AGENDA ITEM NO. 6

Subject:
Conditional Use Case No. (Q) CU-12-6-15 (106th Ave Townhomes, LLC)

Department: Planning
Staff Member Responsible: Gordon Beardslee, Director

Recommended Action:
I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) HEAR PUBLIC COMMENT AND APPROVE THE PROPOSED CONDITIONAL USE WITH THE CONDITIONS RECOMMENDED BY STAFF.

Summary Explanation/Background:
This is a conditional use permit to allow for a temporary modular home for fire station staff, a storage shed for gear and a carport for parking fire trucks. The temporary site is needed during the reconstruction of the permanent Seminole Fire Station #32 approximately one-quarter mile away. Conditional use will expire 90 days following the completion of the new fire station. The Local Planning Agency (LPA) unanimously recommended approval with the staff recommended conditions during their June 11, 2015 public hearing.

Fiscal Impact/Cost/Revenue Summary:
N/A

Exhibits/Attachments Attached:
Staff Report with LPA Recommendation, Maps, Resolution with Exhibit “A” & Conceptual Plan
LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the BOARD OF COUNTY COMMISSIONERS

Regarding: Case No. Z-14-6-15

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: June 11, 2015

PLANNING STAFF RECOMMENDATION:

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

- And further, staff recommends that the LPA recommend approval of the proposed Zoning Atlas amendment to the Pinellas County Board of County Commissioners.

CASE SUMMARY

APPLICANT'S NAME: Gustavo Lopez

DISCLOSURE: N/A

REPRESENTED BY: N/A

<table>
<thead>
<tr>
<th>ZONING CHANGE</th>
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<tbody>
<tr>
<td>FROM: C-2, General Retail Commercial &amp; Limited Services</td>
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<tr>
<td>TO: C-3, Commercial, Wholesale, Warehousing &amp; Industrial Support</td>
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PROPERTY DESCRIPTION: Approximately 0.5 acre located at the northwest corner of the intersection of Walsingham Road and 117th Street North in the unincorporated area of Largo (street address: 11695 Walsingham Road).

PARCEL ID(S): 09/30/15/00000/430/5500

PROPOSED BCC HEARING DATE: July 21, 2015

CORRESPONDENCE RECEIVED TO DATE:

No correspondence received.
PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

No one appeared.

SURROUNDING ZONING AND LAND USE FACTS:

<table>
<thead>
<tr>
<th>Subject Property:</th>
<th>Land Use Category</th>
<th>Zoning Designation</th>
<th>Existing Use</th>
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<td>Adjacent Properties:</td>
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<tr>
<td>North</td>
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<td>R-3</td>
<td>Single Family Dwelling</td>
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<tr>
<td>East</td>
<td>Commercial General</td>
<td>C-3</td>
<td>RV and Boat Storage</td>
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<tr>
<td>West</td>
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<td>C-1</td>
<td>Single Family Dwelling</td>
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STAFF DISCUSSION AND ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USES

The subject area currently has a C-2, General Retail Commercial and Limited Services zoning designation. The applicant is requesting an amendment to C-3, Commercial, Wholesale, Warehousing and Industrial Support district with the intent to use the property for a warehouse, office and showroom. No exterior storage is proposed. The site is currently vacant but was previously used for the outside storage of boats and other items, which is not an approved use in the C-2 district. The property’s Future Land Use Map designation is Commercial General (CG), which permits both the current C-2 and the proposed C-3 zoning districts. As part of this application, the applicant had requested a variance for the fence columns recently placed along the south property line adjacent to Walsingham Road but staff has since determined that a variance is not necessary because the columns meet the requirements of the Land Development Code.

Much of the surrounding uses are similar to those proposed and the C-3 zoning district exists both to the east and south of the subject property. The property is surrounded by the CG land use category on three sides, with the exception being Residential Low to the north. The single family home to the north is already adjacent to a C-3 designated property to its east and the single family dwelling to the west is nonconforming with its own commercial zoning and land use designations. No significant new impacts are anticipated as a result of this request, and the proposed C-3 zoning generally creates fewer traffic impacts than the current C-2 retail commercial zoning.
SUMMARY

It is staff's conclusion that the proposed C-3, Commercial, Wholesale, Warehousing and Industrial Support district is generally compatible with the surrounding land uses and is appropriate for this location.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

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

FUTURE LAND USE ELEMENT

GOAL ONE: THE PATTERN OF LAND USE IN PINELLAS COUNTY SHALL PROVIDE A VARIETY OF URBAN ENVIRONMENTS TO MEET THE NEEDS OF A DIVERSE POPULATION AND THE LOCAL ECONOMY, CONSERVE AND LIMIT DEMANDS ON NATURAL AND ECONOMIC RESOURCES TO ENSURE SUSTAINABLE BUILT AND NATURAL ENVIRONMENTS, BE IN THE OVERALL PUBLIC INTEREST, AND EFFECTIVELY SERVE THE COMMUNITY AND ENVIRONMENTAL NEEDS OF THE POPULATION.

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 1.2.3. Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.

Policy 1.2.4. Recognizing that successful neighborhoods are central to the quality of life in Pinellas County, redevelopment and urban infill development should be compatible with and support the integrity and viability of existing residential neighborhoods.

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)
Z-14-6-15
Zoning From: C-2, General Retail Commercial & Limited Services
To: C-3, Commercial, Wholesale, Warehousing & Industrial Support
Parcel I.D. 09/30/15/00000/430/5500
Prepared by: Pinellas County Planning Department May 2015
Z-14-6-15

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

Parcel I.D. 09/30/15/00000/430/5500
Prepared by: Pinellas County Planning Department May 2015
RESOLUTION NO. __________

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 0.5 ACRE LOCATED AT NORTHWEST INTERSECTION OF WALSINGHAM ROAD AND 117TH STREET NORTH IN THE UNINCORPORATED AREA OF LARGO (STREET ADDRESS: 11695 WALSINGHAM ROAD); PAGE 238 OF THE ZONING ATLAS, AS BEING IN SECTION 09, TOWNSHIP 30, RANGE 15; FROM C-2, GENERAL RETAIL COMMERCIAL & LIMITED SERVICES TO C-3, COMMERCIAL, WHOLESALE, WAREHOUSING & INDUSTRIAL; UPON APPLICATION OF GUSTAVO LOPEZ, Z-14-6-15

WHEREAS, Gustavo Lopez, 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 21st day of July 2015 that the zone classification of the following described real property in Pinellas County, Florida, to wit:

be, and the same is hereby changed from C-2, General Retail Commercial & Limited Services to C-3, Commercial, Wholesale, Warehousing & Industrial Support, Z-14-6-15.

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

Regarding: Case No. CU-12-6-15

LPA Recommendation: The LPA finds that the request for a conditional use is consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the request with the ten conditions recommended by staff. (The vote was 6-0, in favor)

LPA Public Hearing: June 11, 2015

PLANNING STAFF RECOMMENDATION:

• Staff recommends that the LPA find that the proposed conditional use is consistent with the Pinellas County Comprehensive Plan based on the Findings of this report.

• And further, staff recommends that the LPA recommend approval of the proposed conditional use to the Pinellas County Board of County Commissioners subject to the following conditions, which will apply to the entire 2.44 acres associated with the conditional use:

  1. Full site plan review, to include a noise, lighting, landscaping and screening plan as determined appropriate by staff.

  2. Site development shall be in general conformance with the associated concept plan.

  3. Emergency sirens shall not commence until the associated fire vehicle(s) reach Seminole Boulevard, unless the emergency is within the surrounding neighborhood or requires traversing the surrounding neighborhood.

  4. Appropriate striping shall be required on 106th Avenue North in order to prevent queue blocking at the intersection with Seminole Boulevard.

  5. Outdoor lighting shall be focused upon the subject property and directed away from adjacent residential uses.

  6. Any illuminated signage shall comply with the Pinellas County luminosity and message frequency standards.

  7. No exterior storage of machinery or equipment.

  8. The conditional use will expire 90 days after the issuance of the Certificate of Occupancy for the new Seminole Fire Station 32 located at 10780 110th Avenue North.

  9. Any changes to the conditions listed shall require approval of the Board of County Commissioners.

  10. 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: 106th Ave Townhomes, LLC

DISCLOSURE: James M. Hendry – Managing Member

REPRESENTED BY: Fire Chief Heather Burford

CONDITIONAL USE
A Conditional Use to allow temporary modular housing for fire station staff, storage shed for gear, and a carport for parking fire trucks.

PROPERTY DESCRIPTION: Approximately 2.44 acres on the north side of 106th Avenue North, 448 ft. east of Seminole Boulevard in the unincorporated area of Seminole.

PARCEL ID(S): 15/30/15/70596/400/1001

PROPOSED BCC HEARING DATE: July 21, 2015

CORRESPONDENCE RECEIVED TO DATE:
No correspondence received.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:
No one appeared.

SURROUNDING ZONING AND LAND USE FACTS:

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<td>West</td>
<td>Commercial General</td>
<td>CR</td>
<td>RV Park</td>
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</tbody>
</table>

STAFF DISCUSSION AND ANALYSIS

The City of Seminole recently requested and was granted a conditional use by the County for the construction of a replacement fire station (Fire Station #32) located at 10780 110th Avenue North. It will be necessary to relocate the fire station staff, trucks and gear to a temporary alternate location during the reconstruction project. The subject site is the temporary location selected by the City. A conditional use permit will be necessary due to the site’s residential zoning. The specific proposal, as depicted on the associated concept plan, involves the placement of the temporary modular home for the station staff approximately 60 feet north of the southern property line along 106th Avenue and more than 50 feet from both the east and west property lines. The front of the modular home would face north with
the carport located directly adjacent to it for easy access to the fire trucks. The carport would be open on both sides to allow the trucks to enter and exit in a pull-through fashion. The shed housing the firefighters' gear is proposed on the east side of the home. All of these components would be located inside the existing fence. The wetland area on the north end of the parcel would not be impacted. No paving is proposed. All of these temporary improvements would be removed and the site restored to its previous state following the completion of the permanent replacement fire station.

The subject site is currently vacant and zoned for multifamily use. Areas to the north and west are commercially zoned and developed with a mini storage facility and an RV park, respectively. The area to the east is single-family residential, and duplexes are to the south across 106th Avenue. Because the proposed use is temporary, there will be no long-term impacts to the adjacent residential properties. Granting the conditional use will allow the fire district to continue to serve the needs of the surrounding community while the permanent location of Fire Station #32 is out of use during its reconstruction.

Staff recommends approval of the proposed conditional use permit as the request meets the General Standards of Section 138-269 of the Pinellas County Land Development Code 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. (There are fences and some vegetation between the proposed temporary use and the east and west property lines. The north property line is several hundred feet away. Any additional screening/landscaping, if needed, will be determined during site plan review.)

2) Excessive vehicular traffic is not generated on residential streets and no vehicular parking or other traffic problem is created. (Only traffic necessary to carry out the function of the fire/rescue will occur from this location to serve the needs of the community. All required parking will be provided on site, and as such no traffic or vehicular parking problem will be created.)

3) Appropriate drives, walks and parking areas are proposed so that no vehicular traffic or parking problems are created. (The proposed temporary fire station facility will meet all parking requirements.)

4) Drainage problems will not be created on the subject property or adjacent properties. (Drainage will be retained on site in accordance with site plan drainage requirements. No paving is proposed for the temporary use.)

5) All provisions and requirements of the zoning district in which the project is located will be met. (The proposed fire station facility will meet all provisions of the RM-10 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 proposed temporary facility is consistent with the Pinellas County Comprehensive Plan.)

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 point to and from the site; additional setbacks; fencing and screening; and capacity of use. The board shall have the authority to grant variances at the hearing.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendments are consistent with the following adopted objectives and policies of the Pinellas County Comprehensive Plan:

**Future Land Use and Quality Communities Element**

**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 1.2.2** The Local Planning Agency (LPA) of the Board shall ensure that zoning provisions within the Land Development Code are in conformance with the density, intensity, and other relevant standards contained within the Future Land Use and Quality Communities Element.

**Policy 1.2.3** Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.

**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.

**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)
CU-12-6-15

A Conditional Use to allow temporary modular housing for fire station staff, storage shed for gear, and a carport for parking fire trucks.

Pinellas County

Parcel I.D. 15/30/15/70596/400/1001
Prepared by: Pinellas County Department of Planning May 2015
A Conditional Use to allow temporary modular housing for fire station staff, storage shed for gear, and a carport for parking fire trucks.

Parcel I.D. 15/30/15/70596/400/1001

Prepared by: Pinellas County Department of Planning May 2015
CU-12-6-15

A Conditional Use to allow temporary modular housing for fire station staff, storage shed for gear, and a carport for parking fire trucks.

Parcel I.D. 15/30/15/70596/400/1001
Prepared by: Pinellas County Department of Planning May 2015
CU-12-6-15  A Conditional Use to allow temporary modular housing for fire station staff, storage shed for gear, and a carport for parking fire trucks.

Parcel I.D. 15/30/15/70596/400/1001
Prepared by: Pinellas County Department of Planning May 2015
RESOLUTION NO. _______

RESOLUTION FOR A CONDITIONAL USE TO ALLOW TEMPORARY MODULAR HOUSING FOR FIRE STATION STAFF, STORAGE SHED FOR GEAR, AND A CARPORT FOR PARKING FIRE TRUCKS ON APPROXIMATELY 2.44 ACRES ON THE NORTH SIDE OF 106TH AVENUE NORTH, 448 FT. EAST OF SEMINOLE BOULEVARD IN THE UNINCORPORATED AREA OF SEMINOLE; PAGE 250 OF THE ZONING ATLAS, AS BEING IN SECTION 15, TOWNSHIP 30, RANGE 15; UPON APPLICATION OF 106TH AVENUE TOWNHOMES, LLC, C/O MIKE HENDRY THROUGH FIRE CHIEF HEATHER BURFORD, CITY OF SEMINOLE, REPRESENTATIVE, CU-12-6-15

WHEREAS, 106th Avenue Townhomes, LLC, Owner of the property at 10623 106th Avenue, Largo, Florida, consisting of one parcel with Parcel I.D. number 15/30/15/70596/400/1001, has petitioned the Board of County Commissioners of Pinellas County for a conditional use to allow temporary modular housing for fire station staff, storage shed for gear, and a carport for parking fire trucks, on the parcel of real property described above; and

WHEREAS, legal notice of public hearing on such proposed 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 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 21st day of July 2015 that the conditional use for
the above described real property in Pinellas County, Florida, is hereby granted in case #CU-12-6-15, with the following conditions:

1. Full site plan review, to include a noise, lighting, landscaping and screening plan as determined appropriate by staff.

2. Site development shall be in general conformance with the associated concept plan.

3. Emergency sirens shall not commence until the associated fire vehicle(s) reach Seminole Boulevard, unless the emergency is within the surrounding neighborhood or requires traversing the surrounding neighborhood.

4. Appropriate striping shall be required on 106th Avenue North in order to prevent queue blocking at the intersection with Seminole Boulevard.

5. Outdoor lighting shall be focused upon the subject property and directed away from adjacent residential uses.

6. Any illuminated signage shall comply with the Pinellas County luminosity and message frequency standards.

7. No exterior storage of machinery or equipment.

8. The conditional use will expire 90 days after the issuance of the Certificate of Occupancy for the new Seminole Fire Station 32 located at 10780 110th Avenue North.

9. Any changes to the conditions listed shall require approval of the Board of County Commissioners.

10. 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: [Signature]

Attorney
Existing Rich-Mar Mobile Home Park / Zoning: CP-1 / Land Use: CG

Existing Single-Family Homes / Zoning: R-3 / Land Use: RU

Existing Retail Commercial
Zoning: CP-1
Land Use: CG

Existing Mini Storage
Zoning: CP-1
Land Use: CG

CU-12-6-15
Received 4-27-15

CITY OF SEMINOLE
TEMPORARY FIRE STATION
CONCEPTUAL PLAN
Proposed Conditional Use (CU-12-6-15)

Board of County Commissioners
July 21, 2015
Request

• Conditional use to allow a temporary fire station, including:
  ▫ Modular home for staff
  ▫ Storage shed for gear
  ▫ Carport for parking fire trucks

• Necessary due to the reconstruction of a nearby permanent fire station

• Subject area covers 2.44 acres.

• Existing zoning is RM-10; FLUM is I

• Residential zoning districts require a conditional use for government buildings and public uses.
CU-12-6-15  A Conditional Use to allow temporary modular housing for fire station staff, storage shed for gear, and a carport for parking fire trucks.

Parcel I.D. 15/30/15/70596/400/1001
Prepared by: Pinellas County Department of Planning May 2015
CU-12-6-15
A Conditional Use to allow temporary modular housing for fire station staff, storage shed for gear, and a carport for parking fire trucks.

Parcel I.D. 15/30/15/70586/400/1001
Prepared by: Pinellas County Department of Planning May 2015
Staff Findings

• Because the proposed fire station is temporary, there will be no long-term impacts to surrounding residential uses.

• Granting the conditional use will allow the fire district to continue to serve the needs of the surrounding community while the permanent station is reconstructed.

• The temporary use will be removed following the completion of the permanent fire station.

• The proposal is consistent with the Pinellas County Comprehensive Plan.
Staff recommends approval of the proposed conditional use, with the following conditions:

- Full site plan review, to include a noise, lighting, landscaping and screening plan as determined appropriate by staff.
- Site development shall be in general conformance with the associated concept plan.
- Emergency sirens shall not commence until the associated fire vehicle(s) reach Seminole Blvd, unless the emergency is within the surrounding neighborhood or requires traversing the surrounding neighborhood.
- Appropriate striping shall be required on 106th Ave N in order to prevent queue blocking at the intersection with Seminole Blvd.
- Outdoor lighting shall be focused upon the subject property and directed away from adjacent residential uses.
Staff Recommendation (cont.)

- Conditions (cont.):
  - Any illuminated signage shall comply with the Pinellas County luminosity and message frequency standards.
  - No exterior storage of machinery or equipment.
  - The conditional use will expire 90 days after the issuance of the Certificate of Occupancy for the new Seminole Fire Station #32 located at 10780 100th Avenue N.
  - Any changes to the conditions listed shall require approval of the Board of County Commissioners.
  - In the event any of the above conditions are not met, the Board of County Commissioners may rescind the conditional use permit.

- Local Planning Agency: 7-0 approval recommendation on June 11, 2015