

DATE: October 22, 2013
AGENDA ITEM NO. **24b.**

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature

Subject:

Conditional Use Case No. CU-23-9-13 (Sunshine Property Partners)

Department:

Department of Planning and Development Services

Staff Member Responsible:

Larry Arrington, Executive Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE ATTACHED RESOLUTION APPROVING THE PROPOSED AMENDMENT TO A PREVIOUSLY APPROVED CONDITIONAL USE WITH THE NINE CONDITIONS RECOMMENDED BY THE LOCAL PLANNING AGENCY AS LISTED IN THE ATTACHED STAFF REPORT.

Summary Explanation/Background:

The subject request meets the "Standards" of the zoning code, which address considerations such as impacts on minor residential roads and adequate buffering from adjacent residential properties. This application expands the conditional use approved in 2007 by 0.72 acre for a total area of 7.89 acres. The existing conditional use is for medical manufacturing and the proposed amendment would also permit medical manufacturing and associated warehouse use on the 0.72 acre parcel. The conditions associated with the existing conditional use, with some modifications along with some new conditions are included in the attached resolution. There nine conditions (also listed in the attached Local Planning Agency Report) apply to the entire 7.89 acre site.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Staff Report with LPA Recommendation, Zoning Maps, Resolution & Concept Plan

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the BOARD OF COUNTY COMMISSIONERS



Regarding: Case No. CU-23-9-13

LPA Recommendation: The LPA finds that the proposed amendment to the conditional use granted in cases CU-2-6-07 and CU-1-12-07 is consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the proposed amendment with the conditions recommended by staff, as revised (see revisions underlined and struck-through below) (the vote was 7-0, in favor):

1. Full site plan review, to include a noise and lighting plan as determined appropriate by staff.
2. Days and hours of operation shall be Monday through Friday, 6:00 a.m. to 6:00 p.m.; with the exception of the 0.72 acre being added to the conditional use, where days and hours of operation shall be Monday through Saturday, 4:00 a.m. to 12:00 Midnight.
3. Manufacturing shall only be for ~~cardiac leads~~ medical manufacturing.
4. Opaque fence or wall is required along the west and south property lines abutting the residential zoning districts.
5. A 6 ft. high chain link fence shall be placed along the north and east property lines respectively.
6. The amended conditional use permit shall allow warehouse and medical manufacturing uses on the 0.72 acre parcel being added to the previously approved conditional use permit. The warehouse will serve the industrial use already approved in the 2007 conditional use cases.
7. Additional landscaping and buffering (including the preservation of existing trees and understory) that exceeds the minimum standards in the Pinellas County Land Development Code shall be required along the west and south property lines abutting residential zoning districts.
8. Any changes to the conditions listed shall require approval of the Board of County Commissioners.
9. In the event any of the above conditions are not met, the Board of County Commissioners may rescind the conditional use permit.

LPA Public Hearing: September 12, 2013

PLANNING STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

Staff recommends that the LPA find the proposed amendment to the conditional use approved in cases CU-2-6-07 and CU-1-12-07 is consistent with the Pinellas County Comprehensive Plan and that the Board of County Commissioners **Approve** the proposed conditional use amendment subject to the following conditions, which will apply to the entire 7.89 acres associated with conditional use:

1. Full site plan review

2. Days and hours of operation shall be Monday through Friday, 6:00 a.m. to 6:00 p.m.
3. Manufacturing shall only be for cardiac leads only.
4. Opaque fence or wall is required along the west and south property lines abutting the residential zoning districts.
5. A 6 ft. high chain link fence shall be placed along the north and east property lines respectively.
6. The amended conditional use permit shall allow warehouse and medical manufacturing uses on the 0.72 acre parcel being added to the previously approved conditional use permit. The warehouse will serve the industrial use already approved in the 2007 conditional use cases.
7. Additional landscaping and buffering (including the preservation of existing trees and understory) that exceeds the minimum standards in the Pinellas County Land Development Code shall be required along the west and south property lines abutting residential zoning districts.
8. Any changes to the conditions listed shall require approval of the Board of County Commissioners.
9. In the event any of the above conditions are not met, the Board of County Commissioners may rescind the conditional use permit.

CASE SUMMARY

APPLICANT'S NAME: Sunshine Property Partners

DISCLOSURE: Managing Member: Thomas Osypka

REPRESENTED BY: John C. Landon, P. E. and/or Lydia Johnson

CONDITIONAL USE

A Conditional Use permit to allow for additional property containing 0.72 acre to be added to a previously approved conditional use permit (CU-1-12-07) for warehouse and medical manufacture uses in conjunction with the medical manufacturing operation on approximately 7.89 acres occurring at 4875 Alt. 19 North.

PROPERTY DESCRIPTION:

Approximately 7.89 acres located on the south side of West Klosterman Road 350 ft. west of Alt. 19, Palm Harbor.

PARCEL ID(S): 24/27/15/37656/000/0050 and previously approved parcel 24/27/15/37656/000/0010

PROPOSED BCC HEARING DATE: October 22, 2013

CORRESPONDENCE RECEIVED TO DATE:

No correspondence received.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

One person appeared with concerns.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Commercial General	C-2	Medical Manf. & Vacant
Adjacent Properties:			
North	Residential Low, Residential/Office General & Commercial General	R-4,P-1 & C-2	Single Family Dwelling, Office & Convenience Store
East	Alt. 19	Alt. 19	Alt.19
South	Commercial General & Residential Medium	C-2 & RM-15	Vacant & Condominiums
West	Residential Low	R-3	Single Family Subdivision

STAFF DISCUSSION AND ANALYSIS

The proposed amendment to the existing conditional use permit is to allow the 0.72 acre subject site to be developed with a 10,560 square foot warehouse to accommodate the storage needs of a previously approved conditional use adjacent to this site that manufactures medical equipment. The subject site may also be used for medical manufacturing in the future. Those conditions previously approved in cases CU-2-6-07 and CU-1-12-07 will also be incorporated into this site for the overall development plan for this operation on 7.89 acres. Staff is of the opinion that the proposed expansion for warehouse use and medical manufacturing will pose no adverse impacts to the adjacent commercially zoned property to the north, and will allow for the continued successful operation of the manufacturing business that is occurring.

Staff recommends approval of the proposed amendment to the conditional use permit as the request meets the General Standards of Section 138-269 of the Pinellas County Land Development Regulations as follows: (**staff response is in bold print**)

- (1) All structures and uses shall be separated from adjacent and nearby uses by appropriate screening devices or landscaped open area. **The warehouse will be screened from the commercially zoned property by a six foot high chain link fence.**
- (2) Excessive vehicular traffic is not generated on residential streets and no vehicular parking or other traffic problem is created. **The site fronts on Alt.19 and as such does not have direct access to a minor residential street. As the site will be developed with a warehouse, no significant traffic increase will occur.**
- (3) Appropriate drives, walks and parking areas are proposed so that no vehicular traffic or parking problems are created. **The site can accommodate loading and off loading activities without creating traffic or parking problems.**
- (4) Drainage problems will not be created on the subject property or adjacent properties. **The applicant will be required to submit a full site plan for review to insure all drainage requirements are met so that off site impacts does not occur.**

- (5) All provisions and requirements of the zoning district in which the project is located will be met. **The proposed warehouse meets all setback, floor area ratio and impervious ratio requirements of the C-2 zoning district.**
- (6) The conditional use shall be consistent with the county comprehensive plan adopted pursuant to state law and shall be in keeping with the purpose and intent of this chapter. **The application is consistent with the comprehensive plan designation of commercial general.**
- (7) In approving a conditional use, the board of county commissioners may establish and require additional safeguards to ensure proper operation of the use and provide protection to the surrounding area. Such safeguards may include but are not limited to: a time limit for acquiring development authorization; hours of operation; entry and exit points to and from the site; additional setbacks; fencing and screening; and capacity of the use. **The board has established hours of operation for the adjacent site, and as such, it is staff's recommendation that those conditions be transferred to this site as well.**

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendments are consistent with the following adopted objectives and policies of the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan:

- Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
- Policy 1.2.8 Conditional uses, when authorized by the Board of County Commissioners after a public hearing, shall be consistent with the Pinellas County Comprehensive Plan.
- Policy 1.13.3 In areas where the full range of activities permitted under the Industrial Limited category is not appropriate, Pinellas County may allow research/development and light manufacturing/assembly (Class A) uses as conditional uses upon properties designated on the Future Land Use Map as Commercial General or Residential/Office/Retail as long as specific criteria identified in the Pinellas County Zoning Code are met. In areas designated on the Future Land Use Map as Community Redevelopment-Activity Center, research/development and light manufacturing/assembly (Class A) uses may be allowed through provisions within the applicable special area plan, as long as specific criteria identified in the Pinellas County Zoning Code are met.

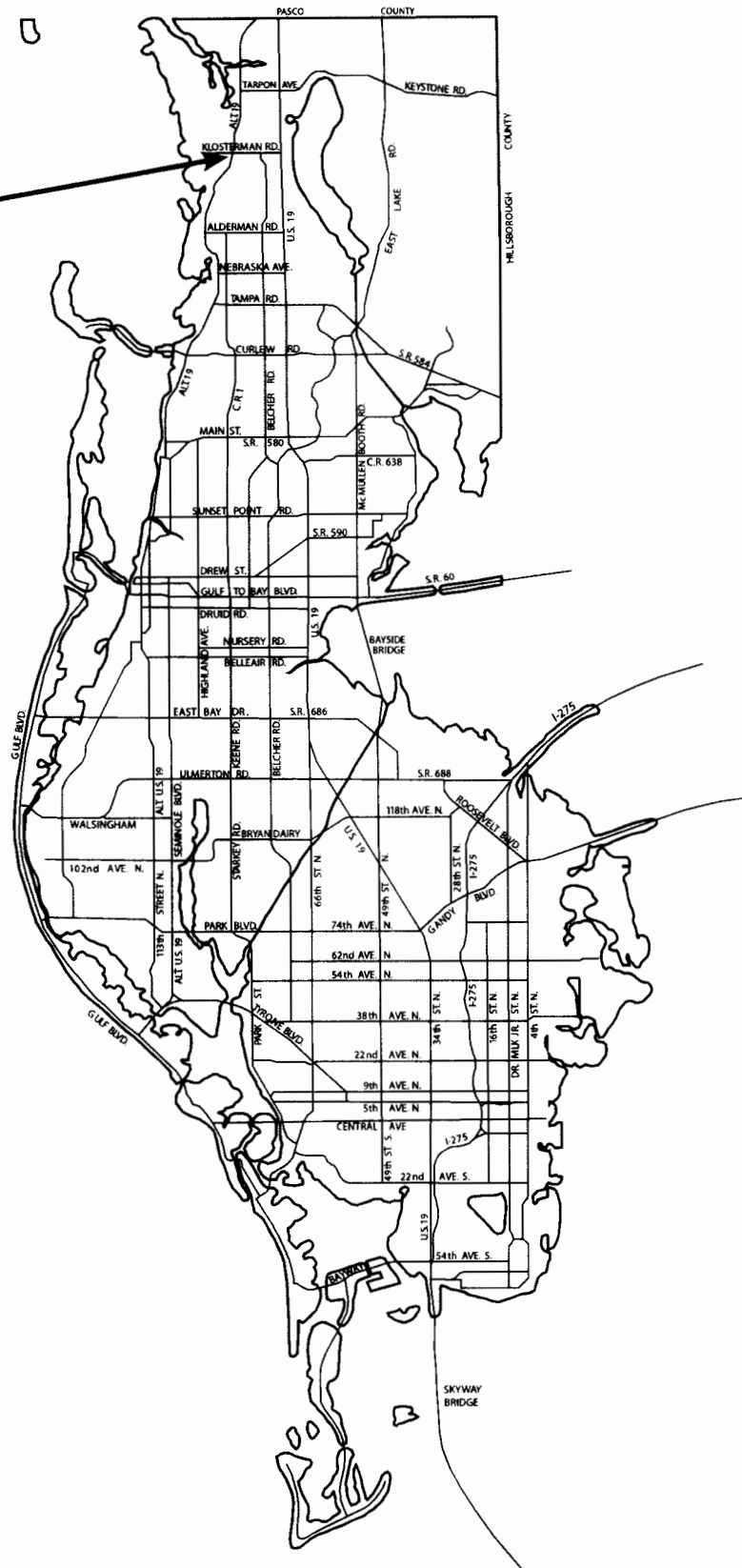
COUNTY DEVELOPMENT REGULATIONS

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

Attachment (Maps)

LOCATION MAP

CU-23-9-13



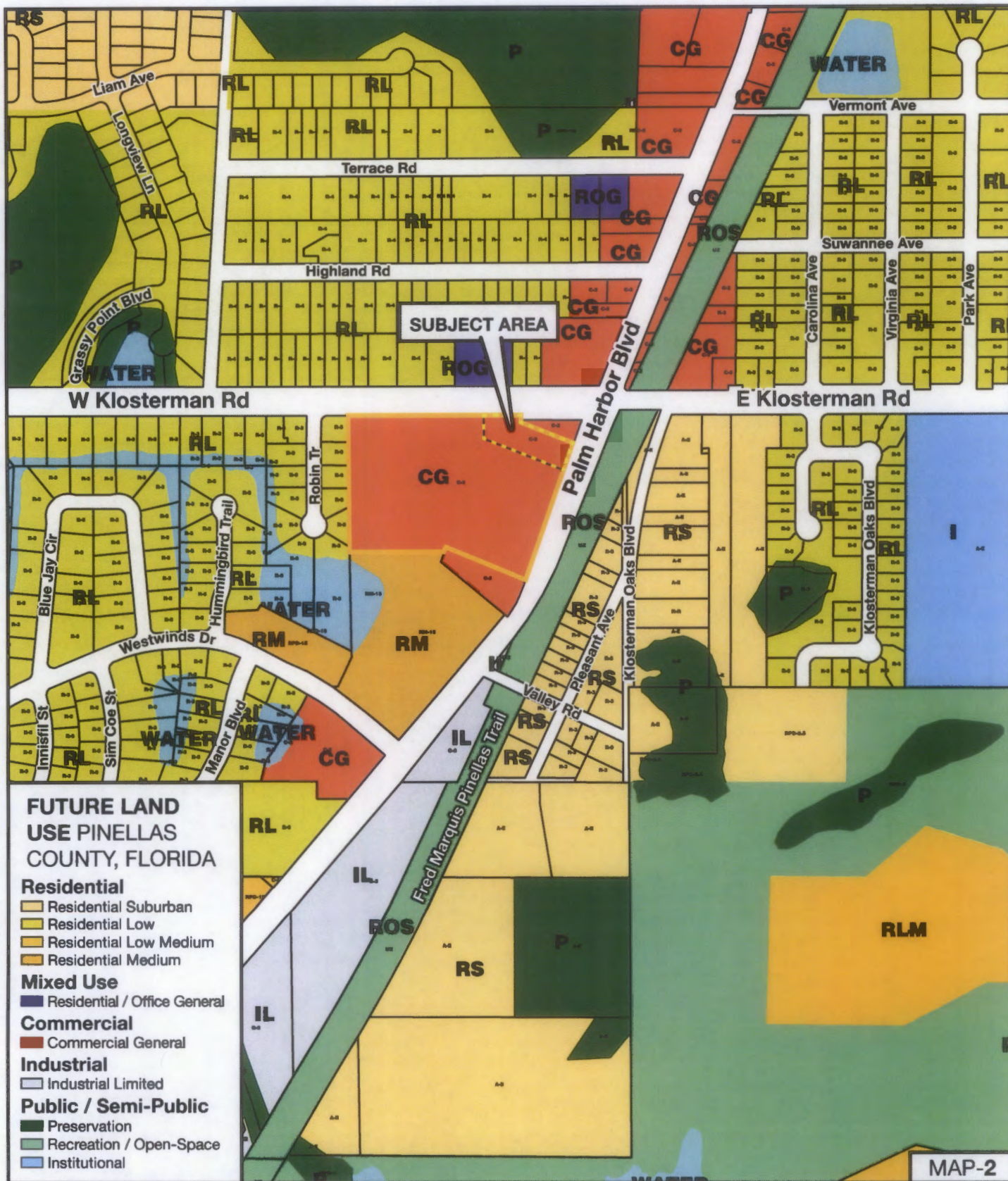
MAP-1

CU-23-9-13

A conditional use permit to allow for additional property containing 0.72 acre to be added to a previously approved conditional use permit (CU-1-12-07) for warehouse and medical manufacturing uses in conjunction with the medical manufacturing operation occurring at 4875 Alt 19 North

Parcel I.D. 24/27/15/37656/000/0050 & previous approved parcel 24/27/15/37656/000/0010
Prepared by: Pinellas County Strategic Planning & Initiatives July 2013





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Prepared by: Pinellas County Strategic Planning & Initiatives July 2013





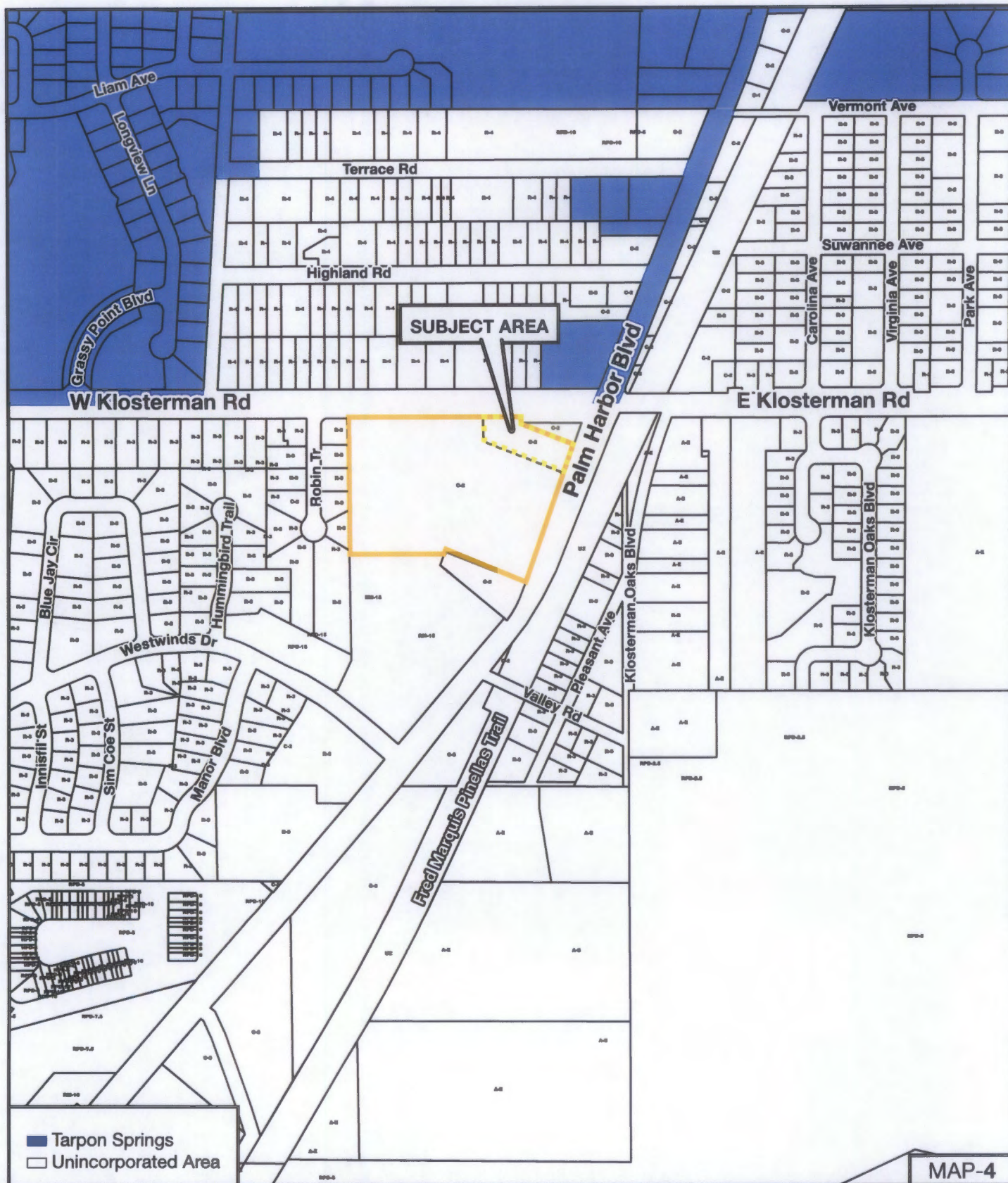
MAP-3

CU-23-9-13

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CU-23-9-13

A conditional use permit to allow for additional property containing 0.72 acre to be added to a previously approved conditional use permit (CU-1-12-07) for warehouse and medical manufacturing uses in conjunction with the medical manufacturing operation occurring at 4875 Alt 19 North

Parcel I.D. 24/27/15/37656/000/0050 & previous approved parcel 24/27/15/37656/000/0010
Prepared by: Pinellas County Strategic Planning & Initiatives July 2013



RESOLUTION NO. _____

RESOLUTION FOR A CONDITIONAL USE TO ALLOW FOR ADDITIONAL PROPERTY CONTAINING 0.72 ACRE TO BE ADDED TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT FOR A WAREHOUSE USE IN CONJUNCTION WITH THE MEDICAL MANUFACTURING OPERATION ON APPROXIMATELY 7.89 ACRES LOCATED ON THE SOUTH SIDE OF WEST KLOSTERMAN ROAD 350 FT. WEST OF ALT. 19, PALM HARBOR; PAGE 48 OF THE ZONING ATLAS, AS BEING IN SECTION 24, TOWNSHIP 27, RANGE 15; UPON APPLICATION OF SUNSHINE PROPERTY PARTNERS, LLC THROUGH JOHN C. LANDON, P.E., LANDON, MOREE & ASSOC., INC. AND LYDIA JOHNSON, OSCOR, INC., REPRESENTATIVES, CU-23-9-13

WHEREAS, Sunshine Property Partners, Owner of the property at 4875 Alt. U. S. Highway 19 N., Palm Harbor, Florida, consisting of two parcels with Parcel I.D. number 24/27/15/37656/000/0050 being added to the previously approved Parcel I.D. number 24/27/15/37656/000/0010, has petitioned the Board of County Commissioners of Pinellas County for an amendment to allow for additional property containing 0.72 acre to be added to the previously approved conditional use permits CU-2-6-07 and CU-1-12-07 for warehouse and medical manufacturing operation, on the parcels of real property described above; and

WHEREAS, legal notice of public hearing on such proposed change to the previously approved conditional use was duly published as required by law, as evidenced by publisher's affidavit filed with the Clerk; and

WHEREAS, said public hearing has been held on the date and at the time specified in said published notice at which citizens and interested persons have been given opportunity to be heard, and all requirements of law and of rules promulgated by this Board have been complied with; and

WHEREAS, this Board has determined that the amendment to the previously approved conditional use for said property should be granted.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 22nd day of October 2013 that the conditional use for the above described real property in Pinellas County, Florida, is hereby granted in case #CU-23-9-13, with the following conditions, which apply to the 7.89 acres comprising the expanded conditional use:

1. Full site plan review, to include a noise and lighting plan as determined appropriate by staff.
2. Days and hours of operation shall be Monday through Friday, 6:00 a.m. to 6:00 p.m.; with the exception of the 0.72 acre being added to the conditional use, where days and hours of operation shall be Monday through Saturday, 4:00 a.m. to 12:00 Midnight.
3. Manufacturing shall only be for medical manufacturing.
4. Opaque fence or wall is required along the west and south property lines abutting the residential zoning districts.
5. A 6 ft. high chain link fence shall be placed along the north and east property lines respectively.
6. The amended conditional use permit shall allow warehouse and medical manufacturing uses on the 0.72 acre parcel being added to the previously approved conditional use permit. The warehouse will serve the industrial use already approved in the 2007 conditional use cases.
7. Additional landscaping and buffering (including the preservation of existing trees and understory) that exceeds the minimum standards in the Pinellas County Land Development Code shall be required along the west and south property lines abutting residential zoning districts.
8. Any changes to the conditions listed shall require approval of the Board of County Commissioners.
9. In the event any of the above conditions are not met, the Board of County Commissioners may rescind the conditional use permit.

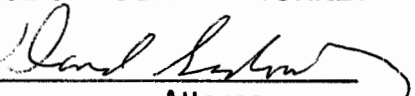
Commissioner _____ offered the foregoing resolution and moved its adoption,
which was seconded by Commissioner _____ upon the roll call the vote was:

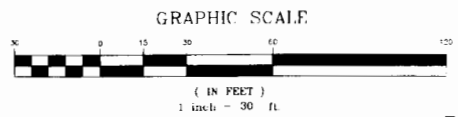
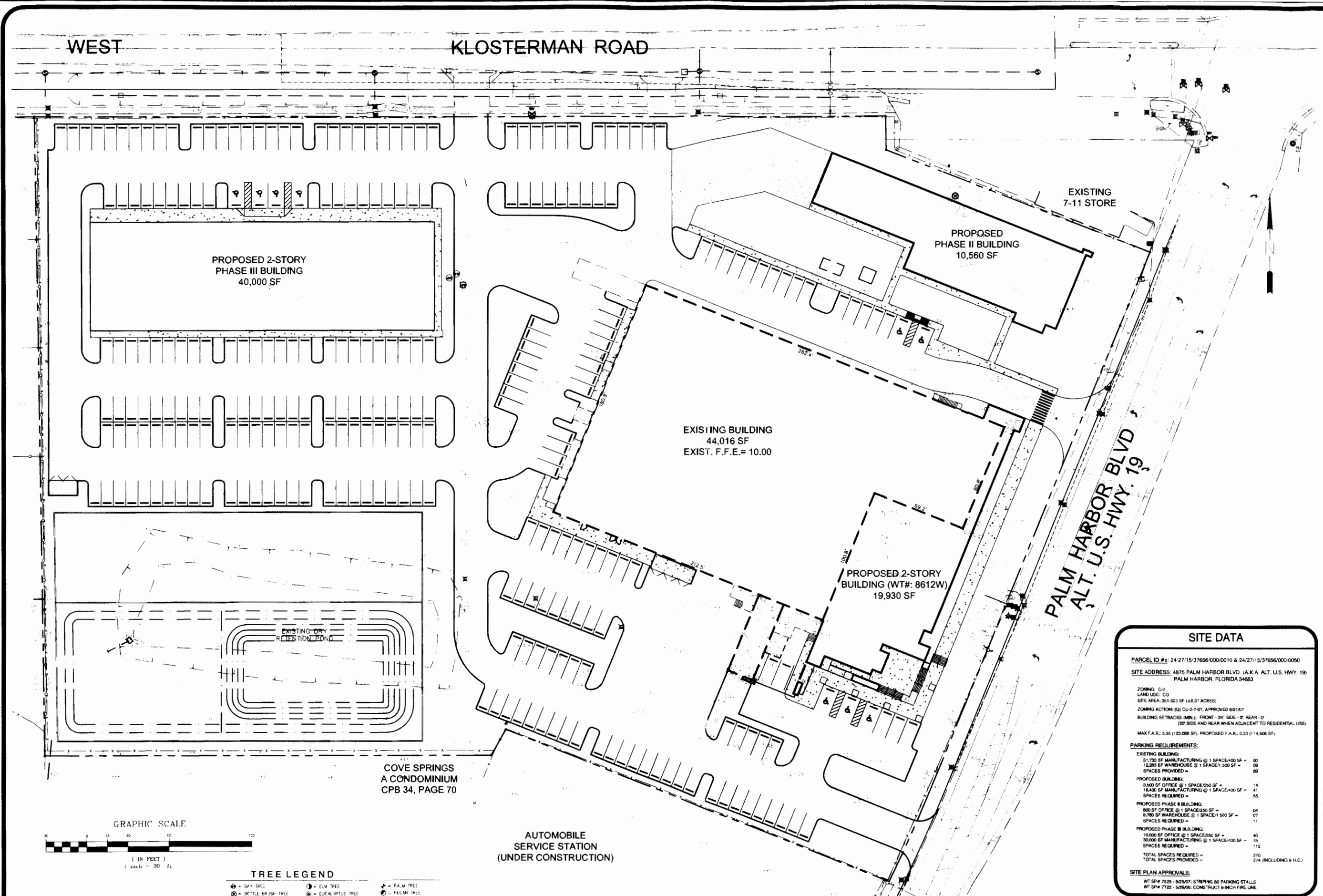
Ayes:

Nays:

Absent and not voting:

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney



TREE LEGEND

● BAY TREE	● ELM TREE	● PALM TREE
● BOTTLE BRUSH TREE	● EUCALYPTUS TREE	● PINE TREE
● CAMPHOR TREE	● MAGNOLIA TREE	● SYPHORE TREE
● CEDAR	● MAPLE TREE	● WAX MYRTLE TREE
● CHINA FERN TREE	● MULBERRY TREE	● YACHT TREE
● CITRUS TREE	● OAK TREE	
● CYPRUS TREE	● OTHER SPECIES	

SITE DATA

PARCEL ID #s: 24/27/15/37656/000/0010 & 24/27/15/37656/000/0050

SITE ADDRESS: 4875 PALM HARBOR BLVD. (A.K.A. ALT. U.S. HWY. 19)
PALM HARBOR, FLORIDA 34683

ZONING: C-2
LAND USE: C-2
SITE AREA: 351,623 SF (8.07 ACRES)
ZONING ACTION: (Q) CU-2-7-07, APPROVED 6/21/07
BUILDING SETBACKS (MIN.): FRONT - 25', SIDE - 0', REAR - 0'
(20' SIDE AND REAR WHEN ADJACENT TO RESIDENTIAL USE)
MAX F.A.R.: 0.35 (123,068 SF), PROPOSED F.A.R.: 0.33 (114,506 SF)

PARKING REQUIREMENTS:

EXISTING BUILDING:	
31,720 SF MANUFACTURING @ 1 SPACE/400 SF =	80
12,283 SF WAREHOUSE @ 1 SPACE/1,500 SF =	08
SPACES PROVIDED =	88
PROPOSED BUILDING:	
3,300 SF OFFICE @ 1 SPACE/250 SF =	14
16,430 SF MANUFACTURING @ 1 SPACE/400 SF =	41
SPACES REQUIRED =	55
PROPOSED PHASE II BUILDING:	
800 SF OFFICE @ 1 SPACE/250 SF =	04
8,780 SF WAREHOUSE @ 1 SPACE/1,500 SF =	07
SPACES REQUIRED =	11
PROPOSED PHASE III BUILDING:	
10,000 SF OFFICE @ 1 SPACE/250 SF =	40
30,000 SF MANUFACTURING @ 1 SPACE/400 SF =	75
SPACES REQUIRED =	115
TOTAL SPACES REQUIRED =	270
TOTAL SPACES PROVIDED =	274 (INCLUDING 9 H.C.)

SITE PLAN APPROVALS:

WT SP# 7525 - 8/25/07: STRIPING 80 PARKING STALLS
WT SP# 7722 - 5/28/06: CONSTRUCT 6-INCH FIRE LINE

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CU-23-9-13 CONCEPTUAL MASTER PLAN

OSCOR EXPANSION
PHASE II & III

SUNSHINE PROPERTY PARTNERS, LLC
5084 QUILL CT.
PALM HARBOR, FL 34685

LMA
Landon, Moore & Associates, Inc.
Civil & Environmental Engineers • Planners • Surveyors
31822 U.S. 19 NORTH, PALM HARBOR, FLORIDA 34684
Phone (727) 717-4515, Fax (727) 717-4514
Toll Free 1-800-353-7960, WWW.LMAINC.COM

NOTICE TO CONTRACTOR/OWNER
CONSTRUCTION IS NOT AUTHORIZED UNTIL PLANS HAVE BEEN ISSUED BY
LANDON, MOORE & ASSOCIATES, INC. STAMPED FOR CONSTRUCTION

REVISIONS

Design:	JCL	Scale:	1"=30'
Drawn:	RE	Date:	11-21-2012
Checked:	JCL	Job No.:	570-01

Toll Free: 1-800-353-7960
Web: WWW.LMAINC.COM

