellas Park Received Thru Annexation**

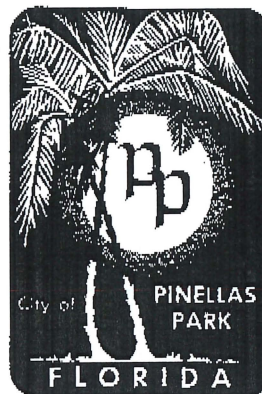
**\$9,057.92**



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

March 27, 2019

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

**RE: City Document #19-076**  
**Amendment to Annexation Agreement AX18-38**

Dear Ms. Coughlin:

I have received and reviewed the above-referenced Amendment to AX18-38 Annexation Agreement, along with an Amended Petition for Annexation into the City of Pinellas Park. Please update the Owner's signature block on the Petition and Annexation Agreement to appear as follows:

**CYPRESS BUSINESS PARK, LLC**  
a Florida limited liability company

By: **Blue Steel Holdings, LLC**  
a Florida limited liability company  
Its Manager

Print: \_\_\_\_\_  
Title \_\_\_\_\_



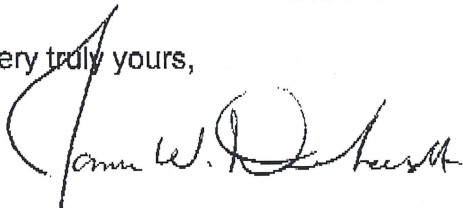
PRINTED ON RECYCLED PAPER



Ms. Shannon Coughlin  
March 27, 2019  
Page 2

With that change, I would approve of the Amended Annexation Agreement and Petition for Annexation as to form and correctness.

Very truly yours,

A handwritten signature in black ink, appearing to read "James W. Denhardt", written over a horizontal line.

James W. Denhardt  
City Attorney

cc: Doug Lewis, City Manager  
Diane M. Corna, MMC, City Clerk  
Patrick Murphy, Deputy City Manager  
Susan Walker, Community Development Administrator  
Benjamin Ziskal, Planning & Development Services Director

JWD/dh

19-076.03282019.LSC.Amendment to AX16-38 Annex Agmt.wpd