

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
APRIL 23, 2015
7:30 P.M. – CITY COUNCIL CHAMBERS**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATION

DEPARTMENT PRESENTATION – Community Development

SPECIAL PRESENTATIONS

PUBLIC COMMENT AND CORRESPONDENCE

CITIZENS COMMENTS ARE INVITED ON ITEMS OR CONCERNS NOT ALREADY SCHEDULED ON TONIGHT’S AGENDA. PLEASE LIMIT COMMENTS TO THREE MINUTES.

AT THIS TIME STAFF MEMBERS AND CITIZENS WILL BE SWORN IN IF THERE ARE ITEMS THAT ARE QUASI-JUDICIAL

II. APPROVAL OF MINUTES

Approval of Regular Council Minutes of April 9, 2015, as on file in the City Clerk’s Office.

III. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 ORDINANCE NO. 3940. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6181 107TH AVENUE NORTH (JOSE & DAISY RUIZ AX15-10)

PUBLIC HEARING SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6181 107th Avenue North. The Owner’s single family home is located on this site.

(reference material - ordinance, petition, map, Attorney approval letter, *C7 on 4/9/15 Council agenda*)

- P2 ORDINANCE NO. 3941. AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1501.5, LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK CODE OF ORDINANCES AND CITY ZONING MAP BY REZONING A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 9301 62ND STREET FROM “RE” RESIDENTIAL ESTATE DISTRICT TO “F” FARM DISTRICT; CERTIFYING CONSISTENCY WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (Z 2015-01 Nancy Sparks, Jeff and Kellie Sipro)**

**PUBLIC HEARING SECOND AND FINAL READING
(QUASI-JUDICIAL)**

NOTE: The applicant is requesting consideration to rezone a parcel of land generally located at 9301 62nd Street from “RE” Residential Estate District to “F” Farm District or a zoning classification of a lesser intensity as identified by Chapter 18, Land Development Code, of the City of Pinellas Park. The surrounding land uses consist of: to the north and south, Single Family Residential in the “RE” district; to the east, Single Family Residential in the “F” district; to the west, Single Family Attached in an RPUD overlay district. Subject to any matters that may be discussed at the hearing, staff has not identified any inconsistencies with the Comprehensive Plan and approval of the request should not unduly burden adopted levels of service for City infrastructure.

(reference – ordinance, attorney approval letter, staff report, excerpts from March 5, 2015 Planning and Zoning Commission meeting, application package, site map, C11 on 4/9/15 Council agenda)

IV. CONSENT AGENDA

◆ CITY CLERK

- C1 RESIGNATION FROM THE PINELLAS OPPORTUNITY COUNCIL – Ms. Joan Lanier**

NOTE: Ms. Lanier submitted her resignation from the Pinellas Opportunity Council by mail on March 30, 2015 and received on April 10, 2015. Ms. Lanier was re-appointed to the POC on January 15, 2015 and has served since December 2005. The POC has requested the City appoint someone to fill the vacant seat as soon as possible.

ACTION: (Accept-Deny) With regret, the resignation of Ms. Joan Lanier from the Pinellas Opportunity Council.

(reference material – March 30, 2015 resignation letter and April 6, 2015 letter form POC requesting appointment of new member.

◆ COMMUNITY DEVELOPMENT

C2 AUTHORIZATION FOR THE CITY MANAGER TO SIGN A DISTRIBUTION EASEMENT AGREEMENT WITH DUKE ENERGY FLORIDA, INC. D.B.A. DUKE ENERGY ON CITY-OWNED PROPERTY – 5141 78th Avenue North

NOTE: Duke Energy Florida, Inc. d.b.a. Duke Energy has requested a 10 foot Distribution Easement from the City to accommodate their proposed utility equipment and for the future maintenance and operation of said equipment on City-owned property.

ACTION: (Approve – Deny) Authorization for the City Manager to sign a 10 foot Distribution Easement with Duke Energy Florida, Inc. d.b.a. Duke Energy on City-owned property.

(reference material – Distribution Easement, map, Attorney approval letter)

C3 AUTHORIZATION FOR THE CITY MANAGER TO SIGN A DISTRIBUTION EASEMENT AGREEMENT WITH DUKE ENERGY FLORIDA, INC. D.B.A. DUKE ENERGY ON CITY-OWNED PROPERTY – 5667 Park Blvd. & 0 75th Avenue North

NOTE: Duke Energy Florida, Inc. d.b.a. Duke Energy has requested a 10 foot Distribution Easement from the City to accommodate their proposed utility equipment and for the future maintenance and operation of said equipment on City-owned property.

ACTION: (Approve – Deny) Authorization for the City Manager to sign a 10 foot Distribution Easement with Duke Energy Florida, Inc. d.b.a. Duke Energy on City-owned property.

(reference material – Distribution Easement, map, Attorney approval letter)

C4 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY FIRST PROPERTIES HOLDING INC. (AX15-11) — Annexation of 1.25 acres MOL located at 11620 54th Street North

NOTE: This is a voluntary annexation of 1.26 acres MOL of contiguous commercial property located at 11620 54th Street North. The Owner’s business, Living Water Products, is located on this site.

First Properties Holding Inc. 11620 54th Street North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$6,486.40	\$0.00	\$0.00
There are no Special Provisions for this annexation.			

ACTION: (Approve - Deny) The voluntary annexation of 1.26 acres MOL of property owned by First Properties Holding Inc. located at 11620 54th Street North.

(reference material - petition, data sheet, comment sheet, revenue sheet, map)

C5 ORDINANCE NO. 3942. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 11620 54TH STREET NORTH (FIRST PROPERTIES HOLDING INC. AX15-11)

FIRST READING, PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 1.26 acres MOL of contiguous commercial property located at 11620 54th Street North. The Owner’s business, Living Water Products, is located on this site.

(reference material - ordinance, petition, map, Attorney approval letter)

- C6** **ORDINANCE NO. 3943. AN ORDINANCE AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE), OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 18-1501.31 "FEES AND CHARGES" TO ADJUST APPLICATION FEES RELATING TO LAND USE PLAN MAP AND ZONING AMENDMENTS, DELETING DUPLICATIVE ENTRIES, PROVIDING FOR WAIVER OF FEES, PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE LAND DEVELOPMENT CODE; PROVIDING FOR CERTIFICATION BY THE CITY COUNCIL THAT THIS ORDINANCE IS IN CONFORMANCE WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (LDC 2015-01)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This amendment was directed by City Council at the conclusion of a workshop held on January 20, 2015

(reference – Memo to City Council, proposed ordinance, attorney letter, excerpts of P&Z minutes of April 2, 2015)

◆ **FINANCE**

- C7** **RECEIPT OF THE 2013-2014 FINANCIAL AUDIT – Cherry Bekaert LLP, Tampa**

NOTE: Representatives from the City's independent auditors, Cherry Bekaert LLP, will present the 2013-2014 Auditor's Report. The Finance Administrator will present a brief summary of the City's fiscal year 2013-2014 Financial Statements.

ACTION: (Accept - Deny) The 2013-2014 Financial Statement and Auditor's Report as presented by Cherry Bekaert LLP.

(reference material – 2013-2014 Financial Statements which include the Auditor's Report; Auditor's Management Letter; Auditor's Report on Internal Control.)

◆ PUBLIC WORKS

ADD ON C8 AWARD OF BID – CONTRACT 14/007 – 5600 Block Parking Lot Improvements – Kloote Contracting, Inc.

NOTE: Bids were legally advertised and bid invitations were mailed to 224 perspective bidders. Three (3) bids were received with Kloote Contracting, Inc. (P. O. Box 339, Palm Harbor, FL 34682) being the lowest bidder that met all of the bid requirements with a bid submittal of \$219,998.15. The amended budget amount is \$340,000.00, and is shown on page 390 of the FY 14/15 budget. The contract will be charged to account 301-175-5-721-72.

ACTION: (Approve – Deny) Authorization to award bid 14/007 5600 Block Parking Lot Improvement to Kloote Contracting, Inc., Palm Harbor, FL, in the amount of \$219,998.15 to be charged to the appropriate account.

(reference material – bidder’s list, bid book available for review)

V. REGULAR AGENDA

R1 CONSIDERATION OF A REQUEST FOR PRELIMINARY SITE PLAN APPROVAL WITH A WAIVER TO OUTDOOR STORAGE ENCLOSURE FOR A PROPERTY LOCATED IN THE “M 1” LIGHT INDUSTRIAL ZONING DISTRICT THAT FUNCTIONALLY ABUTS RESIDENTIALLY ZONED PROPERTY TO THE SOUTH, ACROSS 62ND AVE. (MS 2015-16 Sandy Holdings, LLC)

QUASI- JUDICIAL

NOTE: The applicant is requesting consideration of an application to establish a contractor’s office with storage yard, in the “M-1” Light Industrial Zoning District, on a 0.994 acre MOL parcel of land generally located at 4195 62nd Avenue. The parcel functionally abuts a Pinellas County zoned “RPD” Residential Planned Development. The specific property currently holds a commercial strip shopping center. Section 18-1524.5(G) of the Land Development Code requires City Council approval of site plans for property located within the “M-1” Light Industrial Zoning District that abut or functionally abut residentially zoned property. City Council may require the developer to install additional buffering in order to reduce or eliminate any adverse impact of the proposed use upon adjacent uses. The applicant is proposing outdoor storage in the rear yard that is not adjacent to residential. A waiver is requested to the requirement for a six-foot-high solid wall adjacent to the right-of-way and will be enclosed with a six-foot-high solid fence along that boundary. A ten-foot-wide landscape buffer along with required trees will be provided along the south and west property lines. The surrounding land uses consist of: to the north, Think Quik Printing; to the east, A Tractor Works Landscaping Supply; to the south, commercial strip shopping center; to the west, commercial strip shopping center.

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ACTION: (Approve – Deny) A request for Preliminary Site Plan approval with a waiver to outdoor storage enclosure for a property located in the “M-1” Light Industrial Zoning District that functionally abuts residentially zoned property to the south, across 62nd Ave.

(reference – staff report, application, aerial, site plan)

VI. COMMENTS BY COUNCIL MEMBERS AND QUESTIONS – COUNCIL TO COUNCIL

VII. ADJOURNMENT

PLEASE NOTE that if a person decides to appeal any decision made by City Council with respect to any matter considered at the above-cited meeting, the person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City maintains a digital recording of all public hearings. In the event that you wish to appeal a decision, the digital recording may or may not adequately insure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (Section 286.0105, Florida Statutes).

FOR THE HEARING IMPAIRED — An interpreter for the hearing impaired will be made available upon requests made at least 72 hours in advance.