



# Pinellas County

## Staff Report

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File #: 16-489A, Version: 1

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### **Subject:**

Case No. Q CU-11-3-16 (Silver Mine Gifts, LLC, c/o Ralph W. Goddard)

A request for a conditional use to allow the dispensing of alcohol by a fraternal organization for on-premises consumption in a P-1 zone on approximately 1.5 acres located at 490 Alternate U.S. 19 in Palm Harbor.

### **Recommended Action:**

Adoption of Case No. Q CU-11-3-16: A Resolution approving the application of Silver Mine Gifts, LLC for a conditional use to allow the dispensing of alcohol by a fraternal organization for on-premises consumption in a P-1 zone on approximately 1.5 acres located at 490 Alternate U.S. 19.

### **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 area is a 1.5-acre parcel located on the southeast corner of Alternate US-19 and Virginia Avenue in Palm Harbor. It is the site of a former bank and is currently used for office purposes. The site is zoned P-1, General Professional Office, and is designated Residential/Office-General (R/OG) on the Pinellas County Future Land Use Map (FLUM). It is proposed as the new location for the Palm Harbor chapter of the Fraternal Order of the Eagles (FOE). The FOE would like to serve alcohol at the site, but the existing P-1 zoning does not generally permit the dispensing of alcoholic beverages. The Pinellas County Land Development Code, however, provides the opportunity for fraternal organizations to dispense alcoholic beverages in any zoning district via an approved conditional use.

The FOE is proposing additions to the southeast side of the existing building as depicted on the concept plan provided, which also shows the additional required parking and other site-related details. They are also proposing to close the existing exit-only access to Virginia Avenue in an effort to limit traffic impacts on that roadway and to prevent motorists from using the property as a cut-through from northbound Alternate US-19 to Virginia Avenue. To do so will require an administrative waiver from the County at the time of site plan review.

The surrounding area contains a mix of uses, zoning districts and FLUM categories. The properties to the south contain various office uses. Single family and multifamily residential uses exist to the east. To the north across Virginia Avenue is a single family home; however the owner of this property is currently seeking zoning and land use amendments to P-1 and R/OG, respectively. The Palm Harbor Post Office lies immediately to the west across Alternate US-19. The Ozona Village Improvement Society (OVIS) has provided a letter supporting the proposal.

The request meets the general standards for conditional uses as stipulated by the Pinellas County

Land Development Code. Those standards include appropriate screening, adequate parking, no traffic or drainage problems created, and consistency with the provisions of the P-1 zoning district and the Comprehensive Plan. Therefore, Staff recommends approval of the proposed conditional use, subject to the following conditions:

1. Site plan review, as determined appropriate by staff.
2. Site development shall be in general conformance with the associated concept plan.
3. Appropriate licensure by the State of Florida.
4. Approval shall be for the Fraternal Order of the Eagles only. This approval is non-transferable; any subsequent change in tenant or ownership shall require additional review and approval by Pinellas County.
5. The site's access point on Virginia Avenue shall be closed, provided the appropriate waiver is obtained from the County.
6. Outdoor lighting shall be focused upon the subject property and directed away from adjacent residential uses.
7. Any illuminated signage shall comply with the Pinellas County luminosity and message frequency standards.
8. Any special event held on the site shall comply fully with Section 138-1338 of the Pinellas County Land Development Code, as may be amended, pertaining to the permitting of temporary uses and structures.
9. No outdoor amplified music shall be allowed, unless associated with an approved temporary use permit.
10. Any changes to the conditions listed shall require approval of the Board of County Commissioners.
11. In the event any of the above conditions are not met or the conditional use becomes a nuisance, the Board of County Commissioners may rescind approval of the conditional use.

**Background Information:**

The Local Planning Agency (LPA) recommended approval of the request during its March 10, 2016 public hearing (Vote 5-0).

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Gordon Beardslee, Director, Planning

**Partners:**

N/A

**Attachments:**

LPA Report

Case Maps

Resolution

Concept Plan

Correspondence

BCC Ad

Ad Map

Power Point Presentation