



BOARD OF COUNTY COMMISSIONERS

DATE: August 19, 2014
AGENDA ITEM NO. 32a.

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

 **County Administrator's Signature:**

Subject:

Zoning Case No. (Q) Z-12-7-14 (Cowles Pinellas Properties)

Department:

Planning and Development Services

Staff Member Responsible:

Jacob Stowers, Interim Executive Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) CONDUCT A PUBLIC HEARING AND AFTER RECEIVING COMMENTS, APPROVE THE ZONING REQUEST.

Summary Explanation/Background:

This is a zone change request to the C-3, Commercial, Wholesale and Warehousing District from the C-2, Commercial, Retail and Limited Services District. The applicant desires to use the site for a contractor's office and associated parking for his fleet vehicles, which are pickup trucks. While the current zoning would allow for the office it would not allow for the parking of fleet vehicles, hence the request for the C-3 zoning district. Associated with the C-3 zoning is a fencing requirement of six (6) feet in height between the subject site and the residential zoning to the east. No storage except that of passenger vehicles, such as a pickup truck, is allowed within the first 20 feet of the site adjacent to the residential zoning boundary to the east of the subject site. During the Local Planning Agency (LPA) public hearing, the applicant indicated that a six (6) foot high PVC type of fencing would be placed along the eastern property line.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Staff Report with LPA Recommendation, Maps and Resolution





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



Regarding: Case No. Z-12-7-14

LPA Recommendation: The LPA finds that the proposed amendment is consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the zoning amendment. **(The vote was 6-0, in favor)**

LPA Public Hearing: July 10, 2014

PLANNING STAFF RECOMMENDATION:

Staff recommends that the LPA find the proposed amendment to the Zoning Atlas to be consistent with the Pinellas County Comprehensive Plan, based on the findings in this report.

Staff further recommends that the LPA recommend to the Pinellas County Board of County Commissioners approval of the zoning amendment.

CASE SUMMARY

APPLICANT'S NAME: Cowles Pinellas Properties, LLC
c/o John Ross

DISCLOSURE: Owner: Amelia Cowles
(Existing Contract: CJ Carvalho Construction, Inc. - Curtiss Carvalho)

REPRESENTED BY: John Ross

ZONING CHANGE	
FROM:	C-2, General Retail Commercial & Limited Services
TO:	C-3, Commercial, Wholesale, Warehousing & Industrial Support

PROPERTY DESCRIPTION : Approximately 0.51 acre located at the southwest corner of N. Pinellas Avenue and Poinsettia Avenue in the unincorporated area of Tarpon Springs (Street address being: 1844 N. Pinellas Avenue).

PARCEL ID(S): 01/27/15/00864/001/0210

PROPOSED BCC HEARING DATE: August 19, 2014

CORRESPONDENCE RECEIVED TO DATE:

No correspondence received.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

One person appeared in opposition.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Commercial General	C-2	Office building
Adjacent Properties:			
North	Commercial General	C-2	Vacant
East	Residential Urban	R-4	Single family
South	Commercial General	C-3	Warehouse
West	Commercial General	C-2	Tire Store

STAFF DISCUSSION AND ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USES

As the site is designated Commercial General on the Future Land Use Map (FLUM), the proposed C-3, Commercial, Wholesale, Warehousing & Industrial Support zoning district is compatible with the Future Land Use Map. Staff reviewed the appropriateness of the requested C-3 district with the surrounding area and have determined the C-3 district is compatible with both the FLUM and surrounding land uses in the area, as well as the locational criteria of the C-3 district as it is preferred the C-3 district is "so located in the community as to minimize the flow of heavy trucking routes through residential areas". It is apparent this preference is met as the site fronts the US Alt. 19 minor arterial right-of-way. The site's frontage on US Alt. 19 allows direct access to this road, and as such, no access to minor residential roads will occur. Additionally, as there are industrial uses in the area, the C-3 zoning will also be able to provide support services to the adjacent or nearby industrial areas as well. As the applicant proposes to use the site for office purposes and some outside storage of large vehicles, staff is of the opinion the proposed use will not pose an adverse impact to the adjacent residential properties to the east as the area behind the existing building is limited in size and also lies adjacent to an unimproved right-of-way (Poinsettia Avenue), which in itself provides additional buffering to the east. Surrounding uses in the area, such as a tire store (southwest of the site) and a warehouse (to the south) are similar in use to that which will be occurring or uses that may occur if this request is approved, and as such, will be compatible with the area. It should also be noted that Performance Standards will be applied to the site due to its location adjacent to the residential area to the east. In that vein, the applicant has stated in the application that the existing fence will be replaced with a 6 ft. high PVC fence along the eastern property line of the site, and staff would expect the applicant to follow through with this statement.

SUMMARY:

Staff believes the requested C-3 zoning is appropriate at this location as the request is compatible with surrounding land uses and zoning patterns in the area. The proposed use will

also enhance the existing screening with a PVC type of fencing which will face the three residential buildings to the east. The requested C-3 zoning will most likely reduce potential vehicle trips onto US Alt. 19, as well as the C-3 zoning allows only minimal retail sales whereas the existing C-2 zoning would allow 100% of the site for retail purposes.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendment is consistent with the following adopted objective and policies of the Pinellas County Comprehensive Plan:

FUTURE LAND USE ELEMENT

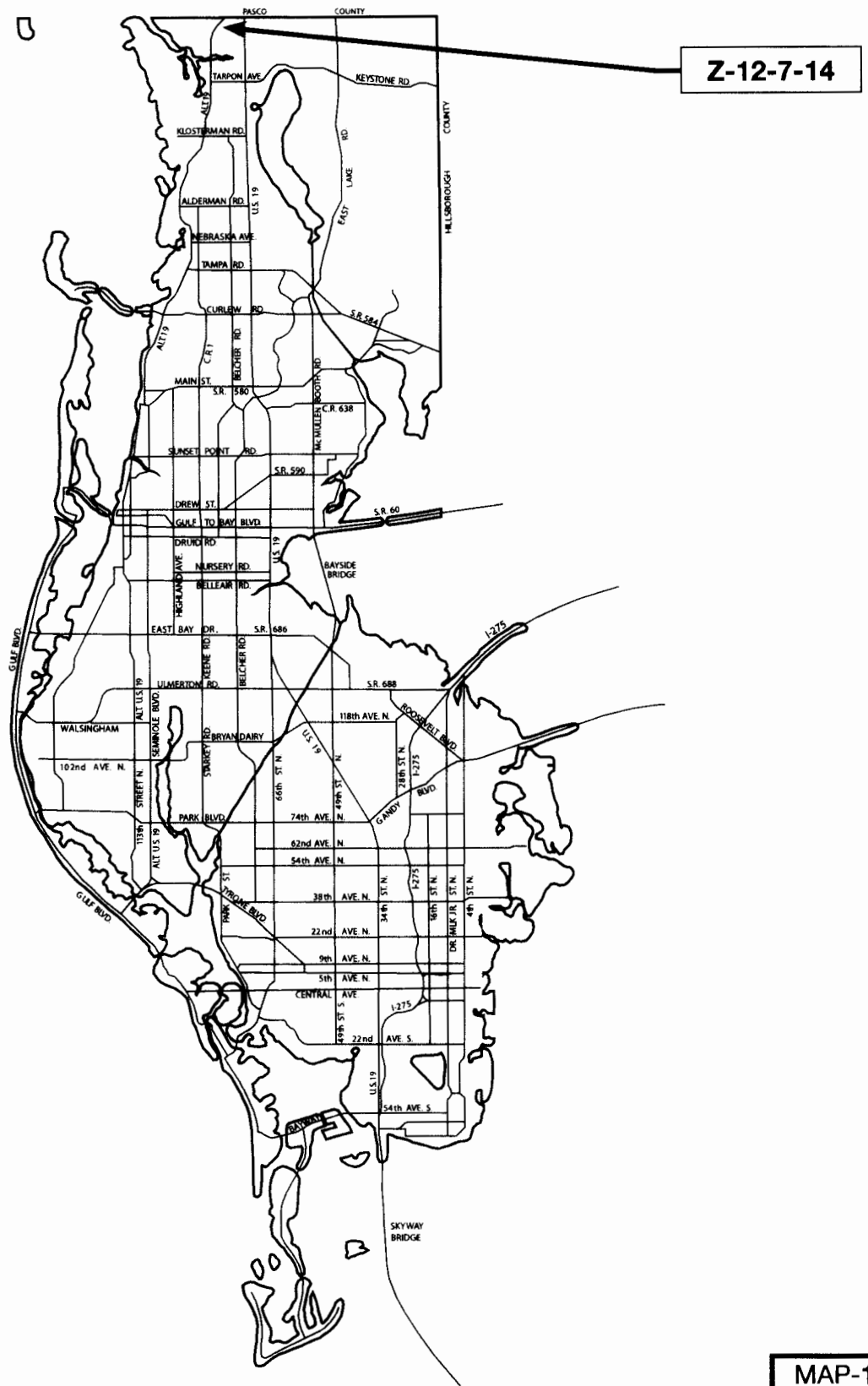
- Objective 1.11. Pinellas County shall implement its land use policies in a manner that clearly defines the future land use categories and the regulations pertaining to them that manage growth in Pinellas County.
- Policy 1.11.2. Zoning, signage, subdivision, and other existing County land development regulations that are discussed in any element of the *Pinellas County Comprehensive Plan* or have been approved by the Board of County Commissioners shall be consistent with the Plan and include additional regulations that are specified by and based upon the Plan.
- Objective 1.12. Pinellas County shall promote the location of community or neighborhood commercial development within centers in order to achieve optimal land use relationships, avoid commercial intrusion and impacts into established neighborhoods, achieve compatibility with traffic movement objectives, minimize air pollution, and serve the immediate retail shopping needs of limited or defined geographic areas.
- Policy 1.12.2. Pinellas County shall permit commercial development in a manner that will maintain the economic vitality of recognized and established commercial areas.

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



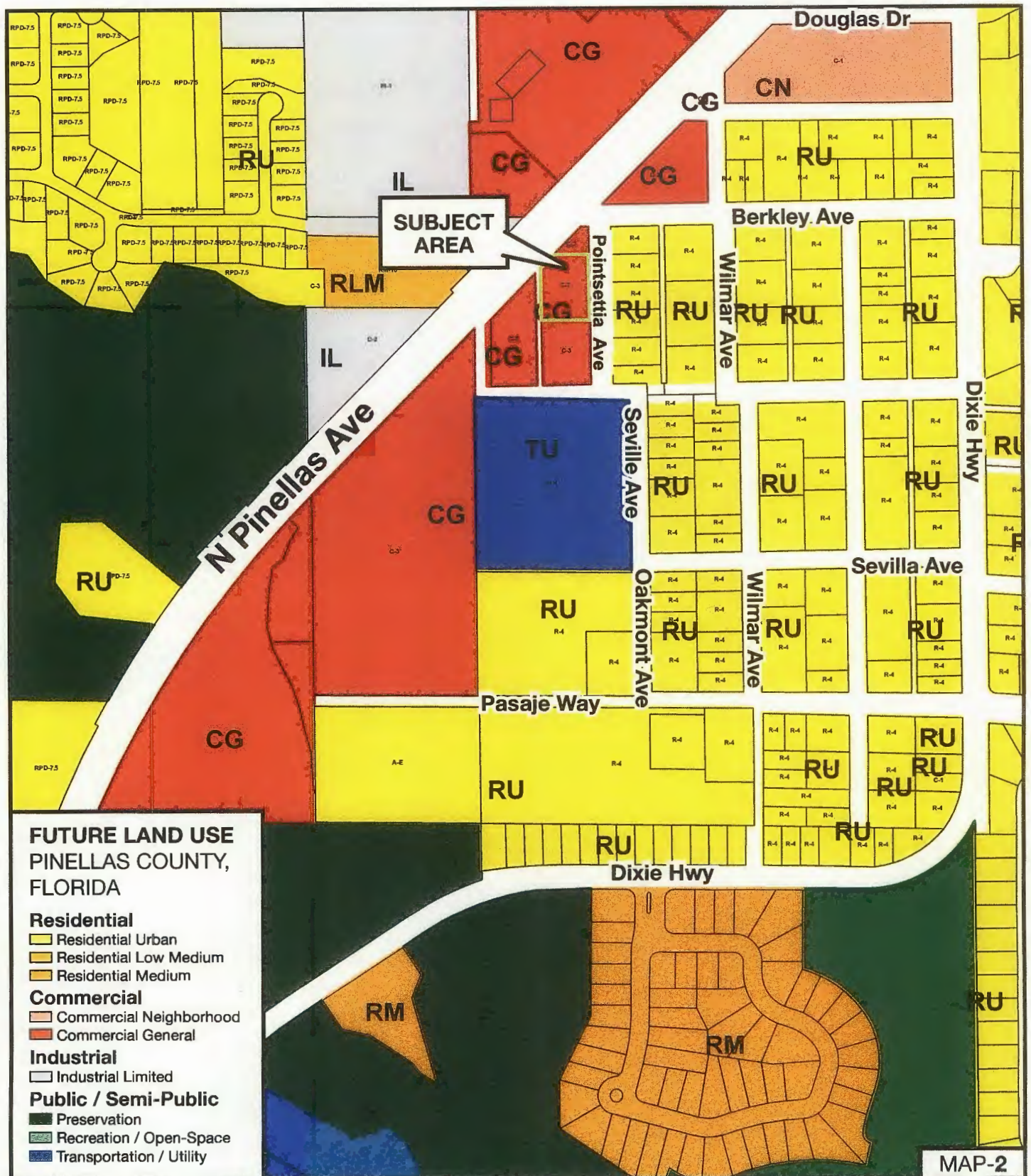
Z-12-7-14

Zoning From: C-2, General Retail Commercial & Limited Services
To: C-3, Commercial, Wholesale, Warehousing & Industrial Support

Parcel I.D. 01/27/15/00864/001/0210

Prepared by: Pinellas County Strategic Planning & Initiatives April 2014





Z-12-7-14

Zoning From: C-2, General Retail Commercial & Limited Services
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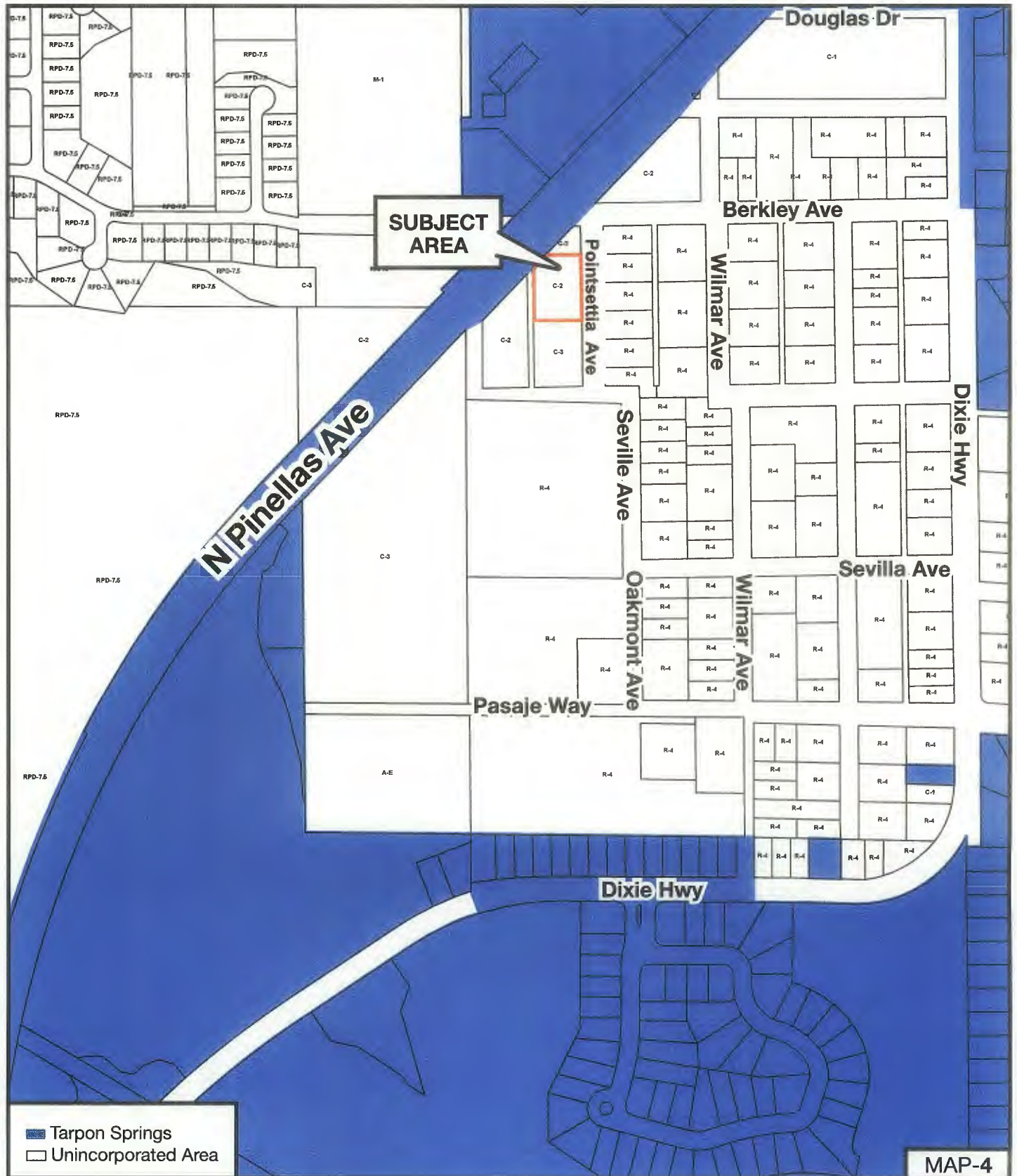
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Prepared by: Pinellas County Strategic Planning & Initiatives April 2014



RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 0.51 ACRE LOCATED AT THE SOUTHWEST CORNER OF N. PINELLAS AVENUE AND POINSETTIA AVENUE IN THE UNINCORPORATED AREA OF TARPON SPRINGS (STREET ADDRESS BEING: 1844 N. PINELLAS AVENUE), PAGE 1 OF THE ZONING ATLAS, AS BEING IN SECTION 01, TOWNSHIP 27, RANGE 15, FROM C-2, GENERAL RETAIL COMMERCIAL & LIMITED SERVICES TO C-3, COMMERCIAL, WHOLESALE, WAREHOUSING & INDUSTRIAL SUPPORT, UPON APPLICATION OF COWLES PINELLAS PROPERTIES, LLC, c/o JOHN ROSS, Z-12-7-14

WHEREAS, Cowles Pinellas Properties, LLC, Owner of the property hereinafter described, has petitioned the Board of County Commissioners of Pinellas County to change the zone classification of the real property hereinafter described from C-2, General Retail Commercial & Limited Services to C-3, Commercial, Wholesale, Warehousing & Industrial Support; and

WHEREAS, legal notice of public hearing on such proposed change of zone classification 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 zone classification of said property should be changed.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 19th day of August 2014 that the zone classification of the following described real property in Pinellas County, Florida, to wit:

ALTA VISTA SUB BLK A, ALL OF LOTS 23 THRU 27 AN PART OF LOTS
21 & 22 LESS ROAD

be, and the same is hereby changed from C-2, General Retail Commercial & Limited Services to C-3, Commercial, Wholesale, Warehousing & Industrial Support (Z-12-7-14).

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