

COUNCIL MEETING

Municipal Building
175-5th Street North
Second Floor Council Chamber

CITY OF ST. PETERSBURG

April 3, 2014
8:30 AM

Welcome to the City of St. Petersburg City Council meeting. To assist the City Council in conducting the City's business, we ask that you observe the following:

1. If you are speaking under the Public Hearings, Appeals or Open Forum sections of the agenda, please observe the time limits indicated on the agenda.
2. Placards and posters are not permitted in the Chamber. Applause is not permitted except in connection with Awards and Presentations.
3. Please do not address Council from your seat. If asked by Council to speak to an issue, please do so from the podium.
4. Please do not pass notes to Council during the meeting.
5. Please be courteous to other members of the audience by keeping side conversations to a minimum.
6. The Fire Code prohibits anyone from standing in the aisles or in the back of the room.
7. If other seating is available, please do not occupy the seats reserved for individuals who are deaf/hard of hearing.

GENERAL AGENDA INFORMATION

For your convenience, a copy of the agenda material is available for your review at the Main Library, 3745 Ninth Avenue North, and at the City Clerk's Office, 1st Floor, City Hall, 175 Fifth Street North, on the Monday preceding the regularly scheduled Council meeting. *The agenda and backup material is also posted on the City's website at www.stpete.org and generally electronically updated the Friday preceding the meeting and again the day preceding the meeting. The updated agenda and backup material can be viewed at all St. Petersburg libraries.* An updated copy is also available on the podium outside Council Chamber at the start of the Council meeting.

If you are deaf/hard of hearing and require the services of an interpreter, please contact the City Clerk, 893-7448, or call our TDD Number, 892-5259, at least 24 hours prior to the meeting and we will provide that service for you.

A. Meeting Called to Order and Roll Call.

Invocation and Pledge to the Flag of the United States of America.

B. Approval of Agenda with Additions and Deletions.

Open Forum

If you wish to address City Council on subjects other than public hearing or quasi-judicial items listed on this agenda, please sign up with the Clerk prior to the meeting. Only the individual wishing to speak may sign the Open Forum sheet and only City residents, owners of property in the City, owners of businesses in the City or their employees may speak. All issues discussed under Open Forum must be limited to issues related to the City of St. Petersburg government.

Speakers will be called to address Council according to the order in which they sign the Open Forum sheet. In order to provide an opportunity for all citizens to address Council, each individual will be given three (3) minutes. The nature of the speakers' comments will determine the manner in which the response will be provided. The response will be provided by City staff and may be in the form of a letter or a follow-up phone call depending on the request.

C. Consent Agenda (see attached)

D. Public Hearings and Quasi-Judicial Proceedings - 9:00 A.M.

Public Hearings

*NOTE: The following Public Hearing items have been submitted for **consideration** by the City Council. If you wish to speak on any of the Public Hearing items, please obtain one of the YELLOW cards from the containers on the wall outside of Council Chamber, fill it out as directed, and present it to the Clerk. You will be given 3 minutes **ONLY** to state your position on any item but may address more than one item.*

1. [Ordinance 106-H waiving St. Petersburg City Code Section 20-80 \(1\) that provides that it is unlawful for any person to operate or ride a skateboard in or upon any sidewalk or street within the area bounded by Fifth Avenue North, Tampa Bay, Fifth Avenue South, and 16th Street, on the streets and sidewalks closed pursuant to a street closure permit during the times of actual closure for the June 21, 2014 City co-sponsored event entitled Go Skate St. Pete presented by the Ian Tilmann Foundation, Inc. between the hours of 11:00 a.m. and 5:00 p.m. in Spa Beach Park and adjacent downtown streets.](#)

Quasi-Judicial Proceedings

Swearing in of witnesses. Representatives of City Administration, the applicant/appellant, opponents, and members of the public who wish to speak at the public hearing must declare that he or she will testify truthfully by taking an oath or affirmation in the following form:

"Do you swear or affirm that the evidence you are about to give will be the truth, the

whole truth, and nothing but the truth?"

The oath or affirmation will be administered prior to the presentation of testimony and will be administered in mass to those who wish to speak. Persons who submit cards to speak after the administration of the oath, who have not been previously sworn, will be sworn prior to speaking. For detailed procedures to be followed for Quasi-Judicial Proceedings, please see yellow sheet attached to this agenda.

2. [Amending the land use and zoning of a 7.32 acre subject property generally located on the northeast corner of 34th Street North and 13th Avenue North. \(City File FLUM-18\) \[ITEM DELETED - added to New Ordinance for 1st Reading and setting public hearing to April 17, 2014\]](#)
 - (a) Ordinance 703-L amending the Future Land Use Map designation from Industrial Limited to Planned Redevelopment Mixed-Use.
 - (b) Ordinance 732-Z rezoning the above described property from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.
 - (c) Resolution requesting amendment to the Countywide Future Land Use Plan, as described above, to comply with the requirements of the Pinellas Planning Council and Pinellas County Board of County Commissioners.

E. Reports

1. Land Use & Transportation: (Councilmember Kennedy) (Oral)
 - (a) Pinellas Planning Council (PPC)
 - (b) Metropolitan Planning Organization (MPO) & Advisory Committee for Pinellas Transportation (ACPT); TBTMA (Tampa Bay Transportation Management Area); and MPO Action Committee
2. Pinellas Planning Council. (Councilmember Kennedy) (Oral)
3. Pinellas Suncoast Transportation Authority. (Councilmember Newton) (Oral)

F. New Ordinances - (First Reading of Title and Setting of Public Hearing)

Setting April 17, 2014 as the public hearing date for the following proposed Ordinance(s):

1. [Authorizing encumbrances on Albert Whitted Airport property in accordance with Section 1.02\(c\)\(5\)\(b\)., St. Petersburg City Charter, for receipt of a Federal Aviation Administration Grant in an amount not to exceed of \\$201,600 for the Runway 7/25 Rehab Project; authorizing the Mayor or his designee to apply for and accept the Grant in an amount not to exceed \\$201,600; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance. \(Requires affirmative vote of at least six \(6\) members of City Council.\)](#)
2. [Authorizing encumbrances on Albert Whitted Airport property in accordance with Section 1.02\(c\)\(5\)\(b\)., St. Petersburg City Charter, for receipt of a Florida Department of Transportation Joint Participation Agreement \("JPA"\), or any Supplemental JPA, in an amount not to exceed \\$225,500 for the Runway 7/25 Rehab Project; authorizing the](#)

Mayor or his designee to apply for and accept the JPAs in an amount not to exceed \$225,500; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance. (Requires affirmative vote of at least six (6) members of City Council.)

3. Amending the land use and zoning of a 7.32 acre subject property generally located on the northeast corner of 34th Street North and 13th Avenue North. (City File FLUM-18)

(a) Ordinance amending the Future Land Use Map designation from Industrial Limited to Planned Redevelopment Mixed-Use.

(b) Ordinance rezoning the above-described property from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

G. New Business

1. Referring to the Public Services & Infrastructure Committee a request that the St. Petersburg City Council honor all of our fallen officers by having a moment of silence and showing a photo of the officer at the Council meeting that is the closest to the anniversary of their passing. (Councilmember Kornell)

2. Requesting Joe Kubicki, Transportation & Planning Director, to attend a Public Services & Infrastructure Committee for discussion on what steps should be taken to improve traffic safety. (Councilmember Nurse)

H. Council Committee Reports

1. Youth Services Committee. (3/20/14)

2. Budget, Finance & Taxation Committee. (3/27/14) [To be heard at 9:00 a.m.]

3. Public Services & Infrastructure Committee. (3/27/14)

4. Housing Services Committee. (3/27/14)

I. Legal

1. Resolution authorizing the Mayor or his designee to execute a revised Architect/Engineering Agreement and all other necessary documents with firms providing miscellaneous architect/engineering services for the City of St. Petersburg, Florida.

J. Open Forum

K. Adjournment

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda A
April 3, 2014

NOTE: Business items listed on the yellow Consent Agenda cost more than one-half million dollars while the blue Consent Agenda includes routine business items costing less than that amount.

(Purchasing)

1. [Renewing a blanket purchase agreement with Premier Magnesia, LLC, a sole source supplier, for wastewater odor control services for the Water Resources Department at an estimated annual cost of \\$600,000.](#)

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda B April 3, 2014

NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

(Purchasing)

1. [Accepting a bid from TankRehab.com, LLC to repair and paint water storage tanks for the Water Resources Department at a total cost of \\$403,950.00. \(Engineering Project No.13016-121; Oracle Project No.14472\); and approving a supplemental appropriation in the amount of \\$425,000 from the unappropriated balance of the Water Resources Capital Projects Fund \(4003\) to the COS Tank Painting & Repair FY14 Project \(14472\).](#)
2. [Approving an increase in the allocation for polymer in the amount of \\$180,000 which increases the total authorized allocation amount to \\$480,000.](#)
3. [Approving the purchase of a cycad collection from Dr. U.A. Young Estate, a sole source supplier, for the Parks & Recreation Department at a total cost of \\$125,000.](#)
4. [Renewing a blanket purchase agreement with Leidos, Inc. f/k/a Science Applications International Corporation for post-disaster debris compliance monitoring services.](#)

(City Development)

5. [Authorizing the Mayor or his designee to sell a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301\(d\)\(2\) of the Housing and Economic Recovery Act of 2008 located at 1015 - 40th Street South, St. Petersburg, for the sum of \\$82,000; and to pay appropriate closing related costs and down payment assistance in accordance with the Neighborhood Stabilization Program.](#)

(

(Public Works)

6. [Authorizing the Mayor or his designee to execute Task Order No. 12-03-URS/GC to the Agreement between the City of St. Petersburg and URS Corporation, Inc. in the amount of \\$116,229, for engineering services related to the 4th Street South and Interstate I-175 Interchange Operational Analysis Report \(IOAR\). \(Engineering Project No. 14060-112; Oracle No. 14152\)](#)

(

(Miscellaneous)

7. Authorizing the Mayor or his designee to execute a ten-year lease agreement with two automatic five-year renewals with Pinellas County for use by the Fire & Rescue Department of a 1989 GMC, 4 wheel drive brush firefighting vehicle for the sum of one dollar (\$1.00), which may be terminated by Pinellas County or the city with thirty (30) days written notice; and to execute all other documents necessary to effectuate this transaction.
8. Approving the First Amendment to the License and Use Agreement between the City of St. Petersburg, Florida, and St. Anthony's Hospital, Inc.; and authorizing the Mayor or his designee to execute the First Amendment.
9. Approving the minutes of December 5, December 12, and December 19, 2013 City Council meetings.

MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

Budget, Finance & Taxation Committee

Thursday, March 27, 2014, 8:00 a.m., Room 100

Public Services & Infrastructure Committee

Thursday, March 27, 2014, 9:15 a.m., Room 100

Housing Services Committee

Thursday, March 27, 2014, 10:30 a.m., Room 100

CRA/Agenda Review & Administrative Updates

Thursday, March 27, 2014, 1:30 p.m., Room 100

CITY OF ST. PETERSBURG

Board and Commission Vacancies



Arts Advisory Committee

1 Regular Member
(Term expire 9/30/16)

City Beautiful Commission

2 Regular Members
(Terms expire 12/31/16)

Civil Service Board

1 Regular & 3 Alternate Members
(Terms expire 6/30/14 & 6/30/16)

Code Enforcement Board

1 Alternate Member
(Term expires 12/31/16)

Commission on Aging

4 Regular Members
(Terms expire 12/31/14 & 12/31/16)

Public Arts Commission

2 Regular Members
(Terms expire 4/30/14 & 4/30/17)

Committee to Advocate for Persons with Impairments (CAPI)

1 Regular & 2 Alternate Members
(Terms expire 12/31/14 & 12/31/16)

Nuisance Abatement Board

2 Alternate Members
(Terms expire 8/31/14 & 11/30/14)

Community Planning & Preservation Commission

1 Regular Member
(Term expires 1/1/15)

PROCEDURES TO BE FOLLOWED FOR QUASI-JUDICIAL PROCEEDINGS:

1. **Anyone wishing to speak must fill out a yellow card and present the card to the Clerk. All speakers must be sworn prior to presenting testimony. No cards may be submitted after the close of the Public Hearing. Each party and speaker is limited to the time limits set forth herein and may not give their time to another speaker or party.**
2. At any time during the proceeding, City Council members may ask questions of any speaker or party. The time consumed by Council questions and answers to such questions shall not count against the time frames allowed herein. Burden of proof: in all appeals, the Appellant bears the burden of proof; in variance application cases, the Applicant bears the burden of proof; in rezoning and Comprehensive Plan land use cases, the Owner bears the burden of proof except in cases initiated by the City Administration, in which event the City Administration bears the burden of proof. Waiver of Objection: at any time during this proceeding Council Members may leave the Council Chamber for short periods of time. At such times they continue to hear testimony because the audio portion of the hearing is transmitted throughout City Hall by speakers. If any party has an objection to a Council Member leaving the Chamber during the hearing, such objection must be made at the start of the hearing. If an objection is not made as required herein it shall be deemed to have been waived.
3. Initial Presentation. Each party shall be allowed ten (10) minutes for their initial presentation.
 - a. Presentation by City Administration.
 - b. Presentation by Applicant and/or Appellant. If Appellant and Applicant are different entities then each is allowed the allotted time for each part of these procedures. The Appellant shall speak before the Applicant. In connection with land use and zoning ordinances where the City is the applicant, the land owner(s) shall be given the time normally reserved for the Applicant/Appellant, unless the land owner is the Appellant.
 - c. Presentation by Opponent. If anyone wishes to utilize the initial presentation time provided for an Opponent, said individual shall register with the City Clerk at least one week prior to the scheduled public hearing.
4. Public Hearing. A Public Hearing will be conducted during which anyone may speak for 3 minutes. Speakers should limit their testimony to information relevant to the ordinance or application and criteria for review.
5. Cross Examination. Each party shall be allowed five (5) minutes for cross examination. All questions shall be addressed to the Chair and then (at the discretion of the Chair) asked either by the Chair or by the party conducting the cross examination of the speaker or of the appropriate representative of the party being cross examined. One (1) representative of each party shall conduct the cross examination. If anyone wishes to utilize the time provided for cross examination and rebuttal as an Opponent, and no one has previously registered with the Clerk, said individual shall notify the City Clerk prior to the conclusion of the Public Hearing. If no one gives such notice, there shall be no cross examination or rebuttal by Opponent(s). If more than one person wishes to utilize the time provided for Opponent(s), the City Council shall by motion determine who shall represent Opponent(s).
 - a. Cross examination by Opponents.
 - b. Cross examination by City Administration.
 - c. Cross examination by Appellant followed by Applicant, if different.
6. Rebuttal/Closing. Each party shall have five (5) minutes to provide a closing argument or rebuttal.
 - a. Rebuttal by Opponents.
 - b. Rebuttal by City Administration.
 - c. Rebuttal by Appellant followed by the Applicant, if different.

Ordinance No. _____

AN ORDINANCE WAIVING ST. PETERSBURG CITY CODE SECTION 20-80 (1) THAT PROVIDES THAT IT IS UNLAWFUL FOR ANY PERSON TO OPERATE OR RIDE A SKATEBOARD IN OR UPON ANY SIDEWALK OR STREET WITHIN THE AREA BOUNDED BY FIFTH AVENUE NORTH, TAMPA BAY, FIFTH AVENUE SOUTH, AND 16TH STREET, ON THE STREETS AND SIDEWALKS CLOSED PURSUANT TO A STREET CLOSURE PERMIT DURING THE TIMES OF ACTUAL CLOSURE FOR THE JUNE 21, 2014 CITY CO-SPONSORED EVENT ENTITLED GO SKATE ST. PETE PRESENTED BY THE IAN TILMANN FOUNDATION, INC. BETWEEN THE HOURS OF 11:00 A.M. AND 5:00 P.M. IN SPA BEACH PARK AND ADJACENT DOWNTOWN STREETS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Notwithstanding any other Ordinance of the City of St. Petersburg, the operation or riding a skateboard in or upon any sidewalk or street within the area bounded by Fifth Avenue North, Tampa Bay, Fifth Avenue South, and 16th Street, shall be permissible on the streets and sidewalks closed pursuant to a street closure permit during the times of actual closure for the June 21, 2014 City co-sponsored event entitled Go Skate St. Pete presented by The Ian Tilmann Foundation, Inc. between the hours of 11:00 a.m. and 5:00 p.m in Spa Beach Park and adjacent downtown streets...

SECTION 2. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (designee)

ST. PETERSBURG CITY COUNCIL

Meeting of April 3, 2014

TO: The Honorable William H. Dudley, Chair, and Members of City Council

SUBJECT: **City File FLUM-18:** The 7.32 acre subject property is generally located on the northeast corner of 34th Street North and 13th Avenue North.

A detailed analysis of the request is provided in the attached Staff Report FLUM-18.

- REQUEST:**
- (A) ORDINANCE 703-L amending the Future Land Use Map designation from Industrial Limited to Planned Redevelopment-Mixed Use.
 - (B) ORDINANCE 732-Z rezoning the above described property from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.
 - (C) RESOLUTION _____ requesting amendment to the Countywide Future Land Use Plan, as described above, to comply with the requirements of the Pinellas Planning Council and Pinellas County Board of County Commissioners.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: The subject property is located within the boundaries of the North Kenwood Neighborhood Association. The Planning & Economic Development Department received:

- Two (2) telephone calls regarding this application. Each telephone call was a general inquiry about the public notice. The callers did not express support for, or opposition to, the application.
- Two (2) letters regarding this application:
 - One (1) letter was submitted by a property owner in the North Kenwood neighborhood and expressed general opposition to the application;
 - One (1) letter was received by CSX Real Property, owner of abutting property. CSX Real Property recommended: 1) designation of a 50-foot buffer between any development and the rail right-of-way; and 2) installation of a fence along the common property line between the operating track and any future development.

Planning & Visioning Commission (PVC): On December 10, 2013 the PVC held a public hearing on this matter. The PVC recommended APPROVAL of both "Parcel A" and "Parcel B" by a vote of four (4) to one (1).

City Council: This application was originally scheduled for public hearing review on January 23, 2014. At the request of the applicant, and consent of the City Council, the application was deferred. The purpose of the request was to allow addition time for the applicant to consult with the Pinellas Planning Council (PPC) staff.

Recommended City Council Action: 1) CONDUCT the second reading and public hearing for the proposed ordinances; 2) APPROVE the attached resolution; and 3) ADOPT the attached ordinances.

Attachments: Ordinances (2), Resolution, Maps, draft Planning & Visioning Commission Minutes and Staff Report.

ORDINANCE NO. 703-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; CHANGING THE LAND USE DESIGNATION OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF 34th STREET NORTH AND 13th AVENUE NORTH, FROM INDUSTRIAL LIMITED (IL) TO PR-MU (PLANNED REDEVELOPMENT-MIXED USE); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, the City of St. Petersburg Comprehensive Plan and Future Land Use Map are required by law to be consistent with the Countywide Comprehensive Plan and Future Land Use Map and the Pinellas Planning Council is authorized to develop rules to implement the Countywide Future Land Use Map; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg land use amendment provided herein as being consistent with the proposed amendment to the Countywide Future Land Use Map amendment which has been initiated by the City; now, therefore

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Pursuant to the provisions of the Local Government Comprehensive Planning and Land Development Act, as amended, and pursuant to all applicable provisions of law, the Future Land Use Map of the City of St. Petersburg Comprehensive Plan is amended by placing the hereinafter described property in the land use category as follows:

Property

“Parcel A”

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 30.00 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

BEARING NORTH 00°06'36" EAST, A DISTANCE OF 928.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 278.50 FEET TO A POINT;

THENCE, BEARING SOUTH 00°06'15" WEST, A DISTANCE OF 960.62 FEET TO A POINT;

THENCE, BEARING NORTH 89°31'53" WEST, A DISTANCE OF 178.45 FEET TO A POINT;

THENCE, BEARING SOUTH 89°49'35" WEST, A DISTANCE OF 70.00 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°17'01", A CHORD LENGTH OF 42.53 FEET BEARING NORTH 45°01'55" WEST;

THENCE, NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.27 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 267,075 SQUARE FEET OR 6.13 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

"Parcel B"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 958.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 292.20 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE, BEARING NORTH 00°09'54" EAST, A DISTANCE OF 302.07 FEET TO A POINT;

THENCE, BEARING NORTH 89°59'21" EAST, A DISTANCE OF 149.01 FEET TO A POINT;

THENCE, BEARING SOUTH 00°04'15" EAST, A DISTANCE OF 301.91 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 371.97 FEET, A CENTRAL ANGLE OF 27°27'23", A CHORD LENGTH OF 176.55 FEET BEARING SOUTH 43°21'00" WEST;

THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 178.25 FEET TO A POINT;

THENCE, BEARING NORTH 00°06'34" EAST, A DISTANCE OF 128.24 FEET TO A POINT;

THENCE, BEARING SOUTH 89°55'48" WEST, A DISTANCE OF 29.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 51,687 SQUARE FEET OR 1.19 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

Land Use Category

From: **Industrial Limited**

To: **Planned Redevelopment - Mixed Use**

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon approval of the required Land Use Plan change by the Pinellas County Board of County Commissioners and upon issuance of a final order determining this amendment to be in compliance by the Department of Economic Opportunity (DEO) or until the Administration Commission issues a final order determining this amendment to be in compliance, pursuant to Section 163.3189, F. S. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective as set forth above.

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-18
(Land Use)



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT 3-18-14 DATE



ASSISTANT CITY ATTORNEY 3/18/14 DATE

ORDINANCE NO. 732-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE ZONING OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF 34nd STREET NORTH AND 13th AVENUE NORTH, FROM INDUSTRIAL SUBURBAN (IS) TO CCS-1 (CORRIDOR COMMERCIAL SUBURBAN); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PORTIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Property

"Parcel A"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 30.00 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

BEARING NORTH 00°06'36" EAST, A DISTANCE OF 928.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 278.50 FEET TO A POINT;

THENCE, BEARING SOUTH 00°06'15" WEST, A DISTANCE OF 960.62 FEET TO A POINT;

THENCE, BEARING NORTH 89°31'53" WEST, A DISTANCE OF 178.45 FEET TO A POINT;

THENCE, BEARING SOUTH 89°49'35" WEST, A DISTANCE OF 70.00 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°17'01", A CHORD LENGTH OF 42.53 FEET BEARING NORTH 45°01'55" WEST;

THENCE, NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.27 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 267,075 SQUARE FEET OR 6.13 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

"Parcel B"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 958.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 292.20 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

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THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 178.25 FEET TO A POINT;

THENCE, BEARING NORTH 00°06'34" EAST, A DISTANCE OF 128.24 FEET TO A POINT;

THENCE, BEARING SOUTH 89°55'48" WEST, A DISTANCE OF 29.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 51,687 SQUARE FEET OR 1.19 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

District

From: IS (Industrial Suburban)

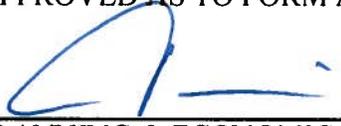
To: CCS-1 (Corridor Commercial Suburban)

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. This ordinance shall become effective upon the date the ordinance adopting the required amendment to the City of St. Petersburg Comprehensive Plan's Future Land Use Map becomes effective (Ordinance ___-L).

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-18
(Zoning)



3-18-14

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

DATE



3/18/14

ASSISTANT CITY ATTORNEY

DATE

RESOLUTION NO. 2013-____

A RESOLUTION TRANSMITTING A PROPOSED AMENDMENT TO THE CITY OF ST. PETERSBURG LOCAL GOVERNMENT COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St. Petersburg City Council has held the requisite public hearing in consideration of a request to amend the Local Government Comprehensive Plan; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg Comprehensive Plan amendment, and determined it to be consistent with the Countywide Future Land Use Plan and Rules.

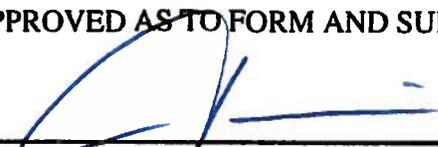
NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida:

That the City Council of St. Petersburg does hereby transmit the proposed amendment to the Local Government Comprehensive Plan to the Pinellas Planning Council (PPC) for a consistency review with the Countywide Future Land Use Plan and Rules.

This Resolution shall become effective immediately upon its adoption.

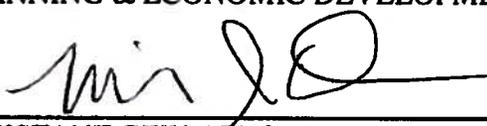
APPROVED AS TO FORM AND SUBSTANCE:

City File FLUM-18



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

12-23-13
DATE



ASSISTANT CITY ATTORNEY

12/18/13
DATE



**CITY OF ST. PETERSBURG
PLANNING & VISIONING COMMISSION
PUBLIC HEARING**

Electronically approved as written 1/6/14

**Council Chambers
City Hall**

**December 10, 2013
Tuesday, 4:00 p.m.**

MINUTES

Present: Thomas Whiteman, Jr., Chair
William E. Klein, Vice-Chair
Robert M. Eschenfelder
Ed Montanari
Robert "Lee" Nolan

Commissioners Absent: Douglas E. Robison, Alternate¹
Jeff Rogo, Alternate¹ ¹ *excused*

Staff Present: Derek Kilborn, Manager, Urban Planning & Historic Preservation
Tom Whalen, Planner, Transportation & Parking Management
Michael Dema, Assistant City Attorney
Vicky Davidson, Administrative Assistant, Planning & Economic Development

The public hearing was called to order at 4:00p.m., a quorum was present.

I. MINUTES

Minutes from the November 12, 2013 meeting were approved by a unanimous vote.

II. QUASI-JUDICIAL PUBLIC HEARING

A. City File FLUM-18

**Contact Person: Derek Kilborn
893-7872**

Location: The subject property, estimated to be 7.32 acres in size, is generally located on the northeast corner of 34th Street North and 13th Avenue North.

Request: To amend the Future Land Use Map designation from IL (Industrial Limited) to PR-MU (Planned Redevelopment – Mixed-Use) and the official Zoning Map designation from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

Staff Presentation

Derek Kilborn gave a presentation based on the staff report.

Commissioner Klein questioned the consistency of the proposal with the surrounding neighborhood. Mr. Kilborn stated that the entire 34th Street corridor, with the exception of this particular property, is zoned CCS-1; a mixed-use classification that accommodates both commercial activity as well as multi-family dwelling units. This proposal would convert the frontage along 34th Street to that mixed-use category to be consistent with everything around it.

Commissioner Klein asked if a response was obtained from the owner of the corner parcel between Parcel "A" and Parcel "B." Mr. Kilborn stated that staff had advised the applicant to make contact with that property owner and the applicant would have to speak to the details of how that happened.

Commissioner Eschenfelder asked if staff agreed that core commercial is almost always going to be the most valuable and profitable use of the land. Mr. Kilborn replied not in all cases but could be the case here.

Commissioner Eschenfelder asked what the Economic Development Dept. does specifically to draw or create industrial businesses to the City. Mr. Kilborn explained that he does not work on the economic development side of the department; however, generally speaking there are a number of different initiatives (community redevelopment areas, special area plans, enterprise zones) trying to seek industrial investment in existing Industrial zoning categories. There are several areas in the City with a high concentration of industrial zoning (e.g. Industrial Dome Area and west of Tyrone Mall) and in this case there is a smaller isolated industrial zoned piece of property that is a little harder to target that type of concentrated activity. In terms of specific program details he would have to refer to the economic development section of the department.

Commissioner Eschenfelder asked if staff had researched the viability of the use of this size of land, given what roads are connected and the infrastructure in place, for a heavier industrial use. Mr. Kilborn replied that he had not been involved with that type of study but knows that the Economic Development Dept. is now and has in the past invested the time and resources, and did the necessary types of background research and outreach.

Commissioner Eschenfelder asked if staff knew the inventory of the remaining industrial land and what other similar sized parcels are remaining that could be taken advantage of by future industrial developers. Mr. Kilborn stated that he did not have a specific acreage count; however, it will become incrementally more difficult to request these types of changes because following the 2007 rezoning, there are much more concentrated locations of industrial activity and the subject property is one of the few pieces of land left where the frontage is on a commercial corridor creating some kind conflict between the two types of land uses (commercial and industrial) so staff felt this case was a little stronger, especially with the frontage along 34th Street, than what would be seen in other industrial areas.

Commissioner Montanari asked staff for background information on the furniture store which looks out of place; a retail establishment in an industrial suburban area. Mr. Kilborn stated that the Industrial zoning classification does allow some accessory retail activity to take place provided the floor area for that activity is limited to no more 25% of the entire building square footage. In this particular case, the commercial character reflects the direction of where staff sees the 34th Street activity is going.

Commission Chair Whiteman compared the Walgreen's proposal at Roosevelt Blvd. and 9th Street, a piece of property under-utilized with staff's recommendation of denial to protect the City's industrial property, with today's request which the staff's recommendation is basically the opposite. Mr. Kilborn replied that in

Walgreen's case, there were other surrounding issues (e.g. preservation area abutting the property and the northeast corner of the intersection is zoned industrial) and in this case, there is currently commercial activity on the east side of 34th Street leading up to 13th Avenue North and then picking up again at 17th Avenue moving north and staff felt that this was a stronger application providing the connectivity along 34th Street, where the Walgreen's proposed site would have been a stand-alone corner piece with commercial zoning with no connectivity to any neighboring commercial property.

Applicant Presentation

Marilyn Mullen Healey, Esq. with Adams and Reese and representing the owner, Times Publishing Company, began in support of the request with Susan Finch, AICP, concluding the presentation. Ms. Finch submitted her resume and complete planning analysis for the record.

Commissioner Klein asked who owns the rectangular piece of property. Ms. Finch replied CSX.

Commission Chair Whiteman asked if the subject property is contaminated in any way. Ms. Healey replied that she believes that there were some issues in the past but clean-up activities were undertaken and believes that all is good now.

Commissioner Eschenfelder asked what the applicant, Tampa Bay Times, has done to market the property as industrial. Ms. Healey replied that they had not listed the property as industrial but over the years have been approached by people to buy the property but not for industrial uses. Ms. Healey went on to say that industrial users tend to go toward areas where there are other industrial uses and the subject area does not have the industrial concentration, and believes that there is only a commercial market there.

Commissioner Eschenfelder asked why the Times had not listed the property for sale. David Box with Box Realty Advisors replied that they have the subject property listed for sale without an industrial use-specific because it is surrounded by commercial uses, feeling that this is not an industrial site.

Commissioner Eschenfelder asked Mr. Box, in his professional opinion, that if this land is rezoned to commercial then he has little doubt that commercial is what would be put in place, to which Mr. Box agreed. Mr. Box went on to say that everyone who has approached him is more of a traditional type of CCS-1 type of business (e.g. bank, restaurant-type use, etc.).

Commissioner Eschenfelder asked Mr. Box if the applicant's group have done any studies showing the dire need for more commercial in this area. Mr. Box replied that he is not sure about dire need but it's a matter of supply and demand; if the demand is perceived then the uses will come and he has only been approached by strictly commercial users. Ms. Healey added that although the applicant's group had not done a study, the City has and had identified the subject area as a commercial corridor in the Vision Plan.

Commissioner Eschenfelder stated his concern of which many times when a new retail/commercial business is developed it pulls customers, businesses and investments from some place else within the City causing blight many times in the surrounding area.

Public Hearing

Steve Galvin, 3161 – 12th Ave N located directly across from the Times rear parking lot, spoke in opposition of the request; employee parking currently in Parcel “A” having to move to behind the Times plant creating increased traffic and noise on 13th Ave N., losing a significant area of green space if Parcel “A” is redeveloped, and there is currently a large inventory of vacant commercial properties in the area. Mr. Galvin also believes, after talking with several people who have been in the area for quite awhile, that most of the subject property continues to have a large level of toxicity; the Times property has had no soil cleansing.

Commissioner Eschenfelder asked about the apparent conflict of facts regarding whether or not environmental mediation has occurred. Ms. Healy stated that the subject property is in full compliance with any of the environmental laws. Ms. Healy went on to say that the parking in Parcel “A” is not at full capacity and is not needed, and the plant site would stand on its own (i.e., green space, water retention, adequate parking).

Mr. Galvin stated that the parking in Parcel “A” is the primary lot for employee parking with a smaller lot behind the Times plant along 13th Avenue used by the warehouse people. In regards to the green space, 2/3 of the Parcel “A” has a significant amount of green area and adds livability to the area. He has no issue with Parcel “B.”

Mr. Kilborn stated that the act of rezoning the property does not waive the property owner from meeting minimum parking requirements or any other type of land development regulation but simply changes the classification of the property. If at some point the subject property along 34th Street is redeveloped, the owner would have to provide information and data showing that they are still meeting the minimum number of required parking, the minimum impervious surface ratio requirements as well as the drainage requirements for the property.

Cross Examination

City Administration and Applicant waived cross examination.

Rebuttal

Mr. Kilborn stated that the implementation of the Land Development Regulations in 2007 really concentrated many of these districts in a more meaningful pattern so when rezoning inquiries or applications are received by the City often times the property is isolated, in the middle of a block with no connectivity to surrounding commercial activity. Staff provides their professional input to those individuals and most times the person will leave with that information and never file an application. These days the Commission is not seeing those types of applications; however, with the 34th Street frontage staff feels that this is one of those cases that warranted bringing forward and offering some support to rezone to the commercial classification.

Ms. Healy stated that whoever purchases the subject property would have to present their development plan to the City which, hopefully, will alleviate some of Mr. Galvin’s concerns.

Executive Session

MOTION: *Commissioner Nolan moved and Commissioner Klein seconded a motion to approve the Future Land Use Map designation and Official Zoning Map designation request for Parcels "A" and "B."*

Commissioner Nolan stated that it seemed to him that the zoning is just catching up to reality.

Commissioner Montanari stated that he plans to approve the motion of both parcels and voiced his agreement with the applicant with not seeing the subject property as an industrial area anytime in the future and the fact that this land has been vacant for 45 years speaks to that exemption to LU3.26.a.

Commissioner Eschenfelder stated that if he were to approve, he would approve both Parcel "A" and Parcel "B." He understands staff's justification for splitting their recommendation with respect to Parcel "B" but feels this would create more problems in the future. However, he can not support the motion because he feels the City needs to get a grip on redevelopment. He feels that there are a number of sites in the City ripe for redevelopment that could host commercial/retail but understands this could be more difficult than building on a piece of raw land (e.g. assembling parcels, demolition, infrastructure enhancements, etc.) When a commercial development is done on this kind of footprint, he feels that this kills the "mom & pop" businesses and will increase traffic along 34th Street which is quite congested already, and that he does not feel more commercial development along 34th Street is needed. Commissioner Eschenfelder went on to say that if the Times had marketed the property as industrial, they might have perhaps found an industrial developer and that the City should give that a try. He is not influenced by the preservation of green space because industrial development could be more disruptive to the wildlife than commercial development, but he is more influenced by the fact that industrial land needs to be preserved and while the subject property is not a perfect site he feels that the entire Times site is ripe for redevelopment if the Times ever decide in the future to move their plant elsewhere, which is another concern of his.

Commissioner Klein stated that he feels that commercial is perfect for the subject site. Industrial development could be a lot worse for the area traffic-wise, noise-wise and environmentally-wise. Commissioner Klein went on to say that he agreed with Commissioner Nolan that the rezoning request is just catching up with reality and that he did not agree with Commissioner Eschenfelder because he feels that we, the consumers, are putting the "mom & pop" establishments out of business, not someone else. It supports the motion.

Commission Chair Whiteman stated that he feels urban retail is a better fit than heavy industry on the subject site and then asked what kind of light industry could be developed that would serve the neighborhood and, if the motion is approved where would the parking for retail development be located (in front or behind). Mr. Kilborn responded that light industrial consists primarily of assembly pre-manufactured parts (mechanically or manually) and in regards to commercial zoning setbacks, CCS allows for a smaller setback of one row/drive lane with a row of parking in front and the remaining parking located on the side or to the rear.

VOTE: *YES – Montanari, Nolan, Klein, Whiteman
NO - Eschenfelder*

Motion was approved by a vote of 4 to 1.



Staff Report to the St. Petersburg Planning & Visioning Commission
Prepared by the Planning & Economic Development Department,
Urban Planning and Historic Preservation Division

For Public Hearing and Executive Action on December 10, 2013
at **4:00 p.m.**, in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File: FLUM-18
Agenda Item #1

According to Planning and Economic Development Department records, no Planning & Visioning Commission member owns property located within 2,000 feet of the subject property. All other possible conflicts should be declared upon announcement of the item.

APPLICANT/ OWNER: Times Publishing Company
490 1st Avenue South
St. Petersburg, FL 33701

REPRESENTATIVE: Marilyn Mullen Healy, Esq.
Adams and Reese, LLP
101 East Kennedy Blvd. Ste. 4000
Tampa, FL 33602

SUBJECT PROPERTY:

The subject property, estimated to be 7.32 acres in size, is generally located on the northeast corner of 34th Street North and 13th Avenue North.

PIN/LEGAL:

The application includes two (2) parcels from combined portions of four (4) PIN nos. The subject parcels are detached, constituting two (2) separate pieces. A legal description and map of the parcels is attached:

“Parcel A”

- 14/31/16/71460/000/0242 (whole)
- 14/31/16/54054/000/0010 (portion of)

“Parcel B”

- 14/31/16/71460/000/0180 (portion of)
- 14/31/16/71460/000/0240 (portion of)

REQUEST:

The request is to amend the Future Land Use Map designation for both “Parcel “A” and “Parcel B” from Industrial Limited to Planned Redevelopment Mixed-Use, and the Official Zoning Map designation for both parcels from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

PURPOSE:

The applicant’s desire is to sell the property for use in a commercial development.

EXISTING USES:

Parcel “A” – vacant, parking lot and stormwater drainage facility.
Parcel “B” – vacant and parking lot.

SURROUNDING EXISTING USES:

The surrounding uses are as follows:

- North: Sam’s Club, furniture resale store and a retail shopping center
- South: Commercial development along 34th Street North
- East: St. Petersburg Times Printing and Distribution Centers
- West: Commercial development along 34th Street North

ZONING HISTORY:

From 1977 to 2007, the subject property was designated with IP (Industrial Park) zoning. The current IS (Industrial Suburban) zoning designation has been in place since September 2007, following implementation of the City’s Vision 2020 Plan, the city-wide rezoning and update of the City Code Chapter 16, Land Development Regulations (LDRs).

In 2010, the adjacent properties to the north, requested the same future land use map and zoning changes being requested by this application. City File FLUM-6 and associated ordinances (691-L and 719-Z) were adopted on second reading by City Council on May 20, 2010. The adjacent properties were subsequently developed with a Sam’s Club retail warehouse and an affiliated gas-filling station.

APPLICABLE REGULATIONS:

The subject property is estimated to be 7.32 acres, or 318,762 square feet (mol), in size. "Parcel A" comprises an area of 267,075 square feet or 6.13 acres; "Parcel B" comprises an area of 51,687 square feet or 1.19 acres. As previously stated, the applicant's request is to amend the Future Land Use Map designation from Industrial Limited to Planned Redevelopment Mixed-Use and rezone from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban).

Development potential under the present IS zoning designation is 207,195 square feet of light industrial, industrial park or office park use, based on a floor-area-ratio of 0.65.

Development potential under the requested CCS-1 zoning designation is as follows:

1. *Single-use residential* up to 110 multi-family units, calculated at a density of 15 units per acre. The following bonuses may be added:
 - a. A workforce housing density bonus of six (6) units per acre; and
 - b. A transfer of development rights (TDR) bonus of nine (9) units per acre.
2. *Single-use non-residential* up to 175,319 square feet by right, calculated at a maximum floor-area-ratio (FAR) of 0.55. The following bonuses may be added:
 - a. A transfer of development rights (TDR) bonus of 0.2 FAR.
3. *Mixed-use residential and non-residential* up to 175,319 square feet and not to exceed 110 multi-family units. The following bonuses may be added:
 - a. A workforce housing bonus of 0.2 FAR; and
 - b. A transfer of development rights (TDR) bonus of 0.2 FAR.

SPECIAL INFORMATION:

The subject property is located within the boundaries of the North Kenwood Neighborhood Association.

STAFF ANALYSIS:

As has been described, the 7.32 acre subject property is generally located on the northeast corner of 34th Street North and 13th Avenue North. The vacant subject area is part of a larger 34 acre (mol) industrial tract owned by the Times Publishing Company. The Times' operations on this larger property include newspaper printing and distribution.

While the applicant has indicated that the subject property will be repurposed with non-residential development, there is no binding commitment or obligation at this time. City staff's analysis of the request is based on a review of consistency with the Comprehensive Plan.

The primary issues related to the applicant's request are the following: 1) consistency of the requested designations with the established land use and zoning patterns; 2) commercial corridor redevelopment opportunities; 3) loss of industrial land; 4) traffic impact; and 5) other level of service considerations.

Land Use and Zoning Consistency

The subject application has been divided into two (2) parcels. "Parcel A" is the larger of the two (2) parcels totaling 267,075 square feet or 6.13 acres. "Parcel A" has substantial frontage along 34th Street North. "Parcel B" is the smaller of the two (2) parcels totaling 57,687 square feet or 1.19 acres. "Parcel B" is detached from "Parcel A," lacks frontage along 34th Street North and is only accessible from 17th Avenue North.

Action on both "Parcel A" and "Parcel B" would isolate property located at 1601 34th Street North (PIN no. 14-31-16-71460-000-0171) from the remaining Industrial Limited Future Land Use Map designation and IS (Industrial Suburban) Official Zoning Map designation to the east and southeast. For this reason, city staff recommended the applicant make contact with the registered property owner(s) and invite them to join this application. Since October 23, 2013, the applicant has made numerous attempts to contact the registered owner(s), as requested. According to the applicant, each attempt remains unanswered. This critical piece of property would provide the connectivity that is necessary for the provision of an orderly land use arrangement. Its exclusion however, requires city staff to make a split recommendation in support of "Parcel A" and opposition to "Parcel B".

Generally, the requested PR-MU Future Land Use Map designation and CCS-1 Official Zoning Map designation are consistent with existing designations to the north, south and west. Except for the conditions described in the preceding paragraph, the request is consistent with Policy LU3.4 of the Comprehensive Plan, which states that "*the Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.*"

The requested designations are also consistent with Policy LU3.6 which states that *land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated.* The character of this area of the City is dominated by commercial uses along 34th Street North, a major arterial roadway.

City staff believes that the applicant's request is also consistent with Policy LU3.5, which states that "*the tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.*"

Commercial Corridor Redevelopment Opportunities

If approved, the applicant's request will result in new investment and redevelopment within an existing commercial corridor, which is consistent with the following objectives and policies from the Comprehensive Plan: Policy LU3.17, which states that "*future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan;*" Objective LU4(2), which states that "*...the City shall provide opportunities for additional commercial development where appropriate;*" Policy LU11.2, which states that "*the need for redevelopment should be assessed based on potential for private investment;*" and Objective LU18, which states that "*commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages.*"

Loss of Industrial Land

The subject property presently has an Industrial Limited future land use plan designation and IS (Industrial Suburban) zoning. The purpose and intent of the IS zoning district is to provide for areas where labor intensive light manufacturing can occur, as well as corporate headquarters and office uses. As stated previously, the subject area is part of a larger industrial tract of land owned by Times Publishing, Inc. The City has a limited amount of industrial land, thus retaining industrially-zoned land aids in keeping the local economy diversified, improves the tax base, and presents opportunities for high skill/higher paying employment opportunities.

The requested CCS-1 zoning, however, will not preclude the subject property from being used for light manufacturing/assembly-type uses. The CCS-1 regulations permit light manufacturing operations, as well as construction businesses, motor vehicle service & repair, publishing & printing operations, and fleet-based service businesses.

While policies set forth in the Comprehensive Plan protect and support industrially-zoned land, in 2004 the City Council adopted Policy LU3.26 which is intended to allow greater flexibility in evaluating future land use plan amendments involving industrial land uses, and provide clarity and guidance about when it is appropriate to designate property as industrial and when it is appropriate to remove an industrial land use designation. Policy LU3.26.a states that "*Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.*"

The request to rezone the subject property is consistent with the first criterion, because the land, which has been zoned industrial since at least 1977, has never been developed.

In addition, market considerations affecting the subject site are favorable toward commercial development because high traffic counts on 34th Street and the current commercial development pattern of the corridor.

Traffic Impact

Roadway level of service (LOS) and traffic impacts are discussed in greater detail in the Impact Section of this report. To summarize, an amendment from Industrial Limited to Planned Redevelopment-Mixed Use will likely result in a net increase of 112 p.m. peak hour trips; however, such an increase would not have an impact on roadway level of service.

In summary, City staff concludes that the traffic generated from the proposed development of the property will not significantly impact the surrounding roadway network, which is consistent with the following Comprehensive Plan policies:

- Policy LU3.18, which states that *all retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.*
- Policy LU5.3, which states that *the Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.*
- Policy T1.3, which states that *the City shall review the impact of all rezoning proposals and requests to amend the FLUM on the City's transportation system. FLUM amendment requests that increase traffic generation potential shall demonstrate that roadway and/or mass transit capacity are available to accommodate the additional demand.*
- Policy T3.1, which states that *all major city, county and state streets, not including those identified as constrained in the City's most current concurrency annual monitoring report shall operate at LOS D or better in the peak hour of vehicular traffic. Florida Intrastate Highway System facilities shall operate at a LOS that is consistent with Rule 14-94, FAC.*

Other Level of Service (LOS) Considerations

The Level of Service (LOS) impact section of this report concludes that the requested Plan change and rezoning will not have a significant negative effect upon the City's adopted LOS standards for public services and facilities including schools, potable water,

sanitary sewer, solid waste, traffic, mass transit, recreation, and stormwater management. A summary of the potential impact on the City’s public facilities is as follows:

Public Facilities Impact Summary (highest use calculations)	Existing Zoning (IS)	Proposed Zoning (CCS-1)	Net Change
Population	2.0	192	190
School Age Population	1.0	36	35
Potable Water	20,720 gpd	43,830 gpd	23,110 gpd
Sanitary Sewer	10,360 gpd	43,830 gpd	33,470 gpd
Solid Waste	3.0	250 tons/yr	247 tons/yr
Traffic (p.m. peak hour)	127 trips	239 trips	112 trips

Thus, the applicants’ request is consistent with the following three policies due to the fact that sufficient public facility capacity exists:

- Policy LU2.4, which states that *the City may permit higher intensity uses outside of activity centers only where available infrastructure exists and surrounding uses are compatible.*
- Policy LU3.18, which states that *all retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.*
- Policy LU5.3, which states that *the Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.*

SPECIAL NOTE ON CONCURRENCY:

Levels of Service impacts are addressed further in this report. Approval of this land use change and rezoning request does not guarantee that the subject property will meet the requirements of Concurrency at the time development permits are requested. **Completion of this land use plan change and rezoning does not guarantee the right to develop on the subject property.** Upon application for site plan review, or development permits, a full concurrency review will be completed to determine whether

or not the proposed development may proceed. The property owner will have to comply with all laws and ordinances in effect at the time development permits are requested.

RECOMMENDATION:

City staff recommends:

- For “Parcel A,” **APPROVAL** of the request to amend the Future Land Use Map designation from Industrial Limited to Planned Redevelopment-Mixed Use, and Official Zoning Map designation from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or less intensive use, on the basis that the request is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
- For “Parcel B,” **DENIAL** of the request to amend the Future Land Use Map designation from Industrial Limited to Planned Redevelopment-Mixed Use, and Official Zoning Map designation from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or less intensive use, on the basis that any decision to approve the request will break existing continuity and create an isolated industrial property that is inconsistent with the goals, objectives and policies of the City's Comprehensive Plan.

**RESPONSES TO RELEVANT
CONSIDERATIONS ON AMENDMENTS
TO THE LAND USE PLAN:**

a. Compliance of probable use with goals, objectives, policies and guidelines of the City's Comprehensive Plan.

The following policies and objectives from the Comprehensive Plan are applicable:

LU2.4 The City may permit higher intensity uses outside of activity centers only where available infrastructure exists and surrounding uses are compatible.

LU3.1.(C)(1) Industrial Limited (IL) – allowing a mixture of light industrial, industrial park and office park uses not to exceed a floor area ratio of 0.65.

LU3.1.(F)(2) Planned Redevelopment – Mixed Use (MU) - allowing mixed use retail, office, service and medium density residential uses not to exceed a floor area ratio of 1.25 and a net residential density of 24 dwelling units per acre.

LU3.4 The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.

LU3.5 The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.

LU3.6 Land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated.

LU3.7 Land use planning decisions shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions.

LU3.17 Future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan.

LU3.18 All retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.

- LU3.26.a Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.
- LU4(2) Commercial – the City shall provide opportunities for additional commercial development where appropriate.
- LU5.3 The Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.
- LU11.2 The need for redevelopment should be assessed based on the following factors; 1) building conditions, 2) socio/economic characteristics, 3) land to improvement value ratios, 4) non-conforming uses and 5) potential for private investment.
- LU18: Commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages.
- T1.3 The City shall review the impact of all rezoning proposals and requests to amend the FLUM on the City's transportation system. FLUM amendment requests that increase traffic generation potential shall demonstrate that transportation capacity is available to accommodate the additional demand.
- T3.1 All major city, county and state streets, not including those identified as constrained in the City's most current concurrency annual monitoring report shall operate at LOS D or better in the peak hour of vehicular traffic. Roadway facilities on the State Highway System, Strategic Intermodal System and Florida Intrastate Highway System and roadway facilities funded by Florida's Transportation Regional Incentive Program shall operate at a LOS that is consistent with Rule 14-94, FAC.

b. Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

The proposed amendment will not impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

c. Whether the proposed change would alter population or the population density pattern and thereby impact residential dwelling units and or public schools.

Under the proposed CCS-1 zoning, a total of 110 multifamily dwelling units could be developed, calculated at a density of 15 units per acre. Assuming that there are 1.74 persons per multifamily unit, the buildout population is estimated to be 192 persons. The previous zoning designation of IS does not permit residential development. Therefore, there are no population or student population figures calculated for the IS zoning district.

The Pinellas County School District estimates that there are 0.32 school age persons per household. For analysis purposes, under the proposed CCS-1 zoning, it is again *assumed* that if the subject site is redeveloped with 110 residential units, it is estimated that the resident population will include 36 persons (110 units x .32 students per unit) of school age. The school impact assessment is as follows:

Elementary School Students: 0.15 students per unit x 110 units = 17 elementary students

Middle School Students: 0.07 students per unit x 110 units = 8 middle school students

High School Students: 0.1 students per unit x 110 units = 11 high school students

d. Impact of the proposed amendment upon the following adopted levels of service (LOS) for public services and facilities including but not limited to: water, sewer, sanitation, traffic, mass transit, recreation, stormwater management.

The following analysis indicates that the proposed change *will not* have a significant impact on the City's adopted levels of service for potable water, sanitary sewer, solid waste, traffic, mass transit, stormwater management and recreation. Should the requested land use change and rezoning for the subject 7.32 acres be approved, the City has sufficient capacity to serve the subject property.

WATER

Based on the present IS designation, the maximum demand for potable water is estimated to be 20,720 gallons per day as follows:

Manufacturing: 207,195 sq. ft. x 0.05 gpd/sq. ft. = 10,350 gallons/day

Corporate/executive/administrative offices: 207,195 sq. ft. x 0.10 gpd/sq. ft. = 20,720 gallons/day

Source: Pinellas County, Water/Sewer Use Factors Study, 2000.

Under the requested CCS-1 zoning, the maximum demand for potable water could reach 43,830 gallons per day, as follows:

Multifamily development: 192 persons x 125 gpcpd = 24,000 gallons/day; or

Commercial development: 175,319 sq. ft. of commercial space x 0.25 gpd/sq. ft. = 43,830 gallons/day

Sources: St. Petersburg Comprehensive Plan; and Pinellas County, Water/Sewer Use Factors Study, 2000.

In summary, the demand for potable water will increase under the requested CCS-1 zoning. *Regardless, the rezoning of the subject property from IS to CCS-1 will not significantly impact the City's adopted LOS for potable water.*

Under the existing interlocal agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). TBW is contractually obligated to meet the City's and other member governments' water supply needs. The City's current potable water demand is 29.00 mgd.

While the City's adopted LOS standard for potable water is 125 gallons per capita per day (gpcd), in 2012 the City's actual gross consumption was approximately 86 gpcd. Reasons why St. Petersburg's average day demand and gross per capita consumption of potable water are not increasing, and actually decreasing in some water years, are the overwhelming success of the City's water conservation program and reclaimed water program.

WASTEWATER

The subject property will be served by the Southwest Water Reclamation Facility.

Based on the present IS designation, the maximum demand for sanitary sewer is estimated to be 10,360 gallons per day as follows:

Manufacturing: 207,195 sq. ft. of industrial space x 0.05 gpd/sq. ft. = 10,360 gallons/day

Source: St. Petersburg Comprehensive Plan; and Pinellas County, Water/Sewer Use Factors Study, 2000.

Under the requested CCS-1 zoning, the maximum demand for sanitary sewer could reach 43,830 gallons per day, as follows:

Multifamily development: 192 persons x 161 gpcpd = 30,912 gallons/day; or

Commercial development: 175,319 sq. ft. of commercial space x 0.25 gpd/sq. ft. = 43,830 gallons/day

Sources: St. Petersburg Comprehensive Plan; and Pinellas County, Water/Sewer Use Factors Study, 2000.

In summary, since the subject property is currently vacant, any development will increase demand for service. While there is a potential for increased sanitary sewer demand, the rezoning of the subject property from IS to CCS-1 will not significantly impact the City's adopted LOS for wastewater. In 2012, the Southwest Water Reclamation Facility had an estimated excess capacity of 9.67 million gallons per day, thus an increase of 43,830 gpd can easily be processed.

SOLID WASTE

Solid waste collection is the responsibility of the City. Approval of this request will not affect the City's ability to provide collection services. The County and the City have the same designated level of service of 1.3 tons per year per person, while there is no generation rate for nonresidential uses.

All solid waste *disposal* is the responsibility of Pinellas County. The County currently receives and disposes of municipal solid waste, and construction and demolition debris, generated throughout Pinellas County. The Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill are the responsibility of Pinellas County Utilities, Department of Solid Waste Operations; however, they are operated and maintained under contract by two private companies. The Waste-to-Energy Plant continues to operate below its design capacity of incinerating 985,500 tons of solid waste per year. The continuation of successful recycling efforts and the efficient operation of the Waste-to-Energy Plant have helped to extend the life span of Bridgeway Acres. The landfill has approximately 30 years remaining, based on current grading and disposal plans.

Although the subject property is proposed to be developed commercially, the following calculations reflect solid waste generation for residential development that would be permitted under the proposed zoning designation. Assuming a population of 192 persons under the proposed CCS-1 zoning, it is estimated that approximately 250 tons of solid waste per year may be generated (192 persons x 1.3 tpypp). Such an increase will not impact the City's adopted LOS for solid waste.

TRAFFIC

Summary of traffic impact (p.m. peak hour trips):
Existing Industrial Limited Plan Category 127
Requested Planned Redevelopment-
Mixed Use Plan Category 239

Existing Conditions

There is one major road with geographic proximity to the subject property, 34th Street North, designated as a principal arterial. Based on the Pinellas County MPO's 2013 Level of Service Report, the level of service for 34th Street from 5th Avenue North to 22nd Avenue North is "C." The average annual daily traffic (AADT) is 34,500. The

peak hour directional traffic is 1,803 and the physical capacity is 2,830; the volume-to-capacity ratio is 0.64.

Appropriate traffic impact mitigation measures will be determined at the time of site plan and special exception approval. Review of such development is based on compliance with a list of criteria that includes on-site or off-site road capacity enhancements, accommodations for transit, pedestrians and bicyclists, transportation demand management strategies, traditional design features and site design that minimizes cut-through traffic on neighborhood streets.

Sources: Pinellas County MPO 2013 Transportation LOS Report, City of St. Petersburg, Comprehensive Plan.

Trip Generation Under the Existing Industrial Limited and Proposed Planned Redevelopment-Mixed Use Future Land Use Map Designations

The traffic impact assessment provided here is a “macro” level of service analysis that is based on the present Industrial Limited designation.

The vehicle trip generation rate under the existing Industrial Limited land use is approximately 127 p.m. peak hour trips, calculated as follows:

- Step a. 178 avg. daily trips per acre of IL land x 7.5 acres = approximately 1,335 avg. daily trips
- Step b. 1,335 avg. daily trips x .095 percent = approximately 127 p.m. peak hour trips

The vehicle trip generation rate under the requested PR-MU land use is approximately 239 p.m. peak hour trips, calculated as follows:

- Step a. 335 avg. daily trips per acre of PR-MU land x 7.5 acres = approximately 2,513 avg. daily trips
- Step b. 2,513 avg. daily trips x .095 percent = approximately 239 p.m. peak hour trips

A Plan change from Industrial Limited to Planned Redevelopment-Mixed Use will likely result in a net increase of 112 p.m. peak hour trips. Such an increase would not have a significant impact on roadway level of service.

(The traffic analysis presented here is based on the applicable trip generation rates from the City’s Vision 2020 Special Area Plan Update and the Countywide Plan Rules of the Pinellas Planning Council, *Table 1: Traffic Generation Characteristics*.)

MASS TRANSIT

The Citywide LOS for mass transit will not be affected. PSTA provides local transit service along 34th Street (Route 19) with a 20-minute headway. The LOS for mass transit is headways less than one hour.

RECREATION

The City's adopted LOS for recreational acreage, which is 9 acres per 1,000 population, will not be impacted by this proposed rezoning. Under both the existing and proposed zoning, the LOS citywide will generally remain at 21.9 acres per 1,000 population.

STORMWATER MANAGEMENT

Prior to development of the subject property, site plan approval will be required. At that time, the stormwater management system for the site will be required to meet all city and SWFWMD stormwater management criteria. Also, there is an existing stormwater pond on the subject property that will be relocated and reconfigured to accommodate the proposed use.

- e. Appropriate and adequate land area sufficient for the use and reasonably anticipated operations and expansion.**

The land area is both appropriate and adequate for the anticipated use of the subject property.

- f. The amount and availability of vacant land or land suitable for redevelopment shown for similar uses in the City or in contiguous areas.**

There are approximately 98 acres of vacant land in the City designated with CCS-1 zoning.

- g. Whether the proposed change is consistent with the established land use pattern.**

The proposed Planned Redevelopment Mixed-Use land use designation is consistent with the established land use pattern to the north, south and west.

- h. Whether the existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change.**

The existing IS zoning district boundaries are not illogically drawn in relation to existing conditions.

- i. If the proposed amendment involves a change from a residential to a nonresidential use, whether more nonresidential land is needed in the proposed location to provide services or employment to the residents of the City.**

Not applicable, as the present designation is Industrial Limited.

- j. Whether the subject property is located within the 100-year flood plain or Coastal High Hazard Area as identified in the Coastal Management Element of the Comprehensive Plan.**

According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is located in the "X-Zone," i.e., not in the flood zone. In addition, the tract does not lie within the CHHA (Coastal High Hazard Area).

- k. Other pertinent information.** None

LEGAL DESCRIPTION FOR "PARCEL A"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 30.00 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

BEARING NORTH 00°06'36" EAST, A DISTANCE OF 928.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 278.50 FEET TO A POINT;

THENCE, BEARING SOUTH 00°06'15" WEST, A DISTANCE OF 960.62 FEET TO A POINT;

THENCE, BEARING NORTH 89°31'53" WEST, A DISTANCE OF 178.45 FEET TO A POINT;

THENCE, BEARING SOUTH 89°49'35" WEST, A DISTANCE OF 70.00 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°17'01", A CHORD LENGTH OF 42.53 FEET BEARING NORTH 45°01'55" WEST;

THENCE, NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.27 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF **267,075 SQUARE FEET OR 6.13 ACRES**, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

LEGAL DESCRIPTION FOR "PARCEL B"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 958.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 292.20 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE, BEARING NORTH 00°09'54" EAST, A DISTANCE OF 302.07 FEET TO A POINT;

THENCE, BEARING NORTH 89°59'21" EAST, A DISTANCE OF 149.01 FEET TO A POINT;

THENCE, BEARING SOUTH 00°04'15" EAST, A DISTANCE OF 301.91 FEET TO A POINT;

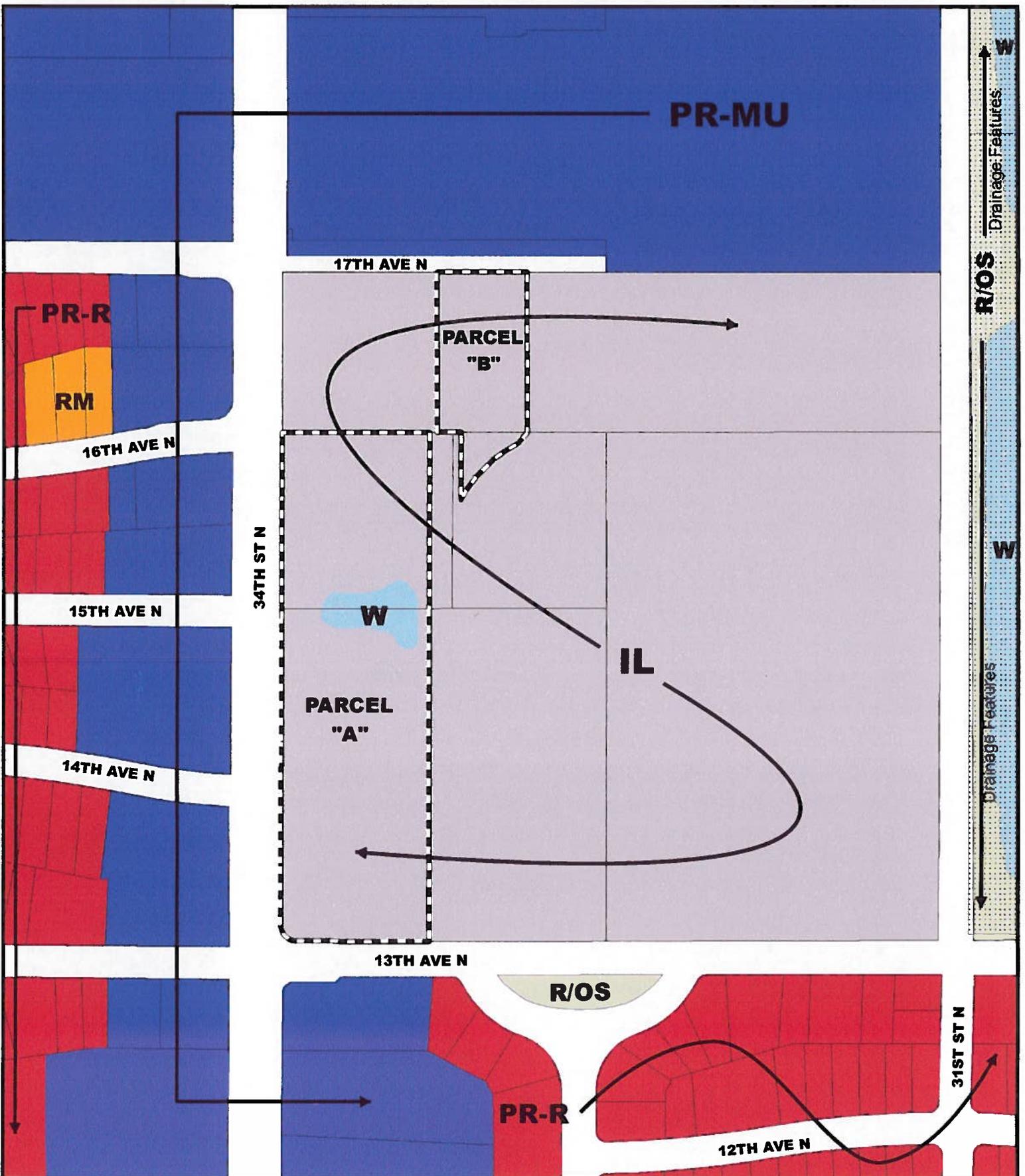
SAID POINT BEING THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 371.97 FEET, A CENTRAL ANGLE OF 27°27'23", A CHORD LENGTH OF 176.55 FEET BEARING SOUTH 43°21'00" WEST;

THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 178.25 FEET TO A POINT;

THENCE, BEARING NORTH 00°06'34" EAST, A DISTANCE OF 128.24 FEET TO A POINT;

THENCE, BEARING SOUTH 89°55'48" WEST, A DISTANCE OF 29.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF **51,687 SQUARE FEET OR 1.19 ACRES**, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.



FUTURE LAND USE PLAN DESIGNATION

CITY FILE
FLUM-18
 SCALE: 1" = 230'

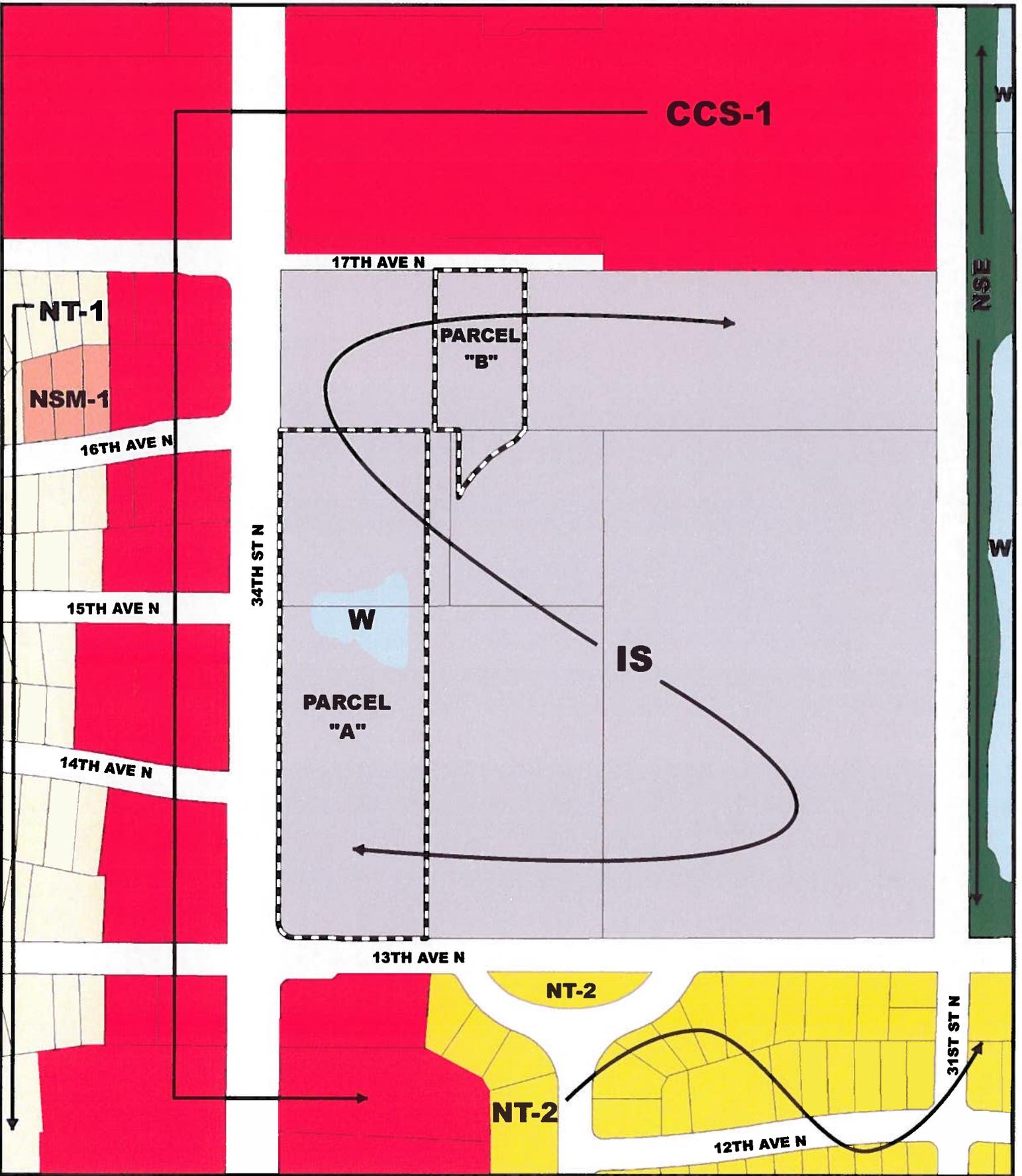
From: IL
(Industrial Limited)

To: PR-MU
(Planned Redevelopment-Mixed Use)



SUBJECT AREA





EXISTING ZONING

CITY FILE
FLUM-18
 SCALE: 1" = 230'

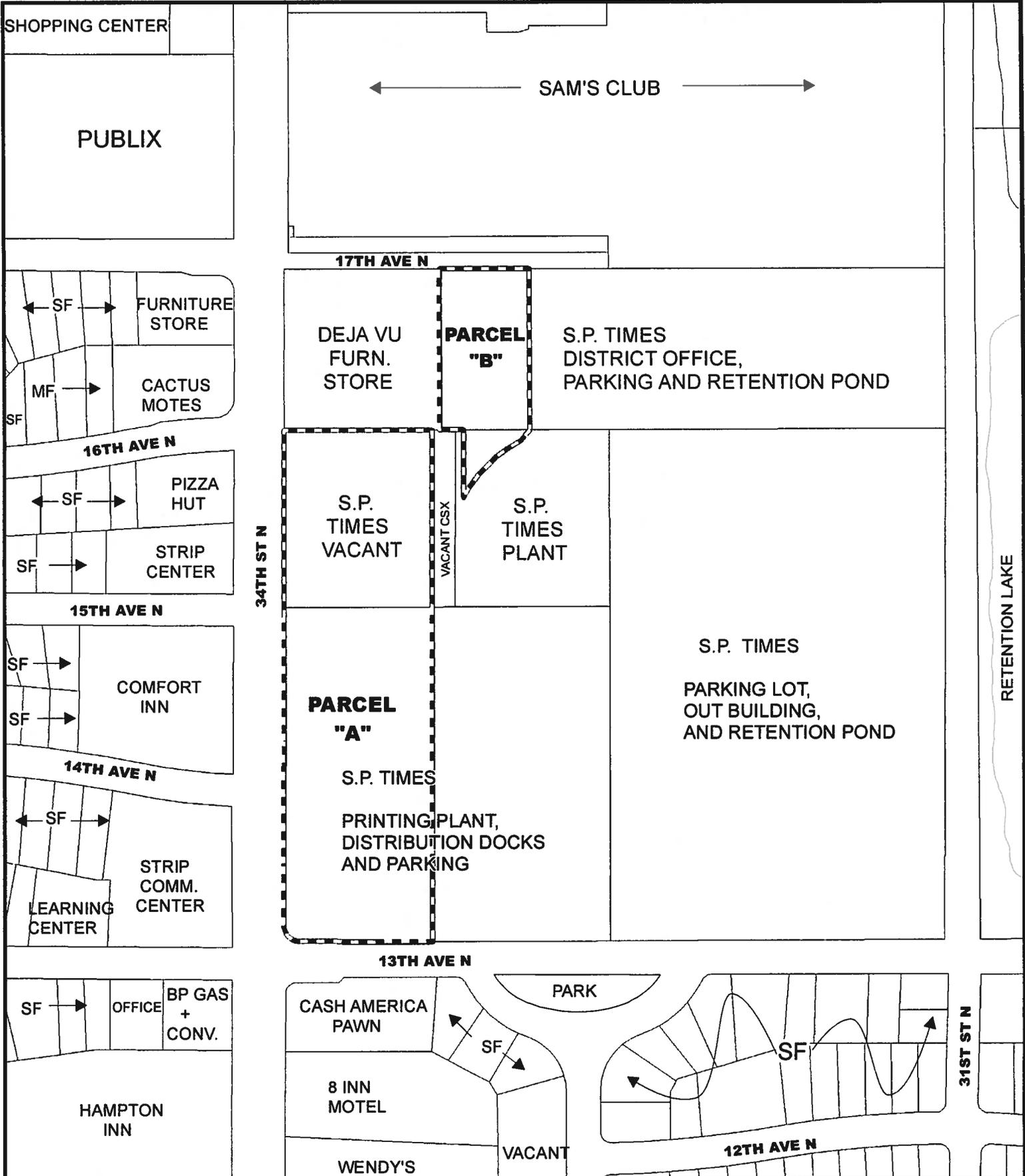
From: IS
(Industrial Suburban)

To: CCS-1
(Corridor Commercial Suburban)



SUBJECT AREA





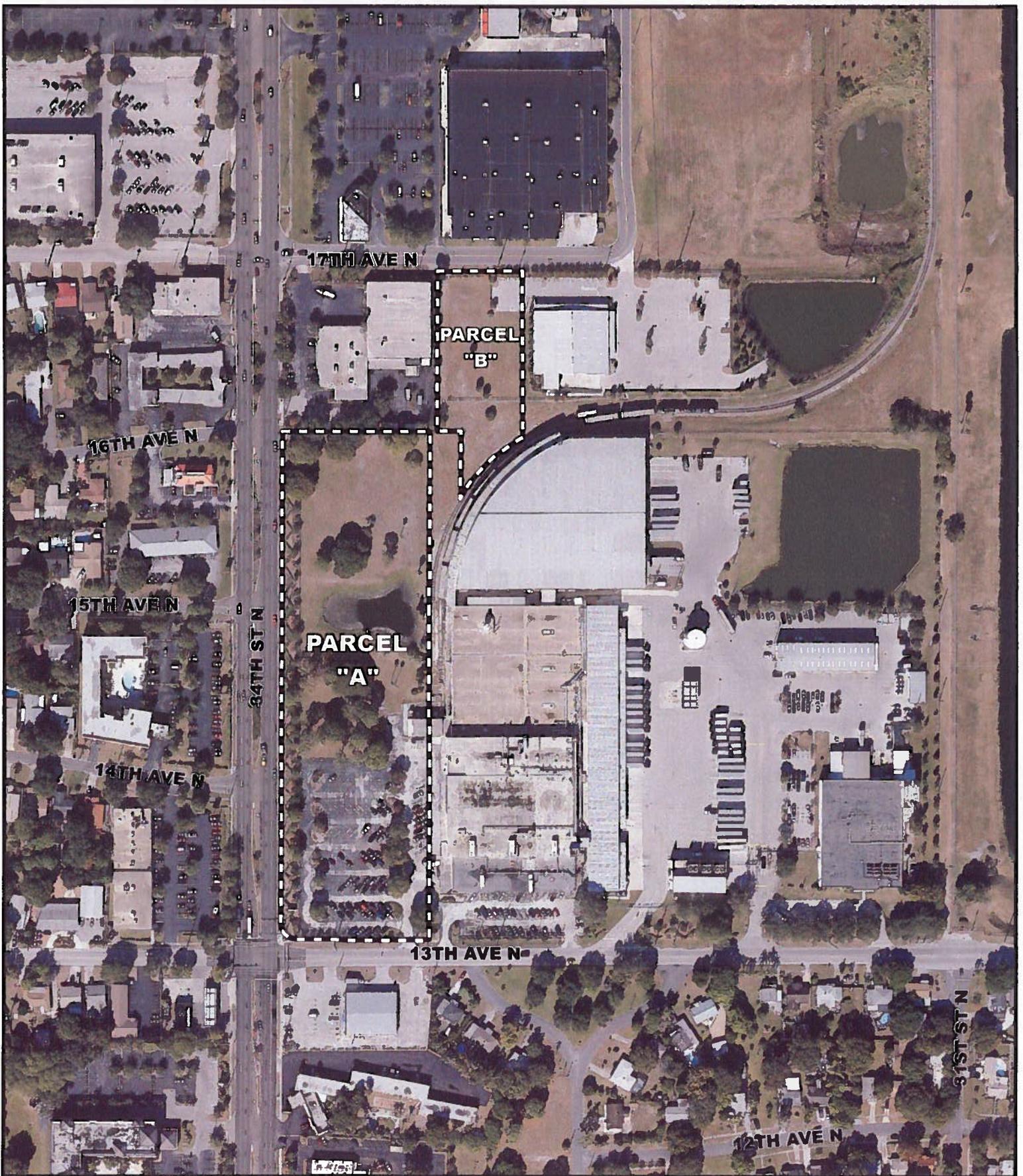
EXISTING SURROUNDING USES

CITY FILE
FLUM-18
 SCALE: 1" = 230'



SUBJECT AREA





AERIAL

CITY FILE

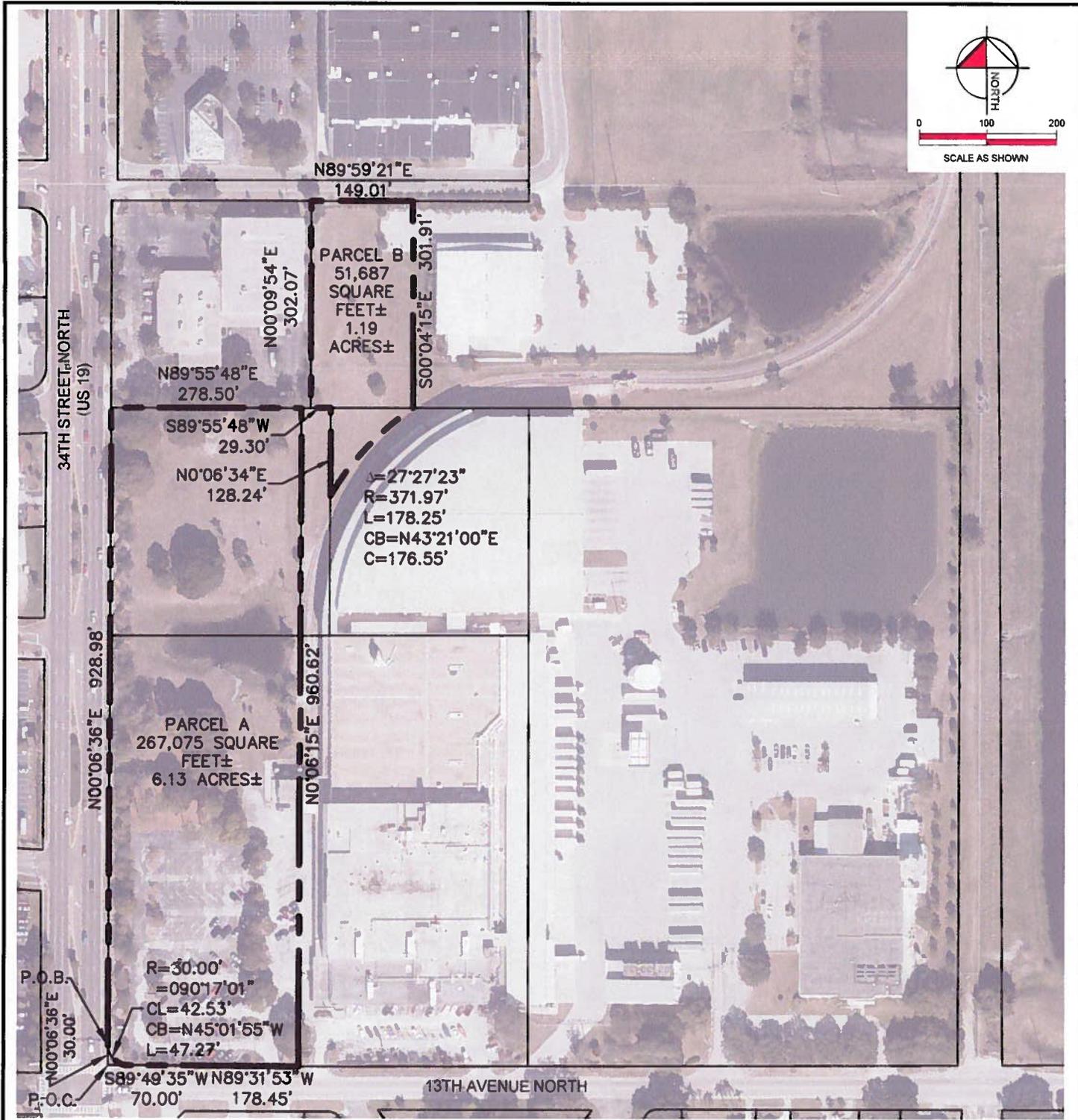
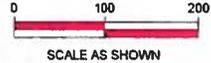
FLUM-18

SCALE: 1" = 230'



SUBJECT AREA





LAND USE REQUEST	CHANGE ZONING FROM IS TO CCS-1 CHANGE COMPREHENSIVE PLAN CATEGORY FROM IL TO PR-MU
FOLIO NUMBERS	14-31-16-71460-000-180, 14-31-16-71460-000-240, 14-31-16-71460-000-0242, 14-31-16-54054-000-0010
OWNERS	TIMES PUBLISHING COMPANY
APPLICANT	TIMES PUBLISHING COMPANY
PROPERTY ADDRESSES	1301 34TH ST. N., ST. PETERSBURG, FL 33713

LEGEND

----- LAND USE CHANGE BOUNDARY (7.49 AC ±)

LAND USE CHANGE EXHIBIT TIMES SITE PINELLAS, FL		DATE: 11/27/13	SCALE: AS SHOWN	SHEET: 1 OF 3
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6737 Southpoint Drive S.
S/C J915
Jacksonville, FL 32216-6177
(904) 279-3646
Telefax (904) 357-7855
damien_d'anna@csx.com



Damien D'Anna
Regional Manager - Sales & Leasing

December 6, 2013

City of St. Petersburg
Planning and Economic Development Department
Municipal Services Center, Eighth Floor
One 4th Street North
St. Petersburg, Florida 33701

Re: Future Land Use Plan Change and Related Rezoning
City File FLUM-18
7.5 acres - 34th Street North and 13th Avenue North
St. Petersburg, Florida

Gentlemen:

We are in receipt of your Notice of Public Hearing scheduled for December 10, 2013 to discuss the application requesting to amend the Future Land Use Map designation from IL (Industrial Limited) to PR-MU (Planned Redevelopment-Mixed-Use), and the Official Zoning Map designation from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

According to the aerial you provided and our aerial photograph attached, this area is adjacent to an industry spur track. We have concerns regarding the development of properties next to any operating track. Safety is CSX's number one priority and the addition of developments adjacent to active railroad tracks raises cause for concern.

Additionally, it has been CSX's experience that residents near active railroad tracks are often unhappy with the associated noise of rail operations. Trains may use the tracks 24 hours a day, and the number and schedule of trains can change at any time due to business needs and many other factors. Furthermore, the inherent vibration and noise from passing trains should be taken into account regarding any new development.

Should the City approve the zoning for this property, we ask that a 50 foot buffer be established between any development and the rail right of way in addition to fencing the common property line between the operating track and any development.

We appreciate the opportunity to express our objections and concerns, and request that you enter our comments into the public record.

Sincerely,

Damien D'Anna

Attachment

Labels



12-103-0072

13th Ave N

32nd St N

13th Ave N

Zoom In

7th Ave N

Zoom Out

19

4th Ave N

34th St N



TO: The Honorable William H. Dudley, Chair, and Members of City Council

FROM: Derek S. Kilborn, Manager, Urban Planning and Historic Preservation Division *DK*

DATE: March 25, 2014

SUBJECT: April 3, 2014 City Council Meeting - Agenda Item D.2, Quasi-Judicial Proceeding for City File FLUM-18

City file FLUM-18 is an application amending the land use and zoning of a 7.32 acre subject property generally located on the northeast corner of 34th Street North and 13th Avenue North.

Due to a technical error, which began with the ordinance language presented at first reading on January 9, 2014, the Urban Planning and Historic Preservation Division is hereby requesting the following action for Thursday, April 3, 2014:

1. DELETE - Agenda item D.2, Quasi-Judicial Proceeding for City File FLUM-18;
2. ADD - First reading of title and setting the public hearing for April 17, 2014 for City File FLUM-18:
 - 1) ORDINANCE amending the Future Land Use Map designation from Industrial Limited to Planned Redevelopment-Mixed Use.
 - 2) ORDINANCE rezoning the above described property from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

CC: The Honorable Mayor Rick Kriseman
Gary Cornwell, City Administrator
Eva Andujar, City Clerk
Michael Dema, Assistant City Attorney
Dave Goodwin, Director, Planning and Economic Development

Attachments

MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of April 3, 2014

TO: The Honorable Bill Dudley, Chair, and Members of City Council

FROM: Dave Metz, Director, Downtown Enterprise Facilities Department *DM*

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in an amount not to exceed \$201,600 which, *inter alia*, require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in an amount not to exceed \$201,600; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration;

EXPLANATION: Ordinance 617-G was passed by City Council on September 18, 2003 and approved by the voters in a referendum held on November 4, 2003. Ordinance 617-G authorized City Council, by ordinance ("Ordinance"), after a public hearing, to permit the recording of encumbrances on Albert Whitted Airport as follows:

Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:

All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida

The Airport's Airfield Pavement Management Program specifies the need to rehabilitate primary Runway 7-25 ("Runway"). The program recommended a combination of mill and overlay and/or reconstruction of the pavement depending on the specific location. Besides the Runway's pavement, the project area will also include the five (5) taxiway stub connectors located between Taxiway "A".

The City is including the replacement and upgrade of the Runway's lighting system as part of this project. The lighting system includes edge lights, threshold lights and Precision Approach Path Indicators. Due to the airport's location on the shores of Tampa Bay, equipment is more susceptible to corrosion due to the heavy salt air and wet environment. The equipment is also approximately 20 years old and the more efficient LED technology will be specified.

In 2012 the Federal Aviation Administration ("FAA") updated the design standards specific to taxiways. Accordingly it may be necessary to reconstruct the taxiway stub connectors to new geometries due to the new design standards. The reconstruction will also necessitate the relocation of the edge lighting and airfield guidance signage. This opportunity will be used to update the edge lights to the new and more efficient LED technology.

The grant being applied for under this ordinance is only for the design phase of the project. The construction phase is planned for FY15 and would be funded through a separate federal grant.

The Federal funding source for this project is the FAA's Airport Improvement Program ("AIP"). Under the AIP, the FAA will fund a ninety percent (90%) match against the total cost of the project with the Airport Sponsor responsible for the remaining ten percent (10%). The total estimated cost for this project is \$224,000, of which \$201,600 (90%) would be funded through the FAA with the City responsible for the remaining ten percent (10%) match of \$23,400.

The Florida Department of Transportation (FDOT) has offered to participate in this project by providing up to eighty percent (80%) or \$17,920 toward the City's match requirement through a separate grant. Accordingly, the City's match requirement drops to \$4,480 or two percent (2%) of the total project costs.

<u>Runway 7/25 Rehab (Design)</u>	
FAA (90%)	\$201,600
FDOT (8%)	\$ 17,920
CITY (2%)	\$ 4,480
Total	<u>\$224,000</u>

The City match for this project was already appropriated as part of the FY14 City Budget process.

Acceptance of any grants requires the City to meet certain grant assurances, including a 20-year commitment to keep the Albert Whitted Airport property as an operating airport.

Each ordinance may only address one encumbrance and requires the affirmative vote of six Council Members for adoption.

This is the first reading of the ordinance.

RECOMMENDATION: The Administration recommends approval of the attached Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in an amount not to exceed \$201,600 which, *inter alia*, requires that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in an amount not to exceed \$201,600; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration;

COST/FUNDING/ASSESSMENT INFORMATION: The City receives a Federal grant of up to \$201,600 which will provide ninety percent (90%) of the cost of the design phase for the Runway 7/25 Rehab Project (#14169). The remaining ten percent (10%) of the project will be provided through a FDOT Grant (8%) and a City match (2%). This project is already part of the adopted CIP plan for the Airport.

Approvals:

Legal: _____ Administration: _____

Budget: _____

Legal: 00190608.doc v. 3

Ordinance No. _____

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in an amount not to exceed \$201,600 which, *inter alia*, require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in an amount not to exceed \$201,600; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration;

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Albert Whitted Municipal Airport is defined by the City of St. Petersburg, Florida, City Charter Section 1.02(c)(5) B. as: All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida.

Section Two. The Federal Aviation Administration has indicated funding is available to provide a ninety percent (90%) federal match of the total costs for the design phase of the Runway 7/25 Rehab project (#14169).

Section Three. The restrictions contained in FAA Grant Assurances Airport Sponsors ("Grant Assurances") which are set forth in the grant documents to be executed by the City, as a requirement for receipt of the FAA grant in an amount not to exceed \$201,600, for the project described in Section Two of this ordinance, which, *inter alia*, require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in Albert Whitted Municipal Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes for a period not to exceed 20 years from the date of acceptance of the grant are authorized.

MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of April 3, 2014

TO: The Honorable Bill Dudley, Chair, and Members of City Council

FROM: David Metz, Director, Downtown Enterprise Facilities Department *DM*

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") and any additional Supplemental Joint Participation Agreements (collectively, "JPAs"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed \$225,500 ("Grants") for the Runway 7/25 Rehab Project (Project #12477), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to apply for and accept the Grants in an amount not to exceed \$225,500; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

EXPLANATION: Section 1.02 (c) (5) B of the St. Petersburg City Code authorizes City Council, by an ordinance dealing with only a single encumbrance, receiving a public hearing and receiving an affirmative vote for at least six (6) members of City Council, to permit the recording of encumbrances on Albert Whitted Airport as follows:

Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:

All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida

The Airport's Airfield Pavement Management Program specifies the need to rehabilitate primary Runway 7-25 ("Runway"). The program recommended a combination of mill and overlay and/or reconstruction of the pavement depending on the specific location. Besides the Runway's pavement, the project area will also include the five (5) taxiway stub connectors located between Taxiway "A".

The City is including the replacement and upgrade of the Runway's lighting system as part of this project. The lighting system includes edge lights, threshold lights and Precision Approach Path Indicators. Due to the airport's location on the shores of Tampa Bay, equipment is more susceptible to corrosion due to the heavy salt air and wet environment. The equipment is also approximately 20 years old and the more efficient LED technology will be specified.

In 2012 the Federal Aviation Administration ("FAA") updated the design standards specific to taxiways. Accordingly it may be necessary to reconstruct the taxiway stub connectors to new geometries due to the new design standards. The reconstruction will also necessitate the relocation of the edge lighting and airfield guidance signage. This opportunity will be used to update the edge lights to the new and more efficient LED technology.

The Federal funding source for this project is the FAA's Airport Improvement Program ("AIP"). Under the AIP, the FAA will fund a ninety percent (90%) match against the total cost of the project with the Airport Sponsor responsible for the remaining ten percent (10%). The Florida Department of Transportation ("FDOT") has offered a grant to fund up to eighty percent (80%) of the City's match requirement (or eight percent (8%) of the total project's cost) for both the design and construction phases of this project.

Acceptance of any grants requires the City to meet certain grant assurances, including, but not limited to a 20-year commitment to make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and to maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment.

This is a first Reading of the Ordinance.

RECOMMENDATION: Administration recommends adoption of the attached An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") and any additional Supplemental Joint Participation Agreements (collectively, "JPAs"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed \$225,500 ("Grants") for the Runway 7/25 Rehab Project (Project #12477), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to apply for and accept the Grants in an amount not to exceed \$225,500; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

Cost/Funding/Assessment Information: The City receives funding from the FDOT in the total amount of \$225,500 which will be used to cover up to eight percent (8%) of the total

design and construction costs of the Runway 7/25 project (#14169). The remaining ninety-two percent (92%) of the cost of the project will be funded through separate federal grants (90%) and the City's match (2%). This project is already part of the adopted CIP plan for the Airport.

Approvals:

Legal:  Administration: 

Budget: 

Legal: 00190439.doc v. 2

Ordinance No. _____

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") and any additional Supplemental Joint Participation Agreements (collectively, "JPAs"), including but not limited to the Aviation Program Assurances ("Grant Assurances"), to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") funds in an amount not to exceed \$225,500 ("Grants") for the Runway 7/25 Rehab Project (Project #12477), which, *inter alia*, require that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the JPA; authorizing the Mayor or his designee to apply for and accept the Grants in an amount not to exceed \$225,500; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Albert Whitted Municipal Airport ("Airport") is defined by the City of St. Petersburg, Florida, City Charter Section 1.02(c)(5) B. as: All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida.

Section Two. The Florida Department of Transportation ("FDOT") has offered the City a grant in the amount of \$42,500 and has indicated that one or more future supplements totaling \$183,000 ("Grants") will be available for the following project on the Airport: Runway 7/25 Rehab Project (Project #12477). The Grants provide an eight percent (8%) match toward the total cost of the project.

Section Three. The restrictions which are set forth in the Joint Participation Agreement ("JPA"), including but not limited to the Aviation Program Assurances ("Grant Assurances") and any additional Supplemental Joint Participation Agreements ("JPAs") to be executed by the City, as a requirement for receipt of the Grants in an amount not to exceed \$225,500 for the project described in Section Two of this ordinance, which *inter alia* require, that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment not to exceed 20 years from the effective date of the JPA are authorized.

Section Four. The Mayor or his designee is authorized to apply for and accept the Grants from the FDOT in an amount not to exceed \$225,500.

Section Five. The Mayor or his designee is authorized to execute all documents necessary to effectuate this ordinance.

Section Six. Severability. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional, it shall not affect the constitutionality of any other portion of this ordinance.

Section Seven. Effective Date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Section Eight. Expiration. In the event the FDOT fails to award the grant set forth in Section Two, above, within one year of the effective date of this ordinance, this ordinance shall expire.

Approvals:

Legal: *RAB* Administration: *[Signature]*

Legal: 00190342.doc v. 2

ST. PETERSBURG CITY COUNCIL

Meeting of April 3, 2014

TO: The Honorable William H. Dudley, Chair, and Members of City Council

SUBJECT: **City File FLUM-18:** The 7.32 acre subject property is generally located on the northeast corner of 34th Street North and 13th Avenue North.

A detailed analysis is provided in the attached Staff Report FLUM-18.

REQUEST: (A) ORDINANCE . amending the Future Land Use Map designation from Industrial Limited to Planned Redevelopment-Mixed Use.

(B) ORDINANCE rezoning the above described property from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: The subject property is located within the boundaries of the North Kenwood Neighborhood Association. The Planning & Economic Development Department received:

- Two (2) telephone calls regarding this application. Each telephone call was a general inquiry about the public notice. The callers did not express support for, or opposition to, the application.
- Two (2) letters regarding this application:
 - One (1) letter was submitted by a property owner in the North Kenwood neighborhood and expressed general opposition to the application;
 - One (1) letter was received by CSX Real Property, owner of abutting property. CSX Real Property recommended: 1) designation of a 50-foot buffer between any development and the rail right-of-way; and 2) installation of a fence along the common property line between the operating track and any future development.

Planning & Visioning Commission (PVC): On December 10, 2013, the PVC held a public hearing on this matter. The PVC recommended APPROVAL of both "Parcel A" and "Parcel B" by a vote of four (4) to one (1).

City Council: This application was originally scheduled for public hearing review on January 23, 2014. At the request of the applicant, and consent of the City Council, the application was deferred. The purpose of the request was to allow addition time for the applicant to consult with the Pinellas Planning Council (PPC) staff. Due to a technical error, which began with the ordinance language presented at first reading on January 9, 2014, the Urban Planning and Historic Preservation Division is starting with a new request for first reading on April 3, 2014.

Recommended City Council Action: 1) CONDUCT the first reading of the attached proposed ordinances; AND 2) SET the second reading and adoption public hearing for April 17, 2014.

Attachments: Ordinances (2), Resolution, Maps, draft Planning & Visioning Commission Minutes and Staff Report.

ORDINANCE NO.

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; CHANGING THE LAND USE DESIGNATION OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF 34nd STREET NORTH AND 13th AVENUE NORTH, FROM INDUSTRIAL LIMITED (IL) TO PR-MU (PLANNED REDEVELOPMENT-MIXED USE); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, the City of St. Petersburg Comprehensive Plan and Future Land Use Map are required by law to be consistent with the Countywide Comprehensive Plan and Future Land Use Map and the Pinellas Planning Council is authorized to develop rules to implement the Countywide Future Land Use Map; and

WHEREAS, the St. Petersburg City Council has considered and approved the proposed St. Petersburg land use amendment provided herein as being consistent with the proposed amendment to the Countywide Future Land Use Map amendment which has been initiated by the City; now, therefore

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Pursuant to the provisions of the Local Government Comprehensive Planning and Land Development Act, as amended, and pursuant to all applicable provisions of law, the Future Land Use Map of the City of St. Petersburg Comprehensive Plan is amended by placing the hereinafter described property in the land use category as follows:

Property

"Parcel A"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 30.00 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

BEARING NORTH 00°06'36" EAST, A DISTANCE OF 928.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 278.50 FEET TO A POINT;

THENCE, BEARING SOUTH 00°06'15" WEST, A DISTANCE OF 960.62 FEET TO A POINT;

THENCE, BEARING NORTH 89°31'53" WEST, A DISTANCE OF 178.45 FEET TO A POINT;

THENCE, BEARING SOUTH 89°49'35" WEST, A DISTANCE OF 70.00 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°17'01", A CHORD LENGTH OF 42.53 FEET BEARING NORTH 45°01'55" WEST;

THENCE, NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.27 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 267,075 SQUARE FEET OR 6.13 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

"Parcel B"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 958.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 292.20 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE, BEARING NORTH 00°09'54" EAST, A DISTANCE OF 302.07 FEET TO A POINT;

THENCE, BEARING NORTH 89°59'21" EAST, A DISTANCE OF 149.01 FEET TO A POINT;

THENCE, BEARING SOUTH 00°04'15" EAST, A DISTANCE OF 301.91 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 371.97 FEET, A CENTRAL ANGLE OF 27°27'23", A CHORD LENGTH OF 176.55 FEET BEARING SOUTH 43°21'00" WEST;

THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 178.25 FEET TO A POINT;

THENCE, BEARING NORTH 00°06'34" EAST, A DISTANCE OF 128.24 FEET TO A POINT;

THENCE, BEARING SOUTH 89°55'48" WEST, A DISTANCE OF 29.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 51,687 SQUARE FEET OR 1.19 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

Land Use Category

From: **Industrial Limited**

To: **Planned Redevelopment - Mixed Use**

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon approval of the required Land Use Plan change by the Pinellas County Board of County Commissioners and upon issuance of a final order determining this amendment to be in compliance by the Department of Economic Opportunity (DEO) or until the Administration Commission issues a final order determining this amendment to be in compliance, pursuant to Section 163.3189, F. S. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective as set forth above.

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-18
(Land Use)


PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
DATE 3-18-14


ASSISTANT CITY ATTORNEY
DATE 3/18/14

ORDINANCE NO.

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE ZONING OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF 34th STREET NORTH AND 13th AVENUE NORTH, FROM INDUSTRIAL SUBURBAN (IS) TO CCS-1 (CORRIDOR COMMERCIAL SUBURBAN); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PORTIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Property

"Parcel A"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 30.00 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

BEARING NORTH 00°06'36" EAST, A DISTANCE OF 928.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 278.50 FEET TO A POINT;

THENCE, BEARING SOUTH 00°06'15" WEST, A DISTANCE OF 960.62 FEET TO A POINT;

THENCE, BEARING NORTH 89°31'53" WEST, A DISTANCE OF 178.45 FEET TO A POINT;

THENCE, BEARING SOUTH 89°49'35" WEST, A DISTANCE OF 70.00 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°17'01", A CHORD LENGTH OF 42.53 FEET BEARING NORTH 45°01'55" WEST;

THENCE, NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.27 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 267,075 SQUARE FEET OR 6.13 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

"Parcel B"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 958.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 292.20 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE, BEARING NORTH 00°09'54" EAST, A DISTANCE OF 302.07 FEET TO A POINT;

THENCE, BEARING NORTH 89°59'21" EAST, A DISTANCE OF 149.01 FEET TO A POINT;

THENCE, BEARING SOUTH 00°04'15" EAST, A DISTANCE OF 301.91 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 371.97 FEET, A CENTRAL ANGLE OF 27°27'23", A CHORD LENGTH OF 176.55 FEET BEARING SOUTH 43°21'00" WEST;

THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 178.25 FEET TO A POINT;

THENCE, BEARING NORTH 00°06'34" EAST, A DISTANCE OF 128.24 FEET TO A POINT;

THENCE, BEARING SOUTH 89°55'48" WEST, A DISTANCE OF 29.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 51,687 SQUARE FEET OR 1.19 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

District

From: **IS (Industrial Suburban)**

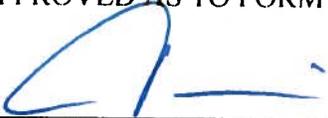
To: **CCS-1 (Corridor Commercial Suburban)**

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. This ordinance shall become effective upon the date the ordinance adopting the required amendment to the City of St. Petersburg Comprehensive Plan's Future Land Use Map becomes effective (Ordinance _____).

APPROVED AS TO FORM AND SUBSTANCE:

FLUM-18
(Zoning)



3-18-14

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

DATE



3/18/14

ASSISTANT CITY ATTORNEY

DATE



CITY OF ST. PETERSBURG
PLANNING & VISIONING COMMISSION
PUBLIC HEARING

Electronically approved as written 1/6/14

Council Chambers
City Hall

December 10, 2013
Tuesday, 4:00 p.m.

MINUTES

Present: Thomas Whiteman, Jr., Chair
William E. Klein, Vice-Chair
Robert M. Eschenfelder
Ed Montanari
Robert "Lee" Nolan

Commissioners Absent: Douglas E. Robison, Alternate¹ *¹excused*
Jeff Rogo, Alternate¹

Staff Present: Derek Kilborn, Manager, Urban Planning & Historic Preservation
Tom Whalen, Planner, Transportation & Parking Management
Michael Dema, Assistant City Attorney
Vicky Davidson, Administrative Assistant, Planning & Economic Development

The public hearing was called to order at 4:00p.m., a quorum was present.

I. MINUTES

Minutes from the November 12, 2013 meeting were approved by a unanimous vote.

II. QUASI-JUDICIAL PUBLIC HEARING

A. City File FLUM-18

Contact Person: Derek Kilborn
893-7872

Location: The subject property, estimated to be 7.32 acres in size, is generally located on the northeast corner of 34th Street North and 13th Avenue North.

Request: To amend the Future Land Use Map designation from IL (Industrial Limited) to PR-MU (Planned Redevelopment – Mixed-Use) and the official Zoning Map designation from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

Staff Presentation

Derek Kilborn gave a presentation based on the staff report.

Commissioner Klein questioned the consistency of the proposal with the surrounding neighborhood. Mr. Kilborn stated that the entire 34th Street corridor, with the exception of this particular property, is zoned CCS-1; a mixed-use classification that accommodates both commercial activity as well as multi-family dwelling units. This proposal would convert the frontage along 34th Street to that mixed-use category to be consistent with everything around it.

Commissioner Klein asked if a response was obtained from the owner of the corner parcel between Parcel "A" and Parcel "B." Mr. Kilborn stated that staff had advised the applicant to make contact with that property owner and the applicant would have to speak to the details of how that happened.

Commissioner Eschenfelder asked if staff agreed that core commercial is almost always going to be the most valuable and profitable use of the land. Mr. Kilborn replied not in all cases but could be the case here.

Commissioner Eschenfelder asked what the Economic Development Dept. does specifically to draw or create industrial businesses to the City. Mr. Kilborn explained that he does not work on the economic development side of the department; however, generally speaking there are a number of different initiatives (community redevelopment areas, special area plans, enterprise zones) trying to seek industrial investment in existing Industrial zoning categories. There are several areas in the City with a high concentration of industrial zoning (e.g. Industrial Dome Area and west of Tyrone Mall) and in this case there is a smaller isolated industrial zoned piece of property that is a little harder to target that type of concentrated activity. In terms of specific program details he would have to refer to the economic development section of the department.

Commissioner Eschenfelder asked if staff had researched the viability of the use of this size of land, given what roads are connected and the infrastructure in place, for a heavier industrial use. Mr. Kilborn replied that he had not been involved with that type of study but knows that the Economic Development Dept. is now and has in the past invested the time and resources, and did the necessary types of background research and outreach.

Commissioner Eschenfelder asked if staff knew the inventory of the remaining industrial land and what other similar sized parcels are remaining that could be taken advantage of by future industrial developers. Mr. Kilborn stated that he did not have a specific acreage count; however, it will become incrementally more difficult to request these types of changes because following the 2007 rezoning, there are much more concentrated locations of industrial activity and the subject property is one of the few pieces of land left where the frontage is on a commercial corridor creating some kind conflict between the two types of land uses (commercial and industrial) so staff felt this case was a little stronger, especially with the frontage along 34th Street, than what would be seen in other industrial areas.

Commissioner Montanari asked staff for background information on the furniture store which looks out of place; a retail establishment in an industrial suburban area. Mr. Kilborn stated that the Industrial zoning classification does allow some accessory retail activity to take place provided the floor area for that activity is limited to no more 25% of the entire building square footage. In this particular case, the commercial character reflects the direction of where staff sees the 34th Street activity is going.

Commission Chair Whiteman compared the Walgreen's proposal at Roosevelt Blvd. and 9th Street, a piece of property under-utilized with staff's recommendation of denial to protect the City's industrial property, with today's request which the staff's recommendation is basically the opposite. Mr. Kilborn replied that in

Walgreen's case, there were other surrounding issues (e.g. preservation area abutting the property and the northeast corner of the intersection is zoned industrial) and in this case, there is currently commercial activity on the east side of 34th Street leading up to 13th Avenue North and then picking up again at 17th Avenue moving north and staff felt that this was a stronger application providing the connectivity along 34th Street, where the Walgreen's proposed site would have been a stand-alone corner piece with commercial zoning with no connectivity to any neighboring commercial property.

Applicant Presentation

Marilyn Mullen Healey, Esq. with Adams and Reese and representing the owner, Times Publishing Company, began in support of the request with Susan Finch, AICP, concluding the presentation. Ms. Finch submitted her resume and complete planning analysis for the record.

Commissioner Klein asked who owns the rectangular piece of property. Ms. Finch replied CSX.

Commission Chair Whiteman asked if the subject property is contaminated in any way. Ms. Healey replied that she believes that there were some issues in the past but clean-up activities were undertaken and believes that all is good now.

Commissioner Eschenfelder asked what the applicant, Tampa Bay Times, has done to market the property as industrial. Ms. Healey replied that they had not listed the property as industrial but over the years have been approached by people to buy the property but not for industrial uses. Ms. Healey went on to say that industrial users tend to go toward areas where there are other industrial uses and the subject area does not have the industrial concentration, and believes that there is only a commercial market there.

Commissioner Eschenfelder asked why the Times had not listed the property for sale. David Box with Box Realty Advisors replied that they have the subject property listed for sale without an industrial use-specific because it is surrounded by commercial uses, feeling that this is not an industrial site.

Commissioner Eschenfelder asked Mr. Box, in his professional opinion, that if this land is rezoned to commercial then he has little doubt that commercial is what would be put in place, to which Mr. Box agreed. Mr. Box went on to say that everyone who has approached him is more of a traditional type of CCS-1 type of business (e.g. bank, restaurant-type use, etc.).

Commissioner Eschenfelder asked Mr. Box if the applicant's group have done any studies showing the dire need for more commercial in this area. Mr. Box replied that he is not sure about dire need but it's a matter of supply and demand; if the demand is perceived then the uses will come and he has only been approached by strictly commercial users. Ms. Healey added that although the applicant's group had not done a study, the City has and had identified the subject area as a commercial corridor in the Vision Plan.

Commissioner Eschenfelder stated his concern of which many times when a new retail/commercial business is developed it pulls customers, businesses and investments from some place else within the City causing blight many times in the surrounding area.

Public Hearing

Steve Galvin, 3161 – 12th Ave N located directly across from the Times rear parking lot, spoke in opposition of the request; employee parking currently in Parcel “A” having to move to behind the Times plant creating increased traffic and noise on 13th Ave N., losing a significant area of green space if Parcel “A” is redeveloped, and there is currently a large inventory of vacant commercial properties in the area. Mr. Galvin also believes, after talking with several people who have been in the area for quite awhile, that most of the subject property continues to have a large level of toxicity; the Times property has had no soil cleansing.

Commissioner Eschenfelder asked about the apparent conflict of facts regarding whether or not environmental mediation has occurred. Ms. Healy stated that the subject property is in full compliance with any of the environmental laws. Ms. Healy went on to say that the parking in Parcel “A” is not at full capacity and is not needed, and the plant site would stand on its own (i.e., green space, water retention, adequate parking).

Mr. Galvin stated that the parking in Parcel “A” is the primary lot for employee parking with a smaller lot behind the Times plant along 13th Avenue used by the warehouse people. In regards to the green space, 2/3 of the Parcel “A” has a significant amount of green area and adds livability to the area. He has no issue with Parcel “B.”

Mr. Kilborn stated that the act of rezoning the property does not waive the property owner from meeting minimum parking requirements or any other type of land development regulation but simply changes the classification of the property. If at some point the subject property along 34th Street is redeveloped, the owner would have to provide information and data showing that they are still meeting the minimum number of required parking, the minimum impervious surface ratio requirements as well as the drainage requirements for the property.

Cross Examination

City Administration and Applicant waived cross examination.

Rebuttal

Mr. Kilborn stated that the implementation of the Land Development Regulations in 2007 really concentrated many of these districts in a more meaningful pattern so when rezoning inquiries or applications are received by the City often times the property is isolated, in the middle of a block with no connectivity to surrounding commercial activity. Staff provides their professional input to those individuals and most times the person will leave with that information and never file an application. These days the Commission is not seeing those types of applications; however, with the 34th Street frontage staff feels that this is one of those cases that warranted bringing forward and offering some support to rezone to the commercial classification.

Ms. Healy stated that whoever purchases the subject property would have to present their development plan to the City which, hopefully, will alleviate some of Mr. Galvin’s concerns.

Executive Session

MOTION: *Commissioner Nolan moved and Commissioner Klein seconded a motion to approve the Future Land Use Map designation and Official Zoning Map designation request for Parcels "A" and "B."*

Commissioner Nolan stated that it seemed to him that the zoning is just catching up to reality.

Commissioner Montanari stated that he plans to approve the motion of both parcels and voiced his agreement with the applicant with not seeing the subject property as an industrial area anytime in the future and the fact that this land has been vacant for 45 years speaks to that exemption to LU3.26.a.

Commissioner Eschenfelder stated that if he were to approve, he would approve both Parcel "A" and Parcel "B." He understands staff's justification for splitting their recommendation with respect to Parcel "B" but feels this would create more problems in the future. However, he can not support the motion because he feels the City needs to get a grip on redevelopment. He feels that there are a number of sites in the City ripe for redevelopment that could host commercial/retail but understands this could be more difficult than building on a piece of raw land (e.g. assembling parcels, demolition, infrastructure enhancements, etc.) When a commercial development is done on this kind of footprint, he feels that this kills the 'mom & pop' businesses and will increase traffic along 34th Street which is quite congested already, and that he does not feel more commercial development along 34th Street is needed. Commissioner Eschenfelder went on to say that if the Times had marketed the property as industrial, they might have perhaps found an industrial developer and that the City should give that a try. He is not influenced by the preservation of green space because industrial development could be more disruptive to the wildlife than commercial development, but he is more influenced by the fact that industrial land needs to be preserved and while the subject property is not a perfect site he feels that the entire Times site is ripe for redevelopment if the Times ever decide in the future to move their plant elsewhere, which is another concern of his.

Commissioner Klein stated that he feels that commercial is perfect for the subject site. Industrial development could be a lot worse for the area traffic-wise, noise-wise and environmentally-wise. Commissioner Klein went on to say that he agreed with Commissioner Nolan that the rezoning request is just catching up with reality and that he did not agree with Commissioner Eschenfelder because he feels that we, the consumers, are putting the "mom & pop" establishments out of business, not someone else. It supports the motion.

Commission Chair Whiteman stated that he feels urban retail is a better fit than heavy industry on the subject site and then asked what kind of light industry could be developed that would serve the neighborhood and, if the motion is approved where would the parking for retail development be located (in front or behind). Mr. Kilborn responded that light industrial consists primarily of assembly pre-manufactured parts (mechanically or manually) and in regards to commercial zoning setbacks, CCS allows for a smaller setback of one row/drive lane with a row of parking in front and the remaining parking located on the side or to the rear.

VOTE: *YES – Montanari, Nolan, Klein, Whiteman*
NO - Eschenfelder

Motion was approved by a vote of 4 to 1.



Staff Report to the St. Petersburg Planning & Visioning Commission
Prepared by the Planning & Economic Development Department,
Urban Planning and Historic Preservation Division

For Public Hearing and Executive Action on December 10, 2013
at **4:00 p.m.**, in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File: FLUM-18
Agenda Item #1

According to Planning and Economic Development Department records, no Planning & Visioning Commission member owns property located within 2,000 feet of the subject property. All other possible conflicts should be declared upon announcement of the item.

APPLICANT/ OWNER: Times Publishing Company
490 1st Avenue South
St. Petersburg, FL 33701

REPRESENTATIVE: Marilyn Mullen Healy, Esq.
Adams and Reese, LLP
101 East Kennedy Blvd. Ste. 4000
Tampa, FL 33602

SUBJECT PROPERTY:

The subject property, estimated to be 7.32 acres in size, is generally located on the northeast corner of 34th Street North and 13th Avenue North.

PIN/LEGAL:

The application includes two (2) parcels from combined portions of four (4) PIN nos. The subject parcels are detached, constituting two (2) separate pieces. A legal description and map of the parcels is attached:

“Parcel A”

- 14/31/16/71460/000/0242 (whole)
- 14/31/16/54054/000/0010 (portion of)

“Parcel B”

- 14/31/16/71460/000/0180 (portion of)
- 14/31/16/71460/000/0240 (portion of)

REQUEST:

The request is to amend the Future Land Use Map designation for both “Parcel “A” and “Parcel B” from Industrial Limited to Planned Redevelopment Mixed-Use, and the Official Zoning Map designation for both parcels from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

PURPOSE:

The applicant’s desire is to sell the property for use in a commercial development.

EXISTING USES:

Parcel “A” – vacant, parking lot and stormwater drainage facility.
Parcel “B” – vacant and parking lot.

SURROUNDING EXISTING USES:

The surrounding uses are as follows:

- North: Sam’s Club, furniture resale store and a retail shopping center
- South: Commercial development along 34th Street North
- East: St. Petersburg Times Printing and Distribution Centers
- West: Commercial development along 34th Street North

ZONING HISTORY:

From 1977 to 2007, the subject property was designated with IP (Industrial Park) zoning. The current IS (Industrial Suburban) zoning designation has been in place since September 2007, following implementation of the City’s Vision 2020 Plan, the city-wide rezoning and update of the City Code Chapter 16, Land Development Regulations (LDRs).

In 2010, the adjacent properties to the north, requested the same future land use map and zoning changes being requested by this application. City File FLUM-6 and associated ordinances (691-L and 719-Z) were adopted on second reading by City Council on May 20, 2010. The adjacent properties were subsequently developed with a Sam’s Club retail warehouse and an affiliated gas-filling station.

APPLICABLE REGULATIONS:

The subject property is estimated to be 7.32 acres, or 318,762 square feet (mol), in size. “Parcel A” comprises an area of 267,075 square feet or 6.13 acres; “Parcel B” comprises an area of 51,687 square feet or 1.19 acres. As previously stated, the applicant’s request is to amend the Future Land Use Map designation from Industrial Limited to Planned Redevelopment Mixed-Use and rezone from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban).

Development potential under the present IS zoning designation is 207,195 square feet of light industrial, industrial park or office park use, based on a floor-area-ratio of 0.65.

Development potential under the requested CCS-1 zoning designation is as follows:

1. *Single-use residential* up to 110 multi-family units, calculated at a density of 15 units per acre. The following bonuses may be added:
 - a. A workforce housing density bonus of six (6) units per acre; and
 - b. A transfer of development rights (TDR) bonus of nine (9) units per acre.
2. *Single-use non-residential* up to 175,319 square feet by right, calculated at a maximum floor-area-ratio (FAR) of 0.55. The following bonuses may be added:
 - a. A transfer of development rights (TDR) bonus of 0.2 FAR.
3. *Mixed-use residential and non-residential* up to 175,319 square feet and not to exceed 110 multi-family units. The following bonuses may be added:
 - a. A workforce housing bonus of 0.2 FAR; and
 - b. A transfer of development rights (TDR) bonus of 0.2 FAR.

SPECIAL INFORMATION:

The subject property is located within the boundaries of the North Kenwood Neighborhood Association.

STAFF ANALYSIS:

As has been described, the 7.32 acre subject property is generally located on the northeast corner of 34th Street North and 13th Avenue North. The vacant subject area is part of a larger 34 acre (mol) industrial tract owned by the Times Publishing Company. The Times’ operations on this larger property include newspaper printing and distribution.

While the applicant has indicated that the subject property will be repurposed with non-residential development, there is no binding commitment or obligation at this time. City staff’s analysis of the request is based on a review of consistency with the Comprehensive Plan.

The primary issues related to the applicant's request are the following: 1) consistency of the requested designations with the established land use and zoning patterns; 2) commercial corridor redevelopment opportunities; 3) loss of industrial land; 4) traffic impact; and 5) other level of service considerations.

Land Use and Zoning Consistency

The subject application has been divided into two (2) parcels. "Parcel A" is the larger of the two (2) parcels totaling 267,075 square feet or 6.13 acres. "Parcel A" has substantial frontage along 34th Street North. "Parcel B" is the smaller of the two (2) parcels totaling 57,687 square feet or 1.19 acres. "Parcel B" is detached from "Parcel A," lacks frontage along 34th Street North and is only accessible from 17th Avenue North.

Action on both "Parcel A" and "Parcel B" would isolate property located at 1601 34th Street North (PIN no. 14-31-16-71460-000-0171) from the remaining Industrial Limited Future Land Use Map designation and IS (Industrial Suburban) Official Zoning Map designation to the east and southeast. For this reason, city staff recommended the applicant make contact with the registered property owner(s) and invite them to join this application. Since October 23, 2013, the applicant has made numerous attempts to contact the registered owner(s), as requested. According to the applicant, each attempt remains unanswered. This critical piece of property would provide the connectivity that is necessary for the provision of an orderly land use arrangement. Its exclusion however, requires city staff to make a split recommendation in support of "Parcel A" and opposition to "Parcel B".

Generally, the requested PR-MU Future Land Use Map designation and CCS-1 Official Zoning Map designation are consistent with existing designations to the north, south and west. Except for the conditions described in the preceding paragraph, the request is consistent with Policy LU3.4 of the Comprehensive Plan, which states that "*the Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.*"

The requested designations are also consistent with Policy LU3.6 which states that *land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated.* The character of this area of the City is dominated by commercial uses along 34th Street North, a major arterial roadway.

City staff believes that the applicant's request is also consistent with Policy LU3.5, which states that "*the tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.*"

Commercial Corridor Redevelopment Opportunities

If approved, the applicant's request will result in new investment and redevelopment within an existing commercial corridor, which is consistent with the following objectives and policies from the Comprehensive Plan: Policy LU3.17, which states that *"future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan;"* Objective LU4(2), which states that *"...the City shall provide opportunities for additional commercial development where appropriate;"* Policy LU11.2, which states that *"the need for redevelopment should be assessed based on potential for private investment;"* and Objective LU18, which states that *"commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages."*

Loss of Industrial Land

The subject property presently has an Industrial Limited future land use plan designation and IS (Industrial Suburban) zoning. The purpose and intent of the IS zoning district is to provide for areas where labor intensive light manufacturing can occur, as well as corporate headquarters and office uses. As stated previously, the subject area is part of a larger industrial tract of land owned by Times Publishing, Inc. The City has a limited amount of industrial land, thus retaining industrially-zoned land aids in keeping the local economy diversified, improves the tax base, and presents opportunities for high skill/higher paying employment opportunities.

The requested CCS-1 zoning, however, will not preclude the subject property from being used for light manufacturing/assembly-type uses. The CCS-1 regulations permit light manufacturing operations, as well as construction businesses, motor vehicle service & repair, publishing & printing operations, and fleet-based service businesses.

While policies set forth in the Comprehensive Plan protect and support industrially-zoned land, in 2004 the City Council adopted Policy LU3.26 which is intended to allow greater flexibility in evaluating future land use plan amendments involving industrial land uses, and provide clarity and guidance about when it is appropriate to designate property as industrial and when it is appropriate to remove an industrial land use designation. Policy LU3.26.a states that *"Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations."*

The request to rezone the subject property is consistent with the first criterion, because the land, which has been zoned industrial since at least 1977, has never been developed.

In addition, market considerations affecting the subject site are favorable toward commercial development because high traffic counts on 34th Street and the current commercial development pattern of the corridor.

Traffic Impact

Roadway level of service (LOS) and traffic impacts are discussed in greater detail in the Impact Section of this report. To summarize, an amendment from Industrial Limited to Planned Redevelopment-Mixed Use will likely result in a net increase of 112 p.m. peak hour trips; however, such an increase would not have an impact on roadway level of service.

In summary, City staff concludes that the traffic generated from the proposed development of the property will not significantly impact the surrounding roadway network, which is consistent with the following Comprehensive Plan policies:

- Policy LU3.18, which states that *all retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.*
- Policy LU5.3, which states that *the Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.*
- Policy T1.3, which states that *the City shall review the impact of all rezoning proposals and requests to amend the FLUM on the City's transportation system. FLUM amendment requests that increase traffic generation potential shall demonstrate that roadway and/or mass transit capacity are available to accommodate the additional demand.*
- Policy T3.1, which states that *all major city, county and state streets, not including those identified as constrained in the City's most current concurrency annual monitoring report shall operate at LOS D or better in the peak hour of vehicular traffic. Florida Intrastate Highway System facilities shall operate at a LOS that is consistent with Rule 14-94, FAC.*

Other Level of Service (LOS) Considerations

The Level of Service (LOS) impact section of this report concludes that the requested Plan change and rezoning will not have a significant negative effect upon the City's adopted LOS standards for public services and facilities including schools, potable water,

sanitary sewer, solid waste, traffic, mass transit, recreation, and stormwater management. A summary of the potential impact on the City’s public facilities is as follows:

Public Facilities Impact Summary (highest use calculations)	Existing Zoning (IS)	Proposed Zoning (CCS-1)	Net Change
Population	2.0	192	190
School Age Population	1.0	36	35
Potable Water	20,720 gpd	43,830 gpd	23,110 gpd
Sanitary Sewer	10,360 gpd	43,830 gpd	33,470 gpd
Solid Waste	3.0	250 tons/yr	247 tons/yr
Traffic (p.m. peak hour)	127 trips	239 trips	112 trips

Thus, the applicants’ request is consistent with the following three policies due to the fact that sufficient public facility capacity exists:

- Policy LU2.4, which states that *the City may permit higher intensity uses outside of activity centers only where available infrastructure exists and surrounding uses are compatible.*
- Policy LU3.18, which states that *all retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.*
- Policy LU5.3, which states that *the Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.*

SPECIAL NOTE ON CONCURRENCY:

Levels of Service impacts are addressed further in this report. Approval of this land use change and rezoning request does not guarantee that the subject property will meet the requirements of Concurrency at the time development permits are requested. **Completion of this land use plan change and rezoning does not guarantee the right to develop on the subject property.** Upon application for site plan review, or development permits, a full concurrency review will be completed to determine whether

or not the proposed development may proceed. The property owner will have to comply with all laws and ordinances in effect at the time development permits are requested.

RECOMMENDATION:

City staff recommends:

- For “Parcel A,” **APPROVAL** of the request to amend the Future Land Use Map designation from Industrial Limited to Planned Redevelopment-Mixed Use, and Official Zoning Map designation from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or less intensive use, on the basis that the request is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
- For “Parcel B,” **DENIAL** of the request to amend the Future Land Use Map designation from Industrial Limited to Planned Redevelopment-Mixed Use, and Official Zoning Map designation from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or less intensive use, on the basis that any decision to approve the request will break existing continuity and create an isolated industrial property that is inconsistent with the goals, objectives and policies of the City's Comprehensive Plan.

**RESPONSES TO RELEVANT
CONSIDERATIONS ON AMENDMENTS
TO THE LAND USE PLAN:**

a. Compliance of probable use with goals, objectives, policies and guidelines of the City's Comprehensive Plan.

The following policies and objectives from the Comprehensive Plan are applicable:

LU2.4 The City may permit higher intensity uses outside of activity centers only where available infrastructure exists and surrounding uses are compatible.

LU3.1.(C)(1) Industrial Limited (IL) – allowing a mixture of light industrial, industrial park and office park uses not to exceed a floor area ratio of 0.65.

LU3.1.(F)(2) Planned Redevelopment – Mixed Use (MU) - allowing mixed use retail, office, service and medium density residential uses not to exceed a floor area ratio of 1.25 and a net residential density of 24 dwelling units per acre.

LU3.4 The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.

LU3.5 The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.

LU3.6 Land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated.

LU3.7 Land use planning decisions shall include a review to determine whether existing Land Use Plan boundaries are logically drawn in relation to existing conditions and expected future conditions.

LU3.17 Future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan.

LU3.18 All retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.

- LU3.26.a Plan amendment applications that propose changing underperforming industrially designated areas (Industrial General or Industrial Limited) to a non-industrial designation may be favorably considered if one or more of the following characteristics exist over an extended period of time: 1) vacant or underutilized land; 2) vacant or underutilized buildings; 3) poor quality job creation in terms of pay, employee density and spin-off or multiplier effects; and 4) chronic competitive disadvantages in terms of location, transportation infrastructure/accessibility and other market considerations.
- LU4(2) Commercial – the City shall provide opportunities for additional commercial development where appropriate.
- LU5.3 The Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.
- LU11.2 The need for redevelopment should be assessed based on the following factors; 1) building conditions, 2) socio/economic characteristics, 3) land to improvement value ratios, 4) non-conforming uses and 5) potential for private investment.
- LU18: Commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages.
- T1.3 The City shall review the impact of all rezoning proposals and requests to amend the FLUM on the City's transportation system. FLUM amendment requests that increase traffic generation potential shall demonstrate that transportation capacity is available to accommodate the additional demand.
- T3.1 All major city, county and state streets, not including those identified as constrained in the City's most current concurrency annual monitoring report shall operate at LOS D or better in the peak hour of vehicular traffic. Roadway facilities on the State Highway System, Strategic Intermodal System and Florida Intrastate Highway System and roadway facilities funded by Florida's Transportation Regional Incentive Program shall operate at a LOS that is consistent with Rule 14-94, FAC.
- b. Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.**

The proposed amendment will not impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

c. Whether the proposed change would alter population or the population density pattern and thereby impact residential dwelling units and or public schools.

Under the proposed CCS-1 zoning, a total of 110 multifamily dwelling units could be developed, calculated at a density of 15 units per acre. Assuming that there are 1.74 persons per multifamily unit, the buildout population is estimated to be 192 persons. The previous zoning designation of IS does not permit residential development. Therefore, there are no population or student population figures calculated for the IS zoning district.

The Pinellas County School District estimates that there are 0.32 school age persons per household. For analysis purposes, under the proposed CCS-1 zoning, it is again *assumed* that if the subject site is redeveloped with 110 residential units, it is estimated that the resident population will include 36 persons (110 units x .32 students per unit) of school age. The school impact assessment is as follows:

Elementary School Students: 0.15 students per unit x 110 units = 17 elementary students

Middle School Students: 0.07 students per unit x 110 units = 8 middle school students

High School Students: 0.1 students per unit x 110 units = 11 high school students

d. Impact of the proposed amendment upon the following adopted levels of service (LOS) for public services and facilities including but not limited to: water, sewer, sanitation, traffic, mass transit, recreation, stormwater management.

The following analysis indicates that the proposed change *will not* have a significant impact on the City's adopted levels of service for potable water, sanitary sewer, solid waste, traffic, mass transit, stormwater management and recreation. Should the requested land use change and rezoning for the subject 7.32 acres be approved, the City has sufficient capacity to serve the subject property.

WATER

Based on the present IS designation, the maximum demand for potable water is estimated to be 20,720 gallons per day as follows:

Manufacturing: 207,195 sq. ft. x 0.05 gpd/sq. ft. = 10,350 gallons/day

Corporate/executive/administrative offices: 207,195 sq. ft. x 0.10 gpd/sq. ft. = 20,720 gallons/day

Source: Pinellas County, Water/Sewer Use Factors Study, 2000.

Under the requested CCS-1 zoning, the maximum demand for potable water could reach 43,830 gallons per day, as follows:

Multifamily development: 192 persons x 125 gpcpd = 24,000 gallons/day; or

Commercial development: 175,319 sq. ft. of commercial space x 0.25 gpd/sq. ft. = 43,830 gallons/day

Sources: St. Petersburg Comprehensive Plan; and Pinellas County, Water/Sewer Use Factors Study, 2000.

In summary, the demand for potable water will increase under the requested CCS-1 zoning. *Regardless, the rezoning of the subject property from IS to CCS-1 will not significantly impact the City's adopted LOS for potable water.*

Under the existing interlocal agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). TBW is contractually obligated to meet the City's and other member governments' water supply needs. The City's current potable water demand is 29.00 mgd.

While the City's adopted LOS standard for potable water is 125 gallons per capita per day (gpcd), in 2012 the City's actual gross consumption was approximately 86 gpcd. Reasons why St. Petersburg's average day demand and gross per capita consumption of potable water are not increasing, and actually decreasing in some water years, are the overwhelming success of the City's water conservation program and reclaimed water program.

WASTEWATER

The subject property will be served by the Southwest Water Reclamation Facility.

Based on the present IS designation, the maximum demand for sanitary sewer is estimated to be 10,360 gallons per day as follows:

Manufacturing: 207,195 sq. ft. of industrial space x 0.05 gpd/sq. ft. = 10,360 gallons/day

Source: St. Petersburg Comprehensive Plan; and Pinellas County, Water/Sewer Use Factors Study, 2000.

Under the requested CCS-1 zoning, the maximum demand for sanitary sewer could reach 43,830 gallons per day, as follows:

Multifamily development: 192 persons x 161 gpcpd = 30,912 gallons/day; or

Commercial development: 175,319 sq. ft. of commercial space x 0.25 gpd/sq. ft. = 43,830 gallons/day

Sources: St. Petersburg Comprehensive Plan; and Pinellas County, Water Sewer Use Factors Study, 2000.

In summary, since the subject property is currently vacant, any development will increase demand for service. While there is a potential for increased sanitary sewer demand, the rezoning of the subject property from IS to CCS-1 will not significantly impact the City's adopted LOS for wastewater. In 2012, the Southwest Water Reclamation Facility had an estimated excess capacity of 9.67 million gallons per day, thus an increase of 43,830 gpd can easily be processed.

SOLID WASTE

Solid waste collection is the responsibility of the City. Approval of this request will not affect the City's ability to provide collection services. The County and the City have the same designated level of service of 1.3 tons per year per person, while there is no generation rate for nonresidential uses.

All solid waste *disposal* is the responsibility of Pinellas County. The County currently receives and disposes of municipal solid waste, and construction and demolition debris, generated throughout Pinellas County. The Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill are the responsibility of Pinellas County Utilities, Department of Solid Waste Operations; however, they are operated and maintained under contract by two private companies. The Waste-to-Energy Plant continues to operate below its design capacity of incinerating 985,500 tons of solid waste per year. The continuation of successful recycling efforts and the efficient operation of the Waste-to-Energy Plant have helped to extend the life span of Bridgeway Acres. The landfill has approximately 30 years remaining, based on current grading and disposal plans.

Although the subject property is proposed to be developed commercially, the following calculations reflect solid waste generation for residential development that would be permitted under the proposed zoning designation. Assuming a population of 192 persons under the proposed CCS-1 zoning, it is estimated that approximately 250 tons of solid waste per year may be generated (192 persons x 1.3 tpypp). Such an increase will not impact the City's adopted LOS for solid waste.

TRAFFIC

Summary of traffic impact (p.m. peak hour trips):

Existing Industrial Limited Plan Category	127
Requested Planned Redevelopment- Mixed Use Plan Category	239

Existing Conditions

There is one major road with geographic proximity to the subject property, 34th Street North, designated as a principal arterial. Based on the Pinellas County MPO's 2013 Level of Service Report, the level of service for 34th Street from 5th Avenue North to 22nd Avenue North is "C." The average annual daily traffic (AADT) is 34,500. The

peak hour directional traffic is 1,803 and the physical capacity is 2,830; the volume-to-capacity ratio is 0.64.

Appropriate traffic impact mitigation measures will be determined at the time of site plan and special exception approval. Review of such development is based on compliance with a list of criteria that includes on-site or off-site road capacity enhancements, accommodations for transit, pedestrians and bicyclists, transportation demand management strategies, traditional design features and site design that minimizes cut-through traffic on neighborhood streets.

Sources: Pinellas County MPO 2013 Transportation LOS Report, City of St. Petersburg, Comprehensive Plan.

Trip Generation Under the Existing Industrial Limited and Proposed Planned Redevelopment-Mixed Use Future Land Use Map Designations

The traffic impact assessment provided here is a “macro” level of service analysis that is based on the present Industrial Limited designation.

The vehicle trip generation rate under the existing Industrial Limited land use is approximately 127 p.m. peak hour trips, calculated as follows:

- Step a. 178 avg. daily trips per acre of IL land x 7.5 acres = approximately 1,335 avg. daily trips
- Step b. 1,335 avg. daily trips x .095 percent = approximately 127 p.m. peak hour trips

The vehicle trip generation rate under the requested PR-MU land use is approximately 239 p.m. peak hour trips, calculated as follows:

- Step a. 335 avg. daily trips per acre of PR-MU land x 7.5 acres = approximately 2,513 avg. daily trips
- Step b. 2,513 avg. daily trips x .095 percent = approximately 239 p.m. peak hour trips

A Plan change from Industrial Limited to Planned Redevelopment-Mixed Use will likely result in a net increase of 112 p.m. peak hour trips. Such an increase would not have a significant impact on roadway level of service.

(The traffic analysis presented here is based on the applicable trip generation rates from the City’s Vision 2020 Special Area Plan Update and the Countywide Plan Rules of the Pinellas Planning Council, *Table 1: Traffic Generation Characteristics*.)

MASS TRANSIT

The Citywide LOS for mass transit will not be affected. PSTA provides local transit service along 34th Street (Route 19) with a 20-minute headway. The LOS for mass transit is headways less than one hour.

RECREATION

The City's adopted LOS for recreational acreage, which is 9 acres per 1,000 population, will not be impacted by this proposed rezoning. Under both the existing and proposed zoning, the LOS citywide will generally remain at 21.9 acres per 1,000 population.

STORMWATER MANAGEMENT

Prior to development of the subject property, site plan approval will be required. At that time, the stormwater management system for the site will be required to meet all city and SWFWMD stormwater management criteria. Also, there is an existing stormwater pond on the subject property that will be relocated and reconfigured to accommodate the proposed use.

- e. Appropriate and adequate land area sufficient for the use and reasonably anticipated operations and expansion.**

The land area is both appropriate and adequate for the anticipated use of the subject property.

- f. The amount and availability of vacant land or land suitable for redevelopment shown for similar uses in the City or in contiguous areas.**

There are approximately 98 acres of vacant land in the City designated with CCS-1 zoning.

- g. Whether the proposed change is consistent with the established land use pattern.**

The proposed Planned Redevelopment Mixed-Use land use designation is consistent with the established land use pattern to the north, south and west.

- h. Whether the existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change.**

The existing IS zoning district boundaries are not illogically drawn in relation to existing conditions.

- i. If the proposed amendment involves a change from a residential to a nonresidential use, whether more nonresidential land is needed in the proposed location to provide services or employment to the residents of the City.**

Not applicable, as the present designation is Industrial Limited.

- j. Whether the subject property is located within the 100-year flood plain or Coastal High Hazard Area as identified in the Coastal Management Element of the Comprehensive Plan.**

According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is located in the "X-Zone," i.e., not in the flood zone. In addition, the tract does not lie within the CHHA (Coastal High Hazard Area).

- k. Other pertinent information.** None

LEGAL DESCRIPTION FOR "PARCEL A"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 30.00 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

BEARING NORTH 00°06'36" EAST, A DISTANCE OF 928.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 278.50 FEET TO A POINT;

THENCE, BEARING SOUTH 00°06'15" WEST, A DISTANCE OF 960.62 FEET TO A POINT;

THENCE, BEARING NORTH 89°31'53" WEST, A DISTANCE OF 178.45 FEET TO A POINT;

THENCE, BEARING SOUTH 89°49'35" WEST, A DISTANCE OF 70.00 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°17'01", A CHORD LENGTH OF 42.53 FEET BEARING NORTH 45°01'55" WEST;

THENCE, NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.27 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF **267,075 SQUARE FEET OR 6.13 ACRES**, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

LEGAL DESCRIPTION FOR "PARCEL B"

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF THE INTERSECTION OF 13TH AVENUE NORTH AND 34TH STREET NORTH;

THENCE, BEARING NORTH 00°06'36" EAST, A DISTANCE OF 958.98 FEET TO A POINT;

THENCE, BEARING NORTH 89°55'48" EAST, A DISTANCE OF 292.20 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE, BEARING NORTH 00°09'54" EAST, A DISTANCE OF 302.07 FEET TO A POINT;

THENCE, BEARING NORTH 89°59'21" EAST, A DISTANCE OF 149.01 FEET TO A POINT;

THENCE, BEARING SOUTH 00°04'15" EAST, A DISTANCE OF 301.91 FEET TO A POINT;

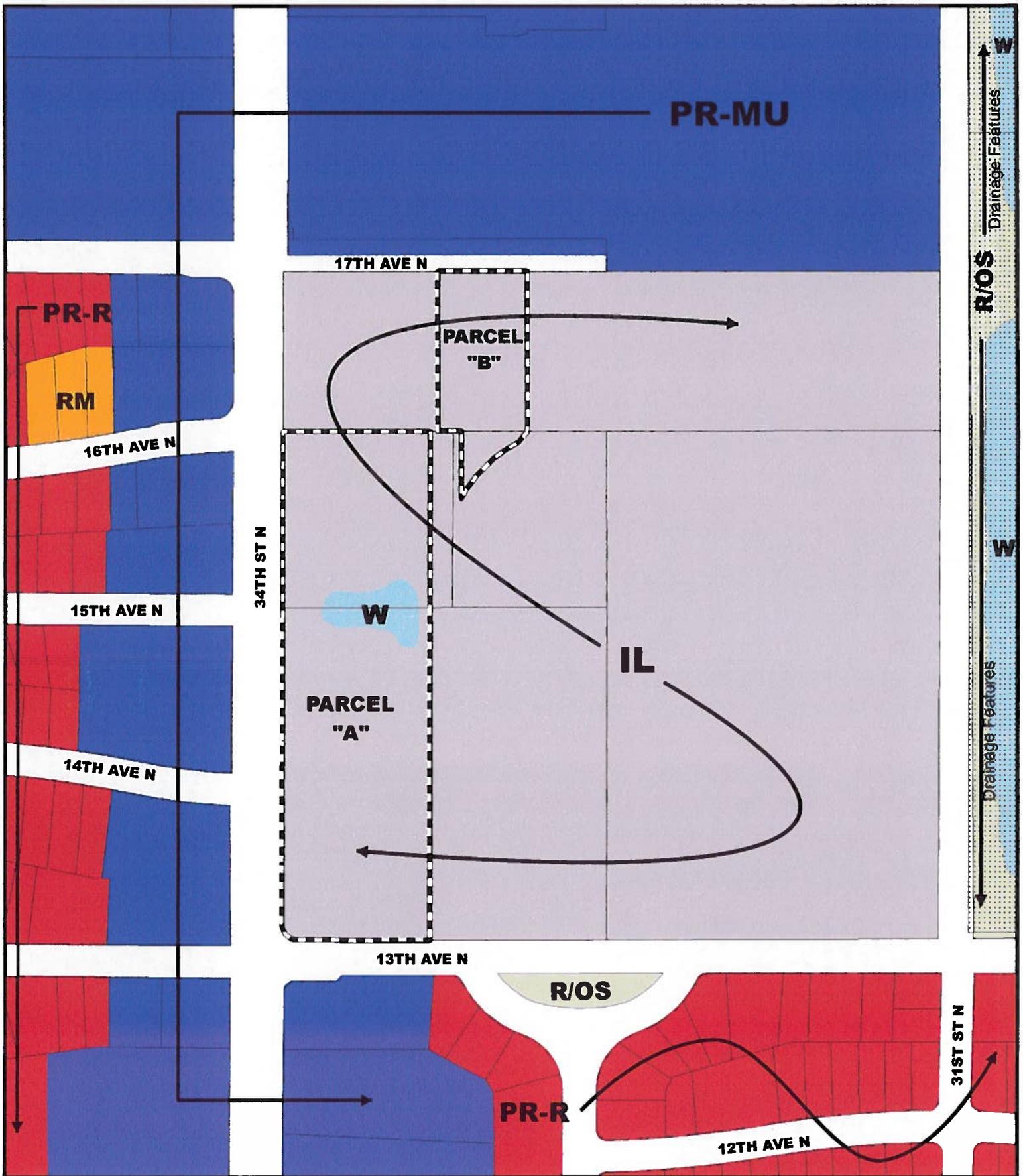
SAID POINT BEING THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 371.97 FEET, A CENTRAL ANGLE OF 27°27'23", A CHORD LENGTH OF 176.55 FEET BEARING SOUTH 43°21'00" WEST;

THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 178.25 FEET TO A POINT;

THENCE, BEARING NORTH 00°06'34" EAST, A DISTANCE OF 128.24 FEET TO A POINT;

THENCE, BEARING SOUTH 89°55'48" WEST, A DISTANCE OF 29.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF **51,687 SQUARE FEET OR 1.19 ACRES**, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.



FUTURE LAND USE PLAN DESIGNATION

CITY FILE
FLUM-18

SCALE: 1" = 230'

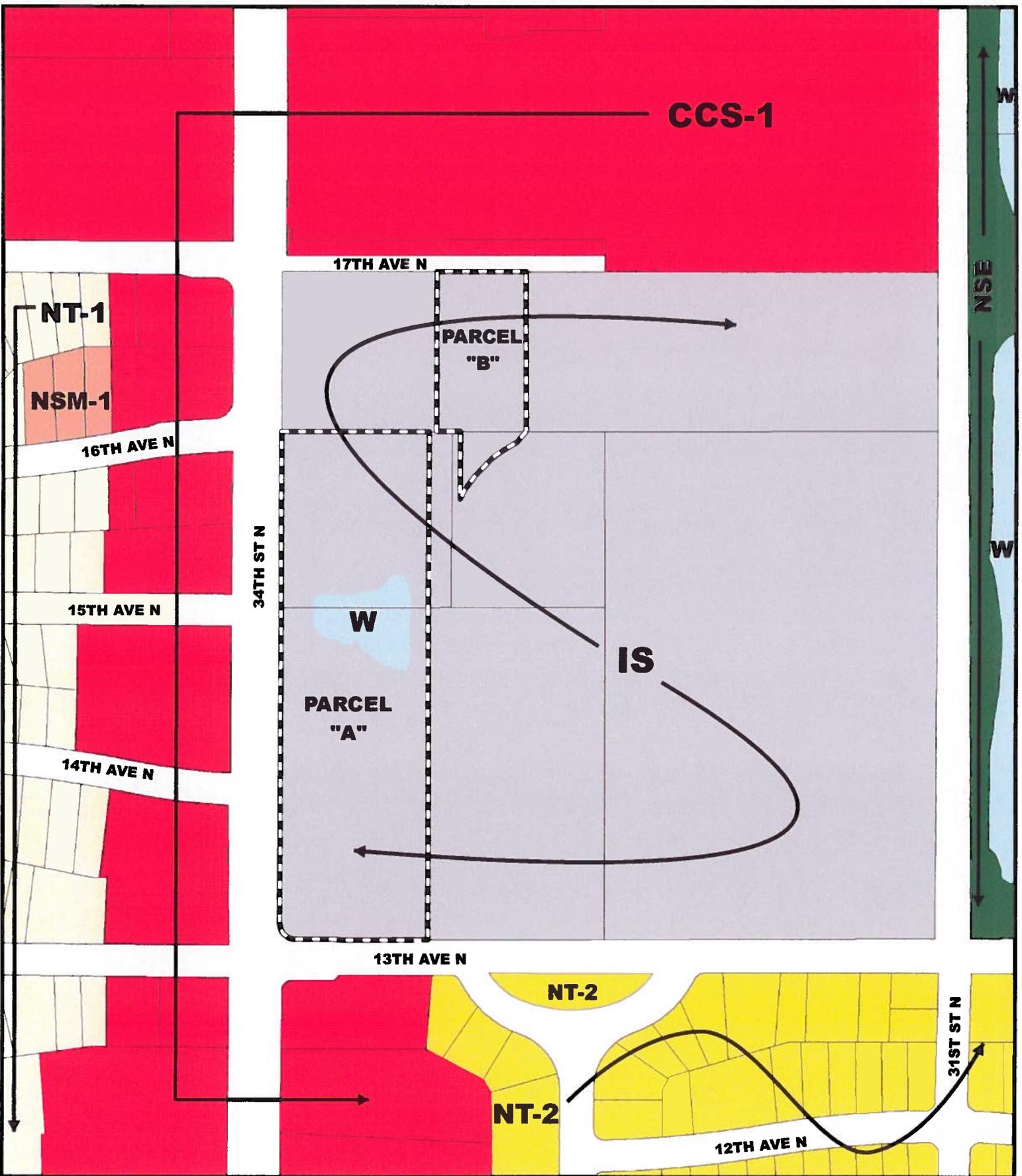
From: IL
(Industrial Limited)

To: PR-MU
(Planned Redevelopment-Mixed Use)



SUBJECT AREA





EXISTING ZONING

CITY FILE
FLUM-18
 SCALE: 1" = 230'

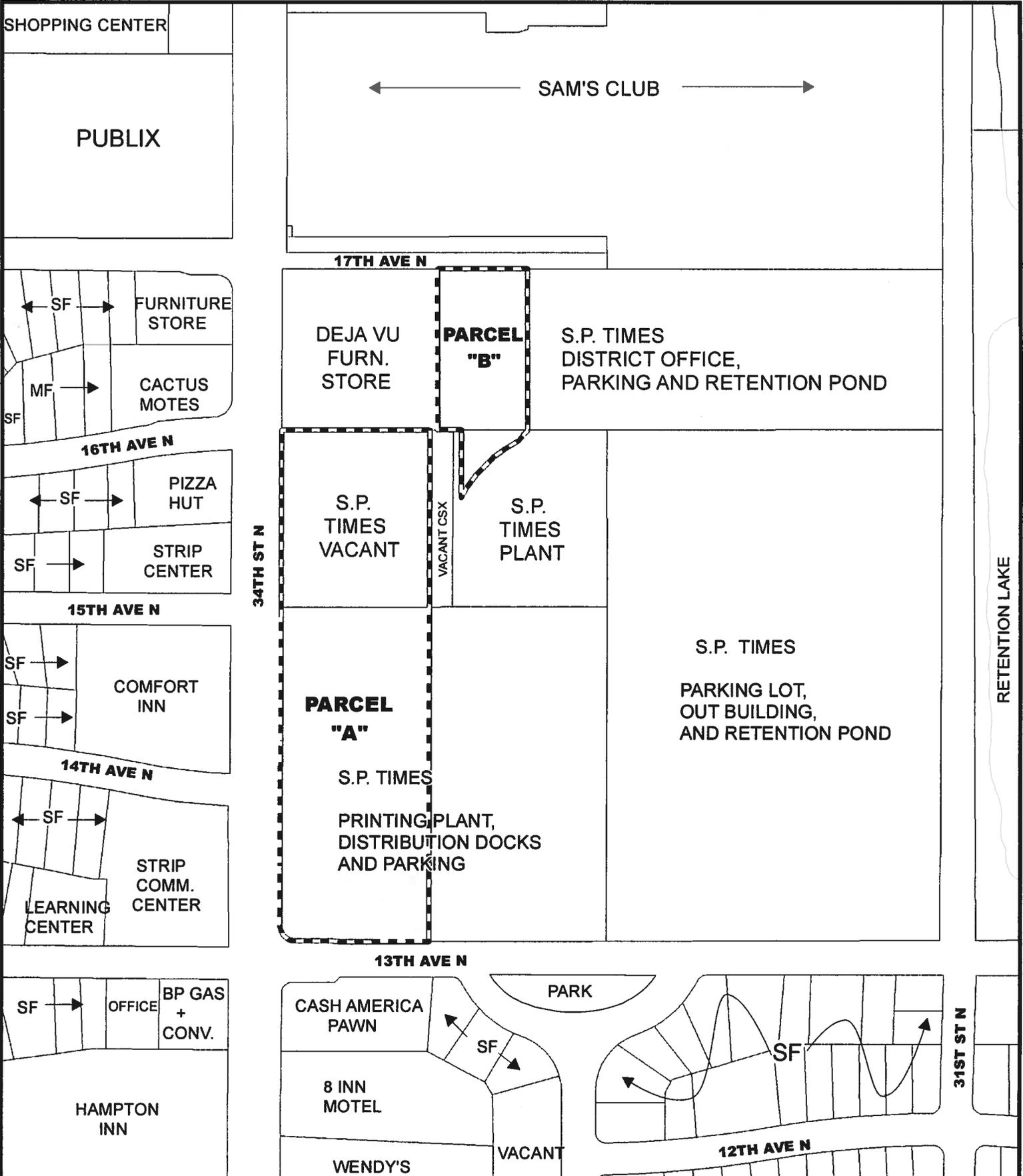
From: IS
 (Industrial Suburban)

To: CCS-1
 (Corridor Commercial Suburban)



SUBJECT AREA





EXISTING SURROUNDING USES

CITY FILE

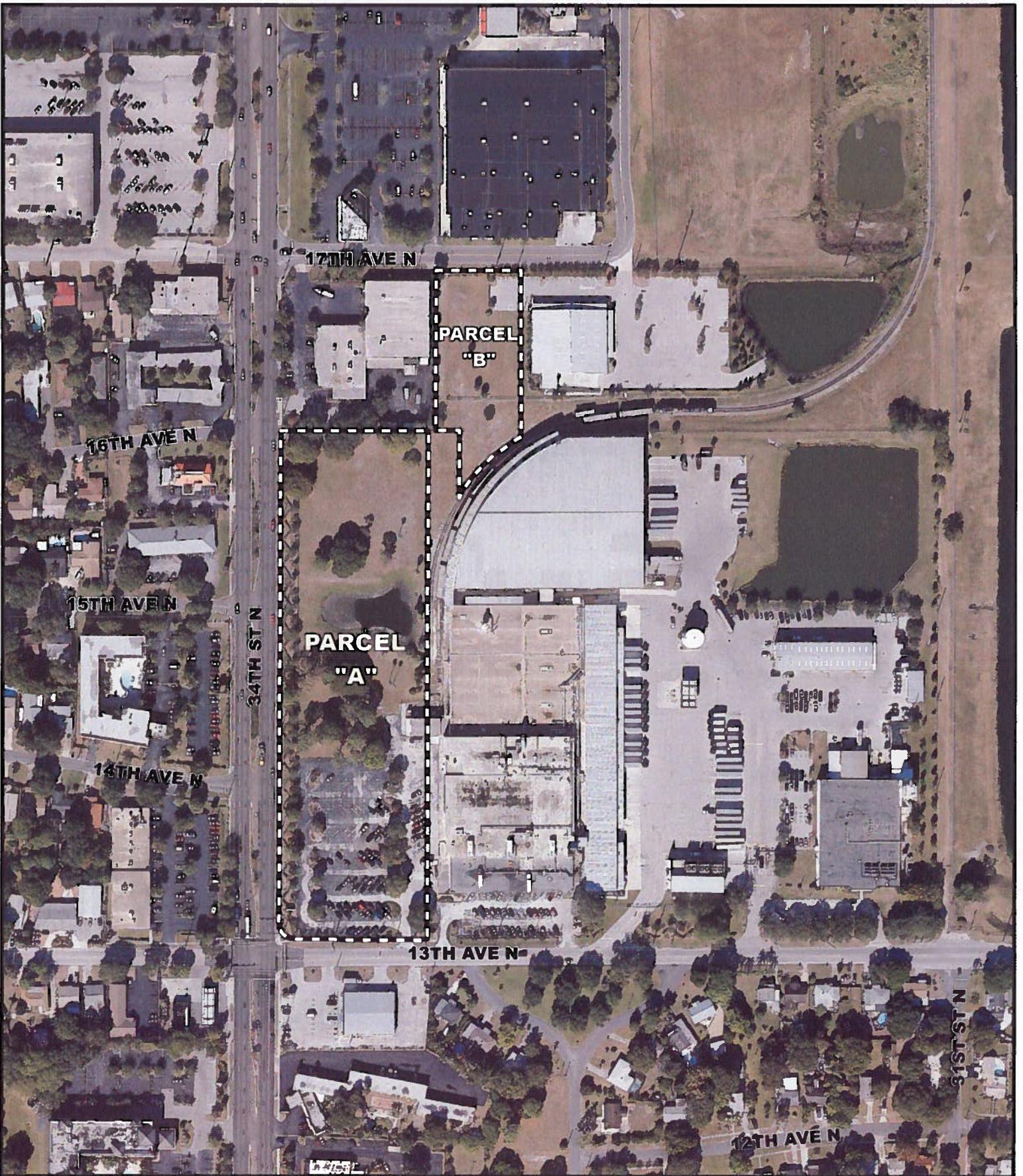
FLUM-18

SCALE: 1" = 230'



SUBJECT AREA





AERIAL

CITY FILE

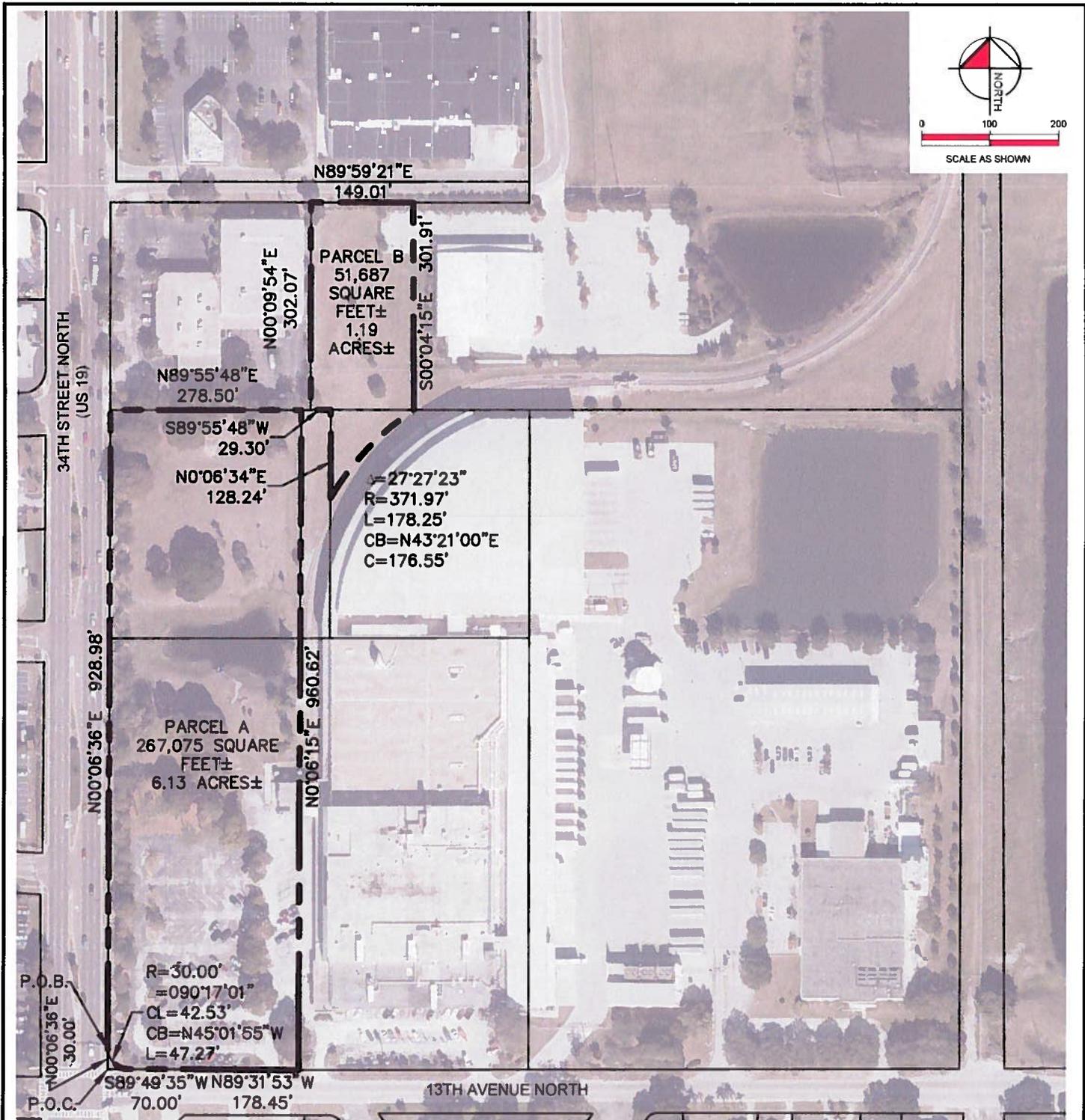
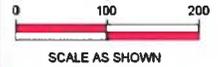
FLUM-18

SCALE: 1" = 230'



SUBJECT AREA





LAND USE REQUEST	CHANGE ZONING FROM IS TO CCS-1 CHANGE COMPREHENSIVE PLAN CATEGORY FROM IL TO PR-MU
FOLIO NUMBERS	14-31-16-71460-000-180, 14-31-16-71460-000-240, 14-31-16-71460-000-0242, 14-31-16-54054-000-0010
OWNERS	TIMES PUBLISHING COMPANY
APPLICANT	TIMES PUBLISHING COMPANY
PROPERTY ADDRESSES	1301 34TH ST. N., ST. PETERSBURG, FL 33713

LEGEND

----- LAND USE CHANGE BOUNDARY (7.49 AC ±)

LAND USE CHANGE EXHIBIT TIMES SITE PINELLAS, FL		DATE: 11/27/13	SCALE: AS SHOWN	SHEET: 1 OF 3
---	--	-------------------	-----------------------	------------------



6737 Southpoint Drive S.
S/C J915
Jacksonville, FL 32216-6177
(904) 279-3646
Telefax (904) 357-7855
damien_d'anna@csx.com



Damien D'Anna
Regional Manager - Sales & Leasing

December 6, 2013

City of St. Petersburg
Planning and Economic Development Department
Municipal Services Center, Eighth Floor
One 4th Street North
St. Petersburg, Florida 33701

Re: Future Land Use Plan Change and Related Rezoning
City File FLUM-18
7.5 acres - 34th Street North and 13th Avenue North
St. Petersburg, Florida

Gentlemen:

We are in receipt of your Notice of Public Hearing scheduled for December 10, 2013 to discuss the application requesting to amend the Future Land Use Map designation from IL (Industrial Limited) to PR-MU (Planned Redevelopment-Mixed-Use), and the Official Zoning Map designation from IS (Industrial Suburban) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

According to the aerial you provided and our aerial photograph attached, this area is adjacent to an industry spur track. We have concerns regarding the development of properties next to any operating track. Safety is CSX's number one priority and the addition of developments adjacent to active railroad tracks raises cause for concern.

Additionally, it has been CSX's experience that residents near active railroad tracks are often unhappy with the associated noise of rail operations. Trains may use the tracks 24 hours a day, and the number and schedule of trains can change at any time due to business needs and many other factors. Furthermore, the inherent vibration and noise from passing trains should be taken into account regarding any new development.

Should the City approve the zoning for this property, we ask that a 50 foot buffer be established between any development and the rail right of way in addition to fencing the common property line between the operating track and any development.

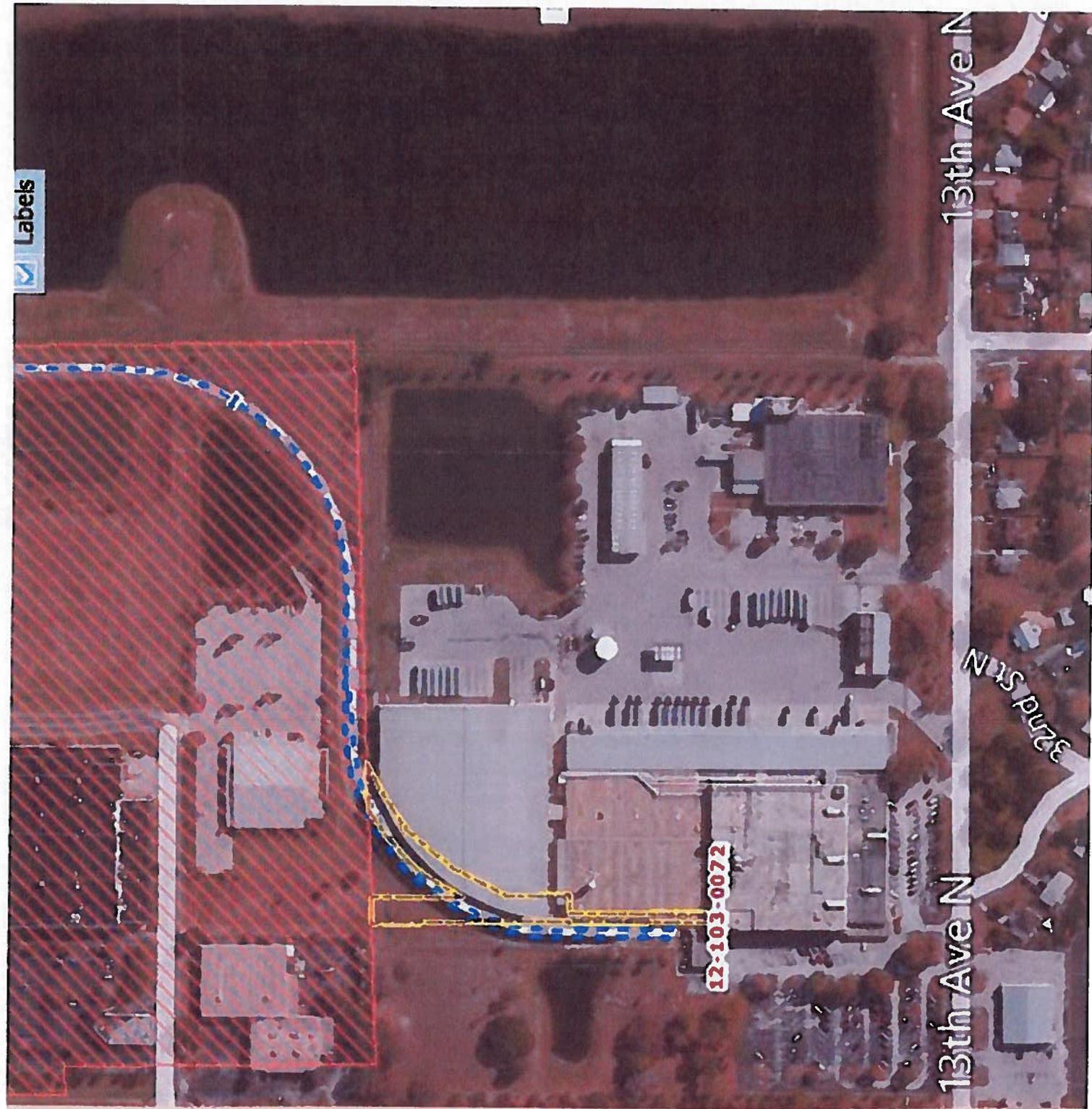
We appreciate the opportunity to express our objections and concerns, and request that you enter our comments into the public record.

Sincerely,

Damien D'Anna

Attachment

Labels



**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **March 14, 2014**

COUNCIL DATE: **April 3, 2014**

RE: ***Referral to the Public Services & Infrastructure (PS&I) Committee***

ACTION DESIRED:

Respectfully requesting to refer to the PS&I Committee a request that the St. Petersburg City Council honor all of our fallen officers by having a moment of silence and showing a photo of the officer at the Council meeting that is the closest to the anniversary of their passing.

Steve Kornell, Council Member
District 5

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **March 21, 2014**

COUNCIL DATE: **April 3, 2014**

RE: ***Cars, Bikes and Mopeds – How Do We Increase Safety?***

ACTION DESIRED:

Respectfully requesting Administration have Joe Kubicki attend a Public, Services and Infrastructure Committee meeting to begin a discussion on what steps should be taken to improve traffic safety for all.

RATIONALE:

St. Petersburg continues to have many accidents each week caused by a combination of cars, bikes and mopeds not taking reasonable steps to reduce the risk of accidents.

Karl Nurse
Council Member

City of St. Petersburg
Youth Services Committee Report
Thursday, March 20, 2014
8:30 a.m.

Room 100

Members and Alternates: Councilmembers Amy Foster (Chair), Bill Dudley, Charlie Gerdes, and Karl Nurse; Alternate – Steve Kornell

Support Staff: Mike Jefferis, Parks and Recreation Director

- A. Call to Order and Roll Call – Councilmember Amy Foster, Committee Chair
The meeting was called to order by Chair Foster. City Councilmembers in attendance were Amy Foster, Bill Dudley, Charlie Gerdes, Karl Nurse, Steve Kornell, and Wengay Newton.
- B. Election of Committee Vice-Chair – Committee members unanimously voted to elect Councilmember Charlie Gerdes as Vice-Chair of the Youth Services Committee.
- C. Approval of minutes for Youth Services Committee – January 23, 2014
The minutes for the meeting of January 23, 2014 were approved as submitted.
- D. Agenda Items
 - 1. Presentation from YouthBuild representative Jeanette Gemmer – Jeanette Gemmer, Special Projects Coordinator and Jessica Hurley, Youth Specialist, both with Career Source Pinellas, gave an overview of the Tampa Bay YouthBuild program. They indicated that the program invites 17-24 year old participants to develop the skills and knowledge needed to gain meaningful employment in the construction industry. The YouthBuild program curriculum consists of many components including mental toughness, education and construction training, employability skills training, assistance with job search, leadership development, and community service. Jeanette also indicated that she is working with the City's N-Team to develop a partnership that will help improve properties in the city and provide the YouthBuild participants with additional real-world experiences.
 - 2. Update on civil citation/youth arrest research by Committee Chair Foster – Chair Foster gave a presentation detailing the civil citation/youth arrest data she had gathered from the St. Petersburg Police Department, Pinellas County Sheriff, and Pinellas County Schools. She described the youth arrest record processing contract the City of Clearwater currently has with the Sheriff's office. The committee discussed ways to improve our current process; several ideas were generated. Council will work with administration to hone the City's process.

3. Carrera/Juvenile Welfare Board Update by Committee Chair Foster – Chair Foster shared the information she gathered related to the JWB decision not to continue the Carrera Program. She shared that the Carrera Program had not performed as expected and that the cost per participant had exceeded \$20,000. She also shared that JWB had prepared a detailed transition plan for the current participants.

E. Next Meeting Date – April 17, 2014

F. Adjournment – Meeting was adjourned at 9:55 a.m.

ST. PETERSBURG CITY COUNCIL BUDGET, FINANCE & TAXATION COMMITTEE

Committee Report for March 27, 2014

Members & Alternate: Budget, Finance & Taxation Committee: Chair James R. “Jim” Kennedy, Jr.; Vice-Chair Charles Gerdes; Karl Nurse; Leslie Curran and William Dudley (alternate).

Support Staff: Angela Ramirez, Budget Analyst II, Budget Department
Linda Livingston, Accountant III, Finance Department

Call to Order
Approval of Agenda-Approved

1. New / Deferred Business

a. FY 13 External Audit Report

Anne Fritz, Finance Director, introduced Laura Krueger Brock from Mayer Hoffman McCann P.C for the presentation to the Budget, Finance and Taxation Committee on the results of Comprehensive Annual Financial Report for Fiscal Year 2013 (CAFR). The presentation included the 2013 Scope of Services results, government wide revenues and expenses, the significant revenue sources affected by the economy, the General Fund Balance report, the enterprise funds report, the General Fund subsidies update, the Federal and State Programs tested and the upcoming GASB statements. Mayer Hoffmann McCann P.C. reported that there were no prior year comments or current year comments regarding control deficiencies and management. The FY 2013 Adopted Budget was reported at \$437.7 million for all funds, excluding internal services funds and dependent districts. This is an increase of \$11.7 million or 2.5% from the FY 12 Adopted Budget.

3. Continued Business / Deferred Business – None

4. Upcoming Meetings Agenda Tentative Issues

1. April 10, 2014

- a. Fund Balance Target Update (Tom Greene)

2. April 24, 2014

- a. Procurement Code (Louis Moore)
- b. Port Business Plan Update (Dave Metz/Walter Miller)

3. May 8, 2014

- a. 2nd Quarter Financial and Budget Report (Fritz/Greene)

4. May 22, 2014

- a. 2nd Quarter Grants Report (Greene/Ojah Maharaj)

5. Adjournment – Meeting adjourned at 8:50 am

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of March 27, 2014 – 9:15 a.m.
City Hall, Room 100

Members: Chair Bill Dudley,
Council Members: Wengay Newton (arrived at 9:45 a.m.) and Darden Rice

Alternate(s): Jim Kennedy

Support Staff: Ken Betz, primary staff support; Brian Campbell, backup staff support

Others Present:

Council Members Foster, Nurse, and Gerdes; Mark Winn, Gary Cornwell, Joe Kubicki, Dave Goodwin, and Cathy Davis

A. Call to Order and Roll Call – 9:18 a.m.

B. Approval of Agenda (3 – 0)

C. Approval of Minutes

1. Minutes of March 13, 2014 (3 - 0)

D. New Business

1. March 27, 2014

a. Unimproved Alleys

Goodwin

Opening Discussion and Presentation

Chair Dudley introduced Council Member Nurse who initiated the subject of Unimproved Alleys. Council Member Nurse gave a brief overview of the problem of overgrown, narrow (10 feet or less) alleys. He asked for suggestions to eliminate these areas by the possibility of moving residents' fences back to back to eliminate the alleys.

Dave Goodwin spoke on the complexity of the topic and explained there are 57 alleys that are 10 feet in width or less throughout the City. He also spoke about the option of vacation with 51% of property owners in agreement. If vacated, an easement must be put into place with 100% of property owner approval, by the time consuming and generally unsuccessful process of having each individual property owner sign an easement agreement. Most all of the alleys contain underground utilities thus requiring an easement to replace any vacated ROW. If easement signatures from every property owner are not obtained the ROW vacation expires.

Committee and Staff Discussion

Mark Winn explained the City has the right to the right-of-way, but the City may not have the right to retain a utility if the ROW is vacated, unless a written utility easement is established. He is continuing to do research on how other local governments nationwide meet the challenge of vacating unimproved alleys. He also suggested that the solutions proposed could be discussed in neighborhood association meetings to help address the problem.

Council Member Gerdes asked if the City could fund a capital program to clean the alleys one time, and, from that point, it would be the property owners' responsibility to maintain the alleys. He feels the homeowners need an incentive to take part in maintaining these areas.

Council Member Nurse recommended that where there are alleys 10 feet or less, there can be an agreement between residents to move their fences.

Council Member Rice questioned if the alleys needed lighting and if the City could install fences at the residents' expense.

Motion was made for City staff to draft a pilot program in designated neighborhoods to evaluate the feasibility and time constraints of this topic. Motion passed (4 – 0).

b. Pedal Pub

Dudley

Opening Discussion and Presentation

Chair Dudley introduced Christa Bertelson, Manager of the St. Petersburg Pedal Pub, who gave an update on the Pedal Pub and to make a request for customers to be allowed adult beverages (beer and wine) while riding on the Pedal Pub. She gave examples of Sanford and Daytona Beach where beer and wine are allowed on the Pedal Pubs. She feels they cannot be successful without allowing drinking on board, and she said that the company would be willing to endure the costs of added liability.

Committee and Staff Discussion

Council Member Newton questioned the City's liability and if there had been any complaints to the Police.

Council Member Kennedy questioned if alcohol was permitted on board, would it be the Pedal Pub's responsibility to manage customer behavior. Ms. Bertelson responded that it would be Pedal Pub's responsibility to manager customer behavior and staff has been trained on the same subject.

Council Member Gerdes questioned if the number of drinks brought on to the Pedal Pub could be limited.

Council Member Rice discussed the route for the Pedal Pub.

Motion was made to have Legal investigate the ordinance which would allow beer and wine to be brought on board the Pedal Pub and to have the Police Department and Transportation Department involved in this ordinance. Motion passed (4 – 0).

E. Next Meetings

1. April 10, 2014

- a. Vertical Elements on Central Avenue Bulbouts
- b. 2013 Municipal Equality Index Rating

Kubicki
Kornell

F. Adjournment. Meeting Adjourned at 10:15 am.

ST. PETERSBURG CITY COUNCIL
Housing Services Committee Report
Council Meeting of April 3, 2014

TO: The Honorable Bill Dudley, Chair, and Members of City Council

FROM: Housing Services Committee: Karl Nurse, Committee Chair, Wengay Newton, Committee Vice-Chair, Steve Cornell, Councilmember, Charlie Gerdes, Councilmember, Darden Rice, Alternate

RE: Housing Services Committee Meeting of March 27, 2014

New Business:

Discussion of Housing Strategies, Mike Dove, Neighborhood Affairs Administrator

Mr. Dove began the discussion by stating that the work done to date is a work in process, and represented where he is today in his research, discussed his approach which included data needs, interviews, assumptions, declining public dollars, making the most of public resources, building around assets, strengths and activity, and his findings to date. During his focus he arrived at what is called needed data of which there were strengths and weaknesses. Some of the weaknesses included boarded/vacant, condemned, vacant land, foreclosures, values that are too low for investment. Some of the strengths include, homestead properties, schools, parks, areas with investment, business districts, ongoing rehabilitation activity, new construction, landmarks, and City investments.

Chair Nurse introduced him to a number of people so he began interviewing housing providers in order to make some assumptions. He would like to make the most use of public dollars. He discussed the proposed Southside CRA Area on a map with many overlays which depicted scenarios, and discussed that the area has the majority of vacant and boarded properties. The map also reflected a high concentration of homestead properties. Palmetto Park was discussed as of a neighborhood that is in the middle of many assets, but has boarded properties.

Mr. Dove intends to create an online database in which the following would be found:

- Intranet to be available via the Internet
- Currently missing Rehabilitation
- Some of the Landmarks/Assets

Mr. Dove discussed the City's Housing Programs and the following:

- Review all assumptions about our existing programs that includes:
 - What are other cities doing?
 - Too many strategies
 - Cost to build
 - Amount of Down-payment
 - Rehabilitations
 - Emergency Repairs
 - Roofs

- Rehabilitations vs. buying another house
- Prioritize Demolitions
- Examine area around each asset
- Future programs for Police In Neighborhoods and Teacher A+ Programs

Mr. Dove provided a summary of activities and assumptions at this point which includes:

- Continue funding for Rebates Program
- Creation of a Rental Rehabilitation Program
- Review all current housing programs
- Speed up Demolitions with a system to prioritize
- Try to acquire more properties by pursuing liens
- Expand the N-Team projects
- Seek more Housing Funding from external sources
- Recruit more private sector involvement
- Recruit more non-profit partners
- How are we marketing for housing

There were discussions and questions by the Committee about the study and proposed direction in which Mr. Dove would like to take housing. Chair Nurse commented that the proposed incentives will encourage development in neighborhoods.

Council Chair Dudley discussed the possibility of building tract housing similar to what was constructed during World War II. Mr. Dove responded that the City does not have large tracts of land available.

Chair Nurse discussed construction activity that is ongoing in the City and having met a builder who was doing work in Uptown, and another who was developing the Rutland Estate.

Vice-Chair Newton discussed the foreclosed/homestead properties. Mr. Dove responded that the data that has been developed can target those properties that are homestead and those that are going through the foreclosure process.

Todd Yost, Director of Codes Compliance discussed the foreclosure registry and that he will bring back an update of the foreclosure properties at a future meeting.

Vice-Chair Newton suggested adding the QRC Code to vacant and boarded properties so that investors who are interested in the properties may have the information readily available.

Councilmember Rice stated that she was impressed with the flowchart and mapping tool and felt that it was useful to show neighborhood leaders.

Councilmember Gerdes discussed that assumptions are critical in planning the future course of housing as young people rather rent than purchase a home. They would like to leave when they want and not risk foreclosure. He suggested that Administration may want to look at assisting in the development of rental apartments. He fully supports rehabilitating homes but believes we need to think about how to leverage and explore this new paradigm.

Chair Nurse discussed the Property Assessed Clean Energy; (PACE) that was recently implemented by Pinellas County and that in its current state is primarily for commercial properties.

Action: No action taken.

Update of NSP-1 & NSP-3, Stephanie Lampe, Sr. Housing Development Coordinator

Ms. Lampe provided an update of the status of the Neighborhood Stabilization Programs 1 and 3. She reported that the City has met the U.S. Department of Housing and Urban Development (HUD's) timeliness requirements effective March 24, 2014, and is now in compliance. She discussed that the City is using program income from NSP-1 to move forward with strategically pulling properties from the land bank to develop. She discussed that there are currently 12 homes that have been renovated or reconstructed, six (6) are currently under construction with four (4) substantially completed.

Vice-Chair Newton asked about the item to come before City Council on April 3, 2014 in reference to the sale of a home located at 1015 40th Street South in which a City employee has contracted to purchase a NSP-3 home. Ms. Lampe responded that it is a Federal requirement to disclose this information and seek approval from City Council and to also seek approval from HUD.

Chair Nurse briefly discussed that an investor who bought over 130 properties in the City has sold 70 properties from its inventory that should soon be rehabilitated.

Action: No action taken.

Next meeting: To be held April 24, 2014.

Topics:

Update of the NSP-1 and NSP-3 Programs
Other topics to be decided upon at a later date

Committee Members

Karl Nurse, Chair

Wengay Newton, Vice-Chair

Steve Kornell, Councilmember

Charlie Gerdes, Councilmember

Darden Rice, Councilmember (Alternate)

ST. PETERSBURG CITY COUNCIL

Legal Item

TO: The Honorable William "Bill" Dudley, Chair, and Members of City Council

FROM: Macall Dyer, Assistant City Attorney 

Thru: Jacqueline M. Kovilaritch, Assistant City Attorney 

Date: Meeting of April 3, 2014

RE: A/E Agreement with Firms providing Miscellaneous Architect and Engineering Services

The Engineering and Capital Improvements Department periodically issues a request for qualifications ("RFQ") in accordance with the requirements set forth in Florida Statute §287.055 (the Consultants' Competitive Negotiation Act) to engage the most qualified firms to provide miscellaneous architect and engineering services for the City of St. Petersburg, Florida ("City"). Following the selection of the most qualified firms pursuant to the RFQ evaluation process, such firms are required to execute an architect/engineering agreement ("A/E Agreement") with the City.

From time to time the City issues task orders to such firms to perform miscellaneous architect/engineering services in accordance with the A/E Agreement. Such miscellaneous architect/engineering services include but are not limited to services for airport projects, environmental services, marina and port projects, stormwater projects, and potable water, wastewater and/or reclaimed water projects.

The City Attorney's Office recently drafted proposed revisions to the A/E Agreement to add a provision addressing a change in public records laws and it also modified certain sections of the A/E Agreement to provide efficiencies in project and contract management. Currently, firms have to send the City written notice requesting renewals to the agreement. The term section has been revised to allow the A/E Agreement to automatically renew for successive one (1) year periods unless either the City or the firm sends the other a notice of non-renewal at least thirty (30) days prior to the expiration of the then current term; provided, that if the A/E Agreement has not previously expired, it shall expire no later than the end of the third renewal term (i.e., four (4) years after the execution date of the A/E) unless the firm is providing project services pursuant to a task order issued prior to the expiration of the A/E Agreement (in which case it shall expire upon the completion of the task order).

The definition of task order was revised and a subsection was added to the contract adjustments section to clarify that each project requires a separate task order and that an amendment to a task order cannot add a new project or substitute a project. Lastly, a few other non-substantive changes were made for clarification purposes.

The City Attorney's Office recommends that all firms providing miscellaneous architect/engineering services execute this revised A/E Agreement.

Resolution No. 2014 _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A REVISED ARCHITECT/ENGINEERING AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS WITH FIRMS PROVIDING MISCELLANEOUS ARCHITECT/ENGINEERING SERVICES FOR THE CITY OF ST. PETERSBURG, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Engineering and Capital Improvements Department periodically issues a request for qualifications ("RFQ") in accordance with the requirements set forth in Florida Statute §287.055 (the Consultants' Competitive Negotiation Act) to engage the most qualified firms to provide miscellaneous architect and engineering services for the City of St. Petersburg, Florida ("City"); and

WHEREAS, following the selection of the most qualified firms pursuant to the RFQ evaluation process, such firms are required to execute an architect/engineering agreement ("A/E Agreement") with the City; and

WHEREAS, from time to time the City issues task orders to such firms to perform miscellaneous architect/engineering services in accordance with the A/E Agreement; and

WHEREAS, such miscellaneous architect/engineering services include but are not limited to services for airport projects, environmental services, marina and port projects, stormwater projects, and potable water, wastewater and/or reclaimed water projects; and

WHEREAS, the City Attorney's Office recommends revisions to the A/E Agreement to add a provision addressing a change in public records laws and to modify certain provisions to provide for efficiencies in project management; and

WHEREAS, the City Attorney's Office also recommends that all firms providing miscellaneous architect/engineering services execute this revised A/E Agreement.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor or his designee is authorized to execute the revised architect/engineering agreement approved by the City Attorney's Office and all other necessary documents with the firms providing miscellaneous architect/engineering services for the City.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Content:



City Attorney (Designee)

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of April 3, 2014

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: Renewing a blanket purchase agreement with Premier Magnesia, LLC, a sole source supplier, for wastewater odor control services for the Water Resources Department at an estimated annual cost of \$600,000.

Explanation: On June 20, 2013 City Council approved a one-year agreement with Premier Magnesia, LLC. Under the renewal of contract clause, the City reserves the right to extend the contract for three one-year periods if mutually agreeable. This is the first renewal.

The vendor provides chemicals and equipment for injection of Thioguard® (Magnesium Hydroxide) into the city's water reclamation process to control odors caused by hydrogen sulfide. Hydrogen sulfide is one of the major causes of undesirable odors and corrosion in the wastewater facilities.

The Procurement Department, in cooperation with the Water Resources Department, recommends renewal:

Premier Magnesia, LLC.....\$600,000
(Approximately 248,960 gal. @ \$2.41)

The vendor has agreed to hold the terms and conditions of their bid dated May 9, 2013. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance and demonstrated ability to comply with the terms and conditions of the contract. The renewal will be effective through June 30, 2015 and will be binding only for actual quantities ordered.

Cost/Funding/Assessment Information: Funds are available in the Water Resources Operating Fund (4001), Water Lift Station Maintenance (4202205).

Attachments: Resolution

Approvals:



Administrative 



Budget

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH PREMIER MAGNESIA, LLC (A SOLE SOURCE SUPPLIER) FOR WASTEWATER ODOR CONTROL SERVICES FOR THE WATER RESOURCES DEPARTMENT AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$600,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 20, 2013 Premier Magnesia, LLC ("Premier") was declared to be a sole source supplier for wastewater odor control services for the Water Resources Department; and

WHEREAS, on June 20, 2013 City Council approved a one-year agreement (Blanket Agreement) with three one-year renewals options to Premier; and

WHEREAS, the City desires to exercise the first one-year renewal option to the Agreement; and

WHEREAS, the Vendor has agreed to hold the terms and conditions firm under their bid dated May 9, 2013; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources Department recommends approval of this renewal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, the first one-year renewal option to the Agreement (Blanket Agreement) with Premier Magnesia, LLC for wastewater odor control services for the Water Resources Department at an estimated annual cost not to exceed \$600,000 is hereby approved and the Mayor or the Mayor's designee is authorized to execute all necessary documents to effectuate this transaction; and

BE IT FURTHER RESOLVED that this agreement will be effective through June 30, 2015.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of April 3, 2014

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: Accepting a bid from TankRehab.com, LLC to repair and paint water storage tanks for the Water Resources Department at a total cost of \$403,950.00. (Engineering Project No.13016-121; Oracle Project No.14472); Approving a supplemental appropriation in the amount of \$425,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the COS Tank Painting & Repair FY14 Project (14472); and providing an effective date.

Explanation: The Procurement Department received seven bids for repairing and painting steel potable water tanks, including the Crescent Lake Elevated Storage Tank, Oberly Pumping Station Storage Tanks 1 and 2, Washington Terrace Pumping Storage Station Tank 3, and the Cosme Water Treatment Plant Surge Tank. The contractor will provide all labor, material, equipment and services necessary to perform mechanical repairs, surface preparation, and repainting of corroded steel surfaces and brackets with suitable coating materials approved for use in potable water systems. Work includes coordination with Water Resources Department operating requirements, mobilization, providing necessary ventilation and personnel protection for confined space work and elevated tank work, containment and removal of debris, and final site cleanup.

Work on the riveted steel Crescent Lake Elevated Storage Tank will include replacing corroded internal wall support rods and roof attachment brackets. Work includes surface preparation and repainting of the exterior roof and entire tank interior. Work does not include repainting the mural depicting the ocean on the sides and bottom of the tank, or lettering on the riser pipe.

Work on the Oberly Pumping Station Storage Tanks 1 and 2 and Washington Terrace Pumping Station Storage Tank 3 includes repair of corroded interior roof support brackets, corroded upper tank walls, and repainting the entire interior of the tanks. Work on the Washington Terrace Tank 3 also includes spot repainting of selected exterior spot corrosion areas.

Work on the Cosme Water Treatment Plant Surge Tank includes surface preparation and repainting the entire tank interior, and spot preparation and repainting selected exterior roof corrosion areas.

The contractor will begin work approximately ten (10) days from Notice to Proceed and is scheduled to complete work within three hundred thirty (330) consecutive calendar days thereafter.

Bids were opened on February 20, 2014 and are tabulated as follows:

<u>Bidder</u>	<u>Bid Amount</u>
TankRehab.com, LLC (Jacksonville, FL)	\$403,950.00
Utility Service Co., Inc dba USC, Inc. (Perry, GA)	\$406,213.90
Pittsburg Tank & Tower Co., Inc (Henderson, KY)	\$536,882.00
Southern Road & Bridge, LLC (Tarpon Springs, FL)	\$568,300.00
Royal Bridge, Inc. (Tarpon Springs, FL)	\$667,585.00
TMI Coatings, Inc. (St. Paul, MN)	\$754,450.00
Razorback, LLC (Tarpon Springs, FL)	\$758,765.00

TankRehab.com, LLC, the lowest responsive and responsible bidder has met the requirements of Bid No. 7609 dated January 14, 2014. They have satisfactorily performed similar services for the City of Bonita Springs Utility, Nassau County, and St. Johns County Utility Department in the past. References have been checked and are acceptable. The Principal of the firm is Tom Donovan, Manager.

Recommendation: Administration recommends awarding this contract to TankRehab.com, LLC, in the amount of \$403,950.00; approving a supplemental appropriation in the amount of \$425,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the COS Tank Painting & Repair FY14 Project (14472); and providing an effective date.

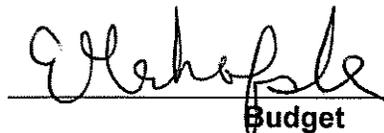
Cost/Funding/Assessment Information: Funds will be available following a supplemental appropriation in the amount of \$425,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the COS Tank Painting & Repair FY14 Project (14472).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO TANKREHAB.COM, LLC TO REPAIR AND PAINT WATER STORAGE TANKS (PROJECT NO. 13016-121) FOR THE WATER RESOURCES DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$403,950; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$425,00 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) TO THE COS TANK PAINTING & REPAIR FY14 PROJECT (14472); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received seven bids for repairing and painting water storage tanks for the Water Resources Department (Project 13016-121) pursuant to Bid No. 7609 dated January 14, 2014; and

WHEREAS, TankRehab.com, LLC has met the requirements of Bid No. 7609; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the bid is accepted and the award of an agreement to TankRehab.com, LLC to repair and paint water storage tanks for the Water Resources Department (Project 13016-121) at a total cost not to exceed \$403,950 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that the following supplemental appropriation for Fiscal Year 2014 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) is hereby approved:

<u>Water Resources Capital Projects Fund (4003)</u>	
COS Tank Painting & Repair FY14 Project (14472)	\$425,000

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)



Budget

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of April 3, 2014

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: Approving an increase in the allocation for polymer in the amount of \$180,000 which increases the total authorized allocation amount to \$480,000.

Explanation: On August 2, 2012, Council approved a two-year contract for polymer that is used at the Northeast, Northwest, Southeast and Southwest Water Reclamation facilities with Polydyne, Inc. and BASF Corporation. The polymer is used to dewater wastewater sludge for hauling and land application.

The water reclamation facilities are using more product than originally estimated for several reasons:

1. Two new screw presses were purchased at the Northeast facility that uses liquid polymer. The presses are going through performance testing and various changes to the biosolids digestion process using various polymers in an effort to find the optimum operational process.
2. The water reclamation facilities are utilizing more polymer to reduce the number of trailer loads to offset the higher hauling costs.
3. Five digesters at three water reclamation facilities are in need of repair or replacement. Approximately six million gallons of liquid sludge will need to be emptied prior to work being started. This will require additional polymer to dewater the sludge.

The Procurement Department in cooperation with the Water Resources Department, recommends increasing the allocation:

Polymer \$480,000

Original Contract Sum	\$300,000
Increased Allocation	<u>180,000</u>
Revised Contract Sum	\$480,000

The agreement is effective through October 31, 2014 and has two one-year renewal options.

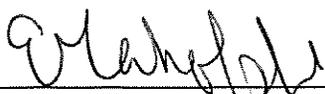
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001), Water Reclamation accounts (4202169, 4202173, 4202177 and 4202181).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION APPROVING AN INCREASE IN THE ALLOCATION FOR THE PURCHASE OF POLYMER IN THE AMOUNT OF \$180,000 FOR A REVISED TOTAL COST NOT TO EXCEED \$480,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 2, 2012, City Council approved two-year agreements (Blanket Agreements) with two one-year renewal options to BASF Corporation and Polydyne, Inc. for the purchase of polymer for the Water Resources Department pursuant to Bid No. 7271 dated March 19, 2012; and

WHEREAS, the water reclamation facilities are using more product than originally estimated; and

WHEREAS, an increase in the allocation of funds for the purchase of polymer is needed; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources Department, recommends approval of this increase.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that an increase in the allocation for polymer in the amount of \$180,000 for a revised total cost not to exceed \$480,000 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of April 3, 2014

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: Approving the purchase of a cycad collection from Dr. U.A. Young Estate, a sole source supplier, for the Parks & Recreation Department at a total cost of \$125,000.

Explanation: The Dr. U.A. Young Estate will provide a collection of approximately 200 cycad plants. This cycad collection is the largest private collection in Florida and includes some of the rarest and oldest living plants in the world. Most of the cycads in the collection are on the Endangered Species List and some are no longer legally obtainable from the wild. Cycads are on the "Florida Friendly" plant list and are low maintenance, drought tolerant, have very long life spans, and are resistant to disease, pests, and hurricanes. The majority of the cycads will be installed at the Gizella Kopsick Palm Arboretum. The rare species and those with the greatest monetary value will be installed at Sunken Gardens.

The Procurement Department in cooperation with the Parks & Recreation Department, recommends approval:

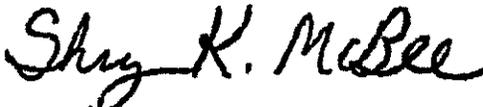
Dr. U.A. Young Estate..... \$125,000

This purchase will be made in accordance with Section 2-232(d) of the Sole Source Procurement of the City Code which authorizes City Council to approve the purchase of a supply or service over \$100,000 without competitive bidding if it has been determined that the supply or service is available from only one source.

Cost/Funding/Assessment Information: Funds have been appropriated in the Weekly Wachee Capital Projects Fund (3041), Dr. U.A. Young Cycad Collection Project (14467).

Attachments: Sole Source (2 pages)
Resolution

Approvals:



By: Administrative


Budget

City of St. Petersburg
Sole Source Request
Procurement & Supply Management

Department: Parks & Recreation Requisition No. _____
Check One: X Sole Source _____ Proprietary Specifications
Proposed Vendor: Dr. U.A. Young Estate
Estimated Total Cost: \$125,000

Description of Items (or Services) to be purchased:

This cycad collection is being purchased from the private estate of Dr. U.A. Young. Approximately 200 plants are included in this collection. Most of the cycads are on the Endangered Species List and some are no longer legally obtainable from the wild.

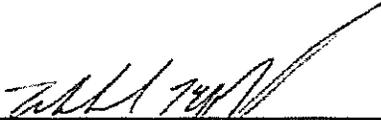
Purpose of Function of items:

This cycad collection is the largest private, rare collection in Florida and includes some of the rarest and oldest living plants on earth. Cycads are on the "Florida Friendly" plant list and are low maintenance, drought tolerant, have very long life spans, and are resistant to disease, pests, and hurricanes. They are among the most sought after plants for botanical gardens, public plantings, and private collectors. The majority of the cycads will be installed at the Gizella Kopsick Palm Arboretum. The rare species and those with the greatest monetary value will be installed at Sunken Gardens. It is anticipated that the purchase of this cycad collection will foster tourism with international horticultural enthusiasts and enhance the reputation of the City's nationally recognized waterfront parks system. In 2012, tours of the Palm Arboretum were conducted for visitors from Germany, Canada, France, Singapore, Columbia, Finland, South Africa, Great Britain, and Japan.

Justification for Sole Source of Proprietary specification:

This cycad collection is being purchased from the private estate of Dr. U.A. Young. In accordance with Administrative Policy #050300, E.2.e, the cycads are considered used items and are subject to immediate sale.

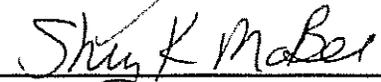
I hereby certify that in accordance with Section 2-232(d) of the City of St. Petersburg Procurement Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification. I also understand that under Florida Statute 838.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.



Department Director

2/27/14

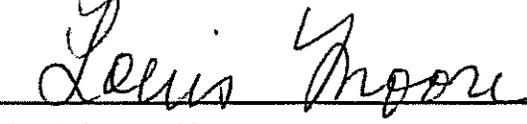
Date



Administrator/Chief

2/27/14

Date



Louis Moore, Director
Procurement & Supply Management

2/27/14

Date

Resolution No. _____

A RESOLUTION DECLARING THE DR. U.A. YOUNG ESTATE TO BE A SOLE SOURCE SUPPLIER OF A COLLECTION OF APPROXIMATELY 200 CYCAD TREES; APPROVING THE PURCHASE OF THE CYCAD COLLECTION TO BE PLANTED IN THE GIZELLA KOPSICK ARBORETUM AND SUNKEN GARDENS AT A TOTAL COST NOT TO EXCEED \$125,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Dr. U.A. Young is the only provider of a collection of approximately 200 unique cycad trees to be planted in the Gizella Kopsick Arboretum and Sunken Gardens; and

WHEREAS, Section 2-241(d) of the City Code provides requirements for sole source procurement; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Parks and Recreation Department, recommends approval of this purchase from the Dr. U.A. Young Estate as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances of the sole source purchase; and

WHEREAS, on January 23, 2014, the City Council of the City of St. Petersburg, Florida has previously authorized the expenditure of Weeki Wachee Funds for the purchase of the cycad collection.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Dr. U.A. Young Estate is a sole source supplier for a collection of approximately 200 unique cycad trees to be planted in the Gizella Kopsick Arboretum and Sunken Gardens; and

BE IT FURTHER RESOLVED that the purchase of the cycad collection from the Dr. U.A. Young Estate at a total cost not to exceed \$125,000.00 is hereby approved and the Mayor or his designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Content:



City Attorney (Designee)

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of April 3, 2014

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: Renewing a blanket purchase agreement with Leidos, Inc. f/k/a Science Applications International Corporation for post-disaster debris compliance monitoring services.

Explanation: On April 19, 2012 City Council approved a two-year agreement with Leidos, Inc. f/k/a Science Applications International Corporation. Under the renewal of contract clause, the City reserves the right to extend the contract for two one-year periods if mutually agreeable. This is the first renewal.

The vendor will provide, if needed, post-disaster debris removal monitoring services under the city's direction to ensure full compliance with environmental regulations and Federal Emergency Management Agency (FEMA) requirements. Services include compliance monitoring of contractors' truck weights as well as size and type of debris removed. In addition, the vendor may provide disaster recovery technical support including assistance with documentation and funds recovery from the State of Florida and the FEMA Public Assistance Program, as applicable for eligible work. There is no cost to the city until an authorized request for service after an actual emergency.

The Procurement Department recommends for renewal:

Leidos, Inc.

The vendor has agreed to hold prices firm under the terms and conditions of Pasco County Board of Commissioners Contract #10-022 dated, February 23, 2010. Administration recommends renewal of the agreement based upon the vendor's ability to comply with the terms and conditions of the contract and no requested increase in the unit prices. The renewal will be effective through June 5, 2015 and will be binding only for actual services rendered.

Cost/Funding/Assessment Information: Funds will be obtained through the appropriate department's budget. In the event additional funds are needed, a supplemental appropriation will be requested from Council.

Attachments: Resolution

Approvals:


Administrative


Budget

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH LEIDOS, INC. F/K/A SCIENCE APPLICATIONS INTERNATIONAL CORPORATION FOR POST-DISASTER DEBRIS COMPLIANCE MONITORING SERVICES FOR WHICH ACTUAL COST TO THE CITY WILL APPLY ONLY UPON AN AUTHORIZED REQUEST FOR SERVICES AFTER AN EMERGENCY; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 19, 2012, City Council approved the award of a two-year agreement (Blanket Agreement) with two one-year renewal options to Leidos, Inc. f/k/a Science Applications International Corporation ("Vendor") for post-disaster debris compliance monitoring services utilizing the City of Pasco County Board of Commissioners Contract #10-022; and

WHEREAS, the City desires to exercise the first one-year renewal option to the Agreement; and

WHEREAS, the Vendor has agreed to hold prices firm under the terms and conditions of Pasco County Board of Commissioners Contract #10-022; and

WHEREAS, the Procurement & Supply Management Department recommends approval of this renewal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the first one-year renewal option to the Agreement (Blanket Agreement) with Leidos, Inc. f/k/a Science Applications International Corporation for post-disaster debris compliance monitoring services for which actual cost to the City will apply only upon an authorized request for services after an emergency is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this renewal will be effective through June 5, 2015.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of April 3, 2014

TO: The Honorable Bill Dudley, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his designee, to sell a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of the Housing and Economic Recovery Act of 2008 located at 1015 - 40th Street South, St. Petersburg, for the sum of \$82,000; and to pay appropriate closing related costs and down payment assistance in accordance with the Neighborhood Stabilization Program; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: NSP Parcel 74, 1015 - 40th Street South, St. Petersburg, Florida 33711 ("Property") was purchased under the U.S. Department of Housing and Urban Development's ("HUD") Neighborhood Stabilization Program ("NSP") authorized under Title III of the Housing and Economic Recovery Act of 2008 ("HERA"). The Property was purchased for \$33,660 and became part of the City's Affordable Housing Program. The Property will be sold in accordance with Section 2301(d)(2) of HERA that directs that if an abandoned or foreclosed-upon home or residential property is purchased, reconstructed, or otherwise sold to an individual as a primary residence, then such sale shall be in an amount equal to or less than the cost to acquire and reconstruct or rehabilitate such home or property up to a decent, safe, and habitable condition.

Under City Council Resolution No. 2009-490, the sale of the Property was authorized in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of Housing and Economic Recovery Act 2008. Accordingly, no further authorization by City Council would normally be required for this sale. The City had received a contract from an independent broker for full price on the Property and financing was approved for the purchaser in accordance with program requirements. However, as the transaction was being scheduled for closing, staff discovered that the purchaser was a City employee. Therefore, in the spirit of full disclosure, inasmuch as the purchaser is a City employee, this sale is being brought forward for City Council approval. The purchaser, Lawanda Bodden, is a City employee who meets all the requirements necessary to purchase a property under the Neighborhood Stabilization Program. The employee does not work in a department that is involved with any approval related to the transaction or qualifying for the transaction.

The Property is improved with a single-family dwelling, which the purchaser intends to use as her residence. The Property is legally described as follows:

Lot 20, EVELAND REPLAT, Plat Book 34, Page 24
Pinellas County Parcel I.D. No.: 27/31/16/26478/000/0200
Street Address: 1015 - 40th Street South, St. Petersburg

The Property was appraised on January 6, 2014 (attached) by Lee Brand, State Certified Appraiser, who indicated the market value to be \$82,000 ("Contract Price"), which the purchaser has agreed to pay. City's Housing and Community Development has advised that the Contract Price is less than the cost to acquire and reconstruct, which is in accordance with the NSP guidelines.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to sell a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of the Housing and Economic Recovery Act of 2008 located at 1015 - 40th Street South, St. Petersburg, for the sum of \$82,000; and to pay appropriate closing related costs and down payment assistance in accordance with the Neighborhood Stabilization Program; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Appraisal and Resolution

APPROVALS: Administration: R. Mussett 3-18-14 BB

Budget: N/A

Legal: RBS

(As to consistency w/attached legal documents)

Legal: 00190922.doc V. 1

Uniform Residential Appraisal Report

File No. 40011

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address 1015 40th Street S, City St. Petersburg, State FL, Zip Code 33711. Borrower City of St. Petersburg, Owner of Public Record City of St. Petersburg, County Pinellas. Legal Description Eveland Replat Lot 20 Pb 34 Pg 24. Assessor's Parcel # 27 31 16 28478 000 0200, Tax Year 2013, R.E. Taxes \$ 0.00. Neighborhood Name Eveland, Map Reference 27 31 16, Census Tract 208.00. Occupant [] Owner [] Tenant [X] Vacant, Special Assessments \$ 0.00, PUD HOA \$ 0.00 per year per month. Property Rights Appraised [X] Fee Simple [] Leasehold [] Other (describe). Assignment Type [] Purchase Transaction [] Refinance Transaction [X] Other (describe) Fair Market Value. Lender/Client City of St. Petersburg, Address One 4th Street North 9th Floor, St. Petersburg, FL 33701. Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? [] Yes [X] No. Report data source(s) used, offering price(s), and date(s). MFRMLS.

I [] did [] did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.

Contract Price \$, Date of Contract, Is the property seller the owner of public record? [] Yes [] No, Data Source(s). Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? [] Yes [] No. If Yes, report the total dollar amount and describe the items to be paid.

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Table with columns: Neighborhood Characteristics, One-Unit Housing Trends, One-Unit Housing, Present Land Use %. Includes rows for Location (Urban, Suburban, Rural), Property Values (Increasing, Stable, Declining), PRICE AGE, One-Unit, and Present Land Use %.

Market Conditions (including support for the above) See Attached Addendum.

Dimensions 60 x 126, Area 7560 Sq.Ft., Shape Rectangular, View Residential. Specific Zoning Classification NT-1, Zoning Description Single Family Residential. Zoning Compliance [X] Legal [] Legal Nonconforming (Grandfathered Use) [] No Zoning [] Illegal (describe). Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? [X] Yes [] No. If No, describe.

Utilities Public Other (describe), Off-site Improvements--Type Public Private. Electricity [X], Water [X], Sanitary Sewer [X], Street Asphalt [X], Alley None. FEMA Special Flood Hazard Area [] Yes [X] No, FEMA Flood Zone X, FEMA Map # 12103C0214G, FEMA Map Date 09/03/2003. Are the utilities and off-site improvements typical for the market area? [X] Yes [] No. If No, describe.

Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? [] Yes [X] No. If Yes, describe. The appraiser has not been made aware of the existence of hazardous substances or detrimental conditions on or near the subject site. No adverse easements, conditions, encroachments of adverse influences noted or observed. A survey was not supplied for appraisal purposes.

Table with columns: GENERAL DESCRIPTION, FOUNDATION, EXTERIOR DESCRIPTION, INTERIOR. Includes rows for Units, # of Stories, Type, Design (Style) Ranch, Year Built 2013, Effective Age (Yrs) 0, Heating [X] FWA, Cooling [X] Central Air Conditioning, and Appliances [P] Refrigerator [X] Range/Oven [X] Dishwasher [X] Microwave [] Washer/Dryer [] Other (describe).

Finished area above grade contains: 6 Rooms, 3 Bedrooms, 2 Bath(s), 1,308 Square Feet of Gross Living Area Above Grade. Additional features (special energy efficient items, etc.) Front and rear covered porch.

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). The subject property is a new home with no deferred maintenance noted.

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? [] Yes [X] No. If Yes, describe. The subject is considered functional by current standards. No physical, functional or external inadequacies were noted. Physical depreciation has been established through market extraction. Quality of construction is deemed to be average.

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? [X] Yes [] No. If No, describe. The subject property does conform to the subject neighborhood.

Uniform Residential Appraisal Report

File No. 40011

There are 12 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 40,000 to \$ 99,900		There are 11 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 50,000 to \$ 106,000					
FEATURE	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3			
Address	1015 40th Street S St. Petersburg	3443 17th Ave S St. Petersburg	4107 12th Ave S St. Petersburg	2432 6th St S St. Petersburg			
Proximity to Subject		0.60 miles SE	0.12 miles SW	3.05 miles ESE			
Sale Price	\$	\$ 95,000	\$ 82,000	\$ 69,800			
Sale Price/Gross Liv. Area	\$ 0.00 sq. ft.	\$ 76.31 sq. ft.	\$ 59.42 sq. ft.	\$ 60.17 sq. ft.			
Data Source(s)		Microbase, MFRMLS U7488299	Microbase, MFRMLS U7497028	Microbase, MFRMLS U7587924			
Verification Source(s)		911 DOM List \$95,000	881 DOM List \$82,000	126 DOM List \$69,800			
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+/- \$ Adjustment	DESCRIPTION	+/- \$ Adjustment	DESCRIPTION	+/- \$ Adjustment
Sale or Financing Concessions		Conv Mortgage ArmLth;0		VA Mortgage ArmLth;0		Cash SS;0	
Date of Sale/Time		08/30/2013		08/23/2013		11/14/2013	
Location	Residential	St Petersburg		St Petersburg		St Petersburg	
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Site	7580 Sq.Ft.	12000 Sq.Ft.	-5,000	6624 Sq.Ft.	0	6350 Sq.Ft.	0
View	Residential	Residential		Residential		Residential	
Design (Style)	Ranch	Ranch/Avg		Ranch/Avg		Ranch/Avg	
Quality of Construction	Average	Average		Average		Average	
Actual Age	1	4 Years	0	3 Years	0	8 Years	0
Condition	Good	Good		Good		Average	+5,000
Above Grade Room Count	Total Bdrms Baths 6 3 2	Total Bdrms Baths 6 3 2		Total Bdrms Baths 6 3 2		Total Bdrms Baths 6 3 2	
Gross Living Area 35.00	1,308 sq. ft.	1,245 sq. ft.	+2,205	1,380 sq. ft.	-2,520	1,160 sq. ft.	+5,180
Basement & Finished Rooms Below Grade	No Basement	No Basement		No Basement		No Basement	
Functional Utility	Average	Average		Average		Average	
Heating/Cooling	Central	Central		Central		Central	
Energy Efficient Items	None	Typical		Typical		Typical	
Garage/Carport	2 Car Driveway	2 Car Driveway		2 Car Driveway		1 Car Garage	-5,000
Porch/Patio/Deck	Porch	Porch		Porch		Porch	
	None	None		None		None	
	None	None		None		None	
Net Adjustment (Total)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ 2,795		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ 2,520		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 5,180	
Adjusted Sale Price of Comparables		Net Adj. -2.9% Gross Adj. 7.6% \$ 92,205		Net Adj. -3.1% Gross Adj. 3.1% \$ 79,480		Net Adj. 7.4% Gross Adj. 21.7% \$ 74,980	

SALES COMPARISON APPROACH

did did not research the sale or transfer history of the subject property and comparable sales. If not, explain **As stated below per Microbase, MFRMLS.**

My research did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.
Data source(s) **Microbase, MFRMLS**

My research did did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.
Data source(s) **Microbase, MFRMLS**

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3
Date of Prior Sale/Transfer	N/A	N/A	N/A	N/A
Price of Prior Sale/Transfer				
Data Source(s)	MFRMLS, Microbase	Public Records, MLS	Public Records, MLS	Public Records, MLS
Effective Date of Data Source(s)	01/05/2014	01/05/2014	01/05/2014	01/05/2014

Analysis of prior sale or transfer history of the subject property and comparable sales **The subject property has not been sold in the past 3 years. The comparable sales have no prior sales in the past 12 months.**

Summary of Sales Comparison Approach. All three sales provided were the best available of sales. All three sales were the most recent and represent current market value within the subject market area. Marketing time for all three sales was between 126-911 days. Marketing time for the subject neighborhood is between 3-6 months if marketed correctly and priced accordingly. Current data indicates that approximately 5% of the area homes are listed for sale which does not indicate and oversupply at this time. Sales 1 & 2 are new homes similar to the subject property and have been given the most weight. Sale 3 is an existing home in the subject market area and further added support.

Indicated Value by Sales Comparison Approach \$ 82,000

Indicated Value by: Sales Comparison Approach \$82,000 Cost Approach (if developed) \$ 5,000 Income Approach (if developed) \$ 0

Most emphasis is placed on the market approach which reflects the actions of buyers and seller in the market. No personal property is given value in this appraisal. Cost Approach and Income approach are not applicable. Most single family homes are not used for income purposes.

This appraisal is made as is, * subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair: **Appraisal of the subject property is made in it's "AS IS" condition.**

Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 82,000 as of **01/06/2014**, which is the date of inspection and the effective date of this appraisal.

Uniform Residential Appraisal Report

File No. 40011

This appraisal report was written for a specific scope of work.

This is considered a summary report as defined by USPAP standard Rule 2-2.

Signatures appearing on our appraisals are digital signatures. The digital signatures are password security protected to prevent unauthorized use. Use of digital signatures is approved by Fannie Mae and Freddie Mac. Digital signatures are approved under USPAP standards when controlled by a security feature.

Zoning setback requirements were not verified since the appraiser is not a licensed surveyor.

Neighborhood discovery does not extend to halfway houses, sex offenders, adult theaters, toxic substances, hazardous wastes, sinkholes, or any other items that could stigmatize the property.

Clarification of Intended Use and Intended User:
The Intended User of this appraisal report is the Lender/Client. The Intended Use is to evaluate the property that is the subject of this appraisal is to determine fair market value, subject to the stated Scope of Work, purpose of the appraisal, reporting requirements of this appraisal report form, and Definition of Market Value. No additional Intended Users are identified by the appraiser.

Replacement cost figures in cost approach are for valuation purposes only. No one client or third party should rely on these figures for insurance purposes. The definition of market value is not consistent with insurable value.

ADDITIONAL COMMENTS

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations.

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) **THE COST APPROACH TO VALUE IS NOT REQUIRED BY FANNIE MAE, FHA/HUD. Land value was established by extraction and or allocation, due to there not typically being vacant subdivision site available to purchase in this market.**

COST APPROACH

ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE NOT FOR INSURANCE	= \$	5,000
Source of cost data	Dwelling	1,308 Sq. Ft. @ \$	= \$ 0
Quality rating from cost service	Effective date of cost data	Sq. Ft. @ \$	= \$
Comments on Cost Approach (gross living area calculations, depreciation, etc.)	Porch		
Land value was established by extraction and or allocation, due to there not typically being vacant subdivision sites available to purchase in this market.	Garage/Carport	Sq. Ft. @ \$	= \$
	Total Estimate of Cost-New		= \$ 0
	Less 60 Physical	Functional	External
	Depreciation \$0		= \$ (0)
	Depreciated Cost of Improvements		= \$ 0
	"As-is" Value of Site Improvements		= \$
Estimated Remaining Economic Life (HUD and VA only)	60 Years	INDICATED VALUE BY COST APPROACH	= \$ 5,000

INCOME

INCOME APPROACH TO VALUE (not required by Fannie Mae)

Estimated Monthly Market Rent \$ 0.00 X Gross Rent Multiplier 0.00 = \$ 0 Indicated Value by Income Approach

Summary of Income Approach (including support for market rent and GRM) **Income approach is not applicable as most single family homes are not used for income purposes.**

PUD INFORMATION

PROJECT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)? Yes No Unit type(s) Detached Attached

Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal name of project

Total number of phases	Total number of units	Total number of units sold
Total number of units rented	Total number of units for sale	Data source(s)

Was the project created by the conversion of an existing building(s) into a PUD? Yes No If Yes, date of conversion.

Does the project contain any multi-dwelling units? Yes No Data source(s)

Are the units, common elements, and recreation facilities complete? Yes No If No, describe the status of completion.

Are the common elements leased to or by the Homeowners' Association? Yes No If Yes, describe the rental terms and options.

Describe common elements and recreational facilities. **N/A**

Uniform Residential Appraisal Report

This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit, including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

Uniform Residential Appraisal Report

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.
21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

Uniform Residential Appraisal Report

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

- 1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature [Handwritten Signature]
Name Lee L Brand
Company Name ASAP Appraisals of Tampa Bay, Inc.
Company Address 7853 Gunn Hwy. #240 Tampa, FL 33626
Telephone Number 813-949-0272
Email Address asap@tampabay.rr.com
Date of Signature and Report 01/08/2014
Effective Date of Appraisal 01/08/2014
State Certification # Cert Res RD2427
or State License #
or Other (describe) State #
State FL
Expiration Date of Certification or License 11/30/2014

ADDRESS OF PROPERTY APPRAISED
1015 40th Street S
St. Petersburg, FL 33711

APPRAISED VALUE OF SUBJECT PROPERTY \$ 82,000

LENDER/CLIENT
Name No AMC
Company Name City of St. Petersburg
Company Address One 4th Street North 9th Floor
St. Petersburg, FL 33701
Email Address

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature
Name
Company Name
Company Address
Telephone Number
Email Address
Date of Signature
State Certification #
or State License #
State
Expiration Date of Certification or License

SUBJECT PROPERTY
[] Did not inspect subject property
[] Did inspect exterior of subject property from street
Date of Inspection
[] Did inspect interior and exterior of subject property
Date of Inspection

COMPARABLE SALES
[] Did not inspect exterior of comparable sales from street
[] Did inspect exterior of comparable sales from street
Date of Inspection

Neighborhood Description

The subject neighborhood is located within reasonable driving proximity to schools, employment, and shopping. The subject neighborhood consists of average quality single family homes that vary in age, size & design. The subject neighborhood has average market acceptance and average turnover ratio. There are no adverse factors. The subject market area is a mix of both owner occupied and investor owned rental properties. The majority of the transactions within the subject market area have been REO's which are typically in less than average condition. The subject market has seen a sharp decline in prices which appear to have leveled off. The subject is located in close proximity to Marshall Elem. School. The subject neighborhood has good access to I-275 and downtown St Petersburg.

Neighborhood Market Conditions

After the rapidly appreciating market in 2004 thru mid 2006, the market began a period of rapid decline from the end of 2006 thru early to mid 2009. From mid 2009 thru early to mid 2012 property values stabilized. From mid 2012 thru present, property values appear to be on the rise in some segments of the market due to pent up demand, low affordable prices and low interest rates. The supply of available listings is currently in balance. The Tampa Bay area is currently ranked 4th in the state for foreclosures and there is still a significant number of short sale listings to be offered. Appropriately priced/market homes are selling within 90-180 days.

Borrower: City of St. Petersburg
 Property Address: 1015 40th Street S
 City: St. Petersburg County: Pinellas State: FL Zip Code: 33711
 Lender: City of St. Petersburg

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

Self Contained (A written report prepared under Standards Rule 2-2(a), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
 Summary (A written report prepared under Standards Rule 2-2(b), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
 Restricted Use (A written report prepared under Standards Rule 2-2(c), pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3
 I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

Comments on Appraisal and Report Identification
 Note any uspap-related issues requiring disclosure and any state mandated requirements:

Ethics Rule: In compliance with the Ethics Rule of USPAP, I hereby certify that this appraiser has not performed any services regarding the subject property with the 3 year time period immediately preceding acceptance of this assignment, as an appraiser or in any other capacity.

Reasonable Exposure Time
 My Opinion of Reasonable Exposure Time for the subject property at the market value stated in this report is: 90-180 Days

The appraiser is estimating that the exposure time for the subject to sell at the estimated market value is 3-6 months at typical marketing such as local MLS.

<p>APPRAISER:</p> <p>Signature: <u></u> Name: <u>Lee L. Brand</u> Date Signed: <u>01/08/2014</u> State Certification #: <u>Cert Res RD2427</u> or State License #: _____ or Other (describe): _____ State #: _____ State: <u>FL</u> Expiration Date of Certification or License: <u>11/30/2014</u></p> <p>Effective Date of Appraisal: <u>January 6, 2014</u></p>	<p>SUPERVISORY APPRAISER (only if required):</p> <p>Signature: _____ Name: _____ Date Signed: _____ State Certification #: _____ or State License #: _____ State: _____ Expiration Date of Certification or License: _____</p> <p>Supervisory Appraiser inspection of Subject Property: <input type="checkbox"/> Did Not <input type="checkbox"/> Exterior-only from street <input type="checkbox"/> Interior and Exterior</p>
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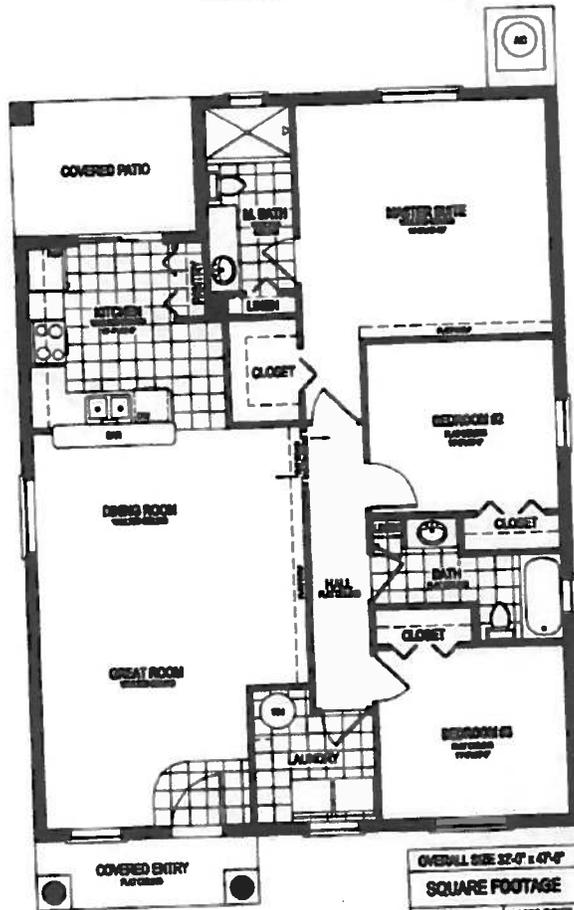
FLOORPLAN SKETCH

File No. 40011



State Certified License Number GC000771

GRANT
ST PETERSBURG SERIES



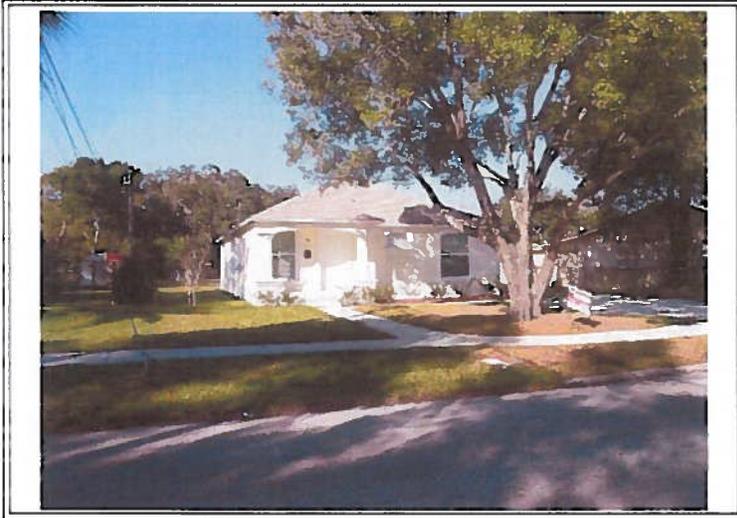
OVERALL SIZE 32'-0" x 47'-0"	
SQUARE FOOTAGE	
LIVING AREA	1300 SQFT
COVERED PATIO	60 SQFT
ENTRY	40 SQFT
TOTAL	1414 SQFT

BECAUSE WE ARE CONSTANTLY IMPROVING OUR HOMES, THEY ARE SUBJECT TO CHANGE WITHOUT NOTICE. WE RESERVE THE RIGHT TO CHANGE OPTIONS, FEATURES, MATERIALS AND PRICES WITHOUT PRIOR NOTICE. CONSULT OUR SALES COUNSELORS FOR MORE INFORMATION. ROOM DIMENSIONS ARE APPROXIMATE AND BASED ON OUTSIDE DIMENSIONS.

6580 72nd AVENUE N., PINELLAS PARK, FLORIDA 33781 • PHONE (727) 548-6811 - FAX (727) 548-7289

SUBJECT PROPERTY PHOTO ADDENDUM

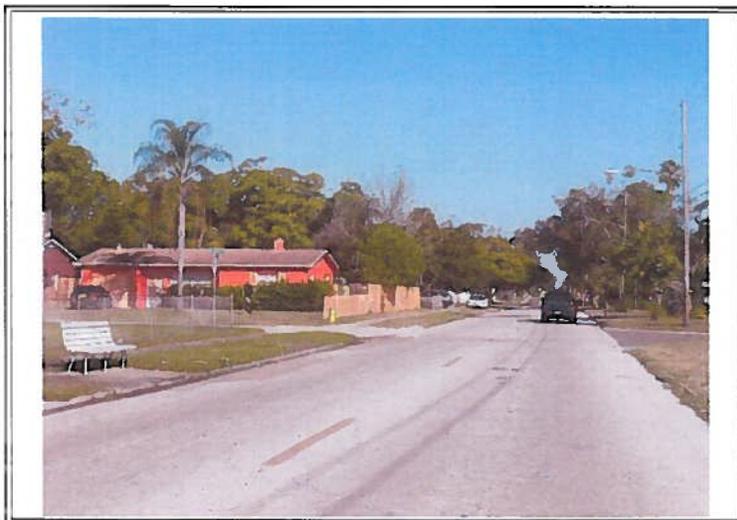
File No. 40011



**FRONT VIEW OF
SUBJECT PROPERTY**



**REAR VIEW OF
SUBJECT PROPERTY**



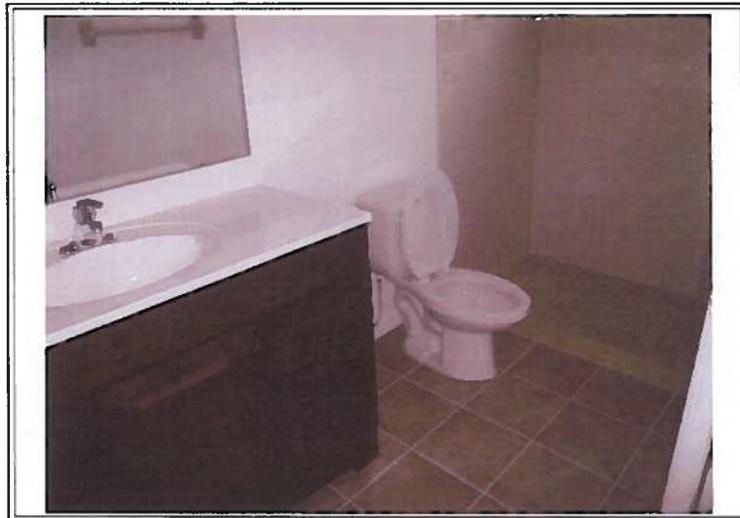
STREET SCENE



Kitchen



Living room



Bath

COMPARABLE PROPERTY PHOTO ADDENDUM

File No. 40011



COMPARABLE SALE #1

3443 17th Ave S
St. Petersburg



COMPARABLE SALE #2

4107 12th Ave S
St. Petersburg

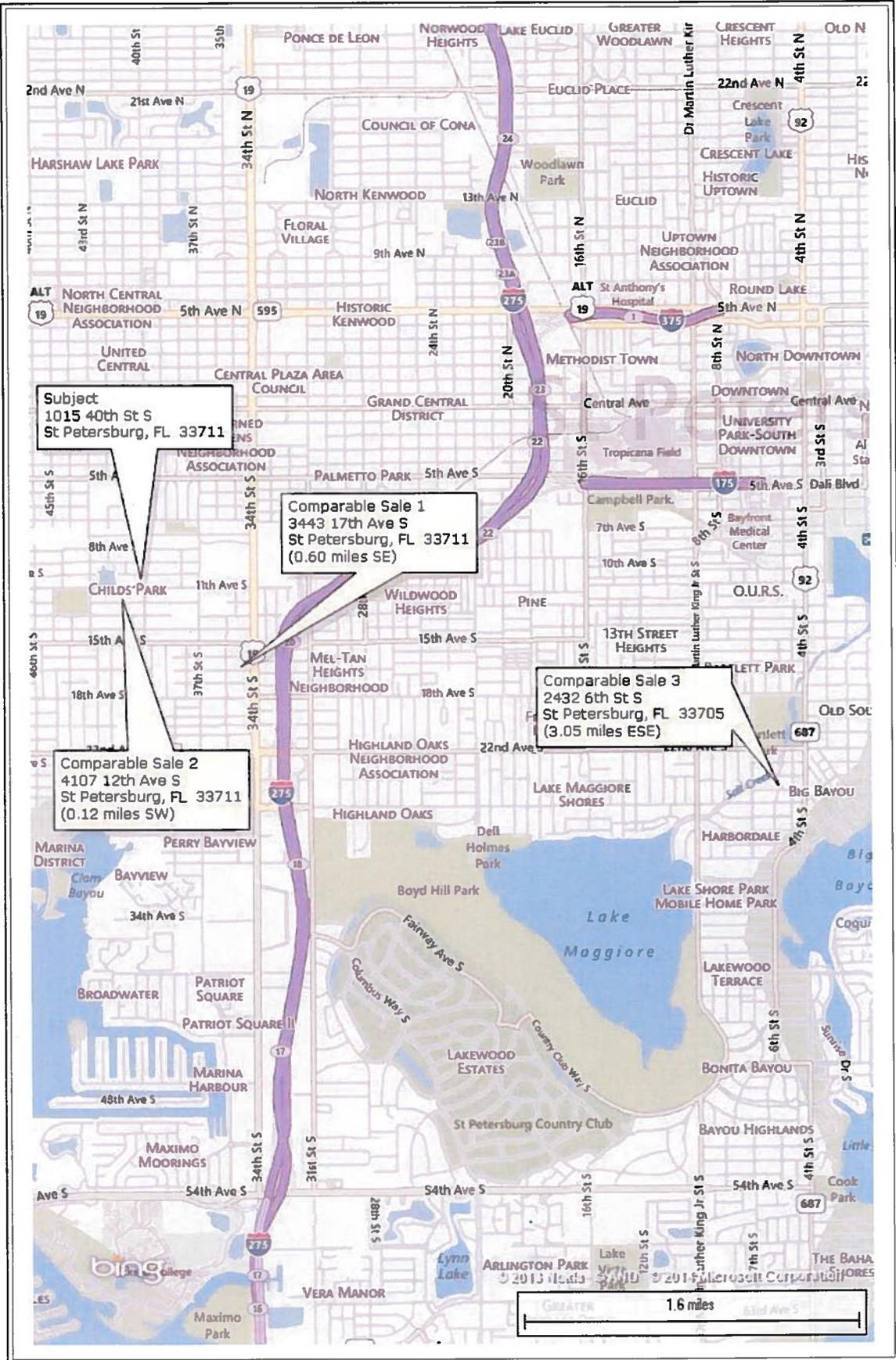


COMPARABLE SALE #3

2432 6th St S
St. Petersburg

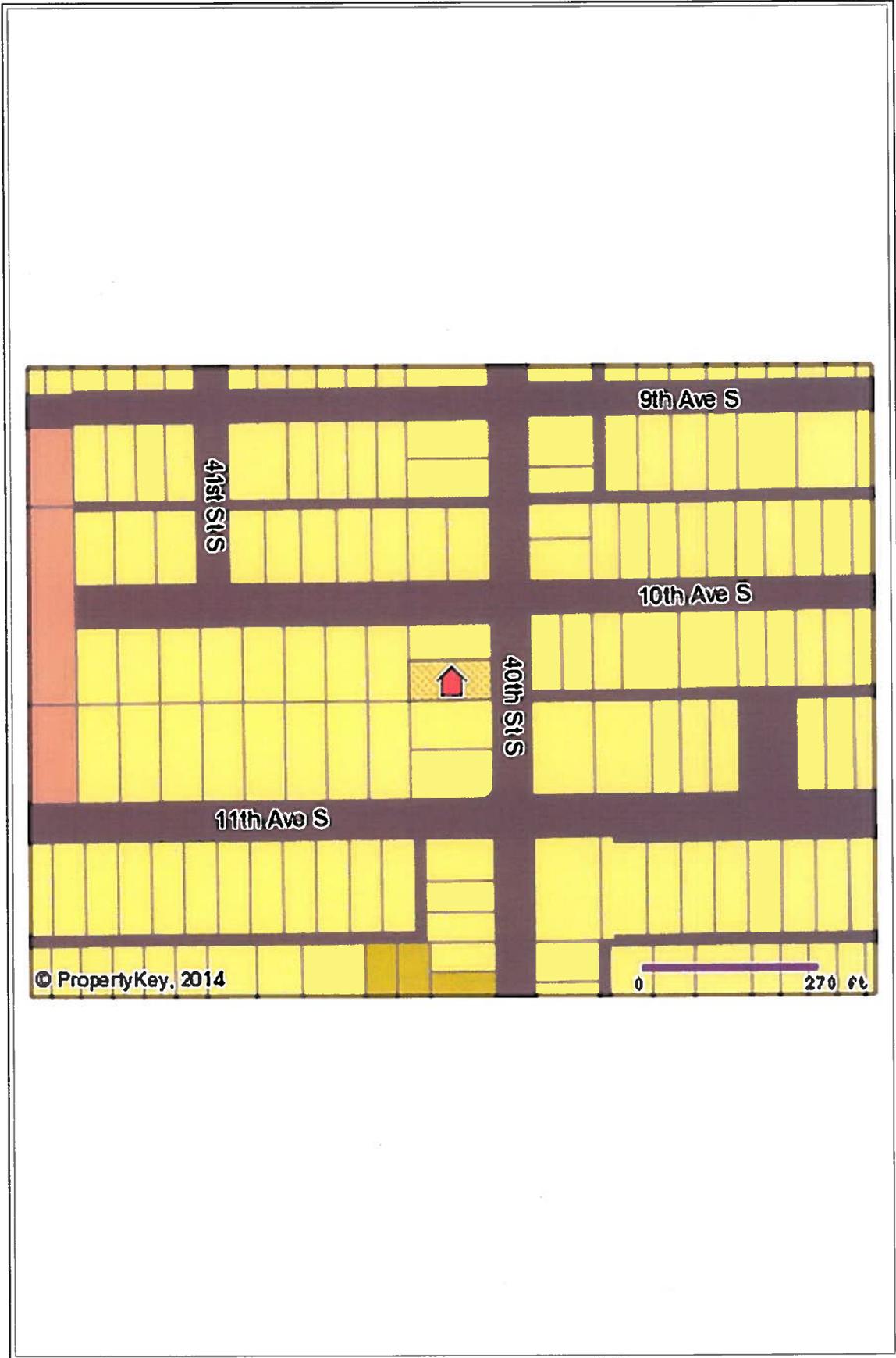
LOCATION MAP

File No. 40011



PLAT MAP

File No. 40011





Real Estate Appraisers Professional Liability

Date Issued	Policy Number	Previous Policy Number
02/27/2013	LSIG01973-012	L98001973-011

LIBERTY SURPLUS INSURANCE CORPORATION

(A Stock Insurance Company, hereinafter the "Company")
 175 Berkeley Street
 Boston, MA 02117

THIS IS A CLAIMS MADE AND REPORTED POLICY. PLEASE READ IT CAREFULLY.

Item DECLARATIONS

<p>1. Customer ID: 132428 Named Insured: ASAP APPRAISALS OF TAMPA BAY, INC. Lee L. Brand / Lane A. Pfister 2239 Old Gunn Highway Odessa, FL 33556</p>	<p>This insurance is issued pursuant to the Florida Surplus Lines law. Persons insured by surplus lines carriers do not have the protection of the Florida Insurance Guaranty Act to the extent of any right of recovery for the obligation of an insolvent unlicensed insurer.</p>
<p>2. Policy Period: From: 03/23/2013 To: 03/23/2014 12:01 A.M. Standard Time at the address stated in Item 1.</p>	
<p>3. Deductible: \$2,500 Each Claim</p>	
<p>4. Retroactive Date: 03/23/1995</p>	
<p>5. Inception Date: 03/23/2002</p>	
<p>6. Limits of Liability: A. \$1,000,000 Each Claim B. \$1,000,000 Aggregate</p>	<p>The Limit of Liability for Each Claim and in the Aggregate is reduced by Damages and Claims Expenses as defined in the Policy.</p>
<p>7. Mail All Notices to Agent:</p>	<p>LIA Administrators & Insurance Services 1600 Anacapa Street Santa Barbara, California 93101 (805) 963-6624 Fax: (805) 962-6652</p>
<p>8. Annual Premium: \$3,818.00 + \$190.90 Surplus Lines Tax - \$49.63 FIBCF Assessment</p>	
<p>9. Number of Appraisers: 5</p>	
<p>10. Forms attached at issue: LIA0025 (10/11) GPO 4916 03 10 LIA009 (08/11) LIA012 (08/11) SC-9 (10/08)</p>	

This Declarations Page together with the completed and signed Policy Application including all attachments and exhibits thereto, and the Real Estate Appraisers Professional Liability Insurance Policy shall constitute the contract between the Named Insured and the Company.

By Harlene Hoff
 Authorized Signatory

LIAG015 (01/13)

THIS DOCUMENT HAS A COLORED BACKGROUND - MICROPRINTING - LINEMARK™ PATENTED PAPER

AC# 6473992

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12102000796

DATE	BATCH NUMBER	LICENSE NBR
10/20/2012	128126873	RD2427

The CERTIFIED RESIDENTIAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

BRAND, LEE L
2239 OLD GUNN HWY
ODESSA

FL 33556

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

***** QUALIFICATIONS *****

ASAP Appraisals of Tampa Bay, Inc.

813/949-0272
813/920-7384 (fax)

QUALIFICATIONS OF APPRAISER
LEE L. BRAND

EDUCATION

2012 Continuing Education, McKissock Schools, Tampa, FL
2012 USPAP and Law Update, McKissock Schools, Tampa, FL
2010 Continuing Education, McKissock Schools, Tampa, FL
2010 USPAP and Law Update, McKissock Schools, Tampa, FL
2008 Continuing Education, McKissock Appraisal School
2008 National USPAP Update, McKissock Appraisal School
2008 Florida Appraisal Laws and Regulations, McKissock Appraisal School
2008 Appraising FHA Today, McKissock Appraisal School
2008 Florida Supervisor/Trainee Roles & Relationships, McKissock Appraisal School
2006 Continuing Education, McKissock, Distance Education
2006 USPAP Law, McKissock, Distance Education
2006 USPAP, McKissock, Clearwater, FL
2004 30 Hours Continuing Education, Bert Rodgers School, Tampa, FL
2004 USPAP Update, 7 Hours Continuing Education Course
2004 Florida Laws and Regulations, 3 Hours Continuing Education Course
2000 Appraising the Appraisal, Real Estate Education Specialists, Tampa, FL
2000 USPAP/Law Update, Real Estate Education Specialists, Tampa, FL
1999 FHA and The Appraisal Process, Appraisal Institute
1998 USPAP/Continuing Education, RE Education Specialists
1998 7 Hours USPAP, Lee & Grant, RE Education Specialists
1996 In the Wake of Natural Disasters, Lee & Grant
1996 7 Hours USPAP, Lee & Grant
1996 The Future for Residential Real Estate Appraising, Lee & Grant
1995 Tampa College, Bachelors Degree, Management and Marketing
1995 Fair Lending and the Appraiser, Appraisal Institute
1995 FHA Appraisal Seminar, HUD
1994 Appraisal Course ABII, Certified Residential Appraisal Course II
1993 ERC Seminar
1992 30 Hours Continuing Education
1992 Appraisal Course ABI, Licensed Residential Appraisal Course I
1990 New Hampshire Technical College, AS, Building Technologies

EMPLOYMENT HISTORY

2004 - Present Residential Appraiser, ASAP Appraisals of Tampa Bay, Inc., Co-Owner
1995 - 2004 Residential Appraiser, ASAP Appraisals, Inc.
1993 - 1995 Residential Appraiser, Gutierrez Appraisal Service, Inc.,
1992 - 1993 Residential Appraiser, F.I. Grey & Son, Inc. Realtor
1990 - 1992 Construction Management Administrator, Banner Construction
1988 - 1990 Principal/Owner of P&L Landscaping
1990 - 1990 Sub-Contractor, Ski & Sons Construction
1987 - 1988 Draftsman Apprentice/Surveyor, Civil Designs, Inc.

LICENSES

State-Certified Residential Real Estate Appraiser RD2427
FHA Approved Appraiser FLRD2427
Florida Real Estate Broker BK577981

Resolution No. 2014 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL A CITY-OWNED PROPERTY IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND SECTION 2301(D)(2) OF THE HOUSING AND ECONOMIC RECOVERY ACT OF 2008 LOCATED AT 1015 - 40TH STREET SOUTH, ST. PETERSBURG, FOR THE SUM OF \$82,000; AND TO PAY APPROPRIATE CLOSING RELATED COSTS AND DOWN PAYMENT ASSISTANCE IN ACCORDANCE WITH THE NEIGHBORHOOD STABILIZATION PROGRAM; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, NSP Parcel 74, 1015 - 40th Street South, St. Petersburg, Florida 33711 ("Property") was purchased under the U.S. Department of Housing and Urban Development's ("HUD") Neighborhood Stabilization Program ("NSP") authorized under Title III of the Housing and Economic Recovery Act of 2008 ("HERA"); and

WHEREAS, the Property was purchased for \$33,660 and became part of the City's Affordable Housing Program; and

WHEREAS, the Property will be sold in accordance with Section 2301(d)(2) of HERA that directs that if an abandoned or foreclosed-upon home or residential property is purchased, reconstructed, or otherwise sold to an individual as a primary residence, then such sale shall be in an amount equal to or less than the cost to acquire and reconstruct or rehabilitate such home or property up to a decent, safe, and habitable condition; and

WHEREAS, under City Council Resolution No. 2009-490, the sale of the Property was authorized in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of Housing and Economic Recovery Act 2008; and

WHEREAS, accordingly, no further authorization by City Council would normally be required for this sale; and

WHEREAS, in the spirit of full disclosure, inasmuch as the purchaser is a City employee, this sale is being brought forward for City Council approval; and

WHEREAS, the Property is improved with a single-family dwelling, which the purchaser intends to use as his residence; and

WHEREAS, the Property is legally described as follows:

Lot 20, EVELAND REPLAT, Plat Book 34, Page 24
Pinellas County Parcel I.D. No.: 27/31/16/26478/000/0200
Street Address: 1015 – 40th Street South, St. Petersburg; and

WHEREAS, the Property was appraised on January 6, 2014 (attached) by Lee Brand, State Certified Appraiser, who indicated the market value to be \$82,000 ("Contract Price"), which the purchaser has agreed to pay; and

WHEREAS, the City's Housing and Community Development Department has advised that the Contract Price is less than the cost to acquire and reconstruct the Property, which is in accordance with the NSP guidelines.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his designee, is authorized, to sell a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of the Housing and Economic Recovery Act of 2008 located at 1015 - 40th Street South, St. Petersburg, as legally described above, for the sum of \$82,000; and to pay appropriate closing related costs and down payment assistance in accordance with the Neighborhood Stabilization Program; and to execute all documents necessary to effectuate same.

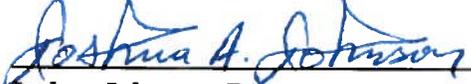
This Resolution shall become effective immediately upon its adoption.

LEGAL



City Attorney (Designee)
Legal: 00190922.doc V. 1

APPROVED BY:



Joshua Johnson, Director
Housing & Community Development

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of April 3, 2014

TO: The Honorable William Dudley, Chair, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to execute Task Order No. 12-03-URS/GC to the Agreement between the City of St. Petersburg and URS Corporation, Inc. in the amount of \$116,229, for engineering services related to the 4th Street South and Interstate I-175 Interchange Operational Analysis Report (IOAR). (Engineering Project No. 14060-112; Oracle No. 14152)

EXPLANATION: On July 12, 2012, City Council approved a Master Agreement with the professional consulting engineering firm of URS Corporation, Inc. for miscellaneous professional services for stormwater management, transportation and bridge improvement projects.

The IOAR will analyze traffic volumes and identify preliminary design alternative configurations which will include a direct northbound left turn movement from 4th Street South at the I-175 on-ramp. The IOAR will be submitted for approval by the FDOT and Federal Highway Safety Administration.

Significant growth of the University of South Florida (USF) campus and the nearby All Children's Hospital has resulted in traffic congestion during peak hours along 6th Avenue South between 4th and 6th Streets, due to motorists using the I-175/275 access ramp. The recent conversion to two-way operations of the segment of 4th Street between 4th and 5th Avenues South has provided a more direct route to access I-175; however, traffic still is forced to travel a circuitous route as it is still lacking northbound left turn access from 4th Street South into the I-175 westbound on-ramp.

Task Order No. 12-03-URS/GC, in the amount of \$116,229 provides engineering services for the evaluation of alternative configurations at the intersection of 4th Street South and Interstate 175 which will include review of a direct northbound left turn movement from 4th Street South at the I-175 on-ramp. Services include, traffic data collection, existing condition analysis, crash data and safety analysis, travel demand forecasting, development of directional design hour volumes (DDHV), evaluation of future conditions, creating a concept plan and conceptual signing plan, preparation of the IOAR, and preparation of a Methodology Letter of Understanding (MLOU) along with coordinating its approval with the Federal Highway Administration (FHWA), the Florida Department of Transportation (FDOT), and the City of St. Petersburg.

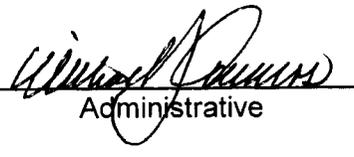
Administration recommends approval of Task Order No. 12-03-URS/GC in the amount of \$116,229 for engineering services associated with the 4th Street South and Interstate 175 Interchange Operational Analysis Report (IOAR).

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the Neighborhood and Citywide Infrastructure CIP Fund (3027), I-175 On-Ramp/4th St Two-Way Project (14152).

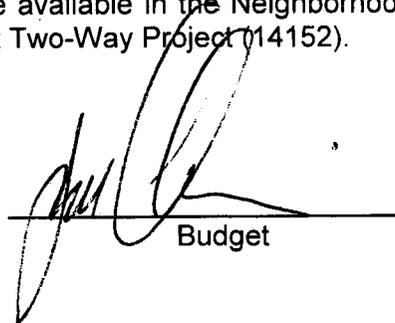
ATTACHMENTS: Resolution

APPROVALS:

bp


Administrative

TBS


Budget

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE TASK ORDER NO. 12-03-URS/GC TO THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND URS CORPORATION, INC. IN THE AMOUNT OF \$116,229, FOR ENGINEERING SERVICES RELATED TO THE 4TH STREET SOUTH AND INTERSTATE I-175 INTERCHANGE OPERATIONAL ANALYSIS REPORT (IOAR). (ENGINEERING PROJECT NO. 14060-112; ORACLE NO. 14152)

WHEREAS, on July 12, 2012, City Council approved a Master Agreement with the professional consulting engineering firm of URS Corporation, Inc. for miscellaneous professional services for stormwater management, transportation and bridge improvement projects; and

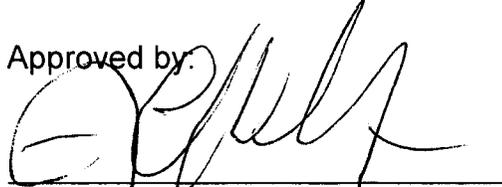
WHEREAS, an Interchange Operational Analysis Report (IOAR) will be developed to analyze traffic volumes and identify preliminary design alternative configurations including a direct northbound left turn movement from 4th Street South at the I-175 on-ramp; and

WHEREAS, this Task Order No. 12-03-URS/GC, in the amount of \$116,229 provides engineering services for the evaluation of alternative configurations at 4th Street South and Interstate 175 including review of a direct northbound left turn movement from 4th Street South at the I-175 on-ramp.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute Task Order No. 12-03-URS/GC to the Agreement between the City of St. Petersburg and URS Corporation, Inc. in the amount of \$116,229, for engineering services related to the 4th Street South and Interstate I-175 Interchange Operational Analysis Report (IOAR). (Engineering Project No. 14060-112; Oracle No. 14152)

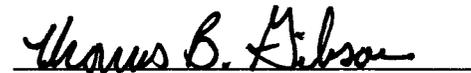
This Resolution shall become effective immediately upon its adoption.

Approved by:



Legal Department
By: (City Attorney or Designee)

Approved by:



Thomas B. Gibson, P.E.
Engineering Director

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of April 3, 2014

TO: The Honorable Bill Dudley, Chair, and Members of City Council

SUBJECT: a resolution authorizing the Mayor or his designee to execute a ten-year lease agreement with two automatic five-year renewals with Pinellas County for use by the Fire & Rescue Department of a 1989 GMC, 4 Wheel Drive Brush Firefighting Vehicle for the sum of one dollar (\$1.00), which may be terminated by Pinellas County or the City with thirty (30) days written notice; and to execute all other documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: St. Petersburg Fire & Rescue's response requirements include the occasional use of a brush truck. Pinellas County houses the 1989 GMC, described above, at the Highpoint Fire Station which is now under management by St. Petersburg Fire & Rescue. A lease between Pinellas County and the City of St. Petersburg is advantageous to both parties.

The Fire & Rescue Department's existing brush truck, utilized under a no-charge Cooperative Equipment Loan Agreement with the State of Florida, Department of Agriculture and Consumer Services, Division of Forestry, is beyond its useful life. This brush truck will be returned to the Division of Forestry.

The Fire & Rescue Department and the County have reached agreement for a lease by the City ("Lease") of the County Brush Truck, subject to City Council approval. The Lease will be for a term of ten years with two automatic five-year extensions, unless either party terminates prior to the end of the term or extension. Either party may terminate the Lease with thirty days written notice during the term or any extension.

The Administration recommends execution of the Lease as advantageous to both parties the City and the County.

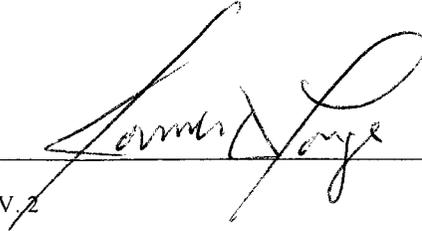
RECOMMENDATION: Administration recommends execution of the attached resolution authorizing the Mayor or his designee to execute a ten-year lease agreement with two automatic five-year renewals with Pinellas County for use by the Fire & Rescue Department of a 1989 GMC, 4 Wheel Drive Brush Firefighting Vehicle for the sum of one dollar (\$1.00), which may be terminated by Pinellas County or the City with thirty (30) days written notice; and to execute all other documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Rental for the term of the Lease Agreement is One Dollar (\$1.00), receipt of which is acknowledged by Pinellas County.

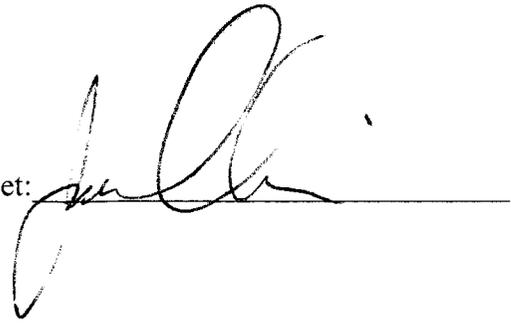
ATTACHMENTS: Resolution

Approvals:

Administration:

A handwritten signature in black ink, appearing to read "Tommie Page", written over a horizontal line.

Budget:

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and difficult to decipher.

Legal: 00186079.doc V. 2

Resolution No. 2013 _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A TEN-YEAR LEASE AGREEMENT WITH TWO AUTOMATIC FIVE-YEAR RENEWALS WITH PINELLAS COUNTY FOR USE BY THE FIRE & RESCUE DEPARTMENT OF A 1989 GMC, 4 WHEEL DRIVE BRUSH FIREFIGHTING VEHICLE FOR THE SUM OF ONE DOLLAR (\$1.00), WHICH MAY BE TERMINATED BY PINELLAS COUNTY OR THE CITY WITH THIRTY (30) DAYS WRITTEN NOTICE; AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, response requirements of the St. Petersburg Fire & Rescue Department (“fire Department”) include the occasional use of a brush truck; and

WHEREAS, Pinellas County (“County”) houses its 1989 GMC, 4 Wheel Drive Brush Firefighting Vehicle (“Brush Truck”); and

WHEREAS, the Fire Department’s existing brush truck, utilized under a no-charge Cooperative Equipment Loan Agreement with the State of Florida, Department of Agriculture and Consumer Services, Division of Forestry, is beyond its useful life and will be returned to the Division of Forestry; and

WHEREAS, the Fire Department and the County have reached agreement for a lease by the City (“Lease”) of the County Brush Truck, subject to City Council approval; and

WHEREAS, the Lease will be for a term of ten years with two automatic five-year extensions, unless either party terminates prior to the end of the term or extension; and

WHEREAS, either party may terminate the Lease with thirty days written notice; and

WHEREAS, a lease agreement for the Brush Truck between Pinellas County and the City of St. Petersburg is advantageous to both parties; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor or his designee is authorized to execute a 10-year Lease Agreement with two automatic five-year renewals with Pinellas County for the use by the Fire & Rescue Department of a 1989 GMC, 4 Wheel Drive Brush Firefighting Vehicle for the sum of One Dollar (\$1.00) which may be terminated with thirty days written notice by Pinellas County or the City; and to execute all documents necessary to effectuate this transaction; and

This resolution shall become effective immediately upon its adoption.

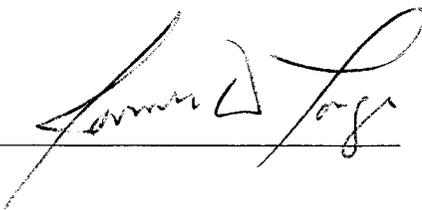
Approvals:

Legal:



Legal: 00186078.doc V. 2

Administration:



ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of April 3, 2014

TO: The Honorable William "Bill" Dudley, Chair, and Members of City Council

SUBJECT: Approving the First Amendment to the License and Use Agreement between the City of St. Petersburg, Florida ("City"), and St. Anthony's Hospital, Inc. ("St. Anthony"); authorizing the Mayor or his designee to execute the First Amendment; and providing an effective date.

EXPLANATION: St. Anthony has organized, promoted and staged an annual triathlon event in downtown St. Petersburg since 1985. The City and St. Anthony entered into a license and use agreement in April 2009, which could be extended through the 2014 triathlon event.

In the past St. Anthony had worked with Urban Retail Properties, LLC in order to utilize a portion of the Dolphin Parking Lot (now known as the Beach Drive Lot) for the triathlon events. St. Anthony has contacted the City's Transportation and Parking Management Department and asked to use a portion of the Dolphin Parking Lot for its 2014 triathlon event. St. Anthony and the Transportation and Parking Management Department have agreed to the same terms as last year which includes the use of 154 parking spaces in the eastern portion of the Beach Drive Lot on Friday and Saturday of the race weekend for a total cost of \$1,386.

Administration recommends approval of the attached resolution approving the First Amendment to the License and Use Agreement between the City and St. Anthony; authorizing the Mayor or his designee to execute the First Amendment; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Revenue received from St. Anthony for use of a portion of the Beach Drive Parking Lot will be deposited into the Parking Revenue Fund (Fund No. 1021)

ATTACHMENT: Resolution

APPROVALS:

ADMINISTRATION Shy K McBea

BUDGET: Ramirez

RESOLUTION NO. 2014-___

APPROVING THE FIRST AMENDMENT TO THE LICENSE AND USE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND ST. ANTHONY'S HOSPITAL, INC.; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") entered into a license and use agreement with St. Anthony's Hospital, Inc. ("St. Anthony") on April 16, 2009 ("Agreement"), for St. Anthony's to organize, promote and stage triathlon events in downtown St. Petersburg the last weekend of April; and

WHEREAS, the parties desire to amend this Agreement to extend the term and permit St Anthony to use a portion of the Dolphin Parking Lot for the triathlon events.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the First Amendment to the License and Use Agreement between the City of St. Petersburg, Florida, and St. Anthony's Hospital, Inc. ("First Amendment") is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the First Amendment.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE:



City Attorney (designee)
Final - 191356

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of April 3, 2014

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of December 5, December 12, and December 19, 2013 City Council meetings are submitted for your approval.

**A RESOLUTION APPROVING THE MINUTES OF THE
CITY COUNCIL MEETINGS HELD ON DECEMBER
5, DECEMBER 12, AND DECEMBER 19, 2013; AND
PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the minutes of the City Council meetings held on December 5, December 12, and December 19, 2013 are hereby approved.

This resolution shall become effective immediately upon its adoption.

**APPROVED AS TO FORM
AND SUBSTANCE:**

City Attorney or Designee

mins.res.wpd

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, DECEMBER 5, 2013, AT 8:34 A.M.

Chair Karl Nurse called the meeting to order with the following members present: Leslie Curran, Steve Kornell, Wengay M. Newton, Jeff Danner, Charles Gerdes, James R. Kennedy and William H. Dudley. Mayor Bill Foster, City Administrator Tish Elston, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, Assistant City Attorney Macall Dyer, Jeanne Hoffman and Joseph Patner, Acting City Clerk Cathy E. Davis and Deputy City Clerk Amelia Preston were also in attendance.

Councilmember Dudley moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

- MOVE CB-8 Accepting a grant from the Coordinated Child Care of Pinellas, Inc. (“CCC”) in the amount of \$111,071 for the Walter Fuller Recreation Center’s 21st Century Community Learning Centers (21st CCLC) program; authoring the Mayor or his designee to execute an agreement and all other documents necessary to effectuate this transaction with CCC; and approving a supplemental appropriation of \$111,071 from the increase in the unappropriated balance of the General Fund resulting from these additional revenues to the Parks and Recreation Department WF 21 CCLC FY14 Project. (Moved to Reports as E-4)
- ADD G-1 Referring to the Public Services & Infrastructure Committee for discussion sea level rise and its implications for City infrastructure with Mike Connors and Holly Greening, Executive Director of the Tampa Bay Estuary Program. (Councilmember Kornell)
- ADD G-2 Referring to the Public Services & Infrastructure Committee for discussion St. Petersburg’s score on the 2013 Municipal Equality Index and steps we can take in 2014 to rank number one in the State of Florida. (Councilmember Kornell)
- INFO H-1 Budget, Finance & Taxation Committee (11/25/13)
- (a) Resolution approving the First Amendment to the Agreement between the City of St. Petersburg, Florida (“City”), and Mayer

Hoffman McCann PC, KRMT Tampa Bay Division (“Auditor”), dated June 17, 2011, for Auditor to perform the annual external audit of the City’s books and records for Fiscal Years 2014 and 2015 and provide related services; and authorizing the Chair of the Budget, Finance and Taxation Council Committee to execute the First Amendment and to continue to approve and execute documents permitted by Resolution 2011-243.

INFO H-2 Public Services & Infrastructure Committee (11/25/13)

(a) Resolution amending the policies and procedures approved by Resolution No. 2012-515, to change the date set forth in Exhibit “A” policy and procedures of the Special Assessment Lien Modification Program Sections 2.2.4 and 2.2.5 to December 31, 2014.

ADD I-2 Kathleen Ford, et al vs City of St. Petersburg.

ADD I-3 Authorizing the Mayor or his designee to apply for, accept and implement, if awarded, A Federal Emergency Management Agency (FEMA), Department of Homeland Security 2013 assistance to Firefighters matching subgrant in the amount of \$523,028 for the purpose of a vehicle Exhaust Extraction System for the Fire and Rescue Department.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

Councilmember Kornell moved with the second of Councilmember Curran that the following resolutions be adopted:

13-480 Awarding a contract to Tappouni Mechanical Services, Inc. in the amount of \$1,231,400 for the Mahaffey Theater HVAC Upgrade Project. (Engineering Project No. 11222-019; Oracle Project No. 12889)

13-481 Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. CID-09-01-AEI to the agreement between the City of St. Petersburg and Affiliated Engineers, Inc. (AEI) in the amount of \$119,527 for Construction Phase Services for the Mahaffey Theater Mechanical Project, for a total amount of \$219,518. (Engineering Project No. 11222-019; Oracle No.12889)

13-482 Renewing a blanket purchase agreement with Neptune Technology Group, Inc., a sole source supplier, for water meters for the Water Resources Department at an estimated annual cost of \$385,000.

- 13-483 Renewing a blanket purchase agreement with Corvel Healthcare Corporation for medical bill review and payment services for the Human Resources Department at an estimated annual cost of \$175,000.
- 13-484 Approving a cooperative purchase agreement for natural gas from Interconn Resources, LLC at an estimated annual cost of \$175,000.
- 13-485 Renewing a blanket purchase agreement with Resource Efficiency Solutions, Inc. for induction and LED lighting replacement parts at an estimated annual amount of \$250,000.
- 13-486 Approving an increase to the allocation for transportation services to Escot Bus Lines, LLC, The Looper Group, Inc., and Limosouth, Inc. dba Carey Limousine of Tampa Bay in the amount of \$30,000 for purchased transportation services for the baseball shuttle and other City co-sponsored events. These additional funds will increase the total contract amount to \$125,000.
- 13-487 Authorizing the Mayor or his designee to execute a thirty-six (36) month License Agreement with John Henry Sculptor, Inc., to display the sculpture titled "Big Max" on a portion of the City-owned Park and Waterfront Property known as Straub Park, at a license fee of \$36.00 for the entire term. *(Requires affirmative vote of at least six (6) members of City Council.)*
- 13-488 Authorizing the Mayor or his designee to execute a First Amendment to License Agreement with Leland Allenbrand d/b/a St. Petersburg Horse & Carriages dated December 6, 2012, for use of a portion of the public streets and a portion of the Dolphin Parking Lot for operation of a horse carriage business; and to execute all documents necessary to effectuate same. *(Requires affirmative vote of at least six (6) members of City Council.)*
- 13-495 Accepting a grant from the Coordinated Child Care of Pinellas, Inc. ("CCC") in the amount of \$111,071 for the Walter Fuller Recreation Center's 21st Century Community Learning Centers (21st CCLC) program; authorizing the Mayor or his designee to execute an agreement and all other documents necessary to effectuate this transaction with CCC; and approving a supplemental appropriation of \$111,071 from the increase in the unappropriated balance of the General Fund resulting from these additional revenues to the Parks and Recreation Department WF 21 CCLC FY14 Project
- 13-489 Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-01-AEC/W to the Agreement between the City of St. Petersburg and AECOM Technical Services, Inc. in the amount of \$109,137, for design and bidding phase engineering services for the Northeast Water Reclamation Facility (NEWRF) and Northwest Water Reclamation Facility (NWWRF) Sludge Transfer Pump Stations Project. (Engineering Project No. 13069 111; Oracle No. 14039)

- 13-490 Authorizing the Mayor or his designee to execute Task Order No. 12-02-AEC/W to the Agreement between the City of St. Petersburg and AECOM Technical Services, Inc., in the amount of \$313,166, for design and bidding phase engineering services for the Southwest Water Reclamation Facility (SWWRF) Centrifuge Dewatering Facility Project. (Engineering Project No. 14031-111; Oracle No. 14034)
- 13-491 Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-02-CE/W, to the Agreement between the City of St. Petersburg and Carollo Engineers, Inc., in the amount of \$197,690, for design and bidding phase engineering services for the Southwest Water Reclamation Facility (SWWRF) Solids Thickening Improvements. (Engineering Project No. 13063 111; Oracle No. 14035)
- 13-492 Resolution finding that \$5,920 is an amount sufficient to pay for trail maintenance of the Walter Fuller Park Trail Project ("Project") along the north side of 22nd Avenue N from the existing Pinellas Trail, over its useful life of fifteen (15) years; authorizing a supplemental appropriation in the amount of \$5,920 from the unappropriated balance of the General Fund to fund future trail maintenance required by the Local Agency Program Agreement ("Agreement") between the State of Florida Department of Transportation ("FDOT") and the City of St. Petersburg, Florida ("City"); providing that the maintenance funds shall not need annual re-appropriations and shall be considered encumbered for the useful life of the Project with only authorized expenditures being for maintenance of the trail improvements of the project; finding that execution of the Agreement shall not be considered an unlawful act under Florida Statute §166.241; approving the agreement and authorizing the Mayor or his designee to execute the Agreement between the City and FDOT for participation by FDOT in the construction activities of the Project in an amount not to exceed \$480,600; authorizing a supplemental appropriation in the amount of \$480,600 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Capital Projects Fund (3004), resulting from these additional revenues, to the Walter Fuller Park Trail Project (13143). (FDOT Financial Project No. 430435 1 58/68 01) (Engineering Project No. 11058-112; Oracle No. 13143)
- 13-493 Resolution of the City of St. Petersburg, urging members of the Florida Legislature to enact a Bill relating to the powers of Nuisance Abatement Boards during the 2014 Legislative Session.
- 13-494 Approving the minutes of the City Council meetings held August 1, August 8, and August 22, 2013.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Paul Hsu, St. Petersburg, Chair West Central Village Neighborhood District, thanked city staff for working with West Central Village to improve the west end of the city. Mr. Hsu commented that West Central is the gateway into the city from the Pinellas Trail and the beaches and stated the installation of medians, landscaping, trees and lighting would further improve the area.
2. Monica Abbott, St. Petersburg, West Central Village Neighborhood District, commented briefly and provided a power point presentation containing a proposed Plan for the West Central Village District. Ms. Abbott commented regarding various amenities within the area that includes the Gateway to the City from Treasure Island and St. Petersburg Municipal Beach, Sunset Park, Pinellas Trail Access as well as a thriving Business District. Ms. Abbott also stated \$2 Million Penny for Pinellas Funds have been allocated via Interlocal contract between the City of St. Petersburg and Pinellas County for the West Central District and encouraged the council to adopt the proposed plan.

The Clerk read the title of proposed Ordinance 98-H, Assistant City Attorney Jeanne Hoffmann and Building Official and Flood Plain Administrator Rick Dunn commented briefly regarding the proposed ordinance. Attorney Hoffmann stated action was needed to repeal the existing Flood Plain Ordinance and to adopt the new model created by the State and FEMA in order for the city to continue to participate in the National Flood Insurance Program and for the proposed ordinance to be considered in the current CRS Audit. Mr. Dunn commented briefly and stated the proposed ordinance requires that an additional 1 foot” in height be required when building in flood zones. Mr. Dunn further commented regarding CRS Ratings and stated the city currently is rated at 6. Mr. Dunn noted that the ratings ranged from 1 to 10 with 1 being the best and 10 the worst. Mr. Dunn concluded his presentation and asked that a future workshop be scheduled following the CRS Audit Review. Councilmember Danner moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 98-H, entitled:

PROPOSED ORDINANCE NO. 98-H

AN ORDINANCE AMENDING THE CITY CODE TO REPEAL THE CURRENT SECTION 16.40.050; TO ADOP A NEW SECTION 16.40.050; TO READOPT FLOOD HAZARD MAPS; TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER

PURPOSES; AND TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE.

be adopted on second and final reading.

The Chair asked if there were any persons present wishing to be heard the following persons came forward:

1. Chris Dailey, 1528 Delaware Avenue NE, commented and stated his opposition regarding the proposed ordinance and flood insurance rates and asked that the proposed ordinance be put on hold.
2. John Stone, 246 22nd Avenue NE, commented regarding the impact of the proposed ordinance to existing homes and asked that consideration be given in terms of assistance for new builds and assistance with raising existing homes.

Councilmember Kennedy moved with the second of Councilmember Gerdes that the proposed ordinance be approved on second reading. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a report item regarding the Tourist Development Council, Councilmember Curran asked that the report be deferred until the December 19, 2013 City Council Meeting.

In connection with a report item regarding the acceptance of a grant from Coordinated Child Care of Pinellas, Inc. in the amount of \$111,071 for the Walter Fuller Recreation Center's 21st Century Community Learning Centers (21st CCLC) Program, Recreation Director Sherry McBee gave a brief report. Councilmember Kornell moved with the second of Councilmember Curran that the following resolutions be adopted:

- 13-495 Accepting a grant from the Coordinated Child Care of Pinellas, Inc. ("CCC") in the amount of \$111,071 for the Walter Fuller Recreation Center's 21st Century Community Learning Centers (21st CCLC) Program; authorizing the Mayor or his designee to execute an agreement and all other documents necessary to effectuate this transaction with CCC; and approving a supplemental appropriation of \$111,071 from the increase in the unappropriated balance of the General Fund resulting from these additional revenues to the unappropriated balance of the General Fund resulting from these additional revenues to the Parks and Recreation Department WF 21 CCLC FY14 Project.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a report item regarding the Mahaffey Theatre, Downtown Enterprise Facilities Director David Metz commented briefly regarding the management agreement and stated this was the third year of the contract. Mr. Metz also stated management was asked to concentrate on the areas of programming, entertainment and outreach to the local business community and stated attendance was up and programming is diversified and the operation subsidy has been reduced. Mr. Metz recognized several city departments that work in connection with the management of the facility. Joe Santiago, General Manager Mahaffey Theater, presented a brief power point and video containing bench marks of the year end FY2012/13 for the Mahaffey Theater. Bill Edwards, of Big 3 Entertainment, commented briefly regarding the City subsidy and programming.

The Clerk read the titles of proposed Ordinances 99-H, 100-H, 101-H, 1055-V. Councilmember Curran moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, December 19, 2013, at 9:00 a.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance Nos. 99-H, 100-H, 101-H 1055-V, entitled:

PROPOSED ORDINANCE NO. 99-H

AN ORDINANCE MODIFYING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA BY UPDATING THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE AND REPLACING ALL PREVIOUSLY ADOPTED CAPITAL IMPROVEMENT SCHEDULES; ADOPTING FUND SUMMARIES FOR THE GENERAL CAPITAL IMPROVEMENT FUND (3001), BICYCLE/PEDESTRIAN SAFETY GRANTS CAPITAL PROJECTS FUND (3004), NEIGHBORHOOD AND CITYWIDE INFRASTRUCTURE CAPITAL IMPROVEMENTS FUND (3027), TRANSPORTATION IMPACT FEES CAPITAL PROJECTS FUND (3071), WATER RESOURCES CAPITAL PROJECTS FUND (4003), STORMWATER DRAINAGE CAPITAL PROJECTS FUND (4013), AIRPORT CAPITAL PROJECTS FUND (4033), MARINA CAPITAL PROJECTS FUND (4043), AND PORT CAPITAL PROJECTS FUND (4093) FOR THE FISCAL

YEARS 2014 THROUGH 2018; ADOPTING THE FDOT DISTRICT 7 ROAD CAPACITY PROJECTS REPORT FOR THE FISCAL YEARS 2014 THROUGH 2018; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 1055-V

AN ORDINANCE APPROVING A VACATION OF THE 16-FOOT WIDE ALLEY LYING SOUTH OF 2ND AVENUE SOUTH AND BETWEEN 21ST STREET SOUTH AND 22ND STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 100-H

AN ORDINANCE AMENDING CHAPTER 16 OF THE ST. PETERSBURG CITY CODE BY DELETING THE PLANNING AND VISIONING COMMISSION AND THE COMMUNITY PRESERVATION COMMISSION, AND CREATING THE COMMUNITY PLANNING AND PRESERVATION COMMISSION; BY CHANGING CERTAIN REFERENCES TO THE COMMUNITY PRESERVATION COMMISSION TO BE THE COMMUNITY PLANNING AND PRESERVATION COMMISSION; BY CHANGING CERTAIN REFERENCES FROM THE ACRONYM CPC TO THE CPPC; BY CHANGING CERTAIN REFERENCES TO THE PLANNING AND VISIONING COMMISSION TO BE THE COMMUNITY PLANNING AND PRESERVATION COMMISSION AND THE DEVELOPMENT REVIEW COMMISSION; BY CHANGING CERTAIN REFERENCES FROM THE ACRONYM PVC TO THE CPPC AND DRC; BY REASSIGNING ALL DUTIES OF THE PLANNING AND VISIONING COMMISSION AND THE COMMUNITY PRESERVATION COMMISSION; BY DELETING CERTAIN REFERENCES TO THE PLANNING AND VISIONING COMMISSION;

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BY DELETING CERTAIN REFERENCES TO THE ACRONYM PVC; BY CHANGING CERTAIN APPEALS AND REFERENCES FROM THE ADMINISTRATOR TO THE DEVELOPMENT REVIEW COMMISSION; BY CREATING A TABLE IDENTIFYING DECISIONS AND APPEALS ROUTES CROSS-REFERENCING CODE SECTIONS THROUGHOUT CHAPTER 16; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 101-H

AN ORDINANCE CREATING A SHORT TERM EXCEPTION TO SECTION 7-97(d)(5) OF THE ST. PETERSBURG CITY CODE WHICH REQUIRES IDLE SPEED FOR VESSELS IN THE NORTH YACHT BASIN; AND PROVIDING FOR AN EFFECTIVE DATE.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a new business item, Councilmember Curran moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer to the Public Services & Infrastructure a discussion of sea level rise and its implications for City Infrastructure with the participation of Public Works Administrator Michael Connors and Holly Greening, Executive Director of the Tampa Bay Estuary Program.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a new business item, Councilmember Kornell moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer to the Public Services & Infrastructure a discussion of St. Petersburg's score on the 2013 Municipal Equality Index and steps we can take in 2014 to rank number one in the State of Florida.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays.

Nonc. Absent. None.

In connection with a Budget, Finance & Taxation Committee report, Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

- 13-496 Resolution approving the First Amendment to the Agreement between the City of St. Petersburg, Florida ("City"), and Mayer Hoffman McCann PC, KRMT Tampa Bay Division ("Auditor"), dated June 17, 2011, for Auditor to perform the annual external audit of the City's books and records for Fiscal Years 2014 and 2015 and provide related services; and authorizing the Chair of Budget, Finance and Taxation Council Committee to execute the First Amendment and to continue to approve and execute documents permitted by Resolution 2011-243.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Gerdes. Kennedy. Dudley. Nays. None. Absent. Danner. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

- 13-497 That the City of St. Petersburg shall seek entry of a judgment against Bay Air Flying Service, Inc.; St. Pete Avionics, Inc.; and St. Petersburg Flying Service, Inc. for unpaid rent and fees which accrued during the term of the Fixed Based Operator Lease and Operating Agreement.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Gerdes. Kennedy. Dudley. Nays. None. Absent. Danner. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the November 25, 2013 Budget, Finance & Taxation Committee report presented by Councilmember Kennedy.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a Public Services & Infrastructure Committee report, Councilmember Dudley moved with the second of Councilmember Kennedy that the following resolution be adopted:

- 13-498 Resolution amending the policies and procedures approved by Resolution No. 2012-515, to change the date set forth in Exhibit "A" policy and procedures of the Special Assessment Lien Modification Program Sections 2.2.4 and 2.2.25 to December 31, 2014.

Roll call. Ayes. Curran. Kornell. Danner. Gerdes. Kennedy. Dudley. Nays. Newton. Abstained/conflict. Nurse. Absent. None. Councilmember Dudley moved with the second of

Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the November 25, 2013 Public Services & Infrastructure Committee report presented by Councilmember Dudley.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a Legal item, City Attorney John Wolfe announced the scheduling of an Attorney/Client Session, pursuant to Florida Statute 286.011(8), to be held Thursday, December 12, 2013 at 3:30 p.m., or soon thereafter as the same may be heard, in conjunction with the lawsuit styled Jill Davison, as Personal Representative of the Estate of Paige Alyssa Davison, etc v. City, Case No. 09-19828CI8.

In connection with a Legal item, City Attorney John Wolfe and Assistant City Attorney Joseph Patner provided a brief report regarding the lawsuit styled Kathleen Ford, et al vs City of St. Petersburg. City Attorney Patner stated the appeal process has been completed and the City did prevail and the Pier Lawsuit is now officially closed.

In connection with a Legal item, Assistant City Attorney Jeanne Hoffman provided a brief report. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

13-499 Authorizing the Mayor or his designee to execute an Interlocal Agreement regarding Pinellas County Preemption Ordinance No. 11-42.

In connection with Council's discuss, County Commission Chairman Ken Welch commented briefly and stated the agreement would be addressed by the County Commission at their January 14, 2013 meeting. Roll call. Ayes. Kornell. Nurse. Newton. Gerdes. Kennedy. Dudley. Nays. Curran. Danner. Absent. None.

In connection with a Legal item, City Administrator Tish Elston provided a brief report. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

13-500 Authorizing the Mayor or his designee to apply for, accept and implement, if awarded, A Federal Emergency Management Agency (FEMA), Department of Homeland Security 2013 assistance to Firefighters matching subgrant in the amount of \$523,028 for the purpose of a Vehicle Exhaust Extraction System for the Fire and Rescue Department.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

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In connection with an oral transportation report, Councilmember Danner moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the following resolution:

13-501 A resolution of the City Council of the City of St. Petersburg in support of the Greenlight Pinellas Plan.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with continuation of the Open Forum, the following person(s) came forward:

3. Mattie Wright – 3634 2nd Avenue South, St. Petersburg, Florida, commented briefly and thanked Mayor Bill Foster for his service as Mayor of the City of St. Petersburg.

There being no further business, the meeting was adjourned at 12:01 p.m.

Karl Nurse, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Cathy E. Davis, Acting City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, DECEMBER 12, 2013, AT 3:02 P.M.

Chair Karl Nurse, called the meeting to order with the following members present: Charles Gerdes, James R. Kennedy, William H. Dudley, Leslie Curran, Wengay M. Newton, Sr. and Jeff Danner. Absent. Steven Kornell. Mayor Bill Foster, City Administrator Tish Elston, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn and Deputy City Clerk Amelia Preston were also in attendance.

Councilmember Curran moved with the second of Councilmember Danner that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda as amended:

ADD Resolution of Bereavement to the family of Gary Bush.

DELETE Presentation of the Sunshine Ambassador Award to members of the Royal Ambassadors Marching Band from Northside Christian School.

Roll call. Ayes. Curran. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. Kornell.

Mayor foster presented the following Resolution of Memorial Tribute to the Family of Gary Bush:

WHEREAS, our Lord in His infinite wisdom has called home a devoted colleague and dedicated public servant whose passion and commitment for others has been unyielding; and

WHEREAS, we are profoundly grieved at the passing of a friend, and the loss to the community of an outstanding individual who gave wholeheartedly of himself to make a difference in the lives of others; and

WHEREAS, Gary Bush, a native of Frankfort, KY, joined the ranks of the United States Air Force serving our country for 25 years as a Master Sergeant with tours in Saudi Arabia, Iraq and Kuwait before and during the Gulf War; and

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WHEREAS, Gary Bush began his employment with the City of St. Petersburg in 1994 as an inspector, in the Codes Compliance Department, later being promoted to the positions of supervisor, assistant director and ultimately director further demonstrating his dedication and commitment to public service; and

WHEREAS, Gary Bush was a devoted husband to his wife Sandi, loving father to his children Donald and Denise, and faithful brother to his sister Charlotte to whom he committed himself to family values; and

WHEREAS, the Mayor has requested City Council to pass this resolution;

NOW, THEREFORE, BE IT RESOLVED that we express to the family of Gary Bush our heartfelt condolences in this deep hour of grief, with the hope that they will take some measure of consolation in the knowledge that he gave himself wholeheartedly to public service.

BE IT FURTHER RESOLVED that a copy of this resolution is spread upon the minutes of the City Council, and a copy thereof, properly embossed, inscribed, and transmitted to the family of Gary Bush.

In connection with a presentation of St. Pete's Promise School Feature, City Administrator Tish Elston announced that this would be a great opportunity to start featuring our schools, tell Council about the corporate sponsors where the students receive scholarships and stated this is our first lead off school John Hopkins Middle. Mr. Richard Engwall, Director St. Pete's Promise Office of Education, thanked Mayor and Council for inviting them to present the good news and for support of the Ties & Tennis Shoe Gala and 5K Run. He stated that a record number of guests attended the Gala and more than 1300 raced in the 5K Run, which doubled last year's attendance with nearly one hundred of those who registered City Employees and Mayor Foster also participated in the race. He stated further that as a result of everyone's efforts more than \$360,000 was raised for the Pinellas Education Foundation in the Take Stock in our Children. He stated that last year the City of St. Petersburg was recognized by Colin Powell in the American Promise Alliance as having the number one dropout prevention program in the United States. They are here today to shine the spotlight on a very special school which represents the next chapter in support of the schools, teacher and most of all the children of St. Petersburg's St. Pete Promise. Mr. Engwall recognized Jozelle Johnson from the St. Pete Promise Team to introduce the school for today and Mr. Barry Brown, Principal of John Hopkins, who made some brief remarks about the changes and improvements that has been made at the school. A video was shown which featured some of the unique activities that are offered at the school. Mr. Brown also mentioned the support of the business partners to include Bayfront Medical Center and Courtesy Ballet and extended an invitation to Mayor and Council to visit the school.

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In connection with a proclamation recognizing Flight 2014 The Centennial Celebration of the World's First Airline, Mayor Foster read proclamation declaring Wednesday, January 1, 2014 as Flight 2014 Day in the City of St. Petersburg. Will Michael acknowledge and thanked Mayor Foster for all that he has done for the City and presented a Medallion Coin to Mayor Foster and Council Members of this historic event. He commented that they are in the process of putting together the replica of the plane so that it can be tested before the Flight on New Year's Day (January 1, 2014). He extended an invitation to Mayor and Council to attend the events on First Night and First Flight.

In connection with the presentation of the "On Top of Your Game" Award to members of the Lakewood High School Spartans Football Team, Council Member Newton recognized them for a Stella Year Six consecutive winning seasons with a 100% graduation among the football team. It was shared that they have worked hard on the feed the Homeless Program. The Coaches were asked to come forward and introduce themselves and the students which included the following: Robert Vicari, Principal; Head Coach Cory Moore, Assistant Coaches Derrick Pollack, Torryan Gammage, Hassan Lang, Thomas Williams, Taurus Horne, Chris Davis, Sergeant First Class Kimble, Donald Graham, Zap Hawkins, Dobbie Moore, Albert Phillips, Kyle Anderson, Aldophus Barnes and Earl Presley. Students included: Tyrae Boykins, Tyrell Hubbard Smith, Jocqui Ellison, Brujoun Bonner, Darquez Watson, Donterrio Fowler, Aaron Graham, Pat Jones, Adrian Davis, Ivan Summer, Oshario Mitchell, Dan Reeves, Adrian Summers, Chris Jackson, Antonio O'Neal, Hared Colquit, Jamari Hurst, Malik Haywood, Albert Laskett, Stephen Bridges, James Swain, R'Keesh Greene, Jaquon Higgins, Carina Cooper, Tyriek Hopkins, Jacoby Chambliss, Roger Strohman, Shakur Boykins, Cortney Burge, Jayson Gale, Romello Presely, Quintavius Mitchell, Ashani Taylor, Donte Jones, Tristan Samples, Immanuel White, Mitch Babka, Azzvier Odom, Tristian McGowan, Matthew Dickens, Natraun Middlebrooks, Trevon Kelly, Tyrik Robinson, Ricky Wilcox, Mekel Phillips, Isaiah Wynn, Nyquel Alexander and Jordan Edwards. Councilmember Gerdes complimented the students/coaches for what they have done by their dedication and their representation of St. Petersburg. Vice Council Chair Dudley stated support of the player and that an education is very important.

In connection with a presentation of an award to Mayor Foster, Dr. William D. Law, Jr., President of St. Petersburg College stated that he was here today to say thanks to the Mayor for his support on the Midtown Project. Dr. Law acknowledged two students that were present who introduced themselves as Ulysses Burden and Timora Works. Dr. Kevin Gordon, Chief Executive Officer of St. Petersburg College's Downtown and Midtown Campuses, who introduced himself shared that they have a token of appreciation which he read a plaque that stated the following:

In appreciation Mayor Bill Foster in recognition of your advocacy and support of the development of the new Midtown Building at St. Petersburg College December 2013".

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The Chair announced the commencement of an attorney client session pursuant to Florida Statute 286.011 (8), in conjunction with the lawsuit styled Jill Davison, as personal representative of the estate of Paige Alyssa Davidson, etc. v. Case No. 09-19828CI-8 and announced those who would be in attendance.

The meeting was closed at 4:19 p.m.

The meeting was reopened at 4:40 p.m. and the Attorney/Client Session was terminated with the following members present: Council Chair Karl Nurse, Curran, Kornell, Newton, Danner, Gerdes, Kennedy, and Dudley. Absent. None.

There being no further business, the meeting was adjourned at 4:53 p.m.

Karl Nurse Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Amelia Preston Deputy City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, DECEMBER 19, 2013, AT 3:05 P.M.

Chair Karl Nurse called the meeting to order with the following members present: Leslie Curran, Wengay M. Newton, Jeff Danner, Charles Gerdes, James R. Kennedy and William H. Dudley. Absent: Steve Kornell. Mayor Bill Foster, City Administrator Tish Elston, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, Assistant City Attorney Macall Dyer, Jeanne Hoffman and Joseph Patner, Acting City Clerk Cathy E. Davis and Deputy City Clerk Amelia Preston were also in attendance.

Councilmember Kornell was reported present at 3:10 p.m.

Councilmember Dudley moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

MOVE CA-1 Citywide Street Milling and Resurfacing FY2014 Project: (Moved to Reports as F-5)

(a) Awarding a contract to Hubbard Construction Company in an amount not to exceed \$4,316,548 for the Citywide Street Milling and Resurfacing FY2014 Project. (Engineering Project No. 14003-130 and 14034-130; Oracle Nos. 11142, 12853, 13266, 14110, 14125)

(b) Authorizing the Mayor or his designee to execute an Interlocal Agreement between the City of St. Petersburg, Florida ("City") and the City of Gulfport, Florida ("Gulfport") for design and construction activities for Milling and Resurfacing of Sections of 26th Avenue South, 7th Avenue South, and 49th Street South Improvements Project which provides funding to the City from Gulfport in an amount not to exceed \$263,547.43; and approving a supplemental appropriation in that amount of \$263,547.43 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the Street and Road Improvements FY14 Project (14110). (Engineering Project No. 14034-130; Oracle No. 14110)

- REVISE CA-3 Water and Wastewater Chemicals for the Water Resources and Parks and Recreation Departments:
- (a) Amend Resolution Number 2012-519 to modify the amount with Odyssey Manufacturing Co. and to Ratify and approve renewals for calendar year 2013 with Allied Universal Corp and Carmeuse Lime & Stone, Inc. for water and wastewater Chemicals for the Water Resources and Parks and Recreation departments.
 - (b) Renewing blanket purchase agreements with Odyssey Manufacturing Co; Allied Universal Corp; and Carmeuse Lime & Stone, Inc. for water and wastewater chemicals for the Water Resources and Parks and Recreation departments at an estimated annual cost of \$1,433,355.
- MOVE CB-17 Approving thirty-two (32) Forfeiture Fund Program/Projects awarded as a part of the FY2014 Law Enforcement Trust Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all documents necessary to effectuate these awards; and authorizing a supplemental appropriation in the amount of \$50,731 from the unappropriated balance of the Law Enforcement Fund (1023) to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards. (Moved to Reports as F-6)
- INFO CB-18 Resolution approving the Council Procedures Manual.
- ADD CB-19 Amending the City's conflict of interest resolution (Res. No. 2004-374) to reflect the changes to the names of certain boards and commissions recently approved by City Council.
- ADD D-2 Presentation recognizing City of St. Petersburg Mayor, Bill Foster, for his vision and initiative to establish the African American Heritage Project.
- ADD E-1 Setting January 9, 2014 as the public hearing date for the following proposed Ordinance: Ordinance amending the City Code to provide for rules and procedures as required by the City Charter.
- ADD F-7 Presentation by Councilmembers Leslie Curran (District 4) and Jeff Danner (District 8)
- ADD G-1 Requesting City Council to initiate a zoning change to apply Artist Enclave Overlay Districts on Historic Kenwood and Old Southeast Neighborhoods. (Councilmember Danner)

- ADD G-2 Referring to the Public Service & Infrastructure Committee discussion concerning After Hours Permit Fees. (Councilmember Danner)
- INFO H-1 Budget, Finance & Taxation Committee (12/12/13)
- INFO H-2 Public Services & Infrastructure Committee (12/12/13)
- (a) Ordinance amending Section 21-87 of the City Code to add a new Subsection 21-87(d) (1); and naming the Riviera Bay Park.
- ADD H-3 Committee of the Whole
- (a) Approving the Expenditure of Funds for the Edge Main Street Program.
- (b) Approving the Expenditure of Funds for the City's portion of the Chamber of Commerce Study concerning Business Recruitment.
- (c) Approving the Expenditure of Funds for the West Central Avenue Plan.
- (d) Approving the remainder of funds reserved for future projects (\$124,000) shall remain in City Council's Budget for Future Appropriations.
- INFO I-1 Resolution approving the issuance by the Public Finance Authority of not to exceed \$6,500,000 Public Finance Authority Multifamily Rental Housing Revenue Bonds, a portion of the proceeds of which will be used by Citrus Grove Apartments, LLC to finance the acquisition and renovation of the Citrus Grove Apartments located at 731 15th Street South in St. Petersburg; and conducting a TEFRA public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended. (To be heard at 4:00 p.m.)
- ADD I-2 Vacant Assistant City Attorney
- REVISE J-1 Confirming the preliminary assessment for Lot Clearing Number 1528.
- REVISE J-2 Confirming the preliminary assessment for Building Securing Number 1183.
- REVISE J-3 Confirming the preliminary assessment for Building Demolition Numbers 410 and 504.

- REVISE J-4 Resolution accepting the New Historic Uptown Neighborhood Plan (“Plan”), which replaces the Neighborhood Plan approved in 1991; and authorizing the Mayor or his designee to initiate projects and programs identified in the New Plan. (Revised Resolution)
- REVISE J-5 Resolution accepting the New Old Southeast Neighborhood Plan (“Plan”), which replaces the Neighborhood Plan approved in 1993; and authorizing the Mayor or his designee to initiate projects and programs identified in the New Plan. (Revised Resolution)
- REVISE J10(a) Ordinance ~~701-L~~ 702-L amending the Future Land Use Map designations of approximately 821 parcels of land generally located between 19th Street and Pasadena Avenue and 1st Avenue North and 1st Avenue South, totaling an estimated 184.4 acres.
- REVISE J10(c) Ordinance ~~83-H~~ 82-H amending the Comprehensive Plan by adding a new activity center to the list in Chapter 3, Future Land Use Plan Element and adding a new map 6A.
- REVISE J10(d) Ordinance ~~82-H~~ 83-H amending Chapter 16 of the City Code, in response to the adopted Central Avenue Revitalization Plan and specifically regarding reduced building setbacks, additional residential density, intensity (floor-area-ratio) and building height for property located within the Central Avenue Corridor Activity Center. The proposed amendments also provide for limited accessory retail and café uses within the CRT-1 activity center designation.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Monica Abbott, West Central Village Neighborhood, thanked Mayor Foster and councilmember Jeff Danner and Leslie Curran for their service. Ms. Abbott commented regarding the City of St. Petersburg Health Plan and the benefits of pet therapy. Suggested that pet adoption agencies offer discounts to city employees who adopt pets.
2. Cynthia Chew, 7801 34th Avenue North, St. Petersburg, commented regarding the effects of hazardous wood smoke emissions from several restaurants within her neighborhood in the Tyrone area. Ms. Chew asked that Carabba’s, Sam Selzter Steakhouse and Sonny’s Barbecue be required to comply with the American with

Disability Act (ADA) which requires a distance of 700ft from enclosed mobile homes.

Councilmember Curran moved with the second of Councilmember Gerdes that the following resolutions be adopted:

- 13-502 Awarding a blanket purchase agreement to All American Concrete, Inc. for SAN (Sanitary) Sewer Repair & Replacement FY 2014, for the Water Resources Department at an estimated annual cost of \$1,650,000 for FY 2014.
- 13-503 Amend Resolution Number 2012-519 to modify the amount with Odyssey Manufacturing Co. and to ratify and approve renewals for calendar year 2013 with Allied Universal Corp. and Carmeuse Lime & Stone, Inc. for water and wastewater chemicals for the Water Resources and Parks and Recreation departments
- 13-504 Renewing blanket purchase agreements with Odyssey Manufacturing Co; Allied Universal Corp; and Carmeuse Lime & Stone, Inc. for water and wastewater chemicals for the Water Resources and Parks and Recreation departments at an estimated annual cost of \$1,433,355.
- 13-505 Renewing annual license and maintenance agreements from Oracle America, Inc., a sole-source provider, for the Oracle eBusiness Suite, Oracle Work and Asset Management (WAM) applications, Oracle Spatial, and other Oracle technology products at a cost of \$552,225.06.
- 13-506 Awarding a blanket purchase agreement to Motorola Solutions, Inc. for non-public safety radios and accessories for the ICS Department at an estimated annual cost of \$681,480.80.
- 13-507 Accepting a proposal from Central Parking System of Florida, Inc. for parking facilities management services at an estimated three year cost of \$4,276,915.
- 13-508 Authorizing the Mayor or his designee to execute a Cooperative Funding Agreement ("Agreement") between the City of St. Petersburg and the Southwest Florida Water Management District that provides \$1,650,000 in funding for the design and construction of Snell Isle Boulevard N.E., Rafael Boulevard and Vicinity Storm Drainage Improvements, and all other documents necessary to effectuate the Agreement. (Engineering Project No. 13009-110, Oracle No. 13729)
- 13-509 Authorizing the Mayor or his designee to execute a Cooperative Funding Agreement ("Agreement") between the City of St. Petersburg and Southwest Florida Water Management District that provides \$679,000 in funding for the design and construction of Tinney Creek At 94th Avenue North Storm Drainage Improvements (Engineering Project No. 14018-110, Oracle No. 14118); and all other documents necessary to effectuate the Agreement; approving a supplemental

appropriation in the amount of \$679,000 from the increase in the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013), resulting from these additional revenues, to the 94th A/N At Tinney Creek Project (14118).

- 13-510 Renewing an agreement with Carmeuse Lime & Stone, Inc. for calcium oxide for the Water Resources Department at an estimated annual cost of \$395,000.
- 13-511 Accepting a bid from Riley Electric Company, Inc., for lighting at Lakewood and Woodlawn athletic fields for the Parks & Recreation Department at a total cost of \$305,625.
- 13-512 Awarding a blanket purchase agreement to Greenfield Environmental, Inc. a certified SBE, for asbestos, lead, and environmental site assessment consulting services at an estimated annual cost of \$265,000.
- 13-513 Renewing a blanket purchase agreement with Riley Electric, Co., Inc. for installation and maintenance of street lighting for the Public Works Administration at an estimated annual cost of \$200,000.
- 13-514 Accepting a proposal from Bright House Networks LLC for a two-year contract for Internet services for the ICS Department in an amount not to exceed \$165,070.
- 13-515 Approving a cooperative purchase agreement for gasoline and diesel fuel from J.H. Williams Oil Company, Inc. at an estimated annual cost of \$156,670.
- 13-516 Awarding a three-year blanket purchase agreement to SMS Systems Maintenance Services for computer hardware maintenance for the all City departments in an amount not to exceed \$120,000.
- 13-517 Renewing an agreement with Allied Universal Corp. for liquefied chlorine for the Water Resources Department at an estimated annual cost of \$100,100.
- 13-518 Authorizing the Mayor or his designee to execute a five (5) year License Agreement with Robert A. Diaz, for an annual use fee of \$50.00, to fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main.
- 13-519 Authorizing the Mayor or his designee to execute a Second Amendment to Lease Agreement with Albert Whitted Airport Preservation Society, Inc., a Florida non-profit corporation, for the use of facilities located at 451 Eighth Avenue S.E., St. Petersburg, within Albert Whitted Airport for a second extension of the Term of the Lease Agreement for a period of one (1) year at a rental rate of \$928.54 per month, with the right to request extensions for two (2) additional one (1) year terms, subject to approval by City Council. *(Requires affirmative vote of at least six (6) members of City Council.)*

- 13-520 Authorizing the Mayor or his designee to execute a Subordination Agreement with the Florida Department of Transportation ("FDOT") to subordinate the City of St. Petersburg's interest in a portion of a water main easement at Interstate 75 and State Road 52 in Pasco County associated with FDOT's Roadway Improvement Project No. 258736-2-52-01.
- 13-521 Authorizing the Mayor or his designee to execute a License Agreement with St. Petersburg Saturday Morning Market, Inc., a Florida not-for-profit corporation, for a three (3) year term for nominal consideration, for operation of a Solar Vermiconverter in conjunction with the Saturday Morning Market. *(Requires affirmative vote of at least six (6) members of City Council.)*
- 13-522 Approving the plat of Galleria 222, generally located at 222 - 22nd Street South. (City File 13-20000011)
- 13-523 Authorizing the Mayor or his designee to execute an Agreement with the School Board of Pinellas County to continue to allow joint use of lighted recreation fields and other related improvements constructed by the City of St. Petersburg at the Lakewood High School site for an initial period of five (5) years; to execute subsequent renewals of this Agreement under the same basic terms and conditions.
- 13-524 Authorizing the Mayor or his designee to execute Amendment #1 to Florida Department of Transportation ("FDOT") SMOA #01-06: Streetscape for Bayway Apartments; Amendment #2 to FDOT MOA #23-06: Landscape for Bayway Apartments; a Parkway Maintenance Agreement with Bayway Apartments LLC, a Delaware limited liability company and all other documents necessary to effectuate this transaction.
- 13-525 Authorizing the Mayor or his designee to execute Task Order No. 12-4-AID/AWA to the agreement between the City of St. Petersburg and American Infrastructure Development, Inc., in the lump sum amount of \$117,378.00 for conducting a Wildlife Hazard Assessment (WHA) at Albert Whitted Airport (St. Petersburg General-SPG). (Engineering Project No. 14035-113; Oracle No. 13776)
- 13-526 Resolution approving the Council Procedures Manual.
- 13-527 Amending the City's conflict of interest resolution (Res. No. 2004-374) to reflect the changes to the names of certain boards and commissions recently approved by City Council.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with presentation recognizing the 2014 First Night St. Petersburg Celebration, Councilmember Curran introduced board members who were in attendance. Executive Director Lloyd Allen commented briefly regarding the proposed celebration and

stated the 2014 First Night St. Petersburg Celebration's theme was "First Night First Flight" to commemorate St. Petersburg's First Flight 100 years ago. Mr. Allen thanked sponsors of the 2014 event.

In connection with a presentation to Mayor Foster, Gwendolyn Reese, of the African-American Heritage Association of St. Petersburg, Florida Inc., recognized Mayor Foster for his vision and initiative to establish the African American Heritage Project.

In connection with a report item regarding Citywide Street Milling and Resurfacing FY2014 Thomas Gibson, Engineering Director reported briefly regarding the project. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolutions be adopted:

- 13-528 Awarding a contract to Hubbard Construction Company in an amount not to exceed \$4,316,548 for the Citywide Street Milling and Resurfacing FY2014 Project. (Engineering Project No. 14003-130 and 14034-130; Oracle Nos. 11142, 12853, 13266, 14110, 14125)
- 13-529 Authorizing the Mayor or his designee to execute an Interlocal Agreement between the City of St. Petersburg, Florida ("City") and the City of Gulfport, Florida ("Gulfport") for design and construction activities for Milling and Resurfacing of Sections of 26th Avenue South, 7th Avenue South, and 49th Street South Improvements Project which provides funding to the City from Gulfport in an amount not to exceed \$263,547.43; and approving a supplemental appropriation in that amount of \$263,547.43 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the Street and Road Improvements FY14 Project (14110). (Engineering Project No. 14034-130; Oracle No. 14110)

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Gerdes. Kennedy. Dudley. Nays. None. Absent. Danner.

In connection with a report item regarding the Forfeiture Fund Program/Projects awarded as a part of the FY2014 Law Enforcement Trust Fund Grant Award Program, Assistant Chief Melanie Bevan gave a brief report. Councilmember Curran moved with the second of Councilmember Kennedy that the following resolution be adopted:

- 13-530 Approving thirty-two (32) Forfeiture Fund Program/Projects awarded as a part of the FY2014 Law Enforcement Trust Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all documents necessary to effectuate these awards; and authorizing a supplemental appropriation in the amount of \$50,731 from the unappropriated balance of the Law Enforcement Fund (1023) to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards.

Roll call. Ayes. Curran. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. Kornell.

The Clerk read the title of proposed Ordinance 102-H. Chief Assistant City Attorney Mark Winn commented briefly in connection with the proposed ordinance. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, January 9, 2014, at 9:00 a.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance No. 102-H entitled:

PROPOSED ORDINANCE NO. 102-H

AN ORDINANCE AMENDING THE CITY CODE TO PROVIDE FOR RULES AND PROCEDURES AS REQUIRED BY THE CITY CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a Legal item, Assistant City Attorney Jacqueline Kovilaritch provided a brief report regarding Public Finance Authority Multifamily Rental Housing Revenue Bonds. Rob Coats, representing the Banyan Foundation, Inc., commented briefly regarding proposed renovation of the Citrus Grove Apartments. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

- 13-531 Resolution approving the issuance by the Public Finance Authority of not to exceed \$6,500,000 Public Finance Authority Multifamily Rental Housing Revenue Bonds, a portion of the proceeds of which will be used by Citrus Grove Apartments, LLC to finance the acquisition and renovation of the Citrus Grove Apartments, LLC to finance the acquisition and renovation of the Citrus Grove Apartments located at 731 15th Street South in St. Petersburg; and conducting a TEFRA public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

The Chair asked if there were any persons present wishing to be heard there was no response. Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a presentation Councilmembers Jeff Danner and Leslie Curran recited a poem written in memory of their term while in office.

In connection with a report item, regarding Central Avenue Revitalization Plan, David Goodwin, Planning & Economic Development Director, gave a brief report of the Plan's status. Chair Nurse asked if there were any persons present wishing to be heard the following person(s) came forward:

1. Robert Jeffery, St. Petersburg, Co-Chair Central Avenue Council, commented briefly regarding the plan and informed the council that on February 8th from 8 a.m. to 11a.m. there would be a Bay to Bay Clean-up of Central Avenue and all districts will be participating. Mr. Jeffery also reported regarding several events taking place in the Grand Central Village.
2. Paul Shu – St. Petersburg, Representing West Central Village, presented a brief PowerPoint presentation overview of the West Central Village.
3. Sean Carter – St. Petersburg, Representing Edge District, commented briefly and thanked the council for their decision to allocate funding for the Edge District. Mr. Carter then provided a brief report regarding the status to the Edge District in obtaining designation as an official Main Street.

In connection with a new business item, Councilmember Danner moved with the second of Councilmember Kennedy that the following resolution be adopted:

13-532 Requesting City Council initiate a zoning change to apply Artist Enclave Overlay Districts on Historic Kenwood and Old Southeast Neighborhoods.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a new business item, Councilmember Danner moved with the second of Councilmember Kennedy that the following resolution be adopted:

13-533 Referral to Public Services & Infrastructure Committee – Review of city ordinance regulating After Hours Permit Fees for restaurants that serve alcohol.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a Budget, Finance & Taxation Committee report, Councilmember Kennedy moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the December 12, 2013 Budget, Finance & Taxation Committee report as presented by Councilmember Kennedy.

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Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a Public Services & Infrastructure Committee report, Councilmember Dudley moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, January 9, 2014, at 9:00 a.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance No. 103-H entitled:

PROPOSED ORDINANCE NO. 103-H

AMENDING SECTION 21-87 OF THE CITY CODE TO ADD A NEW SUBSECTION 21-87(d)(1); AND NAMING THE RIVIERA BAY PARK.

Roll call. Ayes. Curran. Kornell. Danner. Gerdes. Kennedy. Dudley. Nays. Newton. Abstained/conflict. Nurse. Absent. None. Councilmember Dudley moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the December 12, 2013 Public Services & Infrastructure Committee report presented by Councilmember Dudley.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Kennedy. Dudley. Nays. None. Absent. Gerdes.

In connection with a Legal item, City Attorney John Wolfe commented briefly in connection with a request to fill a vacant Assistant City Attorney position and his recommendation to hire Sharon Michnowicz. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

13-534 Confirming the appointment of Sharon Michnowicz as an Assistant City Attorney.

Roll call. Ayes. Curran. Kornell. Nurse. Danner. Kennedy. Dudley. Nays. Newton. Absent. Gerdes.

In connection with a Committee of the Whole Report, Chair Nurse provided a brief report. Councilmember Curran moved with the second of Councilmember Danner that the following resolution be adopted:

13-535 Approving the expenditure of funds in the amount of \$26,000 for the Edge Main Street program.

Roll call. Ayes. Curran. Kornell. Nurse. Danner. Kennedy. Dudley. Nays. Newton. Absent. Gerdes. Councilmember Curran moved with the second of Councilmember Kornell that the following resolution be adopted:

13-536 Approving the expenditure of funds in the amount of \$30,000 for the City's Portion of the Chamber of Commerce Study concerning Business Recruitment.

Roll call. Ayes. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. Curran. Absent. None. Councilmember Gerdes moved with the second of Councilmember Curran that the following resolution be adopted:

13-537 Approving the expenditure of funds in the amount of \$50,000 for the West Central Avenue Plan.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None. Councilmember Curran moved with the second of Councilmember Kennedy that the following resolution be adopted:

13-538 Approving the remainder of funds, reserved for future projects in the amount of \$124,000, remain in the City Council's budget for future allocation.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a report item regarding WorkNet Pinellas Councilmember Newton commented briefly and provided a report. Councilmember Newton moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the December 19, 2013 WorkNet Pinellas report presented by Councilmember Newton.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a report item regarding Tampa Bay Regional Planning Council Councilmember Newton commented briefly and provided a report. Councilmember Newton moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg,

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Florida, that Council receive and file the December 19, 2013 Tampa Bay Regional Planning Council report presented by Councilmember Newton.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a report item regarding Tourist Development Council Councilmember Curran commented briefly and provided a report. Councilmember Curran moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the December 19, 2013 Tourist Development Council report presented by Councilmember Curran .

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a report item regarding Tampa Bay Water, Chair Nurse reported briefly regarding plant operations and repair of the reservoir. Chair Nurse moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the December 19, 2013 Tampa Bay Water report presented by Chair Nurse.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

The meeting was recessed at 5:20 p.m.

The meeting was reconvened at 6:05 p.m.

In connection with public hearings confirming preliminary assessments, the Chair asked if there were any persons present wishing to be heard and the following persons came forward:

1. Michael Sano, 3800 1st Avenue North, commented regarding an assessment in the amount of \$264.56 that he received for lot clearing of his property. Mr. Sano stated he was out of town and therefore failed to get the city's notice that was mailed and asked if the city would reduce the cost.

Lot Clearing Administrator Kelvin Jackson and Codes Compliance Supervisor Jose Vasallo reported briefly regarding the code violation history of the property. Mr. Jackson stated staff would reduce assessment cost from \$264.56 to \$164.56. Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve preliminary assessments for Lot Clearing Number 1528 with the reduction in assessment costs from \$264.56 to \$164.56 for the property at 3800 – 1st Avenue North.

2. Kenneth Conklin, 435 62nd Avenue South, commented regarding code violations and assessment charges he received for overgrowth of his property.

Codes Compliance Supervisor Jose Vasallo reported briefly regarding the code violation history of the property. Councilmember Kennedy moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that debate on this issue be closed and the question be called.

Roll call. Ayes. Curran. Kornell. Newton. Danner. Kennedy. Dudley. Nays. Nurse. Gerdes. Absent. None.

3. Tee Lassiter, 963 27th Avenue South, commented briefly regarding the current lot clearing process and asked that a review be conducted.

Roll call on original motion to approve preliminary assessments for Lot Clearing with reduction.

13-539 Confirming and approving preliminary assessment rolls for Lot Clearing No. 1528.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None. Councilmember Newton moved with the second of Councilmember Kornell that the following resolutions be adopted:

13-540 Confirming and approving preliminary assessment rolls for Building Securing Number 1183.

13-541 Confirming and approving preliminary assessment rolls for Building Demolition Numbers 410 and 504.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a public hearing item regarding the New Historic Uptown Neighborhood Plan, Susan Ajoc, Director Neighborhood Services Administration, reported briefly concerning the new plan. Councilmember Gerdes moved with the second of Councilmember Curran that the following resolution be adopted as revised:

- 13-542 Accepting the New Historic Uptown Neighborhood Plan (“New Plan”), which replaces the Neighborhood Plan approved in 1991; Authorizing the Mayor or his designee to initiate projects and programs identified in the New Plan.

In continuation of the public hearing the Chair asked if there was anyone wishing to be heard and the following person came forward:

1. Jonathon Chalker, 820 Dartmoor Street North, Treasurer Historic Uptown Neighborhood Association, commented briefly and spoke in support of the proposed plan.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a public hearing item regarding the New Old Southeast Neighborhood Plan, Susan Ajoc, Director Neighborhood Services Administration, commented briefly regarding the proposed plan and thanked Tindale-Oliver & Associates for their assistance to neighborhood representatives during the planning process. Ms. Ajoc then introduced Neighborhood President Pete Olivores, who commented briefly regarding the new plan. The Chair asked if there were person(s) wishing to be heard and the following person(s) came forward:

1. Jim Bandhauer – 216 20th Avenue SE, commented he was in support of the majority of the new plan however was opposed to the development of an Artist Enclave within the neighborhood. Mr. Bandhauer further commented regarding the lack of available parking within the neighborhood and stated he felt the designation would bring thousands of visitors to the neighborhood.
2. Patrick Henry – 255 22nd Avenue SE, commented he has been a resident of the neighborhood for 8 years is a potter and a professor at Eckerd College for 32 years. Spoke in support of the arts and the proposed designation of the Old Southeast Neighborhood as an artist enclave. Mr. Henry stated he feels the designation would bring the neighborhood closer together.
3. Elizabeth Schroeder – 226 20th Avenue SE, commented she has been a resident of the neighborhood for 52 years. Stated the park was intended to be a passive park and does not want restrooms or playground added to the park. Ms. Schroeder also commented regarding current issues concerning homeless individuals and prostitutes within the neighborhood. Ms. Schroeder stated she would like to see more signage within the park indicating park hours and more police presence within the neighborhood.
4. Susan Wade – 165 20th Avenue SE, stated she is a resident and secretary of the Old Southeast Neighborhood Association. Ms. Wade commented regarding a petition drive

conducted among the residents regarding the proposed designation of the neighborhood as an artist enclave and noted the return of resident petitions showed 43% were in support of the proposed designation.

5. Bob Janssen – 176 20th Avenue SE, commented he has been a resident of the neighborhood since 1996 and was formally president of the neighborhood association during the time frame when the prior plan was adopted 20 years ago. Mr. Janssen stated he would like to see the plan continue on and thanked the neighborhood association of their hard work.
6. Debbie Hill – 165 19th Avenue SE, commented regarding concerns expressed by several residents concerning the neighborhood park and stated the proposed plan does not include changing the park.

Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

13-543 Accepting the New Old Southeast Neighborhood Plan (“New Plan”), which replaces the Neighborhood Plan approved in 1993; Authorizing the Mayor or his designee to initiate projects and programs identified in the New Plan.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley.
Nays. None. Absent. None.

In connection with the public hearing concerning Proposed Ordinance No. 1055-V the Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Kennedy moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1055-V, entitled:

PROPOSED ORDINANCE NO. 1055-V

AN ORDINANCE APPROVING A VACATION OF THE 16-FOOT WIDE ALLEY LYING SOUTH OF 2ND AVENUE SOUTH AND BETWEEN 21ST STREET SOUTH AND 22ND STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None. (Note: Public hearing was voided due to Ordinance Title not being read. See continuation page 408).

In connection with the public hearing concerning Proposed Ordinance No. 99-H the Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 99-H, entitled:

PROPOSED ORDINANCE NO. 99-H

AN ORDINANCE MODIFYING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA BY UPDATING THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE AND REPLACING ALL PREVIOUSLY ADOPTED CAPITAL IMPROVEMENT SCHEDULES; ADOPTING FUND SUMMARIES FOR THE GENERAL CAPITAL IMPROVEMENT FUND (3001), BICYCLE/PEDESTRIAN SAFETY GRANTS CAPITAL PROJECTS FUND (3004), NEIGHBORHOOD AND CITYWIDE INFRASTRUCTURE CAPITAL IMPROVEMENTS FUND (3027), TRANSPORTATION IMPACT FEES CAPITAL PROJECTS FUND (3071), WATER RESOURCES CAPITAL PROJECTS FUND (4003), STORMWATER DRAINAGE CAPITAL PROJECTS FUND (4013), AIRPORT CAPITAL PROJECTS FUND (4033), MARINA CAPITAL PROJECTS FUND (4043), AND PORT CAPITAL PROJECTS FUND (4093) FOR THE FISCAL YEARS 2014 THROUGH 2018; ADOPTING THE FDOT DISTRICT 7 ROAD CAPACITY PROJECTS REPORT FOR THE FISCAL YEARS 2014 THROUGH 2018; PROVIDING FOR SEVERABILITY; AND

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PROVIDING AN EFFECTIVE DATE.

be adopted on second and reading.

Roll call. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None. **(Note: Public hearing was voided due to Ordinance Title not being read. See continuation page 408).**

The Clerk read the title of proposed Ordinance 100-H. Planning & Economic Development Director David Goodwin commented briefly regarding the proposed ordinance. Mr. Goodwin stated the proposal is to consolidate the existing Planning & Visioning (PVC), Development Review (DRC) and Community Preservation (CPC) committees into two (2) committees, the Community Planning & Preservation Commission (CPPC) and the Development Review Commission (DRC). Mr. Goodwin also commented regarding the duties of each commission. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 100-H entitled:

PROPOSED ORDINANCE NO. 100-H

AN ORDINANCE AMENDING THE TEXT OF THE CITY CODE, CHAPTER 16, LAND DEVELOPMENT REGULATIONS (LDRs) REGARDING ASSIGNMENT OF THE POWERS AND DUTIES TO ITS REGULATING COMMISSIONS, THE REQUEST IS TO CONSOLIDATE THREE (3) EXISTING COMMISSIONS INTO TWO (2) PROPOSED COMMISSIONS. EXISTING: PLANNING AND VISIONING COMMISSION (PVC); COMMUNITY PRESERVATION COMMISSION (CPC); AND DEVELOPMENT REVIEW COMMISSION (DRC). PROPOSED: COMMUNITY PLANNING AND PRESERVATION COMMISSION (“CPPC”); AND DEVELOPMENT REVIEW COMMISSION (DRC). (City File LDR-2013-03)

be adopted on second and final reading.

The Chair asked if there were any persons present wishing to be heard and there was no response. Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy.

Dudley. Nays. None. Absent. None.

In continuation with public hearing concerning Ordinance 1055-V the Clerk read the title. Chair Nurse asked if there were any persons present wishing to be heard and there was no response. Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1055-V, entitled:

PROPOSED ORDINANCE NO. 1055-V

AN ORDINANCE APPROVING A VACATION OF THE 16-FOOT WIDE ALLEY LYING SOUTH OF 2ND AVENUE SOUTH AND BETWEEN 21ST STREET SOUTH AND 22ND STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None. Absent. None.

In continuation with public hearing concerning Ordinance 99-H the Clerk read the title. Chair Nurse asked if there were any persons present wishing to be heard and there was no response. Councilmember Curran moved with the second of Councilmember Kennedy that the following resolution be adopted:

PROPOSED ORDINANCE NO. 99-H

AN ORDINANCE MODIFYING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA BY UPDATING THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE AND REPLACING ALL PREVIOUSLY ADOPTED CAPITAL IMPROVEMENT SCHEDULES; ADOPTING FUND SUMMARIES FOR THE GENERAL CAPITAL IMPROVEMENT FUND (3001), BICYCLE/PEDESTRIAN SAFETY GRANTS CAPITAL PROJECTS FUND (3004),

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NEIGHBORHOOD AND CITYWIDE
INFRASTRUCTURE CAPITAL
IMPROVEMENTS FUND (3027),
TRANSPORTATION IMPACT FEES CAPITAL
PROJECTS FUND (3071), WATER
RESOURCES CAPITAL PROJECTS FUND
(4003), STORMWATER DRAINAGE CAPITAL
PROJECTS FUND (4013), AIRPORT CAPITAL
PROJECTS FUND (4033), MARINA CAPITAL
PROJECTS FUND (4043), AND PORT
CAPITAL PROJECTS FUND (4093) FOR THE
FISCAL YEARS 2014 THROUGH 2018;
ADOPTING THE FDOT DISTRICT 7 ROAD
CAPACITY PROJECTS REPORT FOR THE
FISCAL YEARS 2014 THROUGH 2018;
PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll call. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None.
Absent. None.

The Clerk read the title of proposed Ordinance 101-H. Councilmember Kennedy
moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg,
Florida, that proposed Ordinance 101-H, entitled:

PROPOSED ORDINANCE NO. 101-H

AN ORDINANCE CREATING A SHORT TERM
EXCEPTION TO SECTION 7-97(D)(5) OF THE
ST. PETERSBURG CITY CODE WHICH
REQUIRES IDLE SPEED FOR VESSELS IN THE
NORTH YACHT BASIN; AND PROVIDING FOR
AN EFFECTIVE DATE.

be adopted on second and final reading.

The Chair asked if there were any persons present wishing to be heard there was no response.
Roll call. Ayes. Curran. Kornell. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays.
None. Absent. Kornell.

The Clerk administered the oath to those present wishing to present testimony in connection with the quasi-judicial proceedings.

The Chair reviewed the Quasi Judicial process to be followed. The Clerk read the titles of proposed Ordinances 702-L, 731-Z, 82-H (as amended) and 83-H (as amended). Presentation was made by Assistant Zoning Official Derek Kilborn. There was no Applicant Representative or Registered Opponent present. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Bob Jeffrey – 2302 1st Avenue North, Co-Chair Central Avenue Council. Thanked staff and commented briefly regarding the zoning process.
2. Jeff Frank – 5319 3rd Avenue North, President Live Oaks Neighborhood Association, spoke in opposition to the proposed plan and stated very few residents within the neighborhood were not aware of the plan and have not participated in the process. Commented regarding the need for the city to focus more on busing and mass transit. Suggested that the plan be implemented in phases.
3. Andrew Hayes – 2210 Central Avenue, commented briefly and thanked Councilmember Danner for all he has done for the Grand Central District, Historic Kenwood Neighborhood Association and Transportation. Mr. Hayes also thanked the staff and stated the city Land Development Regulations were of good quality and encouraged the council to vote in support of the proposed ordinances.
4. Michael Sano – 3600 1st Avenue North, spoke in support of the proposed ordinances and thanked city staff.

There was no Cross examination or Rebuttal. Councilmember Danner moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve ordinances 702-L, 731-Z, 82-H (as amended) and 83-H (as amended), entitled:

PROPOSED ORDINANCE NO. 702-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG; FLORIDA; CHANGING THE FUTURE LAND USE MAP DESIGNATIONS OF THE PROPERTIES IDENTIFIED IN THE ATTACHED “EXHIBIT A,” GENERALLY LOCATED BETWEEN 19TH STREET AND PASADENA AVENUE AND 1ST AVENUE NORTH

AND 1ST AVENUE SOUTH; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PORTIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 731-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; CHANGING THE ZONING DESIGNATIONS OF THE PROPERTIES IDENTIFIED IN THE ATTACHED "EXHIBIT A," GENERALLY LOCATED BETWEEN 19TH STREET AND PASADENA AVENUE AND 1ST AVENUE NORTH AND 1ST AVENUE SOUTH; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PORTIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 82-H

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA; AMENDING CHAPTER 3, FUTURE LAND USE ELEMENT, PROVIDING FOR A NEW ACTIVITY CENTER; ADDING A NEW MAP 6A; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 83-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING CHAPTER 16 OF THE CITY CODE; PROVIDING FOR REDUCED BUILDINGS SETBACKS, ADDITIONAL RESIDENTIAL DENSITY, INTENSITY (FLOOR-AREA-RATIO) AND BUILDING HEIGHT, AND SITE, BUILDING AND STREETScape DESIGN STANDARDS FOR PROPERTY LOCATED WITHIN AN ACTIVITY CENTER AND DESIGNATED WITH CRT-1 (CORRIDOR RESIDENTIAL TRADITIONAL), CRT-2 (COORRIDOR RESIDENTIAL TRADITIONAL), CCT-1

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(CORRIDOR COMMERCIAL TRADITIONAL),
CCT-2 (COORIDOR COMMERCIAL
TRADITIONAL) OR CCS-1 (CORRIDOR
COMMERCIAL SUBURBAN) ZONING;
PROVIDING FOR INCLUSION OF THE CRT-1,
CRT-2, CCT-1 AND CCT-2 ACTIVITY
CENTER DESIGNATIONS IN THE MATRIX:
ZONING DISTRICTS AND COMPATIVLE
FUTURE LAND USE CATEGORIES;
PROVIDING FOR LIMITED ACCESSORY
RETAIL AND CAFÉ' USE WITHIN THE CRT-1
ACTIVITY CENTER DESIGNATION; AND
PROVIDING AN EFFECIVE DATE.

be adopted on second and final reading as
amended.

Roll call. Ayes. Curran. Kornell. Nurse. Danner. Kennedy. Dudley. Nays. Newton. Gerdes.
Absent. None. Councilmember Danner moved with the second of Councilmember Curran that
the following resolution be adopted:

13-544 Amending the Central Avenue Revitalization Plan to 1) provide for landscaped
medians and 2) increase the FAR on portions of the corridor from 2.0 to 2.5.

Roll call. Ayes. Curran. Nurse. Newton. Danner. Gerdes. Kennedy. Dudley. Nays. None.
Absent. Kornell.

In connection with continuation of the Open Forum, the Chair asked if there were
persons wishing to be heard. There was no response.

There being no further business, the meeting was adjourned at 8:41 p.m.

Karl Nurse, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Cathy E. Davis, Acting City Clerk