CITY OF PINELLAS PARK

## Community Development Department Planning \& Development Services Division

I. APPLICATION DATA
A. Case Number:

PSP-0920-00012 and VAR-0920-00040
B. Location:

Parcel \# 22-30-16-30374-000-0207
C. Request: $\quad$ Preliminary Site Plan approval for $M-1$ zoned property which functionally abuts a residentially zoned property. Parking variance to reduce the required parking from 133 spaces to 116 spaces.
D. Applicant: Scott Gilner with Kimley Horn and Associates, Inc.
E. Agent: Kimley Horn and Associates, Inc.
F. Legal Ad Text: Preliminary Site Plan approval for $M-1$ zoned property and a parking variance to reduce the required parking.
G. Public Hearings:

City Council Hearing Date: October 8, 2020
Advertising Date:
September 23, 2020

## I. BACKGROUND INFORMATION

A. Site Area: 12.45 acres (542,283 square feet)
B. Property History: The property was platted in 1987 as part of the Gateway Centre Business Park Plat (Book 97, pages 1-13).
C. Existing Use: Vacant Industrial
D. Proposed Use: Industrial Warehouse
E. Land Use: INDUSTRIAL LIMITED (IL)

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:

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 (limited to locations in Gateway Centre developed prior to August 7, 2015, pursuant to Section 2.3.3.14(E) of the Countywide Plan Rules (2018);1 Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; Temporary Lodging; Institutional; Transportation/Utility; Recreation/Open Space; Transfer/Recycling; Incinerator Facility; Agricultural.

Locational Characteristics - This category is generally appropriate to locations with sufficient size to encourage an industrial park arrangement, as well as integrated industrial/mixed use projects, with provision for internal service access in locations suitable for light industrial use with minimal adverse impact on adjoining uses; and serviced by the arterial and thoroughfare highway network, as well as mass transit.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 178 trips per day per acre. Traffic impacts for industrial/mixed use projects shall be determined based on the composition and density/intensity of the specific project.

Density/Intensity Standards - Shall include the following:
All Other Uses - Shall not exceed a floor area ratio (FAR) of . 65 nor an impervious surface ratio (ISR) of .85, except as provided for in the Countywide Plan Rules (2018). The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of . 39 and an ISR of . 65.

Other Standards - Shall include the following:
Industrial Uses Adjacent to Residential Categories - An appropriate buffer, as determined by the City except for an industrial/mixed use project requiring the submission of a master plan as outlined below, shall be provided in and between the Industrial Limited category and an adjoining Residential classification.

Acreage Limitations for Non-Industrial Secondary Uses that Are Not Part of a Master Development Plan - Institutional; Transportation/Utility; Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; Temporary Lodging; Agricultural Uses shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), that exceeds this threshold shall require a plan map amendment that shall include such use and all contiguous like uses, consistent with the Countywide Plan Rules.

## 3. Staff Analysis:

The proposed warehouse use is considered a primary use in the IL land use designation and meets the purpose and intent of the designation. Additionally, the proposed development meets the locational characteristics and does not exceed the allowable FAR or lot coverage requirements.
F. Zoning District: " $M-1$ " Light Industrial

## 1. Zoning District Purpose / Intent:

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.

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) Land Use Plan Map Categories.

## 2. Staff Analysis:

The proposed warehouse is a permitted use within the " $\mathrm{M}-1$ " zoning district and meets the purpose and intent of the district. Additionally, the current " $\mathrm{M}-1$ " zoning is consistent with the future land use of IL.

Per Sec. 18-1524.4 of the Land Development Code, in any case where an "M-1" lot abuts or functionally abuts a residential or mixed use zoning district, City Council shall review and approve a preliminary site plan pursuant to the procedures and requirements of Section 18-1540, "Preliminary Site Plan Requirements."
G. Flood Zone: The property is located in FEMA Flood Zones $X$ and AE. Zone $X$ includes areas of minimal flood hazard, and is determined to have less than a 0.2 percent chance of flooding each year. Zone AE includes areas subject to a one percent or greater annual chance of flooding in any given year.
H. Evacuation Zone: This 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.
I. Vicinity Characteristics:

|  | Zoning | Land Use | Existing Use |
| :---: | :---: | :---: | :---: |
| North | "M-1" Light Industrial | Industrial Limited (IL) | Cintas Uniform Services |
| South | "M-1" Light Industrial | Industrial Limited (IL) | Polypack LTD Partnership |
| East | "M-1" Light Industrial | Industrial Limited (IL) | Fedex Ship Center / <br> Florida National Guard |
| West | "RPUD" Residential <br> Planned Unit Development | Residential Urban <br> (RU) | The Mainlands (Residential) |

## II. APPLICABLE CRITERIA / CONSIDERATIONS

## A. Comprehensive Plan Policies:

## 1. Relevant Policies:

POLICY LU.1.2.2
The City shall continue to enforce regulations that will ensure compatibility of adjacent land uses.
POLICY LU.1.2.4
Through the development regulations, protection and buffering shall be provided for incompatible land uses that abut each other.
POLICY LU.1.16. 1
Maintain a sufficient supply of industrial land with a minimum of adverse effects on abutting properties.
POLICY LU.1.16.2
Prohibit industrial development that pollutes the environment and is not compatible with surrounding land use and zoning.
POLICY LU.1.16.3
Industrial uses shall be concentrated in suitable existing locations to prevent a spread of negative effects on the community.
POLICY LU.1.16.4
Industrial development shall be separated from adjacent incompatible uses, and from residential uses permitted under special area plans, by transition zones, landscaping, parks, open space, or other buffering areas, for the mutual protection of industrial and non-industrial land uses.
2. Staff Analysis:

The subject property is located adjacent to residential to the west and industrial to the north, east, and south. The proposed development meets the City's minimum buffer requirements along the west property line, which functionally abuts the Mainlands subdivision. Additional buffering from the residential neighborhood is provided with a 30 foot right-of-way easement to the west, in addition to the lake located on Mainlands' property between the right-of-way easement and residential homes.

The proposed warehouse is compatible with the adjacent properties to the north, east, and south, all of which are have M-1 zoning and light industrial uses (see page 3, Vicinity Characteristics). Staff finds the proposed warehouse will create growth opportunities for the City and is not likely adversely affect neighboring properties.

## B. Land Development Code Standards:

## 1. Key Standards:

Sec. 18-1524.1. - STATEMENT OF INTENT.
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.

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) Land Use Plan Map Categories.

Sec. 18-1524.2. - LAND USE AND DENSITY/INTENSITY REGULATIONS.
(A) For lots located within the Industrial Limited (IL) Land Use Plan Map category, public/semi-public, commercial recreation, commercial/business services, temporary lodging, transportation/utility and agricultural uses shall not exceed maximum area of five (5) gross acres. Retail commercial, personal service, office support and transfer/recycling uses shall not exceed a maximum of three (3) gross acres. Any such use, alone or when added to existing abutting or functionally abutting like uses in the same category, shall require a Land Use Plan Map amendment which shall include such use and all contiguous like uses. Secondary residential uses are only permitted pursuant to the requirements set forth in (C) below.
(B) A planned industrial/mixed use project that exceeds fifty (50) gross acres in area may include secondary public/semi-public, retail commercial, personal/business service, commercial recreation, and Temporary Lodging uses subject to the following:

1. Secondary nonresidential uses, alone or in combination, shall not comprise more than twenty five (25) percent of the area of the project which shall be governed by a MUPUD master development plan. (see Sec. 18-1529.11) Where the property included in the master development plan is adjacent to or within five hundred (500) feet of another municipal or unincorporated county jurisdiction, the master development plan shall be submitted to that adjoining jurisdiction for review and comment.
2. The secondary non-industrial uses shall be integral to, oriented within, and function as part of, the mixed use project as distinct from freestanding unrelated out-parcel type uses.
(C) An industrial/mixed use project which comprises not less than one hundred (100) gross acres under common control through a DRI development order or MUPUD master conceptual plan may include secondary residential uses subject to the following:
3. Such residential component shall not:
(a) Comprise more than twenty-five (25) percent of the area of the DRI or MUPUD master conceptual plan within the jurisdiction of the City of Pinellas Park.
(b) Be located within the Coastal High Hazard Area.
(c) Be located within the sixty-five (65) decibel Day-Night Sound Level area as identified on the St. Petersburg-Clearwater International Airport Noise Contours map, April 1996 by Greiner, Inc. and as adopted by Pinellas County in Ordinance Number 97-58.
(d) Be permitted to transfer density to other Land Use Plan Map categories outside of the approved master development plan area.
(e) Be permitted to use density averaging outside the master development plan area.
4. The secondary residential use that is part of a planned industrial/mixed use project shall be subject to a MUPUD master development plan and DRI development order providing unified control of the entire project.
5. The master development plan required for industrial/mixed use projects that includes residential use shall, upon Planning and Zoning Commission review and preliminary approval by City Council, be submitted to the Pinellas Planning Council (PPC) for review and recommendation
to the County-wide Planning Authority (CPA). The CPA may approve, approve with conditions, or deny the master development plan; which action shall require a majority plus one vote of the entire CPA if such action is contrary to the PPC recommendation. City Council shall not approve a final site plan or issue a development order other than as is consistent with the action of the CPA.
6. Where the property included in the master development plan is adjacent to or within five hundred (500) feet of an adjacent municipal or county jurisdiction, the master development plan shall be submitted to that adjoining jurisdiction at the same time that it is submitted to the PPC/CPA for review and comment by that adjoining jurisdiction.
7. The master development plan shall include sufficient information to demonstrate that the secondary use components are integrated with the other uses in the project. The master development plan shall also include sufficient information to demonstrate to the PPC and CPA the relationships between, and compatibility of the industrial, secondary non-industrial and residential uses within and adjacent to the project. Criteria used to determine an acceptable, integrated industrial/mixed use project that includes residential use shall include:
(a) An appropriate justification for the residential component, including consideration of the following:
(1) Functional relationship between the residential component and anticipated demand for housing created by the remainder of the development proposal;
(2) Phasing or sequencing of the project to coordinate residential construction with the anticipated demand for and timing of the nonresidential portion of the project;
(3) Contributory nature of the employment created and the percentage of the wages paid over and above the average Metropolitan Statistical Area (MSA) wage;
(4) Adequacy of infrastructure in relationship to the phasing and scale of the project.
(b) An appropriate buffer in and between the residential component of the master planned industrial/mixed use project and adjoining plan categories or uses in those categories. This buffer requirement will consider the following:
(1) The nature and characteristics of the adjoining nonresidential use(s), including noise, air, odor, and visual operating characteristics.
(2) The distance from and elevation of the adjoining nonresidential use, including the intervening land form, building or structural opaque barrier, and type and dimensions of landscape buffer.
(3) Any county ordinance that regulates the setback of residential uses from a countyowned solid waste disposal facility.
(c) Development of the project shall proceed in a manner that is substantially consistent with the CPA approved master development plan. Any amendment required to maintain that consistency shall all be reviewed by the PPC and approved by the CPA.

Sec. 18-1524.3. - PERMITTED AND CONDITIONAL USES.
No building or land in the "M-1" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 181531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use as determined by the Zoning Director shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted.

In any case where an "M-1" parcel abuts or functionally abuts a residential or mixed use zoning district, City Council shall review and approve a preliminary site plan in accordance with the procedures and requirements of Section 18-1540. City Council may require the developer to install additional buffering in order to reduce or eliminate the adverse impact of the proposed industrial use upon the adjacent residential or mixed use zoned property.

| Land Use | Approval Type | Conditions |
| :---: | :---: | :---: |
| MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES |  |  |
| Warehouses | $P$ |  |

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.
5. Front Yard Setback: Twenty (20) feet.
6. Secondary Front Yard Setback: Ten (10) feet.
7. Side Yard Setback: Five (5) feet; ten (10) feet is required if abutting a residential zoning district.
8. Rear Yard Setback: Five (5) feet, ten (10) feet is required if abutting a residential zoning district.
9. For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations."
10. 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.
(D) MINIMUM FLOOR AREA AND LIVEABLE FLOOR AREA.
11. Nonresidential: Three hundred (300) square feet.
(E) FLOOR AREA RATIO.
12. Fifty-five hundredths (0.55) in CRD.
13. Fifty-five hundredths (0.55) in IL.
(F) MAXIMUM BUILDING HEIGHT. Forty (40) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

Sec. 18-1524.5. - ADDITIONAL REGULATIONS.
(A) FENCES. See Section 18-1530.10, "Fences, Walls and Hedges" for fence regulations and setbacks.
(B) LANDSCAPING AND BUFFERING. See Section 18-1533, "Landscaping Regulations."
(C) DUMPSTER ENCLOSURES (See Section 18-1530.20, "Dumpsters"), AND ALSO SUPPLEMENTAL USE REGULATIONS (See Section 18-1530, "Accessory Use and Supplementary District Regulations").
(D) OFF-STREET PARKING AND LOADING. See Section 18-1532, "Parking and Loading Regulations."
(E) PERFORMANCE STANDARDS. All uses shall be controlled to prevent the emission of smoke, particulate matter, odor, gases, radiation, noise, vibration, or pollution of any kind. Industries shall comply with all applicable standards for air and water quality and noise regulations; in such cases where agency standards conflict, the most stringent standards will apply.
(F) PRELIMINARY SITE PLAN APPROVAL REQUIREMENTS. In any case where an "M-1" lot abuts or functionally abuts a residential or mixed use zoning district, City Council shall review and approve a preliminary site plan pursuant to the procedures and requirements of Section 18-1540, "Preliminary Site Plan Requirements." Additionally, the petitioner shall submit a letter detailing the type of development proposed, the hours of operation, and the characteristics of operation of the development, including the amount and type of traffic (passenger cars and heavy trucks) anticipated. All preliminary site plans, final site plans, engineering permits and architectural plans shall demonstrate conformance with the locational design standards in Section 18-1524(F) or (G) as appropriate. Minor amendments to site plans that remain consistent with these Locational Design Standards may be approved by the City Manager or his designee.

1. Locational Design Standards. The preliminary site plan, final site plan and building plans shall show conformance with the following locational design standards:
(a) General Standards:
(1) Performance standards shall be as set forth in Section 18-1524.5 (E) above;
(2) Illumination shall be in accordance with the standards of Section 18-1503.15; and
(3) Any outdoor storage areas shall be in accordance with standards of Section 181530.11.
2. Abutting Residential or Mixed Use zoning districts:
(a) All noise generating mechanical equipment including, but not limited to, air conditioning and refrigeration units, fans, vents, compressors, compactors, vacuums, and similar equipment,
shall be placed fifty (50) feet from the residential property line and shall exhaust away from said property to minimize the industrially generated noise;
(b) Only egress doors for people may face said property. No door that provides access for vehicles or movement of equipment or materials, or for ventilation shall face said property, whether such door is an overhead, sliding, or other type of similar door;
(c) No loading area, loading dock, truck well, or truck parking or storage area shall be within twenty (20) feet of said property, nor oriented toward said property;
(d) No outdoor storage shall occur within twenty (20) feet of said property;
(e) No dumpster shall be within twenty (20) feet of said property; and
(f) Landscaping and buffering shall be provided in accordance with the provisions of Section 18-1533, "Landscaping Regulations", except that one (1) tree shall be planted for every thirty (30) feet, or fraction thereof, within the required buffer.
3. Functionally Abutting Residential or Mixed Use Zoning Districts:
(a) All noise generating mechanical equipment, including, but not limited to, air conditioning and refrigeration units, fans, vents, compressors, compactors, vacuums, and similar equipment, shall be placed twenty-five (25) feet from the lot line closest to the residential property and shall exhaust away from said property to minimize the industrially generated noise; if buffered with a solid masonry wall, such equipment may be placed on the sides of the building (but not within required setbacks);
(b) Only egress doors for people may face said property. No door that provides access for vehicles or movement of equipment or materials, or for ventilation shall face said property, whether such door is an overhead, sliding, or other type of similar door;
(c) No loading area, loading dock, or truck well shall be within twenty (20) feet of the front property line, nor shall the aforementioned be oriented toward said property; said loading area, loading dock, or truck well shall be screened from view from the public or private right-of-way by a six-foot high solid fence, wall, or landscape screen;
(d) No dumpster(s) shall be visible from the public or private right-of-way; said dumpster(s) shall be screened from view by a solid fence or wall six (6) feet in height (including gates); and
(e) Landscaping and buffering shall be provided in accordance with the provisions of Section 18-1533, except that a ten-foot wide landscaped buffer shall be maintained along the entire right-of-way of said property.
(G) Specific Locational Design Standards for Property Abutting or Functionally Abutting Residential or Mixed Use Zoning Districts and Proposed for Development or Redevelopment after November 1, 2010. As in (F) above, all plans submitted for various permits and/or development orders on vacant parcels being developed or previously developed parcels being redeveloped after November 1, 2010, shall demonstrate conformance with the following design standards.
4. Abutting Residential or Mixed Use Zoning Districts:
(a) All noise generating mechanical equipment including, but not limited to, air conditioning and refrigeration units, fans, vents, compressors, compactors, vacuums, and similar equipment, shall be placed fifty (50) feet from the residential property line and shall exhaust away from said property to minimize the industrially generated noise. Additionally,
(b) Only egress doors for people may face said property. No door that provides access for vehicles or movement of equipment or materials, or for ventilation shall face said property, whether such door is an overhead, sliding, or other type of similar door;
(c) Loading areas, loading docks, and/or shipping/receiving areas/facilities shall be screened from view by wing walls or recessed into the building. Where an intervening structure lies between the loading/unloading facilities and the residential lot(s), additional screening is not required.
(d) No outdoor storage area shall be permitted within ten (10) feet of abutting residential or mixed use district property lines. If the height of items proposed for outdoor storage exceeds the height of the eight (8) feet high buffer wall required on the perimeter by Section 18-1533, then additional visual screening with a material able to withstand the various destructive elements of subtropical weather (i.e. UV radiation, humidity, wind, heat) shall be required equal to the height of said storage. Said screening shall be maintained in good condition so as not to diminish its functionality or visual appearance. Vehicles and mobile equipment of extraordinary height need not be screened above a height of eight (8) feet. Additionally, activities within the outdoor storage areas shall be limited to the hours between 7:00 a.m. and 7:00 p.m.
(e) Landscaping and buffering shall be provided in accordance with the provisions of Section 18-1533, except that one (1) tree shall be planted for every thirty (30) feet, or fraction thereof, within required buffers.
(f) No dumpster shall be within five (5) feet of said property.
5. Functionally Abutting Residential or Mixed Use Zoning Districts.
(a) All noise generating mechanical equipment, including, but not limited to, air conditioning and refrigeration units, fans, vents, compressors, compactors, vacuums, and similar equipment, shall be placed twenty-five (25) feet from the lot line closest to the residential property and shall exhaust away from said property to minimize the industrially generated noise.
(b) Only egress doors for people may face said property. No door that provides access for vehicles or movement of equipment or materials, or for ventilation shall face said property, whether such door is an overhead, sliding, or other type of similar door.
(c) Loading areas, loading docks, and/or shipping/receiving areas/facilities shall be screened from view by wing walls or recessed into the building. Where an intervening structure lies between the loading/unloading facilities and the residential lot(s), additional screening is not required.
(d) No outdoor storage area shall be permitted within ten (10) feet of abutting or functionally abutting residential or mixed use district property lines. If the height of storage items exceeds the height of the eight (8) feet high buffer wall, then additional visual screening with a material able to withstand the various destructive elements of subtropical weather (i.e. UV radiation, humidity, wind, heat) shall be required equal to the height of said storage. Said screening shall be maintained in good condition so as not to diminish its functionality or visual appearance. Vehicles and mobile equipment of extraordinary height need not be screened above a height of eight (8) feet. Additionally, activities within the outdoor storage areas shall be limited to the hours between 7:00 a.m. and 7:00 p.m.
(e) Landscaping and buffering shall be provided in accordance with the provisions of Section 18-1533, except that a ten-foot wide landscaped buffer shall be maintained along the entire right-of-way of said property.
(f) No dumpster(s) shall be visible from the public or private right-of-way; said dumpster(s) shall be screened from view by a solid fence or wall six (6) feet in height (including gates) and shall not be placed within five (5) feet of the property line.

## SECTION 18-1532. - OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 18-1532.9. - MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS.
(D) INDUSTRIAL AND MANUFACTURING USES.
3. Warehousing: One (1) per seven hundred fifty (750) SF of GFA.

Sec. 18-1532.10. - OFF-STREET LOADING SPACE REQUIREMENTS.
(A) OFF-STREET LOADING REQUIRED. Except as otherwise provided in this Section, when any building that is erected, structurally altered to the extent of increasing the floor area by fifty (50) percent or more, or converted in use, accessory off-street loading spaces shall be provided where required in accordance with Subsection (B) below.
(B) Any commercial or industrial building, including retail, restaurant, wholesale, warehouse, repair, general service, manufacturing, industrial or other use, but excluding office use, having ten thousand $(10,000)$ SF of GFA or greater, and requiring the receipt and distribution by vehicles of materials and merchandise, shall have at least one (1) permanently maintained off-street parking/loading space for the first ten thousand $(10,000)$ SF of GFA and one (1) additional permanently maintained parking/loading space for each additional twenty thousand $(20,000)$ SF of GFA.
(C) Uses that require specialized loading areas for the purpose of discharging and accepting passengers shall demonstrate the adequacy of the loading and unloading spaces designated for this purpose, including but not limited to, hospital emergency rooms (ambulances) and schools (school buses).
(D) The City may waive the requirement for a loading zone if the developer/owner submits approvable plans and stipulates in a form acceptable to the City Attorney, that no portion of such building in excess of ten thousand $(10,000)$ SF of GFA shall at any time be used for any single business activity.
(E) To insure conformance with this provision, the City Building Official shall file a copy of said document under the license address file of the subject building and not issue any new licenses or business tax
receipts for any business in excess of ten thousand $(10,000)$ SF of GFA at said address unless provisions for adequate off-street loading space have been secured.
(F) DIMENSIONS. Each off-street parking/loading space shall have a minimum length of twenty-five (25) feet which shall be increased to and fifty-five (55) feet when required to accommodate tractortrailers; minimum width of, twelve (12) feet; and minimum vertical clearance of fourteen (14) feet.
(G) DESIGN. Off-street loading spaces shall be located so as not to hinder the movement of vehicles and pedestrians over a sidewalk, street or alley.
(H) Any commercial or industrial building with less than ten thousand $(10,000)$ SF of GFA shall provide sufficient receiving space on the property, as determined through site plan review, so as not to hinder the movement of vehicles and pedestrians over a sidewalk, street, or alley.
(I) Off-street loading facilities in areas zoned M-1 or IH shall not be located directly across the street from any residential district.

Sec. 18-1537.2. - VARIANCE REVIEW CRITERIA.
(A) A variance from the terms of this Article shall not be granted unless and until a written application for a variance is submitted demonstrating:

1. That special conditions and circumstances exist which are peculiar to the land or building involved, and which are not applicable to other lands or buildings in the same district; and
2. That literal interpretation of the provisions of this Article would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Article; and
3. That the special conditions and circumstances do not result from the actions of the applicant; and
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Article to other lands or buildings in the same district; and
5. That the requested variance is the minimum variance that will make possible the reasonable use of the land or building; and
6. That the granting of the variance will be in harmony with the general intent and purpose of this Article, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
(B) Nonconforming uses of neighboring lands, nonconforming buildings in the same zoning district, and adjacency to other zoning district(s) with different permitted uses and development standards shall not be considered grounds for the issuance of a variance.

## 2. Staff Analysis:

The proposed warehouse is compatible with the adjacent properties to the north, east, and south, all of which are have $\mathrm{M}-1$ zoning and light industrial uses (see page 3 , Vicinity Characteristics). The property functionally abuts residential to the west.

The applicant is requesting a variance for relief from the off-street parking requirement of 133 parking spaces. The applicant is proposing to provide 116 parking spaces for staff. In total, the development will provide 399 parking spaces, but 283 of spaces will be for delivery vehicles associated with the business.

The proposed development meets the City's minimum buffer requirements along the west property line. Additional buffering is provided by a 30 foot right-of-way easement, in addition to the lake located on the Mainlands property between the right-of-way easement and residential homes.

The proposed facility would function on a 24 hour, 7 day a week schedule, but staff finds that the project would have little impact on the residential neighborhood to the west due to the significant buffer between the subject property and the residential neighborhood.

Staff finds that granting the variance to reduce the amount of required parking spaces should not adversely affect the surrounding properties.

## C. Essential Services Review:

The proposed request has been reviewed by all relevant departments/divisions. Staff noted that the property has been illegally subdivided in the past and the lot must now be re-platted. Staff also noted that a large amount of the vegetation on the west side of the property is an invasive species (Brazilian Pepper) and will
need to be removed. Finally, staff recommended that the applicant pay close attention to potential impacts of light spillage from the parking lot and vehicle noise on the residential area to the west.
III. SUMMARY

## A. Findings:

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

1. The proposed use and development meets all M-1 Zoning requirements per Section 18-1524 of the Land Development Code.
2. The variance request for reduction of required parking should not create adverse impacts to the neighborhood or abutting properties.
3. The development proposal is consistent with the applicable Goals, Objectives and Policies of the Comprehensive Plan.

## B. Staff Recommendation:

Consistent with the above findings, staff recommends APPROVAL of case numbers PSP-0920-00012 and VAR-0920-00040 with the following conditions:

1. The property has been illegally subdivided in the past and the lot must now be re-platted.
2. Invasive species on the property must be removed per Section 18-414 of the Land Development Code.


Nick A. Colonna, AICP
Planning \& Development Services Director


Community Development Administrator


## IV. ACTION

PLANNING AND ZONING COMIMISSION - MOVE TO:
A. RECOMMEND APPROVAL
B. RECOMMEND APPROVAL WITH THE FOLLOWING CONDITION(S):
C. RECOMMEND DENIAL
....of a Preliminary Site Plan for an M-1 zoned property which is functionally abutting a residentially zoned property, and a parking variance to reduce the required parking spaces from 133 spaces to 116 spaces.

## V. ATTACHMENTS

Exhibit A: Application with Legal Description
Exhibit B: Preliminary Site Plan
Exhibit C: Buffer Exhibit
Exhibit D: Survey
Exhibit E: Aerial Map
Exhibit F: Land Use Map
Exhibit G: Zoning Map
Exhibit H: Flood Insurance Rate Map
(Please retain this sheet for reference)

1. Applications must be completed in full and submitted to the Planning and Development Services Division with fling fee and affidavit of ownership. Attach copy of survey if available. Applications will be processed and scheduled for the next available meeting, as required.

## NON-REFUNDABLE FILING FEE

| PRELIMINARY SITE PLAN APPROVAL*- | $\$ 225.00$ |
| :--- | :--- |
| ("M-1" OR "IH" use abuutting or functionally abutting residential |  |
| or mixed use zoning districts "T-2", "P", "OS", "PRES") | $\$ 225.00$ |
| LANDSCAPE WAIVER* | $\$ 225.00$ |
| ALCOHOLIC BEVERAGE WAIVER* | $\$ 225.00$ |
| WAIVER OF SEPARATION REQUIREMENTS FOR CLUBSILODGES* | $\$ 150.00+$ Recording Fee |
| RELEASE UNITY OF TITLE* | $\$ 100.00$ |
| OTHER MISCELANEOUS* | $\$ 100.00+$ Recording Fee |
| LOT LINE ADJSTMENT | $\$ 10.00$ tst Page |
| RECORDING FEES: | $\$ 8.50$ each Additional Page |

2. City Council/Community Redevelopment Agency Action. For those requests requiring City Council/Community Redevelopment Agency action, marked with an asterisk (*) above, applications must be submitted a minimum of thirty-five (35) days prior to a regularly scheduled meeting of City Council/Community Redevelopment Agency. This time period allows for the review of applications by City departments and legal notification, when required. The City Council meets on the second and fourth Thursday of each month. The Community Redevelopment Agency meets on the fourth Tuesday of each month.
3. For requests requiring City Council/Community Redevelopment Agency action, the applicant and/or agent MUST be present at all Public Meetings to furnish any further information.
4. Applications must be submitted to the Planning and Development Services Division:

Planning and Development Services Division
Technical Services Building
6051 78th Avenue North
Pinellas Park, FL 33782
(727) 369-5663

The applicant understands that this application must be complete and accurate before a public hearing will be scheduled or advertised. Proof of ownership from a title company or a licensed Florida attorney, or a deed, may be required upon request.

## MINIMUM REQUIREMENTS FOR APPLICATION

1. Complete Application Form
2. Affidavit of Ownership
3. Application Fee (cash, check or money order payable to City of Pinellas Park). NON-REFUNDABLE
4. Site Plan and supportive documents as required by Article 15 of the Land Development Code ( 18 copies folded to a maximum size of $81 / 2^{\prime \prime} \times 11^{\prime \prime}$ ) plus at least one plan provided in an $8^{1 / 2^{\prime \prime}} \times 11^{\prime \prime}$ format. For Lot Line Adjustments, please inquire about submittal requirements. (Maximum plan size for recording $-22^{\prime \prime} \times 28^{\prime \prime}$ )
5. Projected Advertising Costs (see Planning and Development Services Division staff member for projected cost).
6. Signed acknowledgement from all property owners whose property abuts the area in which the request could affect.
(Required for Preliminary Site Plan Approval, Landscape Waivers, Alcoholic Beverage Waivers, and Waivers of Separation Requirements for Clubs/Lodges** only.)
7. For lot line adjustments, a sealed survey is required. The revised deeds must be recorded with in the Public Records of Pinellas County.
**Additional data is required with this application. See Additional Information sheet.

# City of Pinellas Park. Florida <br> APPLICATION FOR MISCELLANEOUS CASES 

| FOR OFFICE USE ONLY |  |  |
| :---: | :---: | :---: |
| CASE\# MS | PZ MEETING: | CC MEETING: |
| PLAT SHEET | ED CASES: | CEIPT NUMBER: |
| ZONING DIS | LAND USE DE | DATE RECEIVED: |

## REQUEST AND PROPERTY INFORMATION

REQUEST (CHECK ONE):

|  | Preliminary site plan approval ("M-1" \& "IH" abutting or functionally abutting residential/mixed use zoning districts) Preliminary site plan approval "T-2", "P", "OS", "PRES" Alcoholic Beverage Waiver <br> Waiver of Separation Requirements for Clubs/Lodges Landscape Waiver <br> Release of Unity of Title <br> Lot Line Adjustment <br> Other Miscellaneous |
| :---: | :---: |
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SPECIFIC REQUEST: Applicant request Preliminary Site Plan approval for an M-1 use abutting residential zoning.

GENERAL LOCATION OF PROPERTY OR ADDRESS: West corner of the Gateway Centre Parkway \& MCI Drive intersection. PROPERTY SIZE (Acreage / Square Feet): 12.45 AC

CURRENT USE (Number and Type of Buildings): Vacant Industrial Land - 0 Buildings
PARCEL NUMBER(S): 22-30-16-30374-000-0207
LEGAL DESCRIPTION: LOT $\qquad$ BLOCK $\qquad$ SUBDIVISION See attached metes and bounds legal.

OR METES AND BOUNDS DESCRIPTION (attach is lengthy):

## OWNER/APPLICANT INFORMATION

PROPERTY OWNER: Huntley Properties, LLC PHONE: (727) 541-4005
ADDRESS/CITYIZIP: 2033 W McDermott Dr., Suite 320-228, Allen, TX 75013-4694
AUTHORIZED AGENT: Scott W. Gilner, P.E. - Kimley-Horn and Associates, Inc. PHONE: (813) 635-5547
ADDRESS/CITY/ZIP: 655 N Franklin St, Suite 150, Tampa, FL 33602
OTHER REPRESENTATIVE: Tavistock Development Company, LLC PHONE: (407) 816-6581
ADDRESS/CITY/ZIP: $\quad 6900$ Tavistock Lakes Boulevard, Suite 200, Orlando, FL 32827

## AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:
NAMES OF ALL PROPERTY OWNERS:
Huntley Properties, LLC
being first duly swom, depose(s) and say(s):

1. That ( 1 am/we are) the owner(s) and record title holder(s) of the following described property, to wit: ADDRESS OR GENERAL LOCATION:

West corner of Gateway Centre Parkway and MCI Drive intersection.

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach:
A portion of Parcel 2, Gateway Centre Business Park, according to the plat or map thereof as recorded in
Plat Book 97, Pages 1 through 13, public records of Pinellas County, Florida. Containing 12.449 acres, more or less.
2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):

Preliminary Site Plan for a proposed warehouse facility
3. That the undersigned (has/have) appointed and (does/do) appoint Kimley-Horn and Associates, Inc.__as their agent(s) to execute any petitions or other documents necessary to affect such application.
4. That this affidavit has been executed to induce the City of Pinellas Park, Florida, to consider and act on the above described property; to include City representatives to enter upon profperty fo make inspections as are necessary to visualize site conditions and/or determine compatibility.


SIGNED (PROPERTY OWNER)


## PSP Application- Gateway Center - Parcel K

## AS DESCRIBED BY GEOPOINT SURVEYING

DESCRIPTION: A portion of Parcel 2, Gateway Centre Business Park, according to the plat or map thereof as recorded in Plat Book 97, Pages 1 through 13, public records of Pinellas County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of said Parcel 2, Gateway Centre Business Park, according to the plat or map thereof as recorded in Plat Book 97, Pages 1 through 13, public records of Pinellas County, Florida, thence along the West line of said Parcel 2, S. $00^{\circ} 12^{\prime} 05^{\prime \prime W}$., a distance of 437.24 feet to the Northwest corner of the Southwest $1 / 4$ of Section 23, Township 30 South, Range 16 East; thence along the said West line of Parcel 2 and the West line of the said Southwest $1 / 4, S .00^{\circ} 11^{\prime} 58^{\prime \prime} \mathrm{W}$., a distance of 487.96 feet to the POINT OF BEGINNING; thence departing said West line, N. $89^{\circ} 35^{\prime} 31^{\prime \prime}$. ., a distance of 598.17 feet to the West Right of Way line of Research Drive as recorded in said Plat Book 97, Pages 1 through 13; thence along said West Right of Way line the following four (4) courses and distances; (1) S. $11^{\circ} 35^{\prime} 53^{\prime \prime} \mathrm{E}$., a distance of 65.98 feet; (2) Southeasterly, 391.14 feet along the arc of a non-tangent curve to the left having a radius of 982.94 feet and a central angle of $22^{\circ} 47^{\prime} 59^{\prime \prime}$ (chord bearing $\mathrm{S} .32^{\circ} 06^{\prime} 55^{\prime \prime} \mathrm{E}$., 388.57 feet); (3) $\mathrm{S} .43^{\circ} 30^{\prime} 55^{\prime \prime} \mathrm{E}$., a distance of 52.00 feet; and (4) Southerly, 75.98 feet along the arc of a tangent curve to the right having a radius of 50.00 feet and a central angle of $87^{\circ} 03^{\prime} 47^{\prime \prime}$ (chord bearing S. $00^{\circ} 00^{\prime} 59^{\prime \prime} \mathrm{W} ., 68.88$ feet) to the North Right of Way of Gateway Centre Parkway as recorded in said Plat Book 97, Pages 1 through 13; thence along said North Right of Way line, Southwesterly, 308.51 feet along the arc of a reverse curve to the left having a radius of 1472.41 feet and a central angle of $12^{\circ} 00^{\prime} 19^{\prime \prime}$ (chord bearing S. $37^{\circ} 32^{\prime} 44^{\prime \prime} \mathrm{W} ., 307.95$ feet); thence departing said North Right of Way line, N. $89^{\circ} 36^{\prime} 24^{\prime \prime}$ W., a distance of 668.69 feet to the afore said West line of Parcel 2; thence along said West line of Parcel 2, N. $00^{\circ} 11^{\prime} 58^{\prime \prime} \mathrm{E}$., a distance of 735.64 feet to the POINT OF BEGINNING.

Containing 12.449 acres, more or less.

Exhibit B








Aerial Map


 Area of Minimal Flood Hazard (X) (2. Floodway (AE)

FIRM Map
AB
E

Legend
Master Address Points

$$
\begin{aligned}
& \text { Private Roads } \\
& \text { Pinellas Park }
\end{aligned}
$$

$$
\begin{aligned}
& \text { Centerlines } \\
& \text { Private Roads }
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Flood Hazard Lines
$9{ }^{2}$
Notes:
Rights of Way
Letter of Map An
Cross Sections

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& \text { Hydraulic Structures } \\
& \text { Bridge }
\end{aligned}
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- Wing Wall

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\begin{aligned}
& \text { Base Flood Elevation } \\
& \text { Letter of Map Revision }
\end{aligned}
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FIRM Panels

- LIMIT LINES

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\begin{aligned}
& \text { SFHA / FLOOD ZONE BOUNDARY } \\
& \text { Flood Hazard Areas }
\end{aligned}
$$ - $0.2 \%$ Annual Chance Flood Hazard ( X )

Coastal High Hazard Area
Parcel Lines

$$
\text { 昷 } \square \text { • } 3 \square
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