



CITY OF PINELLAS PARK

Staff Report

Community Development Department
Planning & Development Services Division

I. APPLICATION DATA

- A. **Case Number:** AX20-18
- B. **Location:**
 - 1. **Address:** 10364 66th Street North
 - 2. **Parcel Number:** 18-30-16-69768-400-6402
- C. **Request:** The Applicant desires to join the City of Pinellas Park in order to receive the benefits of specific City services.
- D. **Applicant:** Jeff Lane Investments, LLC (Jeff Lane 813-580-2955)
- E. **Agent:** Not applicable
- F. **Legal Ad Text:** Not applicable
- G. **Public Hearings:**
 - City Council Hearing Date(s):** April 8, 2021 and April 22, 2021
 - Deadline to send public hearing notices:** March 29, 2021
 - Advertising deadline:** March 29, 2021

II. BACKGROUND INFORMATION

- A. **Site Area:** 0.62 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:** Commercial – Dentworks painless dent repair service
- D. **Proposed Use:** Commercial – same
- E. **Current Zoning District:** “C-2” (Employment-2) Pinellas County
- F. **Current Land Use:** Commercial General (CG) Pinellas County

G. Proposed Land Use: Commercial General (CG) Pinellas Park

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.

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)

2. Staff Analysis:

The current heavy automotive repair use is consistent with the primary use for the CG Land Use designation of Commercial/Business Service. Additionally, the CG Future Land Use designation is consistent with the Pinellas County CG designation.

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

1. Zoning District Purpose / Intent:

The “B-1” General Commercial District is established 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.

This district is appropriate for areas designated on the Official Land Use Plan Map as either Residential Medium (RM), Residential/Office/Retail (R/O/R), Residential/Office General (R/OG), Commercial General (CG), Commercial Recreation (CR), Resort Facilities High (RFH) or Community Redevelopment District (CRD).

2. Staff Analysis:

The subject property is surrounded by B-1 zoned properties on three sides with an M-1 zoned property on the remaining side, making it an appropriate geographic area for general commercial development. The heavy automotive repair use is consistent with the B-1 Zoning District intent for businesses located along a major thoroughfare (66th Street N) and is a consumer-oriented commercial use.

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

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

K. Vicinity Characteristics:

	Zoning	Land Use	Existing Use
North	B-1	CG	It's Car Time
South	B-1/M-1	CG/IL	New Warehouse (vacant)

East	B-1	CG	Winn-Dixie Shopping Center
West	M-1	IL	New Warehouse (vacant)

III. APPLICABLE CRITERIA / CONSIDERATIONS

A. Comprehensive Plan Policies:

1. **Relevant Policies:**

POLICY PW 1.3.1

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

POLICY SW.1.3.1

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

OBJECTIVE ICE.1.8

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

POLICY ICE.1.8.1

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

- a. Advance Notices - a procedure that provides for advance notice of all annexations to the respective parties of interest;*
- b. Accurate Legal Descriptions - a means to review and validate the legal descriptions for annexations;*
- c. State Law Compliance - definitions and examples by which to determine compliance with the state law for contiguity, compactness, enclaves, and procedures for annexation agreements/indentures;*
- d. Ability to Serve - pre-determined or administrative means to establish a municipality's ability to serve the area;*
- e. Service Contracts - enabling provisions for Pinellas County and each municipality to enter into mutually acceptable agreements to provide selected services where it is beneficial to the citizenry and cost-effective to do so in lieu of annexation;*
- f. Consistency - a requirement for consistency with the Comprehensive Future Land Use Plan at the time of annexation; and*
- g. Coordination with State Plan Amendment Review Process - to establish eligibility for waiver of the requirement for plan amendment pursuant to Section 163.3171(3) FS, at the time of annexation.*

2. **Staff Analysis:**

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

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

B. Land Development Code Standards:

1. **Key Standards:**

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

Property heretofore or hereafter annexed to the City shall be given the zoning classification which most closely relates to the Pinellas County zoning classification in effect at the time of such

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

Table 18-1520.3: Authorized Land Uses in B-1 District

Land Use	Approval Type	Conditions
COMMERCIAL USES		
Automobile Repair Facility (major), as an accessory use with an Automobile Dealer – New Cars	C	CG land use categories only as an accessory use with an Automobile Dealer – New Cars and subject to section 18-1531

Sec. 18-1520.4. - 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 September 26, 1963 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)(2) 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.

1. Nonresidential: Three hundred (300) square feet.
2. Single-family Detached Dwellings:
 - a. Nine hundred (900) square feet in R/OG or R/O/R.
 - b. One thousand (1,000) square feet in CRD.
3. Multi-Family Dwellings:
 - a. Efficiency: Four hundred fifty (450) square feet.
 - b. One-bedroom: Five hundred fifty (550) square feet.
 - c. Two-bedroom: Six hundred fifty (650) square feet.
 - d. Three-bedroom: Eight hundred (800) square feet.

(E) MAXIMUM BUILDING HEIGHT. Height fifty (50) 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.

- (d) Forty-five hundredths (0.45) in CRD.
- (e) Forty-five hundredths (0.45) in RM.
- (f) Forty-five hundredths (0.45) in CR.
- (g) Forty-five hundredths (0.45) in RFH.
- 2. Mixed Use Development: See "R-6" zoning district.

2. Staff Analysis:

As required by Section 18-1501.13 the proposed "B-1" Zoning District is consistent with the County's C-2 district for general commercial. A site plan review would be required to verify if the subject property meets all of the dimensional requirements development regulations of the B-1 district. However, it is known that the subject property has less than the minimum 100 feet of lot width. As a result, the property would be nonconforming in the B-1 district. There are no proposed changes to the lot dimensions so this is purely informational.

The current heavy automotive repair use is only allowed as a Conditional Use when an accessory use to new car dealers in the CG Future Land Use designation. While the Future Land Use designation is CG, heavy automotive repair is the principal use and not an accessory to a new car dealer. As a result, the use will be considered nonconforming and subject to those limitations. Heavy automotive repair is a conditional use in the "CH" Heavy Commercial Zoning District. The CH Zoning District is consistent with the CG Future Land Use designation, but it is not consistent with the County's C-2 designation.

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

IV. SUMMARY

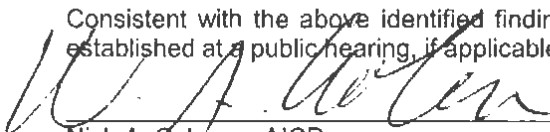
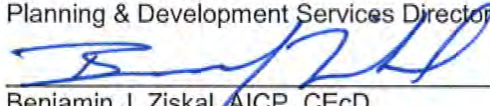
A. Findings


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

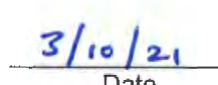
- 1. The property has no outstanding code enforcement violations with Pinellas County.
- 2. The parcel is contiguous to the City and meets all of the annexation requirements set forth in Florida Statute 171.044.

B. Staff Recommendation

Consistent with the above identified findings, and subject to such additional findings of fact as are established at a public hearing, if applicable, staff recommends **APPROVAL** of case number AX20-18.


Nick A. Colonna, AICP
Planning & Development Services Director

Benjamin J. Ziskal, AICP, CEcD
Community Development Administrator


Date


Date

V. 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

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: 18-30-16-69768-400-6402
(Located at 10364 66th Street North)

THE SOUTH 1/2 OF THE EAST 1/2 OF THE NORTH 1/4 OF FARM 64, PINELLAS FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGES 4 AND 5 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, IN SECTION 18, TOWNSHIP 30 SOUTH, RANGE 16 EAST, ALONG WITH THAT 15.00 FEET X 81.00 FEET PORTION OF RIGHT OF WAY THAT IS EAST OF AND ADJACENT TO THE EAST LINE OF AFOREMENTIONED SOUTH 1/2 OF THE EAST 1/2 OF THE NORTH 1/4 OF SAID FARM 64 AND IS WEST OF THE EAST LINE OF SECTION 18, TOWNSHIP 30 SOUTH, RANGE 16 EAST.

CONTAINING 0.62 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:

JEFF LANE INVESTMENTS LLC
Jeff Lane
255 13th Avenue South
Safety Harbor, FL 34695

JEFF LANE INVESTMENTS LLC



Witness Signature



By: Jeff Lane, Manager



Witness Printed Name



Witness Signature



Witness Printed Name



18-30-16-69768-400-6402
10364 66th Street

AX20-18

Exhibit "B"
Aerial Map

AX20-18 10364 66th St. - Land Use

Legend

Centerline Classes

- Principal Arterial
- Minor Arterial
- Collector
- Minor Collector
- Local Major Street
- Local Street

Pinellas Park

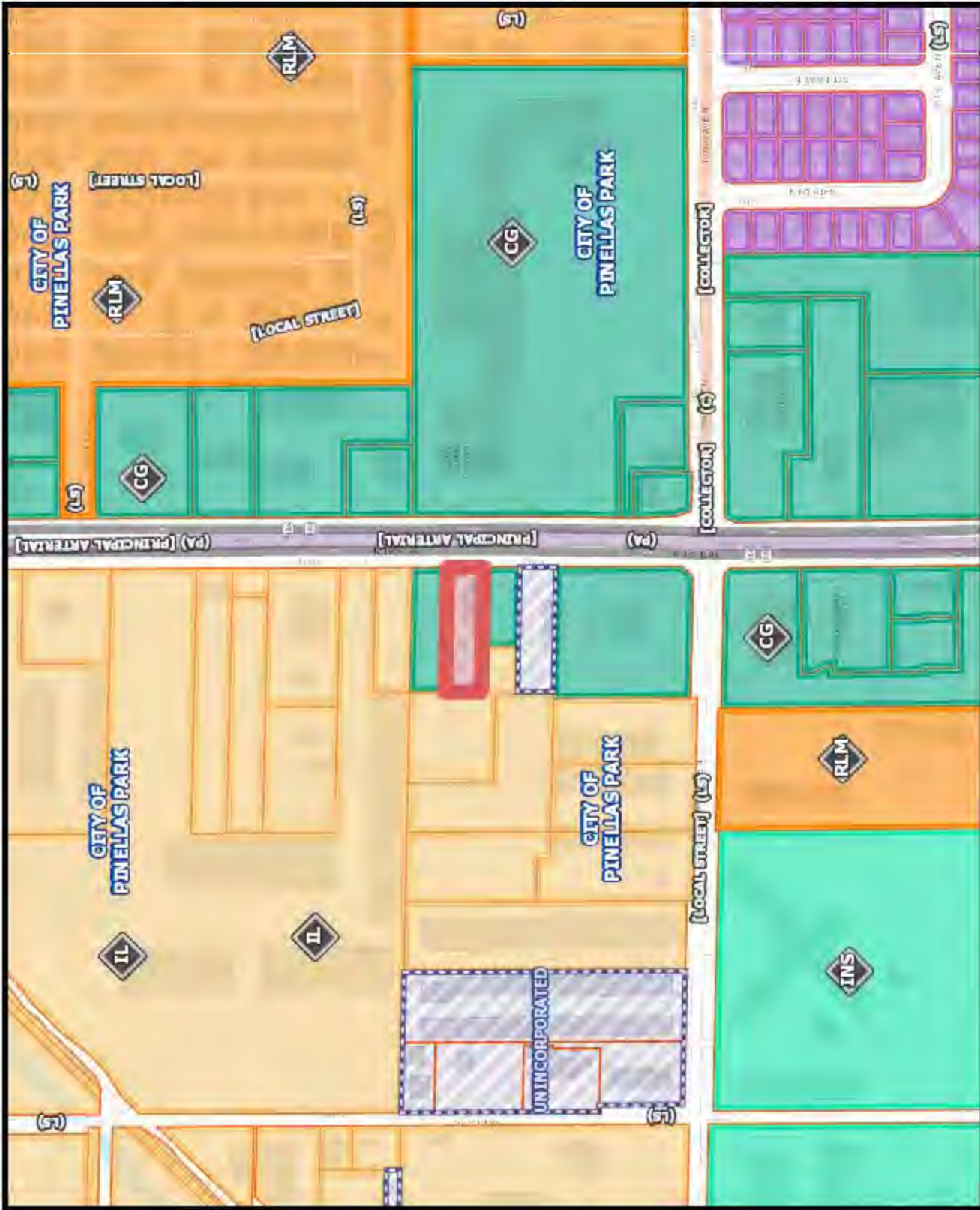
Land Use Borders

- Commercial General - CG
- Commercial General (Residential Medium) - CG(R)
- 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) - RU(CG)
- Residential Urban (Residential Low) - RU(RL)
- Transportation/Utility - T/U

Land Use Fill

- Commercial General - CG
- Commercial General (Residential Medium) - CG(R)
- 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

Exhibit "C" Land Use Map



Notes:

1: 4,440

370.0 0 185.02 370.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

WGS_1984_Web_Mercator_Auxiliary_Sphere

AX20-18 10364 66th St. - Zoning

Legend

Centerline Classes

- Principal Arterial
- Minor Arterial
- Collector
- Minor Collector
- Local Major Street
- Local Street

Pinellas Park

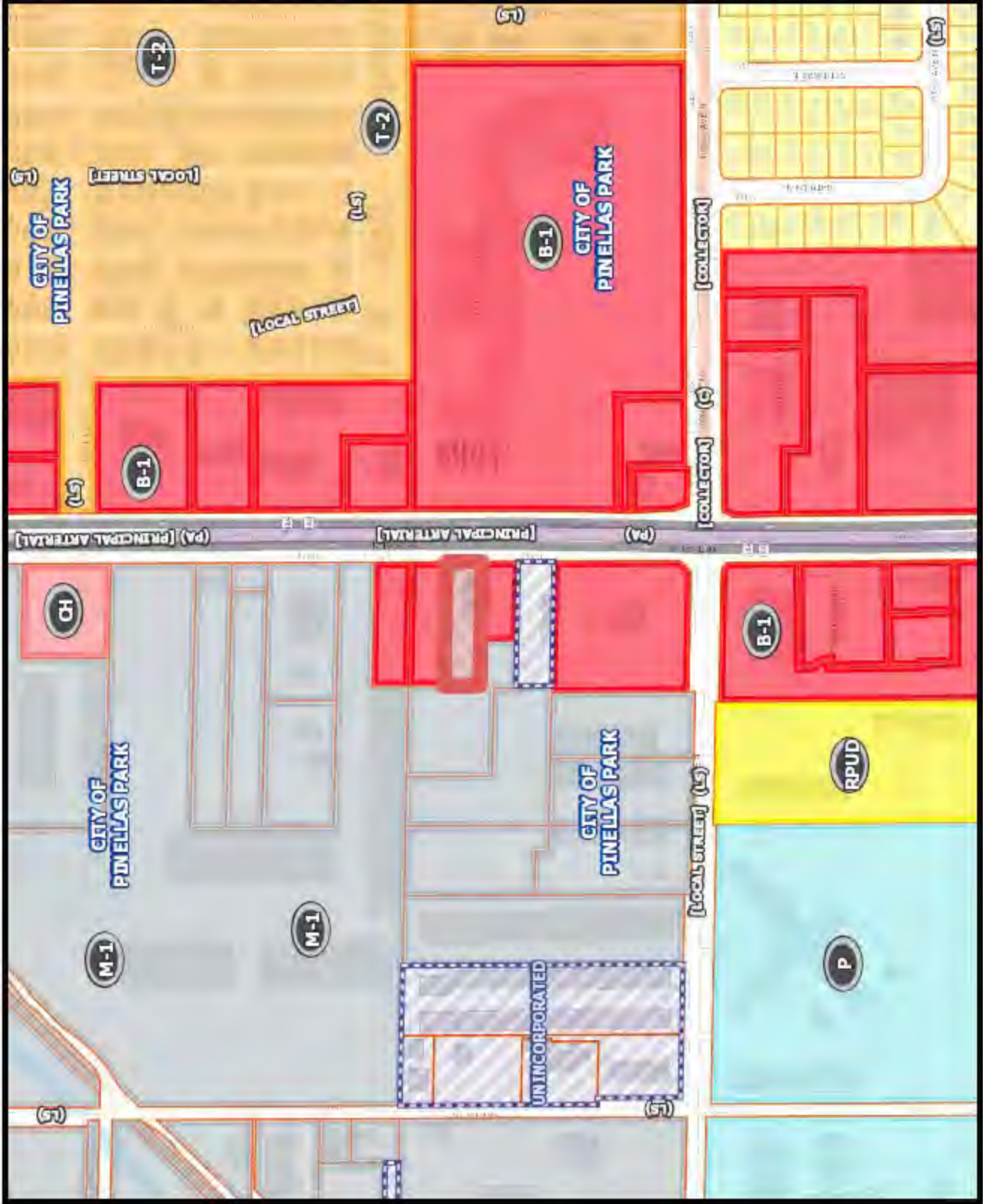
Zoning Borders

- General Commercial - B-1
- Heavy Commercial - CH
- Commercial Neighborhood - CN
- Commercial Planned Unit Development - CPUD
- Farm - F
- General Office - GO
- Heavy Industrial - IH
- Industrial Planned Unit Development - IPUD
- 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 - RPUD
- 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

Exhibit "D"
Zoning Map



Notes:



1: 4,440

370.0 0 185.02 370.0 Feet

AX20-18 10364 66th St. - FIRMS

Legend

Centerline Classes

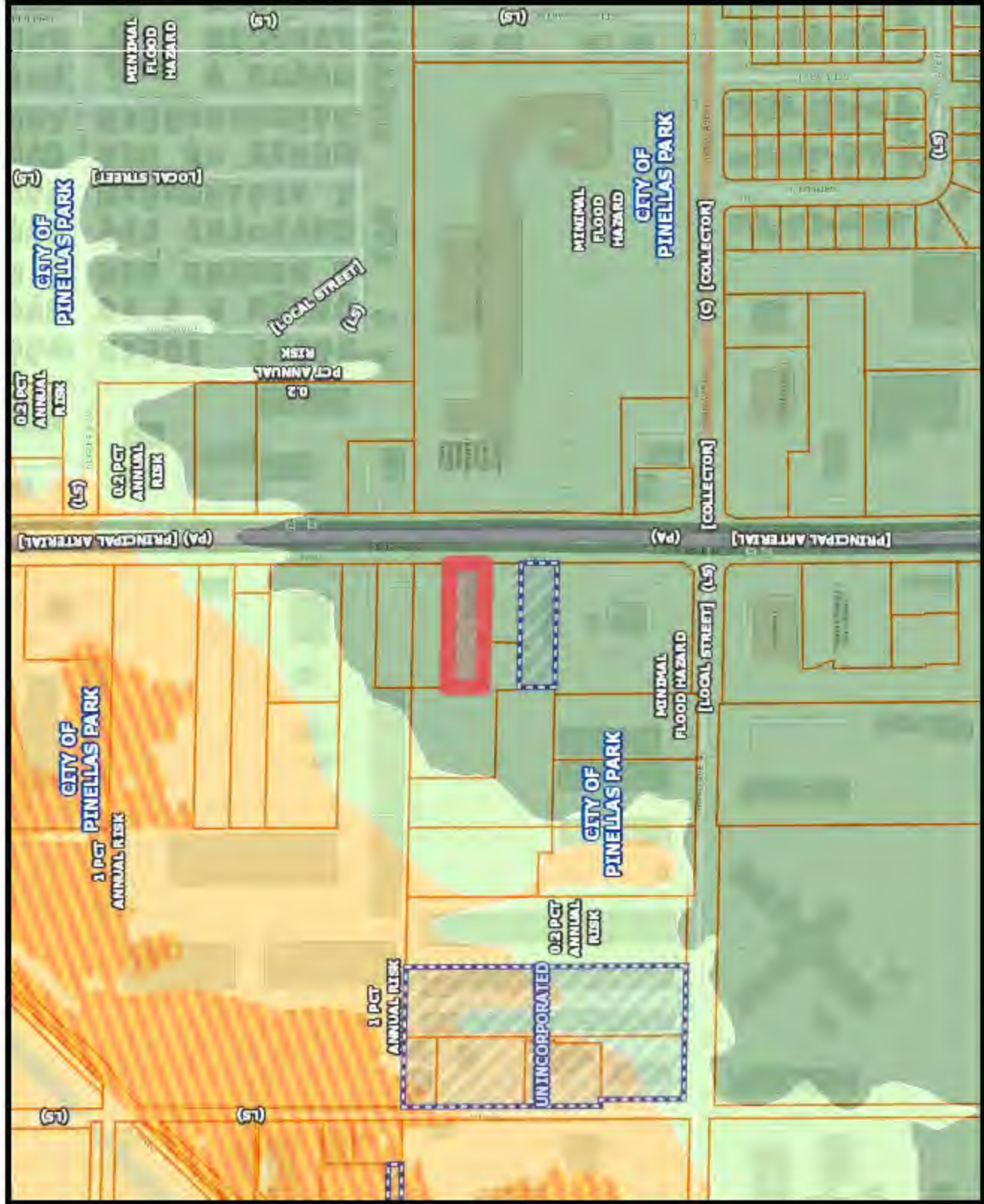
- Principal Arterial
- Minor Arterial
- Collector
- Minor Collector
- Local Major Street
- Local Street
- Pinellas Park
- Unincorporated

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: 4,440

370.0 Feet

0 185.02 370.0

ANNEXATION DATA SHEET

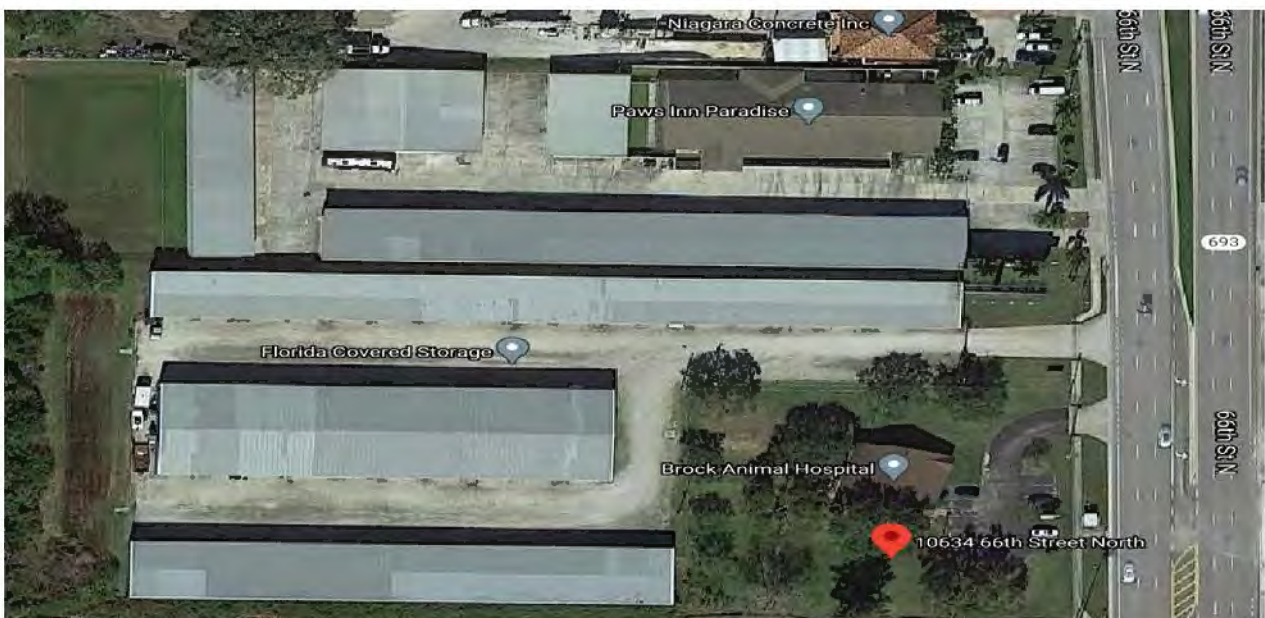
- 1. PARCEL:**
18-30-16-69768-400-6402
- 2. OWNER:**
Jeff Lane Investments LLC
- 3. STREET ADDRESSES OF PROPERTY:**
Located at 10364 66th Street N.
- 4. SIZE OF PROPERTY:**
Agreement = 0.62 Acres MOL
Ordinance = 0.62 Acres MOL
- 5. COUNTY ZONING / LAND USE:**
C-2 / CG
- 6. CITY ZONING / LAND USE:**
B-1 / CG
- 7. EXISTING PROPERTY IMPROVEMENTS:**
A warehouse totaling 4,000 square feet
- 8. EXISTING BUSINESS ON PROPERTY:**
Dentworks – paintless dent repair service
- 9. EXISTING PROPERTY USE:**
Commercial
- 10. ANNEXATION AGREEMENT PROVISIONS:**
 - ◆ 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 alterations to such uses and/or structures shall be governed by Section 18.1504 of the City's Land Development Code.
 - ◆ The Owner shall enter into a sanitary sewer agreement with the City, within 180 days of the execution of this Agreement.
- 11. OTHER PERTINENT INFORMATION:**
Contiguous
- 12. PROPOSED PROPERTY USE:**
Same
- 13. PROPOSED PROPERTY IMPROVEMENTS:**
To be determined

Annexation Revenue Analysis Commercial / Industrial		
Annexation Number: AX20-18		Date: August 19, 2020
Owner's Name: Jeff Lane Investments LLC		
Property Address: 10364 66th Street		
Ad Valorem Taxes:	Millage	Amount
*Information obtained from the Pinellas County Property Appraiser's records.		
Current Assessed Value	NA	\$255,000.00
Taxes Received by Pinellas Park	0.00549	\$1,399.95
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		\$400.00
Est. Franchise Fees and/or Utility Taxes:		
Water (10% Utility Tax)		\$240.00
Electric (\$400 monthly bill 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		\$1,399.95
Tangible Personal Property Tax Received by Pinellas Park		\$0.00
Business Tax Receipt Fee		\$400.00
Est. Franchise Fees and/or Utility Taxes Received by Pinellas Park		\$1,715.00
Anticipated Annual Revenues to Pinellas Park After Annexation		\$3,514.95

Current Est. Annual Revenues to Pinellas Park as Unincorporated Property:		
PF Fire District	0.0031976	\$815.39
Total Est. Annual Revenues to Pinellas Park as Unincorporated Property		\$815.39

New Money (est.) to Pinellas Park Received Thru Annexation	\$2,699.56
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Exhibit "H"
Site Photographs



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

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 #20-254
Agreement - AX20-18 Jeff Lane Investments

Dear Ms. Coughlin:

I received and reviewed the above-mentioned Annexation Agreement. I would agree with Mr. Ziskal's proposed change to the second WHEREAS paragraph of the Agreement. I would recommend the following sentence be added to the end of paragraph 7: "Any alterations to such uses and/or structures shall be governed by Section 18-1504 of the City's Land Development Code".

I also note that on the Petition for Annexation attached to the Agreement the parcel number is incorrect. Please update such parcel number prior to the Petition being executed by the Property Owner.

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

Very truly yours,



James W. Denhardt
City Attorney

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

JWD/cb

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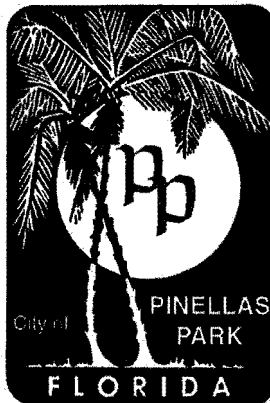


Exhibit "I"
Attorney Letter

FLORIDA

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FAX • (727) 544-7448



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