



# Pinellas County

## Legislation Details (With Text)

**File #:** 17-900A      **Version:** 1

**Type:** Zoning / Land Use and Related Item      **Status:** Failed

**File created:** 5/17/2017      **In control:** Board of County Commissioners

**On agenda:** 6/20/2017      **Final action:** 6/20/2017

**Title:** Q Z/LU-09-05-17 (Synchronous Media Group, Inc.)  
 A request for a zoning change from RPD-7.5, Residential Planned Development, 7.5 units per acre to CP-1-CO, Commercial Parkway 1-Conditional Overlay, and a land use change from Residential Urban to Residential/Office/Retail with the Conditional Overlay limiting the use of the north 100 feet of the property to buffers, wetland protection and/or drainage retention and the remaining portion of the property to vehicle inventory parking for standard vehicles and related accessory uses on approximately 4.05 acres located at 2625 County Road 95 in Palm Harbor.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Comment Cards Submitted by BCC Meeting Attendees, 2. Conceptual Site Plan\_applicant, 3. Adopted RES 17-35, 4. Resolution Denying Application, 5. Electronic Correspondence Received by BCC, 6. Affidavit of Publication - Notice of Public Hearing, 7. Maps.pdf, 8. Ordinance, 9. Resolution, 10. Presentation, 11. BCC Ad\_Map.pdf, 12. BCC Legal Ad.pdf, 13. Correspondence recvd 5\_10\_17.pdf, 14. Traffic Analysis.pdf, 15. Impact assessment.pdf, 16. LPA Report.doc

Date	Ver.	Action By	Action	Result
6/20/2017	1	Board of County Commissioners	denied	Pass

**Subject:**

Q Z/LU-09-05-17 (Synchronous Media Group, Inc.)  
 A request for a zoning change from RPD-7.5, Residential Planned Development, 7.5 units per acre to CP-1-CO, Commercial Parkway 1-Conditional Overlay, and a land use change from Residential Urban to Residential/Office/Retail with the Conditional Overlay limiting the use of the north 100 feet of the property to buffers, wetland protection and/or drainage retention and the remaining portion of the property to vehicle inventory parking for standard vehicles and related accessory uses on approximately 4.05 acres located at 2625 County Road 95 in Palm Harbor.

**Recommended Action:**

Adopt Case No. Q Z/LU-09-05-17 (application of Synchronous Media Group, Inc.) approving:

- 1) An Ordinance changing the land use from Residential Urban to Residential/Office/Retail, and
- 2) A Resolution changing the zoning from RPD-7.5, Residential Planned Development, 7.5 units per acre to CP-1-CO, Commercial Parkway 1-Conditional Overlay with a Conditional Overlay limiting the use of the north 100 feet and the east 65 feet of the property to buffers, wetland protection and/or drainage retention and the remaining portion of the property to vehicle inventory parking for standard vehicles and related accessory uses, regarding approximately 4.05 acres located at 2625 County Road 95.

**Strategic Plan:**

Foster Continual Economic Growth and Vitality

### 4.3 Catalyze redevelopment through planning and regulatory programs

Deliver First Class Services to the Public and our Customers

5.2 Be responsible stewards of the public's resources

#### **Summary:**

The subject property consists of one parcel totaling 4.05 acres on the north side of County Road 95 approximately 400 feet east of U.S. 19 in Palm Harbor. The property is currently vacant with the exception of a small maintenance/utility building associated with a former radio tower. It is designated Residential Urban (RU) on the Future Land Use Map (FLUM) and zoned RPD-7.5, Residential Planned Development - 7.5 units per acre. The applicants wish to utilize the property for vehicle inventory parking that is associated with a nearby car dealership that has space limitations. In order to do so, they are proposing a FLUM amendment to Residential/Office/Retail (R/O/R) and a zoning change to CP-1-CO, Commercial Parkway - 1 with a Conditional Overlay providing certain restrictions, as described below.

The subject property is within a general area that consists of a variety of uses. It is bordered by a retention pond to the north, multifamily residential to the northeast, a single family home to the east, a place of worship to the southeast, an assisted living facility (ALF) to the south, retail commercial to the southwest, and a vacant County-owned parcel containing a sinkhole to the west. The majority of the U.S. 19 corridor is R/O/R on the FLUM and CP-1 on the Zoning Atlas, which is consistent with the requested changes.

This proposed Conditional Overlay would limit the use of the north (rear) 100 feet of the subject property to buffers, wetland protection and/or drainage retention and the remaining portion of the property to vehicle inventory parking for standard vehicles and related accessory uses. This proposed limitation of use would provide assurance to surrounding property owners as to what specifically the site can be used for. There are wetlands on part of the northern portion of the property. The protection of this area will be addressed during the site plan review process, which may essentially expand the buffer area beyond the northern 100 feet of the property as outlined in the Conditional Overlay. At a minimum, the proposed buffer via the Conditional Overlay will provide certainty to the residential area to the northeast that the portion of the property closest to them will not be utilized for the parking of cars. The Local Planning Agency recommended that the buffer area be expanded to cover the east 65 feet of the property as well, a change that is supported by staff.

Comparing the current development potential of the amendment area as a residential use with the potential use associated with the requested R/O/R FLUM category, the proposal could generate approximately 2,577 additional average daily vehicle trips on CR-95 and the nearby section of US-19. This number is highly inflated, however, because it represents the maximum development potential under the requested R/O/R category. The proposed Conditional Overlay will limit the use of the property to buffers and overflow dealer inventory, which would pose minimal traffic impacts. The change in average daily trips is not expected to significantly impact the operational characteristics of CR-95 or US-19. Impacts to potable water use, wastewater and solid waste generation should be minimal.

The proposed R/O/R FLUM category and CP-1-CO zoning designation are appropriate based on the subject property's location, the surrounding development pattern and consistency with the Pinellas County Comprehensive Plan. Impacts on infrastructure are within acceptable limits and the restrictions imposed by the Conditional Overlay will provide assurances as to what the site can be

used for and where improvements can occur.

**Background Information:**

The Local Planning Agency (LPA) recommended approval of the request during its May 10, 2017 public hearing (Vote 4-3), with the following Conditional Overlay language: Conditional Overlay limiting the use of the north 100 feet and the east 65 feet of the property to buffers, wetland protection and/or drainage retention and the remaining portion of the property to vehicle inventory parking for standard vehicles and related accessory uses.

The LPA added the 65-foot wide buffer along the east side of the subject property into the Conditional Overlay to further separate the proposed parking use from the residential properties to the east. Staff supports this change.

Notably, the subject property is within a closed drainage basin and during periods of heavy rain a significant portion of the property may be subject to flooding. This issue will have to be addressed during site plan review and is thought to be a primary reason why residential development has not been pursued.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Renea Vincent, Director, Planning

**Partners:**

N/A

**Attachments:**

LPA Report  
Case maps  
Impact assessment  
Traffic Analysis  
Resolution  
Ordinance  
Correspondence  
Legal ad  
Ad map  
PowerPoint Presentation