

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
MAY 22, 2008**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

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 May 8, 2008.

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 ORDINANCE NO. 3621. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6141 105th TERRACE NORTH (JUSTICE AND WAMPLER – AX08-10)

SECOND PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owners' double-wide mobile home is located on this site in the Northfield Manor Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter, *P1 on 5/8/2008 Council agenda*)

P2 ORDINANCE NO. 3622. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6051 105TH TERRACE NORTH (PAVEL KHVOROSTOV AX08-11)

SECOND PUBLIC HEARING, SECOND AND FINAL READING

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- P2** NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owner plans to build a single-family home on the lot. The property is located at 6051 105th Terrace North, in the Northfield Manor Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter, *P2 on 5/8/2008 Council agenda*)

- P3** **ORDINANCE NO. 3623. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6974 124TH TERRACE NORTH – (WELLER - AX08-12)**

SECOND PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.44 acres MOL of contiguous residential property. The Owners' single family home is located on this site in the Pinebrook Estates Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter, *P3 on 5/8/2008 Council agenda*)

- P4** **CONSIDERATION OF A CONDITIONAL USE TO ALLOW “OUTDOOR SALES OF BOATS, RV’S OR MOBILE HOMES” WITH A WAIVER TO THE CONDITIONAL USE REQUIREMENT OF FOUR FEET OPEN SPACE BETWEEN EACH BOAT, RV OR MOBILE HOME; AS WELL AS AN AMENDMENT TO PREVIOUSLY APPROVED “AUTOMOTIVE DEALER – NEW AND USED CARS” WITH A WAIVER REQUESTED TO THE PREVIOUS CONDITION OF APPROVAL THAT THE VEHICLE DISPLAY AREA SHALL BE SURFACED WITH TURF BLOCK OR OTHER PERVIOUS OR IMPERVIOUS MATERIAL FOR A PROPERTY GENERALLY LOCATED AT 9402 66TH STREET. (CU 2008-15 Kambiz and Farah Rouhani)**

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant is requesting consideration of a Conditional Use for “Outdoor Sales of Boats, RV’s or Mobile Homes” in the “B-1” General Commercial Zoning District, on a 0.524 acre parcel of land generally located at 9402 66th Street. A Conditional Use for an “Automobile Dealer-Used Cars” was approved by City Council on January 10, 2008 for this parcel. The parcel is currently developed with a small office building that will be utilized as the sales office for the new use. A paved parking/vehicular use area will be provided south of the existing building for customer and employee parking. The site shall take access via 94th Avenue and the existing entry on 66th Street will be closed. Displayed vehicles will be located north and east of said building and will be situated on unpaved areas. Landscaping shall be installed according to Code requirements and the applicant shall attempt to retain as many of the existing

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- P4** mature trees as possible. The applicant is requesting a waiver to the Conditional Use requirement of four feet open space between each boat, RV or mobile home, as well as a waiver to the previous condition of approval of the “Automobile Dealer-Used Cars” that required the vehicle display area be surfaced with turf block or other pervious or impervious material. The surrounding uses consist of: to the north, ARK Roofing; to the south, vacant commercial land; to the east, Fire Station No. 34; and to the west, single family dwellings. 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 May 1, 2008, the Planning and Zoning Commission recommended DENIAL of the above request, however; at that time the applicant was requesting multiple Conditional Uses for “Outdoor Sales of Boats, RV’s or Mobile Homes”, “Building material and home improvement establishments, where storage of materials is outdoors”, “Plant nurseries, retail”, “Taxi, limousine or automobile rental establishments”, “Exterminator and pest control services fleet yards” as well as an amendment to previously approved “Automotive Dealer – New and Used Cars”. The applicant has altered his original application and is now requesting only the Conditional Use for “Outdoor Sales of Boats, RV’s or Mobile Homes” in combination with the existing automotive dealer.

ACTION: (Approve – Deny) A Conditional Use to establish an “Outdoor Sales of Boats, RV’s or Mobile Homes” with a waiver to the requirement that four feet open space be maintained between each boat as well as an amendment to the previously approved “Automotive Dealer – New and Used Cars”, with a waiver requested that the previous condition of approval that the vehicle display area be surfaced with turf block or other pervious or impervious material on a parcel of land generally located at 9402 66th Street, based on the staff report and the criteria found in Section 18-1509.4(B) & (C), subject to the following condition:

1. All previous conditions of approval shall remain in full force and effect with an exception to the previous condition of approval that the vehicle display area shall be surfaced with turf block or other pervious or impervious material. Said condition shall be postponed for three years.

(reference material — staff report, excerpts from the P & Z minutes of 5/1/08, application, site map, site plan)

- P5 **CONSIDERATION OF A CONDITIONAL USE TO ESTABLISH A "TAXI, LIMOUSINE OR AUTO RENTAL ESTABLISHMENT" IN THE "B-1" GENERAL COMMERCIAL ZONING DISTRICT WITH A WAIVER TO THE CONDITIONAL USE REQUIREMENT FOR A TEN- FEET-WIDE LANDSCAPE BUFFER ALONG THE ENTIRE RIGHT-OF-WAY WHICH PROVIDES THE PRIMARY ACCESS TO THE SITE, FOR A PROPERTY GENERALLY LOCATED AT 9033 66TH STREET. (CU 2008-16 Terry and Denise Kurmay)**

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant is requesting the consideration of a "Taxi, limousine or auto rental establishment", a Conditional Use in the "B-1" General Commercial Zoning District, on a 1.058 acre parcel of land generally located at 9033 66th Street. The parcel is currently utilized for auto sales and repair, trailer sales and service and hitch installation and repair. The applicant would like to establish a limousine service and U-Haul rental in addition to the other uses. The applicant has requested a waiver to the Conditional Use requirement for a ten-foot-wide landscape buffer along the entire right-of-way, 66th Street, which provides the primary access to the site. The applicant has stated the area is paved and installation of the buffer would significantly impact the vehicular use area. The general area surrounding the property is commercial in nature; however, east of this parcel there are two, single family dwellings. Buffering between this property and those dwellings consists of a solid six-foot-high wood fence. If the properties were zoned residentially an eight-foot-wide buffer containing a solid fence, hedges and trees would be required. Surrounding uses are: to the north, St. Pete Plumbing; to the south, Flowers Bakery; to the east, single family dwellings and an auto repair facility; to the west, Suburban Propane. 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.

ACTION: (Approve – Deny) A Conditional Use request to establish a "Taxi, limousine or auto rental establishment" in the "B-1" General Commercial Zoning District with a waiver to the Conditional Use requirement for a ten-foot-wide landscape buffer along the entire right-of-way which provides the primary access to the site, based on the staff report and the criteria found in Section 18-1509.4(B) & (C).

(reference material — staff report, application, site map, site plan)

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V. CONSENT AGENDA

◆ PUBLIC WORKS

C1 RESOLUTION NO. 08-13. AUTHORIZATION FOR MAYOR TO SIGN A HIGHWAY LANDSCAPE REIMBURSEMENT AND MAINTENANCE MEMORANDUM OF AGREEMENT.

FIRST AND FINAL READING

NOTE: This authorizes the Mayor to sign a Memorandum of Agreement with the State of Florida Department of Transportation for Highway Landscape Reimbursement and Maintenance. The State of Florida Department of Transportation is responsible for State Road 55 (US Highway 19) right-of-way, consisting of road improvements and grassed median areas located between 49th St and 126th Ave. Landscape improvements will be proposed for installation in the new bridge flyover project area on US 19 between 49th St and 126th Ave. Landscape improvements will commence upon substantial completion of the US 19 flyover project and authorization by the State of Florida Department of Transportation. The City seeks to beautify this area by installation of landscape improvements and the State of Florida Department of Transportation has allocated funds for such improvements. The State of Florida Department of Transportation will be authorized to reimburse the City for eligible expenditures. The Department shall reimburse the City an amount not to exceed \$150,000.00 for all eligible expenditures for the professional design, purchase, installation and establishment of plant material. This Agreement obligates the City of Pinellas Park to maintain these improvements.

ACTION: (Approve – Deny) Authorization for Mayor to sign a Memorandum of Agreement with the State of Florida Department of Transportation for Highway Landscape Reimbursement and Maintenance.

(reference material – resolution, FDOT Agreement, 5/13/08 City Attorney Approval letter)

C2 AUTHORIZATION TO PURCHASE UNDER FLORIDA SHERIFF'S ASSOCIATION, FLORIDA ASSOCIATION OF COUNTIES AND FLORIDA FIRE CHIEF'S ASSOCIATION, CONTRACT 07-15-0827-QE065-QE510 - One (1) 2009 Ford Escape – For Utility Billing Division

NOTE: This 2009 Ford Escape is a replacement for asset 9595. This new vehicle will be used daily by the Utility Billing Division for mail deliveries and supply pick-up throughout the City. The amount budgeted in account 501-144-5-661-09 for this expenditure is \$17,425 and can be found on page 416 of the 07/08 budget book.

ACTION: (Approve – Deny) Authorization to purchase under Florida Sheriff's Association, Florida Association of Counties and Florida Fire Chief's Association, Contract 07-15-0827-QE065-QE510 – One (1) 2009 Ford Escape

for the Utility Billing Division from Duval Ford, Jacksonville, Florida, at a total cost of \$14,650 to be charged to the appropriate account.

(reference material — 5-12-08 quotation Duval Ford, capital expenditure request form)

C3 AUTHORIZATION TO PURCHASE UNDER FLORIDA SHERIFF'S ASSOCIATION, FLORIDA ASSOCIATION OF COUNTIES AND FLORIDA FIRE CHIEF'S ASSOCIATION, CONTRACT 07-15-0827-QE065-QE510 – Three (3) 2008 Ford F-250 ¾ Ton Pick-Up Trucks – For Utilities Division

NOTE: The three (3) 2008 Ford F-250 ¾ ton pick-up trucks with utility bodies are replacements for assets 10979, 11000 and 11245. These three (3) new trucks will be used by the Utilities Division in performing routine duties throughout the City. The amount budgeted in account 501-311-5-661-09 and 501-322-5-661-09 for this expenditure is \$68,394 and can be found on page 415 of the 07/08 budget book.

ACTION: (Approve – Deny) Authorization to purchase under Florida Sheriff's Association, Florida Association of Counties and Florida Fire Chief's Association, Contract 07-15-0827-QE065-QE510 – Three (3) 2008 Ford F-250 ¾ ton pick-up trucks with utility bodies for the Utilities Division from Duval Ford, Jacksonville, Florida, at a total cost of \$66,795 to be charged to the appropriate account.

(reference material — 02-13-08 quotation Duval Ford, capital expenditure request forms)

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VI. REGULAR AGENDA

◆ **LIBRARY AND RECREATION**

R1 APPOINTMENT TO THE LIBRARY BOARD — Teen Member

NOTE: Corey Panabaker was interviewed by the Pinellas Park Library Board at their meeting on May 1, 2008 and recommends she be appointed to serve as a Teen Board member for a one-year term.

ACTION: (Approve – Deny) The appointment of Corey Panabaker as a Teen Board member to serve for a one-year term beginning June 1, 2008 and expiring on May 31, 2009.

(reference material — application)

◆ **COMMUNITY DEVELOPMENT**

R2 AUTHORIZATION FOR THE CITY MANAGER TO SIGN A LEASE OPTION WITH ST. GILES MANOR II, INC., AND ST. GILES EPISCOPAL CHURCH, INC. FOR A PORTION OF CITY-OWNED PROPERTY

On April 26, 2007, the City entered into a lease option with St. Giles Manor II, Inc. and St. Giles Episcopal Church, Inc. for land owned by the City in order to increase the availability of affordable housing for low and very low income elderly under HUD's 202 Program. The lease option is set to expire on June 30, 2008. St. Giles Manor II, Inc. and St. Giles Episcopal Church, Inc. are not going to be in position to execute the option by the June 30th, date. It is their desire to obtain an extension to the option till December 31, 2008.

This option would give St. Giles Manor II, Inc. and St. Giles Episcopal Church, Inc. the ability to enter into the lease at any time up to December 31, 2008.

ACTION: (Approve – Deny) Authorization for the City Manager to sign a Lease Option with St. Giles Manor II, Inc. and St. Giles Episcopal Church, Inc.

(reference material — letter from attorney, lease option)

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

VIII. 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.