



**The Tampa City Council
Tampa City Council Chambers
City Hall
315 E. Kennedy Blvd, Third Floor
Tampa, Florida 33602**

EVENING FINAL AGENDA

DATE: 05/26/2016

TIME: 5:01 P.M.

*Mike Suarez, Chair, District 1 At-Large
Harry Cohen, Chair Pro-Tem, District 4
Charlie Miranda, District 2 At-Large
Yvonne Yolie Capin, District 3 At-Large
Frank Reddick, District 5
Guido Maniscalco, District 6
Lisa J. Montelione, District 7
Martin Shelby, City Council Attorney*

***WELCOME TO THE MEETING OF THE CITY COUNCIL OF THE CITY OF TAMPA.
THIS MEETING IS OPEN TO THE PUBLIC.***

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter 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.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Office of the City Clerk at least forty-eight (48) hours prior to the date of the meeting.

**Shirley Foxx-Knowles, CMC
City Clerk**

MEETING CALLED TO ORDER – MIKE SUAREZ, CHAIR

Roll Call

COMMITTEE REPORTS/CONSENT AGENDA (ITEM 1):

Parks, Recreation and Cultural Committee (Item 1)

Guido Maniscalco, Chair

Lisa Montelione, Vice-Chair

Charlie Miranda, Alternate

- File No. E2016-8 CH 28 - (Special Events Code)**
Special Event Permit: Tampa Bay Margarita Festival - Curtis Hixon - May 28, 2016.

ITEM BEING SET FOR PUBLIC HEARING BY COUNCIL CONSENT - (ITEM 2):

- File No. File No. E2016-47 (AKA PA16-02)**
Resolution setting a transmittal public hearing on June 23, 2016 at 5:30 p.m. and on July 14, 2016 at 10:30 a.m. on (1) text amendment for the redevelopment of the Rattlesnake Point Waterfront Area, as more particularly described in Section 2 below; providing for notification procedures; providing an effective date.

5:01 P.M. – PUBLIC HEARING – SECOND READING ON PROPOSED ORDINANCE – (ITEM 3) – (Quasi-judicial proceedings require witness to be sworn in prior to testifying pursuant to Resolution No. 2004-667)

- File No. ARZ16-01 - (UNAN - Reddick absent)**
Continued second public hearing from April 28, 2016 relating to an area rezoning, the general location of which is south of Oregon Avenue, north of Interstate 275, east of Rome Avenue, and west of the Hillsborough River and North Boulevard, in the City of Tampa, Florida; from zoning district classification for Residential Multi-Family (RM-24), to Neighborhood Mixed-Use-35 (NMU-35).
(Ordinance being presented for second reading and adoption) - An ordinance of the City of Tampa Florida relating to an area rezoning, the general location of which is south of Oregon Avenue, north of Interstate 275, east of Rome Avenue, and west of the Hillsborough River and North Boulevard, in the City of Tampa, Florida; from zoning district classification RM-24 (residential, multi-family) to zoning classification NMU-35 (neighborhood mixed use-35); providing for notice; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Miranda-Maniscalco on May 12, 2016.)

5:01 P.M. – PUBLIC HEARING – SECOND READING ON PROPOSED ORDINANCE – (ITEM 4) – (Non Quasi-judicial proceedings)

- File No. E2016-8 CH 27 - (UNAN - Reddick absent)**
(Ordinance being presented for second reading and adoption) - An ordinance of the City of Tampa, Florida, creating neighborhood mixed use zoning districts, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and Land Development); amending Section 27-21, Consistency Matrix; amending Section 27-156, Official Schedule of District Regulations; creating Article III, Establishment of Zoning Districts and District Regulations., Division 2, Special Districts., Subdivision 6, Neighborhood Mixed Use Districts., Sections 27-212 through 27-212.7; repealing all ordinances or parts of ordinances in conflict therewith; providing for severability; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated

by Capin-Maniscalco on May 12, 2016.)**5:30 P.M. – PUBLIC HEARINGS AND SECOND READING ON PROPOSED ORDINANCES – (ITEMS 5 THROUGH 6) – (Non Quasi-judicial proceedings)**

5. **File No. E2016-8 CH 27 - (UNAN - Reddick absent)**
Second public hearing on an ordinance of the City of Tampa, Florida, creating motion picture studio use in the IH zoning district with definition, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and land development); Amending Section 27-43, Definitions; Amending Section 27-156, Official schedule of district regulations.
(Ordinance being presented for second reading and adoption) - An ordinance of the City of Tampa, Florida, creating motion picture studio use in the IH zoning district with definition, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and land development); amending Section 27-43, Definitions; amending Section 27-156, Official schedule of district regulations; repealing all ordinances or parts of ordinances in conflict therewith; providing for severability; providing an effective date. - **(Original motion to approve said ordinance on first reading had been initiated by Cohen-Miranda on May 12, 2016.)**
6. **File No. E2016-8 CH 27**
Second public hearing on an ordinance of the City of Tampa, Florida, making revisions to Chapter 27 (Zoning and land development); repealing and replacing Sections 27-181 through 27-190; in the City of Tampa Code of Ordinances.
(UNAN - Reddick absent, Montelione absent at vote)
(Ordinance being presented for second reading and adoption) - An ordinance of the City of Tampa, Florida, repealing and replacing the Central Business District Development Regulations, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and land development); repealing and replacing Sections 27-181 through 27-190; repealing all ordinances or parts of ordinances in conflict therewith; providing for severability; providing an effective date. - **(Original motion to approve said ordinance on first reading had been initiated by Miranda-Maniscalco on May 12, 2016.)**
(UNAN - Reddick absent, Montelione absent at vote)
(Ordinance being presented for second reading and adoption) - An ordinance of the City of Tampa, Florida, adding Special Use criteria for 'restaurant, drive-in' use related to the Central Business District, making revisions to City of Tampa Code of Ordinances, Chapter 27 (Zoning and land development); amending Sec. 27-132, Regulations governing individual special uses; repealing all ordinances or parts of ordinances in conflict therewith; providing for severability; providing an effective date. - **(Original motion to approve said ordinance on first reading had been initiated by Miranda-Capin on May 12, 2016.)**

5:30 P.M. – PUBLIC HEARINGS - (ITEMS 7 THROUGH 8) - (Non Quasi-judicial proceedings)

7. **File No. PA16-01A**
Public hearing on an ordinance amending the Tampa Comprehensive Plan, Future Land Use Map, for the property generally located at 3935 West Cypress Street, from Community Commercial-35 (CC-35) to Regional Mixed Use-100 (RMU-100).
(Ordinance being presented for first reading consideration) - An ordinance amending the Tampa Comprehensive Plan, Future Land Use Map, for the property generally located at 3935 West Cypress Street, from Community Commercial-35 (CC-35) to Regional Mixed Use-100 (RMU-100); providing for repeal of all ordinances in conflict; providing for severability; providing an effective date.

Melissa E. Zornitta, Executive Director of the Planning Commission, transmitting the resolution adopted by the Hillsborough County City-County Planning Commission and the staff

report prepared by the Hillsborough County City-County Planning Commission regarding said map amendment. - (To be R/F)

5:30 P.M. – PUBLIC HEARINGS CONT'D - (ITEMS 7 THROUGH 8) - (Non Quasi-judicial proceedings)

8. **File No. PA16-01B**
Public hearing on an ordinance amending the Tampa Comprehensive Plan, Future Land Use Map, for the property generally located at 3905 and 3911 West Cypress Street, from Community Commercial-35 (CC-35) to Regional Mixed Use-100 (RMU-100).

(Ordinance being presented for first reading consideration) - An ordinance amending the Tampa Comprehensive Plan, Future Land Use Map, for the property generally located at 3905 and 3911 West Cypress Street would change the future land use designation from Community Commercial-35 (CC-35) to Regional Mixed Use-100 (RMU-100); providing for repeal of all ordinances in conflict; providing for severability; providing an effective date.

Melissa E. Zornitta, Executive Director of the Planning Commission, transmitting the resolution adopted by the Hillsborough County City-County Planning Commission and the staff report prepared by the Hillsborough County City-County Planning Commission regarding said map amendment. - (To be R/F)

6:00 P.M. – PUBLIC HEARINGS - (ITEMS 9 THROUGH 10) – (Quasi-judicial proceedings require witness to be sworn in prior to testifying pursuant to Resolution No. 2004-667)

9. **File No. AB2-16-11**
Public hearing on application of WOB Tampa Avion, LLC, requesting a Special Use - 2 for a large venue - restaurant - beer, wine, liquor (consumption on premises only), generally located at 5315 Avion Park Drive. - (Proposed AB Sales hours: Monday - Thursday 11:30 am to 1:00 am; Friday - Saturday; and, Sunday, 11:00 am to 1:00 am.)

(Ordinance being presented for first reading consideration) - An ordinance repealing Ordinance No. 2008-152; approving a Special Use Permit (S-2) for alcoholic beverage sales – large venue (consumption on premises only) and making lawful the sale of beverages regardless of alcoholic content – beer, wine and liquor – on that certain lot, plot or tract of land located at 5315 Avion Park Drive, Tampa, Florida, as more particularly described in Section 3; that all ordinances or parts of ordinances in conflict are repealed; providing an effective date.

10. **File No. AB2-16-12**
Public hearing on application of Lisa Harmon requesting a Special Use - 2 for a small venue (hair salon); beer & wine (consumption on premises only), generally located at 1409 E. 7th Ave. - (Proposed AB Sales Hours: Monday - Wednesday, 7:00 am to 11:00 pm; Thursday - Saturday, 7:00 am - 1:00 am; and Sunday, 11:00 am - 11:00 pm.)

(Ordinance being presented for first reading consideration) - An ordinance approving a Special Use Permit (S-2) for alcoholic beverage sales – small venue (consumption on premises only) and making lawful the sale of beer and wine at or from that certain lot, plot or tract of land located at 1409 E. 7th Avenue, Tampa, Florida, as more particularly described in Section 2; that all ordinances or parts of ordinances in conflict are repealed; providing an effective date.

INFORMATION REPORTS AND NEW BUSINESS BY COUNCIL MEMBERS:

MOTION TO RECEIVE AND FILE ALL DOCUMENTS:

ADJOURNMENT:**COUNCIL AND CRA INFORMATION****ELECTRONIC MEDIA PRESENTATIONS BEFORE CITY COUNCIL**

Pursuant to Rule 7(l) of Council's Rules of Procedure, persons requesting to use electronic media for presentation to City Council are required to notify the Chair, the City Clerk's office and the City of Tampa Cable Communication Department (CTTV) at least **forty-eight (48) hours in advance. The electronic media must be delivered to CTTV at least forty-eight (48) hours prior to broadcast.**

COUNCIL AND CRA MEETINGS

All Council and CRA sessions are open to the public. Additional meetings may be scheduled by Council or by the CRA.

- Council Regular sessions are held on the 1st and 3rd Thursdays of each month at 9:00 a.m.
- CRA regular sessions are held on the 2nd Thursday of each month at 9:00 a.m.
- Council Zoning sessions are held the 2nd Thursday of each month at 6:00 p.m.
- Council Workshop session is held on the 4th Thursday of each month at 9:00 a.m.

CTTV VIEWINGS:

Regular Meetings: (LIVE) Thursdays at 9:00 a.m. (REPLAYED) Thursdays at 6:00 p.m., Saturdays at 1:00 p.m., Wednesday at 8:30 a.m. and Thursday through Monday nights at midnight.

Evening Meetings: (REPLAYED) Sundays at 8:00 a.m. and Tuesday and Wednesday nights at midnight.

CTTV is located on Channel 640 [Bright House Networks] and on Channel 15 [Verizon].

AGENDA AVAILABILITY

Council and CRA draft/final/action agendas are prepared for each Council and CRA meeting and are available to the public in the Office of the City Clerk and are available on the Sire Agenda Plus Repository on the City of Tampa's website via the following link:

<http://atg.tampagov.net/SIREPUB/MEETRESULTS.ASPX>

- Council Draft agendas for the regular sessions held on the 1st and 3rd Thursdays of each month are available at 4:00 p.m. on the Friday prior to the regular session.
- CRA Draft Agenda for the regular session held on the 2nd Thursday of each month are available at 4:00 p.m. on the Friday prior to the regular session.
- Council Draft agendas for the evening sessions held on the 2nd Thursday of each month are available at 1:00 p.m. on Monday, eight working days prior to the meeting.
- Council Draft agenda for the workshop session held on the 4th Thursdays of each month are available at 4:00 p.m. on the Friday prior to the regular session.

PUBLIC COMMENT FOR REGULAR SESSIONS OF COUNCIL

Pursuant to Rule 3(B)(5) of Council's Rules of Procedure, thirty (30) minutes shall be allotted for Public Comment at the regular sessions of Council, with each person permitted to speak on any matters not scheduled for a public hearing. Preference shall be given to speakers wishing to address items on the agenda. Those speakers remaining after the allotted time shall have the opportunity to address City Council at the end of the meeting.

Members of the public may address Council for **three (3) minutes** regarding any matter not scheduled for a public hearing during the Public Comment section on the agenda for the regular sessions of Council. The speaker shall first identify the item and restrict all comments to matters relevant to that item. Comments not relevant shall be ruled out of order by the Chair and continued irrelevant comments shall result in the speaker being denied further audience time. The public may also address Council for **three (3) minutes** regarding any matter during the General Public Comment section at the end of the regular session of Council. **When addressing Council, state your name and address. Please observe the time limit.**

The Chair **shall rule out of order** any member of the public who shall speak out of order or who shall not address Council/CRA from the podium or other established speaker area. The Chairman **shall also rule out of order** any person who, in the Chair's determination, is making obscene, profane, impertinent, irrelevant, immaterial inflammatory statements or inciting violence or fighting.

No member of the audience shall, during a Council Meeting, make or cause to be made any audible or disruptive sound or noise.

All persons **shall at all times conduct themselves in accordance with these rules** and failing such shall be removed from the Council Chamber. In the event of such removal such person shall not thereafter be readmitted to the Council Chamber or the Council Lobby during the same meeting.

ALL MEETINGS ARE OPEN TO THE GENERAL PUBLIC

All persons attending the meeting are subject to search- Weapons are prohibited. Chapter 790.06 (12) Florida Statutes prohibits the possession of firearms or other dangerous weapons in a municipal government meeting by all persons not specifically authorized by Florida Statute. Conviction carries penalties of up to Five (5) years imprisonment and a \$5,000 fine.

Pursuant to Rule 5 (G) of the Council's Rules of Procedure, which reads as follows: No weapons or objects that may be used as weapons shall be allowed in the Council Chambers. Persons, bags, packages and parcels entering Council Chambers are subject to search.

PUBLIC HEARING SPEAKER'S WAIVER FORM

Only during public hearings, individuals in the audience may designate a spokesperson to speak on their behalf, thereby relinquishing their speaking time to the designated spokesperson on the public hearing agenda item for which designation was made. A speaker's waiver form must be filled out and signed by individuals in the audience and presented to Council at the time that s/he appears before Council. **Speaking time is one minute per name up to a maximum of 10 minutes.**

CONSENT AGENDA

The COMMITTEE portion of the agenda is known as the CONSENT Agenda. It is an effective procedure used by Council to handle routine items expeditiously. Each Councilmember is assigned a committee and reviews all items prior to the meeting. Committee items are adopted by one motion unless a member of the public or a Councilmember wishes to address a particular item. In such cases, the item will be pulled from the consent agenda and considered separately.

CANCELLATION OF A NOTICED, SCHEDULED HEARING

There are times when a noticed, scheduled hearing will not be heard due to the petition not being perfected. You may call the Office of the City Clerk anytime four days prior to the hearing to confirm that the hearing will be held.

COUNCIL/CRA CALENDAR

The Council/CRA Calendar is updated by the Office of the City Clerk after the action agenda(s) has been finalized and printed.

Items placed on the Council/CRA Calendar are the regular, evening, and workshop sessions scheduled by Council and the regular sessions of the CRA. Also listed on the Council/CRA Calendar are any special sessions of the CRA and any special sessions of Council such as public hearings, workshops, presentations, items scheduled for a time certain, and any cancelled sessions. Also listed on the Council/CRA Calendar are any Standing Committee meetings, Special Discussion meetings or any

special meetings that the Council must attend as a group.

The updated Council/CRA Calendars are posted on the bulletin board in the main lobby of Old City Hall and are also available on the Sire Agenda Plus Repository on the City of Tampa's website via the following link:

<http://atg.tampagov.net//SIREPUB/MEETRESULTS.ASPX>

ADA INFORMATION

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, persons with disabilities needing special accommodation to participate in this meeting should contact the Office of the City Clerk at (813) 274-8397 at least forty-eight (48) hours prior to the date of the meeting.

PARKING FACILITIES IN THE VICINITY OF CITY HALL

The Jackson Street Lot has 130 spaces and is located between Florida/Marion and Jackson/Kennedy. Entrances are on both Jackson and Kennedy. The fee for parking is \$1.60 per hour with a maximum of \$9.50 for the day.

Fort Brooke has approximately 600 spaces dedicated for hourly parking. This facility is located between Florida/Franklin and Washington/Cumberland. Entrance to the hourly side is off Whiting Street (the north module). The fee for parking is \$1.60 per hour with a maximum of \$ 9.50 for the day.

Please be advised that all parking meters located on Kennedy Boulevard and south to include Whiting Street are currently enforceable until 8:00 PM and all parking meters south of Whiting Street are currently enforceable until 12:00 AM, seven days per week. Parking meters located north of Kennedy Boulevard are not currently enforceable after 6:00 PM.

City Hall can be accessed by transit utilizing the Hillsborough Area Regional Transit Authority (HART). Copy the link below to use their trip planner for the best route from your location. Bike racks are available on the west side of the building:
<http://www.gohart.org/routes/plan/tripplanner.html>

DEPARTMENTAL CONTACTS FOR ASSISTANCE

Scheduling procedures:

Office of the City Clerk
E-Mail: ctyclerk@tampagov.net
Phone: 274-8397
Fax: 274-8306

Land Uses, Alcoholic Beverage Permits, or Zoning Categories:

Land Development Coordination
Phone: 274-3100 – (Select Option 2)

Closure/Vacating Petitions:

Right-of-Way/Mapping
Phone: 274-3100 – (Select Option 2)

Plan Amendments:

Planning Commission
Phone: 272-5940.

Video tapes of City Council Meetings:

Office of Cable Communications
Phone: 274-8217