

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
JANUARY 28, 2010**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

SPECIAL PRESENTATION — MAYOR’S CHOICE AWARDS

SERVICE AWARDS — City Employees

PROCLAMATIONS

II. 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 WILL BE SWORN IN IF THERE ARE ITEMS THAT ARE QUASI-JUDICIAL

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of January 14, 2010.

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 ORDINANCE NO. 3715. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PORTION OF RIGHT-OF-WAY GENERALLY LOCATED ON 67TH STREET BETWEEN 119TH AVENUE AND 120TH AVENUE NORTH (Pinellas County – AX09-24)

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.15 acres MOL of contiguous right-of-way property. The City of Pinellas Park Zoning Division has requested that the City take this segment of 67th Street right-of-way as it is the last segment between 119th Avenue and 120th Avenue North that is not currently in the City. Further, the annexation of the aforementioned right-of-way property will help accommodate an abutting property owner with the proposed addition to his business.

(reference material — ordinance, memo from City of Pinellas Park Zoning Division, map, Attorney approval letter, *C9 on 1/14/2010 Council agenda*)

CITY COUNCIL AGENDA

JANUARY 28, 2010

PAGE 2

- P2 ORDINANCE NO. 3716. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PORTION OF RIGHT-OF-WAY GENERALLY LOCATED ON 114TH TERRACE, WEST OF 58TH STREET NORTH (Pinellas County – AX09-30)**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.50 acres MOL of contiguous right-of-way property. Pinellas County Public Works Operations Department has requested that the City take over maintenance of this segment of right-of-way as more than 51% of the abutting properties have been annexed into the City. Fifty One percent is the threshold limit for taking over maintenance of adjacent right-of-way property.

(reference material — ordinance, letter from Pinellas County Public Works Operations Department, map, Attorney approval letter, *C10 on 1/14/2010 Council agenda*)

- P3 ORDINANCE NO. 3714. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND LOCATED AT 8962 70TH STREET NORTH - (Lawrence D. Harper – AX09-29)**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.21 acres MOL of contiguous residential property. The Owner's single family home is located on this site in the Jan-Cory Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter, *C12 on 1/14/2010 Council agenda*)

- P4 ORDINANCE NO. 3717. AN ORDINANCE AMENDING AN ADOPTED MASTER PLAN CONTROLLING DEVELOPMENT OF AN EXISTING "CPUD" COMMERCIAL PLANNED UNIT DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED AT 4701 PARK BOULEVARD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; IMPOSING CERTAIN CONDITIONS OF DEVELOPMENT; 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. (PUD 2008-3(R) Riad and Fedaa Kantar and Publix Super-Markets Inc./ Housh Ghovae, Northside Engineering Services)**

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

CITY COUNCIL AGENDA

JANUARY 28, 2010

PAGE 3

P4 NOTE: The applicant is requesting consideration of the adoption of a revised Master Plan for Lot 2, the gas station outparcel, an existing “CPUD” Commercial Planned Unit Development with underlying “B-1” General Commercial Zoning on a 5.412 acre parcel of land generally located at 4701 and 4801 Park Boulevard with a waiver to landscape requirements, more specifically to interior greenspace percentage and variances to lot coverage from 75% to 79% and number of required parking spaces from 16 to 10. The applicant purchased the outparcel and wishes to improve/redevelop the parcel; therefore, has submitted the application for modification that is the subject of this case. Surrounding land uses are: to the north, retail plaza, Farm Store, and single family dwellings; to the south, Gas and More Gas Station, Advent Medical, and Cash Register Auto Insurance; to the east, Manhattan Hair Styling Institute, and single family dwellings; and to the west, Park Plaza Shopping Center, Goodyear, Marko’s Meat & Deli, Southern Pawn and the City’s community messaging tower. Subject to any matters that may be discussed at the hearing, staff has not identified any inconsistencies with the Comprehensive Plan. The proposal should have no adverse effect on adopted levels of service for City infrastructure. At its meeting on December 3, 2009, the Planning and Zoning Commission recommended APPROVAL of the above request subject to the following condition;

1. Criteria assigned to the subdivision in notes on the Site Plan, last revised on October 26, 2009, shall be accepted as governing regulations for the development of Lot 2. All regulations not addressed shall revert to Code in effect at the time of “PUD” Planned Unit Development adoption.

(reference material — ordinance, Attorney approval letter, excerpts of P&Z minutes of 12/3/09, staff report, application, aerial map, and master site plan, *C15 on 1/14/2010 Council agenda*)

V. CONSENT AGENDA

◆ CITY CLERK

C1 RESOLUTION NO. 10-03. A RESOLUTION OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, OPPOSING AN AMENDMENT TO THE FLORIDA CONSTITUTION THAT WOULD FORCE VOTERS TO DECIDE ALL CHANGES TO A CITY OR COUNTY’S COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

FIRST AND FINAL READING

NOTE: This resolution was prepared in opposition to Amendment 4 which will amend Article II, Section 7, of the Florida Constitution – “Referenda Required for Adoption of Local Governmental Comprehensive Land Use Plans”.

(reference material — resolution)

◆ POLICE

C2 **ORDINANCE NO. 3718. AMENDING CHAPTER 4 (ALCOHOLIC BEVERAGES)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: Chapter 4 (Alcoholic Beverages), Section 109 (A) 3, definition of “public place” is being clarified and amended to describe property within the City of Pinellas Park open to the general public that includes but is not limited to: curtilage, parking areas, grassy areas and/or other open areas of any commercial establishment.

(reference material — Ordinance)

◆ PUBLIC WORKS

C3 **CHANGE ORDER NO. 1 AND FINAL PAYMENT ON CONTRACT 09/003 — RE-ROOF PUBLIC WORKS SERVICE FACILITY — Southern Roofing Company, Inc.**

NOTE: Change Order No. 1 is recommended for approval so that final payment can be processed and the contract closed out. The amount of \$13,500 represents a decrease of the original contract amount by 8.95%. The original contract amount is \$150,576.00 and the final payment of \$13,707.60 is to be charged to account 301-175-5-742-69. The total adjusted contract amount is \$137,076.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 1 on contract 09/003 - Re-Roof of Public Works Service Facility and authorization for final payment in the amount of \$13,707.60, to be paid to Southern Roofing Inc., 1727 Cypress Street, Tampa, FL, 33606, to be charged to the appropriate account.

(reference material — final invoice, change order)

◆ COMMUNITY DEVELOPMENT

C4 **ACCEPTANCE OF TWO QUIT CLAIM DEEDS FOR ROAD RIGHT-OF-WAY FROM MR. MARCUS VERNON, PRESIDENT OF AURORA LAND HOLDINGS, INC. AND ECLIPSE LAND HOLDINGS, INC. – Lake Allen Drive right-of-way.**

NOTE: The property owner has requested that the City take these segments of Lake Allen Drive right-of-way as they are the last two segments between 118th Avenue and Somerset Drive that are not currently maintained by the City. Accepting ownership of these two segments would insure continuity of maintenance of the full length of Lake Allen Drive. Further, these segments of

CITY COUNCIL AGENDA

JANUARY 28, 2010

PAGE 5

- C4** Lake Allen Drive benefit all the residents north of 118th Avenue including the residents in Somerset Lakes Subdivision.

ACTION: (Approve – Deny) Authorization for Council to accept two Quit Claim Deeds for road right-of-way on Lake Allen Drive from Mr. Marcus Vernon, President, of Aurora Land Holdings, Inc. and Eclipse Land Holdings, Inc.

(reference material — deeds, attorney approval letter, email to attorney, maps)

VI. REGULAR AGENDA

◆ LIBRARY AND RECREATION

R1 RECEIPT OF 2008 LIBRARY ANNUAL REPORT

NOTE: Section 2-504 of the City Code states that the Library Board will submit an annual report to the City Council each year.

ACTION: (Approve – Deny) The Library Director will be in attendance to present the 2008 Library Annual Report in accordance with Section 2-504 of the City Code requiring submission on a yearly basis.

(reference material — annual report)

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 tape recording of all public hearings. In the event that you wish to appeal a decision, the tape 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 PERSONS WITH HEARING IMPAIRMENT — An interpreter for persons with hearing impairment will be made available upon requests made at least 72 hours in advance. Also, an Assistive Hearing Device (amplifier) is available from the City Clerk for use in Council Chambers and all meeting rooms throughout the City. This agenda document is available in the following accessible formats: Braille, Large Print, Audio Tape, and Electronic File on Computer Disks.

Sunday Monday Tuesday Wednesday Thursday Friday Saturday



1 2 3 4 5 6

Groundhog Day

7 8 9 10 11 12 13

7:30 PM City Council Workshop

Pancake Breakfast Senior Center - 9 AM

7:00 PM Agenda Session *7:30 PM City Council Meeting

Lincoln's Birthday

14 15 16 17 18 19 20

Great Lent begins Eastern Orthodox

Shrove Tuesday

APPLE Orientation

Chinese New Year

Washington's Birthday (obsvd) Presidents' Day

Organ Concert City Auditorium

Lent Begins

*6:00 PM "Meet Your Mayor & Council"

Little Women: The Musical Performing Arts Center

Little Women: The Musical Performing Arts Center

Valentine's Day

Ash Wednesday

21 22 23 24 25 26 27

7:30 PM City Council Workshop

APPLE Session I

7:00 PM Agenda Session *7:30 PM City Council Meeting

Little Women: The Musical Performing Arts Center

28

JANUARY

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