

## LOCAL PLANNING AGENCY (LPA) STAFF REPORT



**Case Number:** Z/LU-11-06-18

**LPA Public Hearing:** July 12, 2018

**Applicant:** Pinellas Auto Sales

**Representative:** Aneil Balkissoon

**Subject Property:** Approximately 0.70 acre located at 6789 Ulmerton Road

**PARCEL ID(S):** a portion of parcel 06/30/16/70938/400/1302



### REQUEST:

Future Land Use Map (FLUM) amendment from Residential Urban (RU) to Commercial General (CG) (0.7 acre) and a Zoning Atlas amendment from R-3 (Single Family Residential) to C-2 (General Retail Commercial & Limited Services) (0.32 acre) and C-2-CO (General Retail Commercial & Limited Services – Conditional Overlay) (0.38 acre), with the Conditional Overlay limiting the use of the northern 220-foot portion of the property to parking of vehicle inventory only. The total amendment area is a 0.7-acre portion of a 1.02-acre parcel located at 6789 Ulmerton Road in unincorporated Largo. This request would allow for the expansion of commercial uses on the property.

### LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:

The LPA finds that the proposed amendments to the Pinellas County Future Land Use Map and Zoning Atlas, with the Conditional Overlay limiting the use of the northern 220-foot portion of the property to parking of vehicle inventory only are consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the request. (The vote was 6-0, in favor)

### PLANNING STAFF RECOMMENDATION:

- **Staff recommends** that the LPA find the proposed land use and zoning amendments **consistent** with the Pinellas County Comprehensive Plan, based on this report.
- **Staff further recommends** that the LPA recommend **approval** of the proposed land use and zoning amendments to the Pinellas County Board of County Commissioners.

## **SUMMARY REPORT**

The Planning Review Committee (PRC) reviewed this application on May 14, 2018. The PRC Staff summary discussion and analysis follows:

The subject area consists of the northern 0.70-acre portion of a larger 1.02-acre parcel located on the north side of Ulmerton Road approximately 130 feet east of Audrey Lane in unincorporated Largo (address: 6789 Ulmerton Road). The subject area itself contains the majority of the larger building and the smaller northern building (which were established as legal nonconforming uses in 2009). The southern portion of the site, already zoned C-2, contains the majority of the overall property that has been utilized in association with an auto sales and repair business.

The subject area is designated Residential Urban (RU) on the Future Land Use Map (FLUM) and zoned R-3, Single Family Residential. The portion of the overall property that is south of the subject area adjacent to Ulmerton Road is designated Commercial General (CG) on the FLUM, and zoned C-2. The structures on the property date from the early 1960s and, according to the nonconforming use approval documents, an office has existed on the subject area since at least 1963. The parcel itself has unusual size dimensions (75 feet wide by 588 feet deep) and a unique relationship to adjacent uses, which present a challenge in terms of an appropriate compatible use. Staff is of the opinion that the site is not conducive to residential development as ingress and egress to the residential area would be difficult given the narrow size of the property and access needed through and encroaching on an existing commercial use. Staff believes that the extension of the C-2 zoning on the parcel for the 0.32 acre portion will correct the nonconforming use that has been operating on the site for over 50 years. Further, the amendment to C-2 with a Conditional Overlay on the northern 0.38-acre portion limits this area to a passive commercial use that can be considered compatible with the adjacent residential uses provided proper screening is in place as required by the performance standards in the Pinellas County Land Development Code.

The C-2 zoning on the southern portion of the parcel fronting Ulmerton Road was established in 1977 (Amended from R-3 to C-2). In 2009 an additional 0.11-acre portion of the parcel was amended from R-3 to C-2.

The subject site is located in an area that contains a variety of land uses and zoning districts. The property directly to the north of the site contains a 200-foot tall cell phone tower and accessory equipment, to the east are a triplex and a preschool, to the south is the part of the subject property already zoned C-2, and to the west is a truck and car rental company and four single-family homes.

The proposed CG FLUM and C-2 & C-2-CO zoning designations are appropriate for the subject area. The C-2 zoning district has existed on part of the property for decades. The proposed Conditional Overlay would limit utilization of the northern portion of the property to vehicle inventory storage, which is generally a quiet use that generates little traffic and poses limited overall impacts.

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**SURROUNDING ZONING AND LAND USE FACTS:**

	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Existing Use</b>
<b>Subject Property:</b>	Residential Urban	R-3	Office for Auto Sales/Repair
<b>Adjacent Properties:</b>			
<b>North</b>	Employment	M-1	200-foot Cell Phone Tower
<b>East</b>	Residential Low Medium	R-3 & R-4	Triplex & Preschool
<b>South</b>	Commercial General	C-2	Auto Sales & Repair
<b>West</b>	Commercial General & Largo	C-2, R-3 & Largo	Single-Family & Auto Rental

**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 AND QUALITY COMMUNITIES 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 1.2.2 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 1.2.5 The Board shall implement land development regulations that are compatible with the density, intensity and other relevant standards of those land use categories defined in the Future Land Use and Quality Communities Element.

**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.

**PROPOSED BCC HEARING DATE:** August 21, 2018

**CORRESPONDENCE RECEIVED TO DATE:** Two letters received in opposition. Photos submitted by the applicant.

**PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:** No one appeared in favor or objection.

**ATTACHMENTS: (Maps)**