



PINELLAS PARK CITY COUNCIL

AGENDA MEMORANDUM

FROM: Debra Rose, Library and Recreation Services Administrator

DATE: June 24, 2008

SUBJECT: Freedom Lake Community Garden

BACKGROUND:

The Library and Recreation Services Department and the Public Works Department propose the establishment of a community garden located at Freedom Lake Park. The proposal is in response to a citizen request, and would meet a variety of community needs for recreation, education, and household nutrition.

The proposed garden site is located at the entrance to Freedom Lake Park, and consists of 16 – 30” raised bed garden plots irrigated from an existing well at the site. Eight of the garden plots would be 5’ X 16’ in size, with a rental fee of \$15.00 per 6-month growing season. The remaining eight garden plots would be 5’ X 8’ in size, with a rental fee of \$10.00 per growing season. A \$10.00 deposit would be required to help offset cleanup costs in the event that the garden plot is abandoned without required cleanup.


The garden area would be constructed and maintained by the Public Works Department, with the Library and Recreation Services Department responsible for promoting the garden, receiving and processing applications, and communicating with gardeners at the site. The City of St. Petersburg Recreation Department and Pinellas County Extension have provided technical assistance in garden design, and Pinellas County Extension has expressed interest in providing ongoing education to gardeners to support the community gardening project.

The proposal anticipates total hard costs of \$9,575.36 for the garden plots and related amenities. Interior fencing for the site is an additional option with an estimated cost of \$2,737.35, for a total of \$12,312.71. Library and Recreation Services anticipates a minimal initial cost of \$50.00 for reproduction and mailing of application packets to interested residents.

Attached Backup May Be Required:

- Attorney Approval
- Purchasing Approval
- OMB Approval
- Finance Approval
- Minutes from Board or Commission
- Document required for Council action

- Workshop Agenda
- Council Agenda

Department Head Approval 

City Manager Approval _____

FREEDOM LAKE COMMUNITY GARDEN – PROPOSAL OUTLINE

Community Garden Layout:

- Garden to be located inside the entrance to Freedom Lake, across from the DAV building and inside existing fencing
- Garden plots to be 30" raised beds enclosed by timbers in order to deter intrusion by small animals and to permit seating for gardeners
- Garden plots to be rented by growing season, with two growing seasons per year:
August 1 – January 31 and February 1 – July 31
- Projected total of 8 plots, 5' X 8' with 7' aisles, proposed rental cost \$10 per growing season
- Projected total of 8 5' X 16' plots with 7' aisles, proposed rental cost \$15 per growing season
- Irrigation from existing on-site well, pending water quality testing, with outlet for each garden plot
- Optional interior 5' fence to protect garden plots from damage and theft

Program Startup:

- Initial advertisement requesting calls by interested parties
- Construction to be completed in July, 2008 and consist of the following:
 - Placement of timber boxes
 - Placement of soil
 - Construction of irrigation
 - Aisle coverage
 - Sign identifying Community Garden and Community Garden rules
 - Numbering signs for individual plots
 - Trash receptacle
 - Area for placement of mulch to be used by gardeners
 - Optional interior 5' fencing
- The initial number of garden plots constructed may be reduced depending on demand
- Registration packets will be mailed and received prior to commencement of the August 1 – January 31 growing season

Registration and Public Information

- Registration packets will be mailed and received by the Recreation Division
- Registration requires completion and signature of an application and \$10 deposit per plot, to be returned upon cessation of rental and clearing of all vegetation and debris
- At the end of each growing season, the Recreation Division will mail renewal packets to registered gardeners; in case of nonrenewal, the Division will arrange inspection of the plot to ensure that it is cleared of vegetation and debris
- The Parks Division will notify the Recreation Division of any noncompliance with Community Garden Rules
- In event of noncompliance, the Recreation Division will contact the renter in writing with a request to comply within 10 days or forfeit garden and deposit and be ineligible for future rental.

FREEDOM LAKE COMMUNITY GARDEN – ESTIMATE OF COSTS

Estimated Project Construction Costs: Public Works		
5' X 16' Garden Plot:* \$662.85	X	8 Plots
		\$5,302.80
5' X 8' Garden Plot:* \$446.57	X	8 Plots
		\$3,572.56
Signage Identifying Community Garden and Community Garden Rules		\$200.00
Well water testing		\$500.00
Interior fencing (optional)		\$2,737.35
Total		\$12,312.71

**Construction costs include lumber and rebar for bed construction; liner for weed control to minimize maintenance; initial filling with weed-free soil; and construction of irrigation lines from on-site well.*

Estimated Project Startup Costs: Library and Recreation Services	
Materials reproduction*	\$25.00
Mailing costs*	\$15.00
Total	\$40.00

**Reproduction and mailing of registration packets and informational flyers*

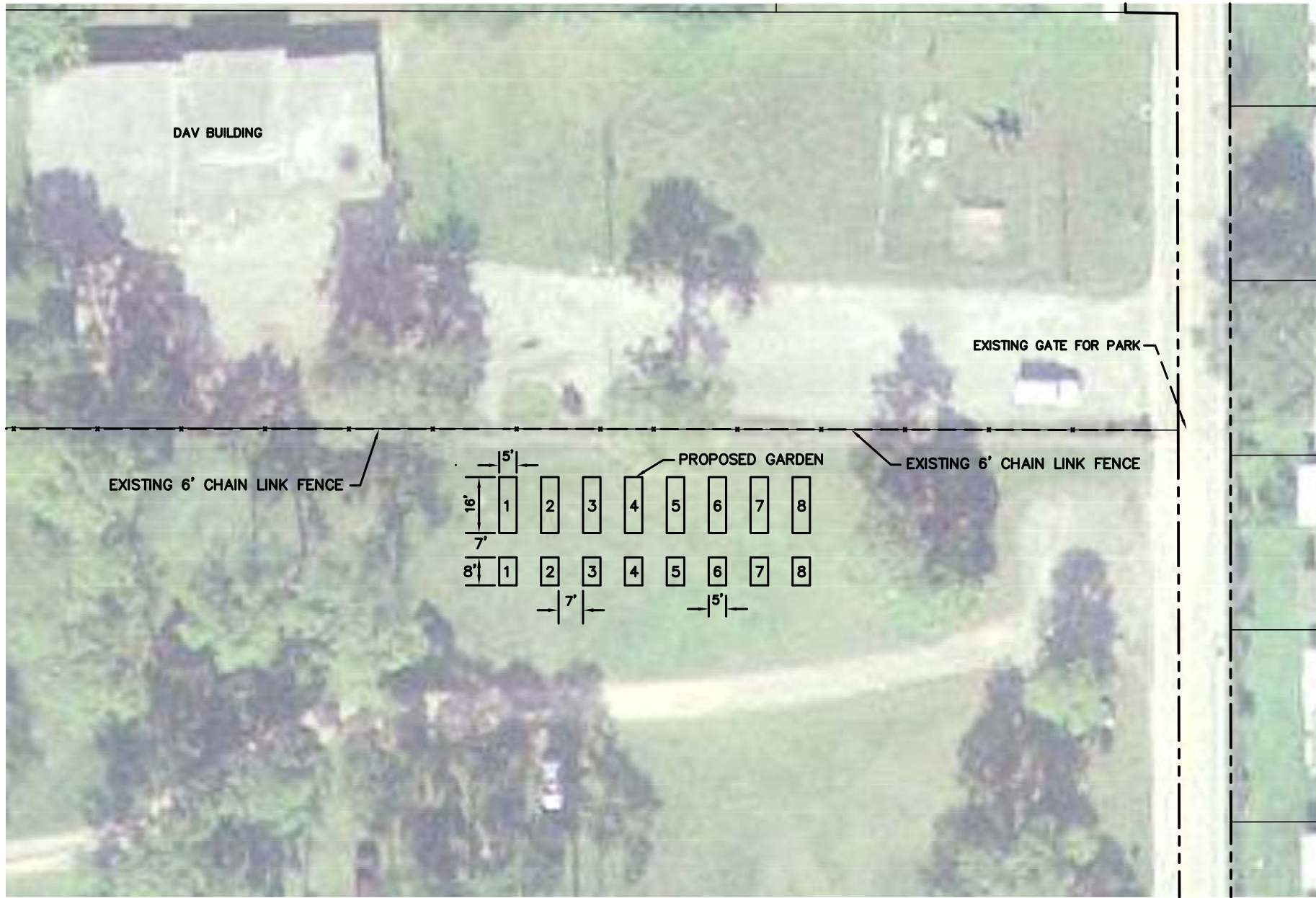
Estimated Annual Project Revenues	
Rental of 8 - 5' X 16' garden plots @ \$15.00 X 2 growing seasons	\$240.00
Rental of 8 - 5' X 8' garden plots @ \$10.00 X 2 growing seasons	\$160.00
Total	\$400.00

Operating and Maintenance Costs

Ongoing operational and maintenance costs for this project are expected to be minimal for the first several years. The Public Works Department will maintain aisles and conduct occasional repairs as needed to boxes and irrigation; soil maintenance, weeding, and clearing of the individual plots will be the responsibility of the gardeners. Pending the results of water testing, irrigation will be provided from an on-site well.

Costs for the Library and Recreation Services Department will continue to involve primarily photocopying and mailing of registration packets and notices to gardeners; these communications and telephone contacts are expected to involve approximately one hour of staff time per week.

Maximum annual project revenues of \$400.00 from rental of the garden plots are expected to offset these ongoing operating and maintenance costs.



NO.	REVISION	DATE

**PLAN OF PROPOSED
COMMUNITY GARDEN
SITE**



**PUBLIC WORKS DEPARTMENT
CITY OF PINELLAS PARK, FLORIDA
UTILITIES DESIGN DIVISION**

PLAN VIEW

SCALE:	DRAWN BY:	DATE:
NONE N/A		01/01/2008
CHECKED BY:	DATE:	
		01/01/2008

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PINELLAS PARK CITY COUNCIL

AGENDA MEMORANDUM

FROM: Dean R. Neal, Zoning Director

DATE: June 24, 2008

SUBJECT: LDC 2008-04

BACKGROUND: Recently, the Zoning Division received a letter from JoMar Development and Construction, Inc. requesting consideration to amend the shielding requirements for Outdoor Storage in the "M-1" and "IH" Industrial Zoning Districts. Currently, outdoor storage areas or areas of industrial activity are required to be shielded from view from any public right-of-way or from any residential, mixed use or public/semi-public districts by solid walls at least six feet in height. A waiver to the requirement for a solid wall may be requested, except where the property upon which the outdoor storage is located abuts or functionally abuts residential, mixed use or public/semi-public zoned properties.

The Zoning Director will be present to discuss a proposed amendment to the Land Development Code.

- Attached Backup May Be Required:**
- Attorney Approval
 - Purchasing Approval
 - OMB Approval
 - Finance Approval
 - Minutes from Board or Commission
 - Document required for Council action

- Workshop Agenda
 - Council Agenda
- Department Head Approval JS
- City Manager Approval _____

Memorandum

To: City Council

Thru: Thomas L. Shevlin, AICP, Asst. City Manager

From: Dean R. Neal, AICP
Zoning Director

Subject: Revised Outdoor Storage Requirements for all zoning districts

Date: June 24, 2008

Present Situation:

Recently, the Zoning Division received a letter from JoMar Development and Construction, Inc. requesting consideration to amend the shielding requirements for Outdoor Storage in the "M-1" and "IH" Industrial Zoning Districts. Currently, outdoor storage areas or areas of industrial activity are required to be shielded from view from any public right-of-way or from any residential, mixed use or public/semi-public districts by solid walls at least six feet in height. A waiver to the requirement for a solid wall may be requested, except where the property upon which the outdoor storage is located abuts or functionally abuts residential, mixed use or public/semi-public zoned properties.

Proposal:

Allow a waiver to the requirement for a solid wall to be considered by City Council. In determining whether or not to grant a request, City Council shall consider the following criteria: use of abutting properties, right-of-way classifications, extent of existing solid fencing within the surrounding area, fence material proposed and length of proposed fence/wall and type of materials being stored.

Advantages:

Development costs could be reduced for sites proposing outdoor storage where impacts are negligible. City Council would have the ability to regulate what items could be stored; thereby, negating any potential nuisances depending on abutting or functionally abutting conditions.

Disadvantages:

Depending on the type of items that will be stored, this amendment may create unsightly conditions if City Council approves the waiver request without conditions. Requires staff monitoring of storage areas for items being stored. Limits use of property for outdoor storage.

JoMar Development and Construction, Inc.

253 14th Street N.W.
Largo, FL 33770
727-584-6405

April 2, 2008

APR 9 2008
RECEIVED

Mr. Joe Aukstikalnis
Zoning Coordinator
City of Pinellas Park
6051 78th Avenue North
Pinellas Park, Florida 33780

Re: JoMar Commerce Park, Pinellas Park,
Pinellas County, Florida, Land Development Code Change

Dear Mr. Aukstikalnis:

As you recommended yesterday to our Engineer, Tom Radcliffe (Lloveras, Baur and Stevens), this letter is written to formally request consideration of a change to the Land Development Code as it relates to outdoor storage in an Industrial Zoning District.

This section of code is repeated here for your convenience.

“(E) INDUSTRIAL ZONING DISTRICTS.

1. Outdoor storage areas or areas of industrial activity shall be shielded from view from any public right-of-way or from any residential, mixed use or public/semi-public zoned districts by solid walls at least six (6) feet in height, which shall be painted. Other sides of the property on which outdoor storage exists shall be fenced with a six (6) feet high fence. Said fence need not be solid. Access from public rights-of-way shall be only through solid gates which shall be closed except when not in use. (Ord.No. 1437, 9-27-1984; Ord. No. 1784, 5-26-1988; Ord. No. 2439, 9-11-1997)
2. No outdoor storage area shall be permitted within the required front yard or secondary front yard setback in any industrial zoning district. (Ord. No. 1437, 9-27-1984; Ord. No. 1784, 5-26-1988; Ord. No. 2439, 9-11-1997)
3. A waiver to the requirement for a solid wall may upon written request be considered by City Council, except where the property upon which the outdoor storage area is located abuts or functionally abuts residential, mixed use or public/semi-public zoned properties. In determining whether or not to grant a request to allow a solid fence, City Council shall consider the following criteria: use of abutting properties, right-of-way classifications, extent of existing solid fencing within the surrounding area, fence or alternative shielding device material, proposed and length of proposed fence/wall and type of materials being stored. (Ord. No. 2439, 9-11-1997; Ord. No. 2645, 11-10-1999)”

Our understanding of the problem in the current Code is that all outdoor storage requires a solid, 6-foot high screen wall when it abuts a residential, mixed use or public/semi-public use. The difficulty in the

current Code is that the ability to act reasonably, when direct application of the Code makes no sense, is negated by the phrase:

“A waiver to the requirement for a solid wall may upon written request be considered by City Council, except where the property upon which the outdoor storage area is located abuts or functionally abuts residential, mixed use or public/semi-public zoned properties.”

The intent of the Code was to make the elimination of the solid, 6 foot high screen wall more difficult adjacent to particular land uses and the concept of that intent is sound. However, the Code fails to recognize that there may be specific instances where the elimination of such a buffer wall requirement may be desirable and it also fails to recognize that there may be specific uses and property configurations where the buffer wall has little or no benefit.

The expense of building a wall of this sort is substantial and we are requesting that the Code be modified to allow either the Council, or the Board or Adjustment to review the particular situation and that standards be applied to determine if this requirement makes rational sense in specific unusual property configurations.

In our case, the buffer wall would need to be built to screen the outdoor storage of PODS containers from a City park. These Containers will be staked three high and are not visually offensive. In addition, the placement of the storage has been configured such that the containers themselves create a visual barrier to other outdoor uses and they effectively serve the function of the required screen wall. Because the containers are to be stacked 3 high, they far exceed the height of the required wall and the 6' high solid screen wall will do little or nothing to block the view of these containers from the park. In addition, the visual impact is of no detriment to the park in any case.

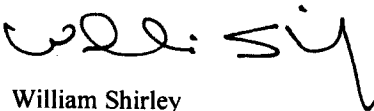
The specific issue here though, is because of the wording of the current Code the ability to evaluate these mitigation aspects of what is being proposed as it relates to the construction of the wall does not exist. The direct application of the Code as it is written forces construction of a useless wall and a substantial expenditure of funds, both for initial construction and for the future maintenance of the wall. There is no benefit to the property or to the public.

Although the specific wording of the Code results in this issue, clearly, that could not be the intent of the City.

Therefore, we respectfully request that a potential wording change of this section of the Land Development Code be brought before the City Council so that this section of Code is amended to allow reasonable people to make rational judgements when a situation like the one that we are encountering exists.

Thank you for your assistance.

Sincerely,


William Shirley

APR 9 2008
RECEIVED