



CITY OF PINELLAS PARK

Community Development Department Planning & Development Services Division

Staff Report

I. APPLICATION DATA

A. **Case Number:** AX20-06

B. **Location:**

1. **Address:** 7270 76th Street North

2. **Parcel Number:** 30-30-16-03816-000-0230

C. **Request:** The Applicant desires to join the City of Pinellas Park and wishes to continue operate a minor auto repair business within the City.

D. **Applicant:** Alvaro Araujo (Owner)

E. **Agent:** Jim Wade 727-278-9476

F. **Legal Ad Text:** Not applicable

G. **Public Hearings:**

City Council Hearing Date(s): November 12, 2020 and November 24, 2020

Deadline to send public hearing notices: Not applicable

Advertising deadline: November 4, 2020 (Ordinance only)

II. BACKGROUND INFORMATION

A. **Site Area:** 0.44 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:** Automobile repair

D. **Proposed Use:** Automobile repair

E. **Current Land Use:** "CG" (Commercial General) Pinellas County

F. **Proposed Land Use:** "CG" (Commercial General)

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 manner designed to provide communitywide and countywide

commercial goods and services; and to recognize such areas as primarily consistent with the need, relationship to adjoining uses and with the objective of encouraging a consolidated, concentrated commercial center providing for the full spectrum of commercial uses.

2. Key Standards:

Primary Uses – Office; Personal Service/Office Support; Retail Commercial; Commercial/Business Service; Wholesale/Distribution (Class A); Storage/Warehouse (Class A); Temporary Lodging

Secondary Uses - Commercial Recreation; Residential; Residential Equivalent; Institutional; Transportation/Utility; Recreation/Open Space; Research/Development; Light Manufacturing/Assembly (Class A)

Density/Intensity – Residential Use - Shall not exceed 24 dwelling units per acre.

3. Staff Analysis:

Commercial General is consistent with the surrounding land uses.

G. Current Zoning District: “C-2” (General Retail Commercial and Limited Services) Pinellas County

H. Proposed Zoning District: “B-1” (General Commercial)

1. Zoning District Purpose / Intent:

The "B-1" General 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 general commercial environment with supportive medium density residential. This district is intended for a wide variety of consumer-oriented commercial uses and activities located in proximity to major thoroughfares and to residential concentrations, together with accessory uses and public facilities customary to or required for such an environment.

2. Staff Analysis:

The proposed B-1 General Commercial designation is consistent with surrounding Zoning Districts where minor auto repair is a permitted use. No major auto repair is allowed. Minor Auto repair is defined as routine and minor maintenance vehicle work. This may include the dispensing and installation of gasoline, oil, grease, coolants, and automotive accessory items but excludes manufacturing, remanufacturing, or machine work performed. The annexation of this use meets these above noted requirements.

I. Flood Zone: A portion of the property is located in Flood Zone X, which is a low-risk flood zone and a larger portion is located in Flood Zone X-Shaded, which is a moderate 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	B-1 Pinellas County CG	CG Pinellas County CG	Commercial retail plaza C & C Auto Repair
South	B-1	CG	C & C Auto Repair
East	B-1	CG	C & C Car Sales
West	B-1	CG	Commercial Retail Plaza

III. APPLICABLE CRITERIA / CONSIDERATIONS

A. Comprehensive Plan Policies:

1. Relevant Policies:

GOAL LU.1

Provide for the organization of land uses and development to meet the physical, social, and economic needs of the present and future population in a planned and orderly manner that will maintain or improve the quality of the natural and man-made environment.

POLICY LU.1.1.2

Land use designations on the Future Land Use Map shall be compatible with adjacent and surrounding land uses.

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.

OBJECTIVE ICE 1.8

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

POLICY 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.

2. Staff Analysis:

The property is contiguous to the City and meets all of the annexation requirements set forth in Florida Statute 171.044. Staff has assessed the property with its current use and it meets the Future Land Use goal and map designation of LU.1 and LU 1.1.2. This is consistent with surrounding properties and will assist in improving the economic and environmental aspects of the site as the property is expanded or redeveloped in the future. Policy PW 1.3.1 does not apply as the property is outside of the City's service area; water and sewer service to the property are handled by Pinellas County utilities. Finally, Policy 1.8 and 1.8.1 are met by the Subject Property being within the Annexation Amendment Agreement Area as coordinated with Pinellas County and all procedures are being followed.

B. Land Development Code Standards:

1. Key Standards:

SECTION 18-1502 – Definitions

AUTOMOTIVE REPAIR (MAJOR). *Repair of automotive vehicles or parts thereof, or body work, frame work, rebuilding, or reconditioning, including the removal of the head, crankcase or entire engine, painting, steam cleaning, transmission rebuilding and repair, welding, or other characteristics to an extent greater than "Automotive Repair" (Minor).*

AUTOMOTIVE REPAIR (MINOR). *The retail dispensing and installation of gasoline, oil, grease, coolants, and automotive accessory items such as, but not limited to, fan belts, batteries and tires, and automotive repair services such as, but not limited to, the following, where some disassembly is permitted provided there is not manufacturing, remanufacturing, or machine work performed:*

- (A) *Installation of automobile accessories;*
- (B) *Tire servicing and repair, but no recapping and regrooving;*
- (C) *Replacement of mufflers and tail pipes, batteries, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearing, mirrors, and the like;*
- (D) *Changing or flushing of oil, transmission, brake or cooling fluids;*
- (E) *Radiator cleaning, and flushing;*

- (F) *Washing, polishing, and sale of washing and polishing materials;*
- (G) *Greasing and lubrication;*
- (H) *Providing and repairing fuel pumps, water pumps, and lines;*
- (I) *Servicing, repair, and re-building of carburetors;*
- (J) *Adjusting and repairing brakes (including the turning of brake drums and rotors);*
- (K) *Motor adjustments not involving removal of the head or crankcase or racing the motor;*
- (L) *Warranty maintenance and safety inspections; and/or*
- (M) *Repair and installation of automotive upholstery.*

Uses permitted as "Automotive Repair" (Minor) do not include major mechanical and body work, straightening of body parts, painting, welding, or other work involving glare, fumes, smoke, or odors.

SECTION 18-1520. - "B-1" GENERAL COMMERCIAL DISTRICT

2. Staff Analysis:

As noted in the Comprehensive Plan analysis the use is consistent with the City's vision and the B-1 General Commercial District is the appropriate zoning designation to fulfill the land use vision.

When a property is annexed into the City of Pinellas Park, the City shall consider any current and existing legal use of the property to be grandfathered under applicable City rules, regulations, laws, codes or ordinances which may impact the property. Any change or discontinuance of such use shall be governed by the City of Pinellas Park Land Development Code Section 18-1504.2.

The City shall accept the existing building structures (including parking areas, fences, signs, and storage areas) on the property in their "as is" condition, except that the owner shall maintain said structures in good repair. At the time said structures are proposed for renovation or alteration, the owner shall then bring the structures into compliance with applicable Florida building codes and the City's zoning regulations. The parties understand and agree that drainage, building, life safety and utilities issues will be subject to all applicable codes if not specifically addressed in the Annexation Agreement. As part of the consideration of this Agreement, the City shall treat the existing structures and parking areas in their present locations as being accepted and grandfathered. Any changes and/or alterations to such structures and parking areas shall be governed by the City of Pinellas Park Land Development Code Section 18-1504.

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 AX20-06.



Nick A. Colonna, AICP
Planning & Development Services Director

10-6-2020

Date



Benjamin J. Ziskal, AICP, CEcD
Community Development Administrator

10/6/2020

Date

ACTION:

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

AX20-06

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: 30-30-16-03816-000-0230
(Located at 7270 76th Street North)

THE NORTH 80.00 FEET OF LOT 23 AND THE WEST 1/2 OF A 60.00 FOOT RIGHT OF WAY EAST OF AND ADJACENT TO THE NORTH 80.00 FEET OF LOT 23, ALONG WITH THE SOUTH 20.00 FEET OF LOT 24 AND THE WEST 1/2 OF A 60.00 FEET RIGHT OF WAY EAST OF AND ADJACENT TO THE SOUTH 20.00 FEET OF LOT 24, BAYOU FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 31, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

Containing 0.44 acres MOL

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

Alvaro Araujo
6975 82nd Avenue North
Pinellas Park, FL 33781-1150

OWNER:

First Witness Signature

Alvaro Araujo, Owner

First Witness Printed Name

Second Witness Signature

Second Witness Printed Name



AX20-06 7270 76th Street North Land Use

Legend

- Centerlines
- Private Roads
- Rights of Way
- Land Use Borders
- Commercial General - CG
- Commercial General (Residential Medium) -
- Commercial Neighborhood - CN
- Community Redevelopment District - CRD
- Industrial General - IG
- Industrial Limited - IL
- Institutional - INS
- Preservation - P
- Residential/Office/Retail - R/O/R
- Residential/Office General - R/OG
- Residential/Open Space - R/OS
- Residential Low - RL
- Residential Low Medium - RLM
- Residential Medium - RM
- Residential Suburban - RS
- Residential Urban - RU
- Residential Urban (Commercial General) - F
- Residential Urban (Residential Low) - RU/R
- Transportation/Utility - T/U
- Land Use Fill
- Commercial General - CG
- Commercial General (Residential Medium) -
- Commercial Neighborhood - CN
- Commercial Recreation - CR
- Community Redevelopment District - CRD
- Industrial General - IG
- Industrial Limited - IL
- Institutional - INS
- Preservation - P
- Residential/Office/Retail - R/O/R
- Residential/Office General - R/OG
- Recreation/Open Space - R/OS
- Residential Facilities High - RFH
- Residential Low - RL
- Residential Low Medium - RLM
- Residential Medium - RM

Exhibit "C"
Land Use Map



Notes:



1: 1,677

139.8 0 69.88 139.8 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

AX20-06 7270 76th Street North Zoning

Legend

- Centerlines
- Private Roads
- Rights of Way
- Zoning Borders
- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - Ci
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - IPUC
- Light Industrial - M-1
- Residential / Office / Retail - ROR
- Mixed Use Development - MXD
- Mixed Unit Development - MXD-2
- Open Space - O/S
- Public - P
- Preservation - PRES.
- Single Family Residential - R-1
- Single Family Residential - R-2
- Single Family Residential - R-3
- Duplex Residential - R-4
- Multifamily Residential - R-5
- Multifamily Residential/Commercial - R-6
- Single Family Residential Estate - R-E
- Residential Planned Unit Development - RP
- Rural Residential - RR
- Mobile Home Subdivision - T-1
- Mobile Home Park - T-2
- Town Center - TC
- Zoning Fill
- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - Ci
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - IPUC

Exhibit "D"
Zoning Map



Notes:



1: 1,128

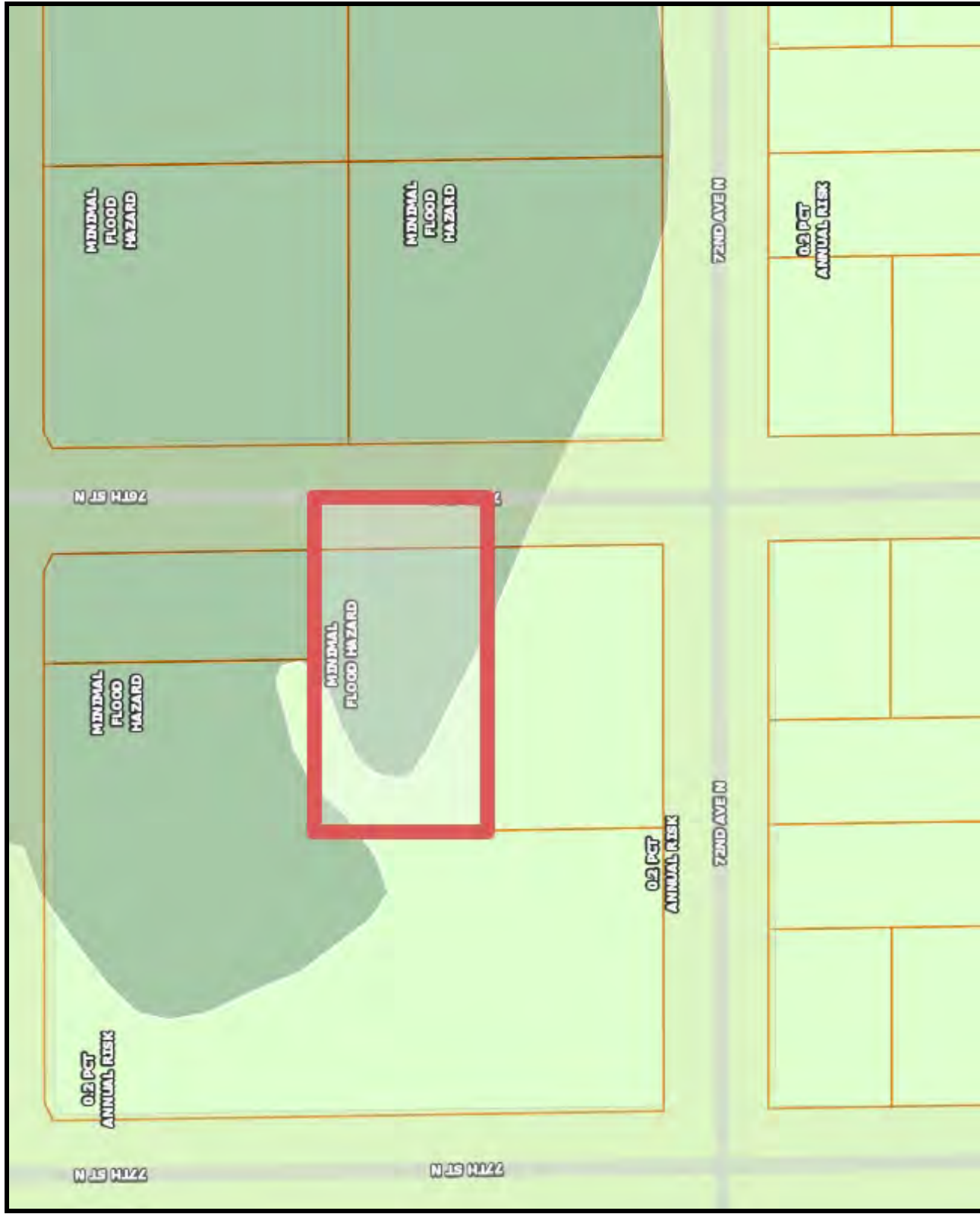
94.0 0 47.02 94.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

AX20-06 7270 76th Street North FIRM

Legend

- Centerlines
- Private Roads
- Rights of Way
- Floodplain Delineations
 - Minimal Flood Hazard
 - 500 Year Floodplain (0.2% Annual Risk)
 - 100 Year Floodplain (1% Annual Risk)
 - Floodway
- Coastal High Hazard Area
- Parcel Lines



Notes:



1: 1,128

94.0 Feet



ANNEXATION DATA SHEET

- 1. PARCEL:**
30-30-16-03816-000-0230
- 2. OWNER:**
Alvaro Araujo
- 3. STREET ADDRESS OF PROPERTY:**
Located at 7270 76th Street North
- 4. SIZE OF PROPERTY:**
Agreement = 0.44 Acres MOL
Ordinance = 0.44 Acres MOL
- 5. COUNTY ZONING / LAND USE:**
C-2 / CG
- 6. CITY ZONING / LAND USE:**
B-1 / CG
- 7. EXISTING PROPERTY IMPROVEMENTS:**
1 warehouse totaling 2,240 square feet.
- 8. EXISTING BUSINESS ON PROPERTY:**
SOLO Auto Repair
- 9. EXISTING PROPERTY USE:**
Commercial
- 10. ANNEXATION AGREEMENT PROVISIONS:**
 - ♦ When the Property is annexed into the City of Pinellas Park, the City shall consider any current and existing legal use of the Property to be grandfathered under applicable City rules, regulations, laws, codes or ordinances which may impact the Property. Any change or discontinuance of such use shall be governed by the City of Pinellas Park Land Development Code Section 18-1504.2
 - ♦ The City shall accept the existing building structures (including parking areas, fences, signs, and storage areas) on the Property in their "as is" condition, except that the Owner shall maintain said structures in good repair. At the time said structures are proposed for renovation or alteration, the Owner shall then bring the structures into compliance with applicable Florida building codes. The Parties understand and agree that drainage, building, life safety and utilities issues will be subject to all applicable codes if not specifically addressed in this Annexation Agreement. As part of the consideration of this Agreement, the City shall treat the existing structures and parking areas, in their present locations, as being accepted and grandfathered. Any changes and/or alterations to such structures and parking areas shall be governed by the City of Pinellas Park Land Development Code Section 18-1504.
- 11. OTHER PERTINENT INFORMATION:**
Contiguous
- 12. PROPOSED PROPERTY USE:**
Same
- 13. PROPOSED PROPERTY IMPROVEMENTS:**
Potential upgrades to the repair shop.

Annexation Revenue Analysis Commercial / Industrial		
Annexation Number: AX20-06		Date: March 27, 2020
Owner's Name: Alvaro Araujo		
Property Address: 7270 76th Street North		
Ad Valorem Taxes:	Millage	Amount
*Information obtained from the Pinellas County Property Appraiser's records.		
Current Assessed Value	NA	\$140,000.00
Taxes Received by Pinellas Park	0.00549	\$768.60
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		\$100.00
Est. Franchise Fees and/or Utility Taxes:		
Water (10% Utility Tax)		\$240.00
Electric (estimate)		\$1,300.00
Gas		\$0.00
Communication Services Tax		\$175.00
Franchise Fees and/or Utility Taxes Received by Pinellas Park		\$1,715.00
Taxes Received by Pinellas Park		\$768.60
Tangible Personal Property Tax Received by Pinellas Park		\$0.00
Business Tax Receipt Fee		\$100.00
Est. Franchise Fees and/or Utility Taxes Received by Pinellas Park		\$1,715.00
Anticipated Annual Revenues to Pinellas Park After Annexation		\$2,583.60

Current Est. Annual Revenues to Pinellas Park as Unincorporated Property:		
PFW Fire District	0.0031976	\$447.66
Total Est. Annual Revenues to Pinellas Park as Unincorporated Property		\$447.66

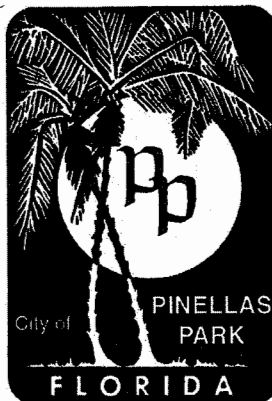
New Money (est.) to Pinellas Park Received Thru Annexation	\$2,135.94
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Exhibit "H"
Site Photographs



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

September 29, 2020

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

RE: City Document #20-259
Annexation Agreement - AX20-06 - Araujo


Dear Ms. Coughlin:

I received and reviewed the above-mentioned Annexation Agreement. I would recommend the following sentence be added to the end of paragraph 7 of such Agreement: "Any change or discontinuance of such use shall be governed by the City of Pinellas Park Land Development Code Section 18-1504.2".

I would also recommend adding the following sentence to the end of paragraph 8: "Any changes and/or alterations to such structures and parking areas shall be governed by the City of Pinellas Park Land Development Code Section 18-1504".

Once the above-mentioned changes are incorporated into the Agreement, I would approve of the Agreement as to form and correctness.

Very truly yours,


James W. Denhardt
City Attorney

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

JWD/cb

20-259.09292020.LSC.Agmt AX20-06.Araujo.wpd



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