

# COUNCIL MEETING

Municipal Building  
175-5<sup>th</sup> Street North  
Second Floor Council Chamber

CITY OF ST. PETERSBURG

August 7, 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, 1<sup>st</sup> 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](http://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 call our TDD number, 892-5259, or the Florida Relay Service at 711 as soon as possible. The City requests at least 72 hours advance notice, prior to the scheduled meeting, and every effort will be made to provide that service for you. If you are a person with a disability who needs an accommodation in order to participate in this/these proceedings or have any questions, please contact the City Clerk's Office at 893-7448.

**A. Meeting Called to Order and Roll Call.**

**"A moment of silence will be observed to remember fallen officers of the St. Petersburg Police Department. The officers(s) depicted today were killed in the line of duty during this month." - Detective Herbert R. Sullivan – August 18, 1980**

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 119-H amending Section 4.05\(a\) of the City Charter to provide for an exception to the prohibition against City Council members influencing the hiring of certain City employees.](#)

**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 land use and zoning for a 5.1 acre subject property, is vacant land and generally located on the northwest corner of Dr. Martin Luther King Jr. Street North and Roosevelt Boulevard. \(City File FLUM-20\)](#)
  - (a) Ordinance 705-L amending the Future Land Use Map designations from: Industrial Limited (Activity Center) to Planned Redevelopment-Commercial (Activity Center); Industrial Limited (Activity Center) to Preservation; and Preservation to Planned Redevelopment-Commercial (Activity Center).
  - (b) Ordinance 734-Z rezoning the above described property from: EC (Employment Center) to PRES (Preservation); and PRES (Preservation) to CCS-2 (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. [NLC Youth, Education and Families. \(Councilmember Nurse\) \(Oral\)](#)
2. [Pier Working Group Report, Peter Clark, Tampa Bay Watch.](#)
3. [Resolution initiating amendments to the Comprehensive Plan, Future Land Map, Official Zoning Map and Land Development Regulations, as may be necessary, to allow the adaptive reuse of Harris School, located at 4600 Haines Road, for a homeless teen residence.](#)

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

Setting August 28, 2014 as the public hearing date for the following proposed Ordinance(s):

1. [Ordinance in accordance with Section 1.02\(c\)\(5\)A., St. Petersburg City Charter, authorizing the restrictions contained in a Site Dedication \("Site Dedication"\) dedicating the boat ramp project area \("Project Area"\) at Crisp Park to the public as a boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to June 30, 2034, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission \("FFWCC"\) Grant from the Florida Boating Improvement Program, Boating and Waterways Section for boat ramp improvements at Crisp Park; authorizing the Mayor or his designee to execute a Site Dedication for the Project Area for a period ending June 30, 2034, and all other documents necessary to effectuate this Ordinance.](#)
2. [Ordinance in accordance with Section 1.02\(c\)\(5\)A., St. Petersburg City Charter, authorizing the restrictions contained in a Site Dedication \("Site Dedication"\) dedicating the boat ramp project area \("Project Area"\) at Northeast Exchange Club Coffee Pot Park to the public as a boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to June 30, 2034, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission \("FFWCC"\) Grant from the Florida Boating Improvement Program, Boating and Waterways Section for boat](#)

ramp improvements at Northeast Exchange Club Coffee Pot Park; authorizing the Mayor or his designee to execute a Site Dedication for the Project Area for a period ending June 30, 2034, and all other documents necessary to effectuate this Ordinance.

3. Ordinance in accordance with Section 1.02(c)(5)A., St. Petersburg City Charter, authorizing the restrictions contained in a Site Dedication (“Site Dedication”) dedicating the boat ramp project area (“Project Area”) at Grandview Park to the public as a boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to September 30, 2034, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission (“FFWCC”) Grant from the Florida Boating Improvement Program, Boating and Waterways Section for boat ramp improvements at Grandview Park; authorizing the Mayor or his designee to execute a Site Dedication for the Project Area for a period ending September 30, 2034, and all other documents necessary to effectuate this Ordinance.
4. Ordinance amending St. Petersburg City Code, Chapter 16 (LDRs); providing for clarification of the building massing and form requirements within the Downtown Center zoning districts; amending the relative significance of environmental factors within the Preservation (PRES) zoning district; clarifying the grandfathered status of fences and walls; redefining artwork within the sign ordinance; amending wall sign requirements for three-story buildings; clarifying sign requirements for neighborhood planned unit developments; removing an expired cross-reference for convenience stores; amending the waterfront yard setback for screen enclosures with a screen roof; making internal language consistent; codifying interpretative language and clarifications; correcting typographical, grammatical and scrivener errors; and removing obsolete language. (City File LDR-2014-03)
5. Ordinance relating to utility rates and charges for wholesale customers; amending Chapter 27, Subsection 27-284 of the St. Petersburg City Code; deleting surcharges for strong waste; correcting Section references; establishing a date to begin calculating bills without a strong waste surcharge; providing for severability of provisions; and providing an explanation of words struck through and underlined.
6. Ordinance changing the name of the Wildwood Recreation Center to the Thomas 'Jet' Jackson Recreation Center.
7. Ordinance amending the requirements for an extended hours permit to reduce the late fee, to modify requirements related to suspensions and correcting language.

#### **G. New Business**

1. Referring to the Budget, Finance and Taxation Committee for consideration, returning the PAL Building to the inventory of City insured properties to allow for increase in PAL funds available for programs benefiting clients of approximately \$30,000. (Councilmember Gerdes)

#### **H. Council Committee Reports**

1. Youth Service Committee. (07/24/14)
2. Budget, Finance & Taxation Committee. ( 07/31/2014)
3. Public Services & Infrastructure Committee. ( 07/31/2014)

- (a) Ordinance amending Section 20-80 of the St. Petersburg City Code regulating the use of skateboards; regulating areas where skateboards may be operated; making it unlawful to ride or operate a skateboard in certain manners and at certain locations.
- (b) Ordinance amending City Code Section 21-85; adding Subsection (10); renaming the Childs Park Recreation Center located in Childs Park the “Childs Park Recreation and Fitness Center.”

**I. Legal**

**J. Open Forum**

**K. Adjournment**

# CONSENT



# AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda A**  
**August 7, 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. [Approving the purchase of four loaders from Nortrax, Inc. for the Fleet Management Department at a total cost of \\$559,784.25.](#)

# CONSENT



# AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

## Consent Agenda B August 7, 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. [Awarding a blanket purchase agreement to Ronco Communications and Electronics, Inc. for network switching hardware, software and support services for the ICS Department in an amount not to exceed \\$440,032.16.](#)
2. [Awarding a contract to Bayshore Contracting Corporation in the amount of \\$271,836 for Marina Ship Store Alterations. \(Engineering Project No. 13223-019; Oracle No's. 12862, 13735 and 14124\)](#)
3. [Renewing a blanket purchase agreement with Swift Security, Inc. for security guard services for the Sanitation and Fleet Management departments at an estimated annual cost of \\$127,000.](#)
4. [Renewing a blanket purchase agreement with Diamond Supply & Fastener, Inc. for fastener replenishment services at an estimated annual cost of \\$115,000.](#)
5. [Awarding a contract to Speeler & Associates, Inc. in the amount of \\$114,700 for the Municipal Marina Mooring Piling Replacement - FY 2013-14. \(Engineering Project No. 13073-119; Oracle Project No. 13277\)](#)
6. [Accepting proposals from AshBritt, Inc. and Crowder-Gulf Joint Venture, Inc. for storm debris removal and disposal services.](#)

### **(City Development)**

7. [Authorizing the Mayor or his designee to terminate the current lease agreement with Coastal Sweets, LLC, a Florida limited liability company, d/b/a The Sweet Spot for use of space in the historic main building of Sunken Gardens located at 1961 - 4th Street North, St. Petersburg, Florida \("Premises"\); and to execute a Lease Agreement for the Premises with Michael's Extraordinary Desserts, Inc., a Florida corporation, to operate a customized bakery and retail store and uses ancillary thereto for a term of five \(5\) years with the option to renew for one \(1\) additional five \(5\) year term.](#)
8. [Authorizing the Mayor or his designee to execute Amendment No. 3 to the Agreement between the City of St. Petersburg and Pinellas County Metropolitan Planning Organization \("MPO"\) for the Central Avenue Bus Rapid Transit Corridor Enhancement Project \("Project"\) that extends the Project completion date to September 30, 2016, and to execute all other documents necessary to effectuate this resolution.](#)

9. Authorizing the Mayor or his designee to apply for and administer a Florida Boating Improvement Program grant through the Florida Fish and Wildlife Conservation Commission on behalf of the City for a transient visitor boat dock in the Central Yacht Basin; and will authorize a 20-year agreement for the maintenance and operation of the project; and to execute all documents necessary to effectuate this transaction.

**(Leisure & Community Services)**

10. Authorizing the Mayor or his designee to accept a Florida Fish and Wildlife Conservation Commission (“FFWCC”) Grant (“Grant”) from the Florida Boating Improvement Program, Boating and Waterways Section, funded by the United States Department of the Interior, Fish and Wildlife Service, for the boat ramp improvements at Demens Landing Park (“Project”) at a maximum reimbursement amount of \$187,000; to execute a Florida Boating Improvement Program Grant Award Agreement for the Project site with the FFWCC; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$187,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the Boat Ramp Facility Improvements Project (13181).

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**(Miscellaneous)**

11. Authorizing the Mayor or his designee to negotiate and provide a 0% interest acquisition and development forgiven loan in the amount of \$268,965 from the Home Investment Partnership (“Home”) Affordable Multi-Family Rental Program to Pinellas Affordable Living, Inc. for acquisition and development of the 3636 Park Apartments to be located at 3636 5th Avenue North; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
12. Approving the purchase of Sundial walkway signage from Thomas Sign and Awning Co., Inc, a sole source supplier, for the City Development Administration at a total cost of \$127,056.
13. Approving a contract with the Pinellas County Supervisor of Elections for conducting a Special Election in conjunction with their November 4, 2014 General Election/Municipal Elections and approving a supplemental appropriation in the amount of \$20,500 from the unappropriated balance of the General Fund.

# MEETING AGENDA

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CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

**Budget, Finance & Taxation Committee**

*Thursday, July 31, 2014, 8:00 a.m., Room 100*

**Public Services & Infrastructure Committee**

*Thursday, July 31, 2014, 9:15 a.m., Room 100*

**CRA/ Agenda Review & Administrative Updates**

*Thursday, July 31, 2014, 1:30 p.m., Room 100*

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# CITY OF ST. PETERSBURG

## Board and Commission Vacancies

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**Arts Advisory Committee**  
2 Regular Members  
(Terms expire 9/30/14 & 9/30/15)

**City Beautiful Commission**  
2 Regular Members  
(Terms expire 12/31/14 & 12/31/16)

**Civil Service Board**  
3 Alternate Members  
(Terms expire 6/30/16 & 6/30/17)

**Code Enforcement Board**  
1 Alternate Member  
(Term expires 12/31/16)

**Commission on Aging**  
3 Regular Members  
(Terms expire 12/31/14 & 12/31/16)

**Public Arts Commission**  
2 Regular Members  
(Terms expire 4/30/17 & 4/30/18)

**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 1/31/15)

## 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.

AN ORDINANCE PROVIDING FOR A REFERENDUM AS PART OF THE GENERAL CITY ELECTION TO BE HELD ON NOVEMBER 4, 2014; AMENDING SECTION 4.05(a) OF THE CITY CHARTER OF THE CITY OF ST. PETERSBURG; PROVIDING THAT THE AMENDMENT CONTAINED IN THIS ORDINANCE SHALL BECOME EFFECTIVE ONLY IF THE BALLOT QUESTION CONTAINED IN THIS ORDINANCE IS APPROVED BY A MAJORITY VOTE OF THE ELECTORS OF THE CITY VOTING ON SAID QUESTION IN THE NOVEMBER 4, 2014 ELECTION AND THE FILING OF THE REVISED CHARTER, INCLUDING THE AMENDMENT, WITH THE DEPARTMENT OF STATE; PROVIDING FOR THE CALLING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2014 TO PRESENT THIS CHARTER AMENDMENT TO THE VOTERS; PROVIDING FOR THE FORM OF THE TITLE AND THE QUESTION TO APPEAR ON THE BALLOT; PROVIDING FOR THE AMENDMENT OF SECTION 4.05(a) OF THE CITY CHARTER TO PROVIDE FOR AN EXCEPTION TO THE PROHIBITION AGAINST COUNCIL MEMBERS INFLUENCING THE HIRING OF CERTAIN CITY EMPLOYEES; PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

Field Code Changed

THE CITY OF ST. PETERSBURG DOES ORDAIN:

**SECTION 1.** That the City Council of the City of St. Petersburg hereby makes the following findings:

1. That when the City Charter adopting the strong mayor form of government was approved by the voters after a citizens' initiative petition process, there was a prohibition against Council Members taking any action which either directly or indirectly requested the hiring or firing of any City employee.

2. That there is a desire for Council Members to be able to express their opinions concerning the hiring of new senior management employees to the Mayor. Senior management employees would be defined as chiefs and administrator or higher management level employees.

Deleted: director

3. That City Council finds that this would not interfere with the hiring and firing of employees by the Mayor.

4. That City Council finds that this would not interfere with the Mayor's administration of the City or the Mayor's staff.

5. That City Council finds that the expression of their opinions would provide meaningful beneficial information and perspectives in the hiring of senior management employees.

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Deleted: to the Mayor

6. That the public reasonable expects City Council Members to be able to publicly share their opinions and perspectives while not taking any formal action in the hiring of senior management employees.

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Deleted: That City Council finds that this would be a benefit to the City.

**SECTION 2.** That a special election will be held as part of the general City election to be held on November 4, 2014, the question and title as delineated in Sections 4 and 5 of this Ordinance shall be placed on the ballot at said election.

**SECTION 3.** Section 4.05(a) of the St Petersburg City Charter is hereby amended to read as follows:

**Sec. 4.05. Administrative affairs; Council participation.**

- (a) Neither the Council nor any of its committees or any of its members, individually or collectively, shall direct or request the appointment of anyone to, or removal from, office by the Mayor or any of the Mayor's subordinates, or in any manner, directly or indirectly, take part in the appointment or removal of any officer or employee or members of boards in the administrative service of the City. All inquiry dealing with any portion of the administrative service of the City with the exception of (b) herein shall be with the Mayor and neither the Council nor any member thereof shall, give any orders to any subordinate or officer of the City, either publicly or privately, directly or indirectly. Any violation of the provisions of this section by a member of the Council shall be grounds for removal from office under Section 3.04(c). The only exception to the prohibitions in this subsection shall be that any individual Council Member may express their opinion concerning the hiring of any chief or administrator or higher management level employee.

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Deleted: privately  
Deleted: to the Mayor  
Deleted: director

**SECTION 4.** That the ballot question provided for in Section 2 of this Ordinance shall appear on the ballot in the following form:

Shall the City Charter, which currently prohibits Council Members from directing or requesting the hiring of any City employees, be amended to allow Council Members to express their opinions and perspectives concerning the hiring by the Mayor of senior management level employees, while continuing to prohibit any formal action concerning hiring by City Council.

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Deleted: privately  
Deleted: to the Mayor

YES NO

**SECTION 5.** That the title of the ballot question provided for in Section 2 of this Ordinance shall appear on the ballot in the following form:

Charter Amendment removing prohibition against Council Members expressing opinions concerning hiring of senior management employees.

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Deleted: to privately discuss  
Deleted: with the Mayor

**SECTION 6.** In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, Sections 1, 2 and 4 through 9 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 Sections 1, 2 and 4 through 9 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, Sections 1, 2 and 4 through 9 shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter,

**SECTION 7.** That Section 3 of this Ordinance shall become effective only upon approval of the ballot question contained in Section 4 of this Ordinance by a majority of the qualified electors voting on said question at said election and shall become effective as a Charter Amendment in accordance with Section 8 of this Ordinance.

**SECTION 8.** That if the ballot question contained in Section 4 of this Ordinance is approved by a majority of the qualified electors voting on said question at said election, the revised Charter provisions contained in Section 3 of this Ordinance shall take effect upon the filing of a Revised Charter, including these amendments with the Secretary of State.

**SECTION 9.** That the provisions of this Ordinance shall be deemed severable and the invalidity of any portion thereto shall not affect the validity of the remaining portions.

Approved as to form and content:

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City Attorney (designee)

**REVISED**  
8-6-14

AN ORDINANCE PROVIDING FOR A REFERENDUM AS PART OF THE GENERAL CITY ELECTION TO BE HELD ON NOVEMBER 4, 2014; AMENDING SECTION 4.05(a) OF THE CITY CHARTER OF THE CITY OF ST. PETERSBURG; PROVIDING THAT THE AMENDMENT CONTAINED IN THIS ORDINANCE SHALL BECOME EFFECTIVE ONLY IF THE BALLOT QUESTION CONTAINED IN THIS ORDINANCE IS APPROVED BY A MAJORITY VOTE OF THE ELECTORS OF THE CITY VOTING ON SAID QUESTION IN THE NOVEMBER 4, 2014 ELECTION AND THE FILING OF THE REVISED CHARTER, INCLUDING THE AMENDMENT, WITH THE DEPARTMENT OF STATE; PROVIDING FOR THE CALLING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2014 TO PRESENT THIS CHARTER AMENDMENT TO THE VOTERS; PROVIDING FOR THE FORM OF THE TITLE AND THE QUESTION TO APPEAR ON THE BALLOT; PROVIDING FOR THE AMENDMENT OF SECTION 4.05(a) OF THE CITY CHARTER TO PROVIDE FOR AN EXCEPTION TO THE PROHIBITION AGAINST COUNCIL MEMBERS INFLUENCING THE HIRING OF CERTAIN CITY EMPLOYEES; PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

**SECTION 1.** That the City Council of the City of St. Petersburg hereby makes the following findings:

1. That when the City Charter adopting the strong mayor form of government was approved by the voters after a citizens' initiative petition process, there was a prohibition against Council Members taking any action which either directly or indirectly requested the hiring or firing of any City employee.

2. That there is a desire for Council Members to be able to express their opinions concerning the hiring of new senior management employees to the Mayor. Senior management employees would be defined as chiefs and administrator or higher management level employees.

3. That City Council finds that this would not interfere with the hiring and firing of employees by the Mayor.

4. That City Council finds that this would not interfere with the Mayor's administration of the City or the Mayor's staff.

5. That City Council finds that the expression of their opinions would provide meaningful beneficial information and perspectives in the hiring of senior management employees.

6. That the public reasonably expects City Council Members to be able to publicly share their opinions and perspectives while not taking any formal action in the hiring of senior management employees.

D-1

**SECTION 2.** That a special election will be held as part of the general City election to be held on November 4, 2014, the question and title as delineated in Sections 4 and 5 of this Ordinance shall be placed on the ballot at said election.

**SECTION 3.** Section 4.05(a) of the St Petersburg City Charter is hereby amended to read as follows:

**Sec. 4.05. Administrative affairs; Council participation.**

- (a) Neither the Council nor any of its committees or any of its members, individually or collectively, shall direct or request the appointment of anyone to, or removal from, office by the Mayor or any of the Mayor's subordinates, or in any manner, directly or indirectly, take part in the appointment or removal of any officer or employee or members of boards in the administrative service of the City. All inquiry dealing with any portion of the administrative service of the City with the exception of (b) herein shall be with the Mayor and neither the Council nor any member thereof shall, give any orders to any subordinate or officer of the City, either publicly or privately, directly or indirectly. Any violation of the provisions of this section by a member of the Council shall be grounds for removal from office under Section 3.04(c). The only exception to the prohibitions in this subsection shall be that any individual Council Member may express their opinion concerning the hiring of any chief or administrator or higher management level employee.

**SECTION 4.** That the ballot question provided for in Section 2 of this Ordinance shall appear on the ballot in the following form:

Shall the City Charter, which currently prohibits Council Members from directing or requesting the hiring of any City employees, be amended to allow Council Members to express their opinions and perspectives concerning the hiring by the Mayor of senior management level employees, while continuing to prohibit any formal action concerning hiring by City Council.

YES

NO

**SECTION 5.** That the title of the ballot question provided for in Section 2 of this Ordinance shall appear on the ballot in the following form:

Charter Amendment removing prohibition against Council Members expressing opinions concerning hiring of senior management employees.

**SECTION 6.** In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, Sections 1, 2 and 4 through 9 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 Sections 1, 2 and 4 through 9 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, Sections 1, 2 and 4 through 9 shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter,

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**SECTION 8.** That if the ballot question contained in Section 4 of this Ordinance is approved by a majority of the qualified electors voting on said question at said election, the revised Charter provisions contained in Section 3 of this Ordinance shall take effect upon the filing of a Revised Charter, including these amendments with the Secretary of State.

**SECTION 9.** That the provisions of this Ordinance shall be deemed severable and the invalidity of any portion thereto shall not affect the validity of the remaining portions.

Approved as to form and content:

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City Attorney (designee)

## ST. PETERSBURG CITY COUNCIL

Meeting of August 7, 2014

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

**SUBJECT:** City File FLUM-20: The subject property, estimated to be 5.1 acres in size, is vacant land generally located on the northwest corner of Dr. Martin Luther King Jr. Street North and Roosevelt Boulevard. A detailed analysis of the request is provided in the attached Staff Report FLUM-20.

**REQUEST:** (A) ORDINANCE \_\_\_\_\_ amending the Future Land Use Map designations from: Industrial Limited (Activity Center) to Planned Redevelopment - Commercial (Activity Center); Industrial Limited (Activity Center) to Preservation; and Preservation to Planned Redevelopment - Commercial (Activity Center).

(B) ORDINANCE \_\_\_\_\_ rezoning the above described property from: EC (Employment Center) to CCS-2 (Corridor Commercial Suburban); EC (Employment Center) to PRES (Preservation); and PRES (Preservation) to CCS-2 (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.

Community Planning and Preservation Commission: The Community Planning and Preservation Commission ("CPPC") conducted a public hearing on June 10, 2014 and unanimously voted 7-to-0 recommending approval of the proposed map amendments.

#### Recommended City Council Action:

- 1) CONDUCT the second reading and (adoption) public hearing of the attached proposed ordinances;
- 2) APPROVE the attached resolution; and
- 3) ADOPT the attached ordinances

Attachments: Ordinances (2); Resolution, Maps, draft CPPC Minutes and Staff Report.

ORDINANCE NO. \_\_\_-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 FOR PORTIONS OF PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF DR. MARTIN LUTHER KING JR. STREET NORTH AND ROOSEVELT BOULEVARD, FROM INDUSTRIAL LIMITED (ACTIVITY CENTER) TO PLANNED REDEVELOPMENT-COMMERCIAL (ACTIVITY CENTER), FROM INDUSTRIAL LIMITED (ACTIVITY CENTER) TO PRESERVATION, AND FROM PRESERVATION TO PLANNED REDEVELOPMENT-COMMERCIAL (ACTIVITY CENTER); 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:

Site Area 1

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-

WAY), A DISTANCE OF 509.49 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°12'38" WEST, ALONG SAID EAST LINE OF LOT 1, BLOCK 1 AND ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 664.01 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 1, BLOCK 1, SAID POINT ALSO BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ROOSEVELT BOULEVARD (STATE ROAD NO. 686, A VARIABLE WIDTH RIGHT-OF-WAY); THENCE ALONG SAID SOUTHWESTERLY LINE OF LOT 1, BLOCK 1 AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF ROOSEVELT BOULEVARD THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 65°07'49" WEST, A DISTANCE OF 33.06 FEET; 2) THENCE RUN NORTH 49°57'02" WEST, A DISTANCE OF 42.56 FEET; 3) THENCE RUN NORTH 40°02'58" EAST, A DISTANCE OF 5.00 FEET; 4) THENCE RUN NORTH 49°57'02" WEST, A DISTANCE OF 355.09 FEET; THENCE RUN NORTH 47°59'41" EAST, DEPARTING SAID SOUTHWESTERLY LINE OF LOT 1 BLOCK 1 AND SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF ROOSEVELT BOULEVARD, A DISTANCE OF 22.83 FEET TO A POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING THIRTEEN (13) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 49°16'47" EAST, A DISTANCE OF 20.83 FEET; 2) THENCE RUN SOUTH 74°19'02" EAST, A DISTANCE OF 37.47 FEET; 3) THENCE RUN NORTH 78°07'22" EAST, A DISTANCE OF 41.80 FEET; 4) THENCE RUN NORTH 30°20'14" EAST, A DISTANCE OF 46.29 FEET; 5) THENCE RUN SOUTH 30°28'16" EAST, A DISTANCE OF 33.57 FEET; 6) THENCE RUN NORTH 82°47'11" EAST, A DISTANCE OF 54.22 FEET; 7) THENCE RUN NORTH 51°48'50" EAST, A DISTANCE OF 39.71 FEET; 8) THENCE RUN NORTH 18°31'34" WEST, A DISTANCE OF 32.24 FEET; 9) THENCE RUN NORTH 14°56'43" WEST, A DISTANCE OF 36.43 FEET; 10) THENCE RUN NORTH 03°15'41" WEST, A DISTANCE OF 52.79 FEET; 11) THENCE RUN NORTH 22°10'27" EAST, A DISTANCE OF 46.33 FEET; 12) THENCE RUN NORTH 11°17'06" EAST, A DISTANCE OF 56.64 FEET; 13) THENCE RUN NORTH 00°31'25" EAST, A DISTANCE OF 41.82 FEET; THENCE RUN NORTH 17°45'01" EAST, DEPARTING SAID WETLANDS JURISDICTIONAL LINE, A DISTANCE OF 122.99 FEET; THENCE RUN SOUTH 89°47'45" EAST, A DISTANCE OF 54.68 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 88,687 SQUARE FEET (2.036 ACRES) MORE OR LESS.

District

From: **Industrial Limited (Activity Center)**

To: **Planned Redevelopment - Commercial (Activity Center)**

SECTION 2. 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:

Site Area 2

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN SOUTH 41°18'24" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 148.79 FEET TO THE POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON SAID SURVEY AND BEING THE POINT OF BEGINNING; THENCE ALONG SAID JURISDICTIONAL LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 19°09'30" WEST, A DISTANCE OF 52.55 FEET; 2) THENCE RUN SOUTH 18°50'37" WEST, A DISTANCE OF 48.79 FEET; 3) THENCE RUN SOUTH 66°45'14" WEST, A DISTANCE OF 35.11 FEET; 4) THENCE RUN NORTH 62°34'32" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 24.07 FEET TO A POINT ON THE AFORESAID NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC; THENCE RUN NORTH 41°18'24" EAST, A DISTANCE OF 131.23 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 2,843 SQUARE FEET (0.065 ACRES) MORE OR LESS.

### Site Area 3

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 417.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°12'38" WEST, A DISTANCE OF 92.38 FEET; THENCE RUN NORTH 89°47'45" WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 54.68 FEET; THENCE RUN SOUTH 17°45'01" WEST, A DISTANCE OF 122.99 FEET TO A POINT ON THE WETLANDS JURISDICTIONAL LINE AS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE ALONG SAID WETLANDS JURISDICTIONAL LINE THE FOLLOWING EIGHTEEN (18) COURSES AND DISTANCES: 1) THENCE RUN NORTH 13°29'37" EAST, A DISTANCE OF 44.18 FEET; 2) THENCE RUN NORTH 41°05'46" WEST, A DISTANCE OF 18.98 FEET; 3) THENCE RUN SOUTH 63°00'16" WEST, A DISTANCE OF 22.49 FEET; 4) THENCE RUN SOUTH 15°11'03" WEST, A DISTANCE OF 46.57 FEET; 5) THENCE RUN SOUTH 00°08'09" EAST, A DISTANCE OF 38.25 FEET; 6) THENCE RUN

SOUTH 15°05'23" WEST, A DISTANCE OF 11.96 FEET; 7) THENCE RUN NORTH 60°48'35" WEST, A DISTANCE OF 17.31 FEET; 8) THENCE RUN NORTH 09°30'44" WEST, A DISTANCE OF 40.15 FEET; 9) THENCE RUN NORTH 20°32'02" EAST, A DISTANCE OF 43.70 FEET; 10) THENCE RUN NORTH 16°19'18" EAST, A DISTANCE OF 34.36 FEET; 11) THENCE RUN NORTH 39°31'19" EAST, A DISTANCE OF 17.61 FEET; 12) THENCE RUN NORTH 55°31'24" EAST, A DISTANCE OF 34.55 FEET; 13) THENCE RUN NORTH 68°50'41" EAST, A DISTANCE OF 35.34 FEET; 14) THENCE NORTH 50°06'03" EAST, A DISTANCE OF 37.14 FEET; 15) THENCE RUN NORTH 26°32'51" WEST, A DISTANCE OF 31.24 FEET; 16) THENCE RUN NORTH 15°40'02" EAST, A DISTANCE OF 19.51 FEET; 17) THENCE RUN NORTH 29°24'71" EAST, A DISTANCE OF 21.31 FEET; 18) THENCE RUN NORTH 89°50'39" EAST, A DISTANCE OF 23.79 FEET TO THE POINT OF BEGINNING.

SAID CONTAINING 8,414 SQUARE FEET (0.193 ACRES) MORE OR LESS.

#### Site Area 4

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN SOUTH 41°18'24" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 625.81 FEET TO THE POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON SAID SURVEY AND THE POINT OF BEGINNING; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 09°54'26" WEST, A DISTANCE OF 39.63 FEET; 2) THENCE RUN SOUTH 14°40'22" WEST, A DISTANCE OF 26.60 FEET; 3) THENCE RUN SOUTH 38°49'11" EAST, A DISTANCE OF 26.61 FEET; 4) THENCE RUN SOUTH 42°28'43" EAST, A DISTANCE OF 71.01 FEET; 5) THENCE RUN SOUTH 49°12'31" EAST, A DISTANCE OF 58.74 FEET; THENCE RUN SOUTH 47°59'41" WEST, DEPARTING SAID LINE, A DISTANCE OF 22.83 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 1, BLOCK 1 AND A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ROOSEVELT BOULEVARD (STATE ROAD NO. 686, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY); THENCE RUN NORTH 49°57'02" WEST, ALONG SAID SOUTHWESTERLY LINE OF LOT 1, BLOCK 1 AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 44.91 FEET; THENCE RUN NORTH 47°05'17" WEST, ALONG SAID SOUTHWESTERLY LINE OF LOT 1, BLOCK 1 AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 140.61 FEET TO A POINT ON THE AFORESAID NORTHWESTERLY

LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC.; THENCE RUN NORTH 41°18'24" EAST, ALONG SAID NORTHWESTERLY LINE, A:DISTANCE OF 89.04 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 5,949 SQUARE FEET (0.137 ACRES) MORE OR LESS

Site Area 5

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°12'38" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 112.41 FEET TO A POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER E 12004 ; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN NORTH 15°08'20" WEST, A DISTANCE OF 9.86 FEET; 2) THENCE RUN NORTH 03°07'38" WEST, A DISTANCE OF 43.97 FEET; 3) THENCE RUN NORTH 06°42'22" WEST, A DISTANCE OF 44.35 FEET; 4) THENCE RUN SOUTH 80°28'38" WEST, A DISTANCE OF 3.04 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON THE AFORESAID SURVEY PREPARED BY SUNCOAST SURVEYING INC; THENCE RUN NORTH 41°18'17" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 20.55 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 627 SQUARE FEET (0.014 ACRES) MORE OR LESS.

District

**From: Industrial Limited (Activity Center)**

**To: Preservation**

SECTION 3. 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:

Site Area 6

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN SOUTH 41°18'24" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 625.81 FEET TO THE POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON SAID SURVEY; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING AVE (5) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 09°54'26" WEST, A DISTANCE OF 39.63 FEET; 2) THENCE RUN SOUTH 14°40'22" WEST, A DISTANCE OF 26.60 FEET; 3) THENCE RUN SOUTH 38°49'11" EAST, A DISTANCE OF 26.61 FEET; 4) THENCE RUN SOUTH 42°28'43" EAST, A DISTANCE OF 71.01 FEET; 5) THENCE RUN SOUTH 49°12'31" EAST, A DISTANCE OF 58.74 FEET; TO THE POINT OF BEGINNING; THENCE RUN NORTH 47°59'41" EAST, DEPARTING SAID WETLAND JURISDICTIONAL LINE, A DISTANCE OF 110.62 FEET; THENCE CONTINUE NORTH 47°59'41" EAST, A DISTANCE OF 27.05 FEET; THENCE RUN NORTH 54°44'34" EAST, A DISTANCE OF 44.52 FEET; THENCE RUN NORTH 88°21'12" EAST, A DISTANCE OF 58.38 FEET TO A POINT ON THE AFORESAID WETLANDS JURISDICTIONAL LINE; THENCE ALONG SAID WETLANDS JURISDICTIONAL LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 03°15'47" EAST, A DISTANCE OF 26.53 FEET; 2) THENCE RUN SOUTH 14°56'43" EAST, A DISTANCE OF 36.43 FEET; 3) THENCE RUN SOUTH 18°31'34" EAST, A DISTANCE OF 32.24 FEET; 4) THENCE RUN SOUTH 51°48'50" WEST, A DISTANCE OF 39.71 FEET; 5) THENCE RUN SOUTH 82°47'11" WEST, A DISTANCE OF 54.22 FEET; 6) THENCE RUN NORTH 30°28'16" WEST, A DISTANCE OF 33.57 FEET; 7) THENCE RUN SOUTH 30°20'14" WEST, A DISTANCE OF 46.29 FEET; 8) THENCE RUN SOUTH 78°07'22" WEST, A DISTANCE OF 41.80 FEET; 9) THENCE RUN NORTH 74°19'02" WEST, A DISTANCE OF 37.47 FEET; 10) THENCE RUN NORTH 49°16'47" WEST, A DISTANCE OF 20.83 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 17,614 SQUARE FEET (0.404 ACRES) MORE OR LESS.

#### Site Area 7

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR.

MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING. INC., PROJECT NUMBER 12004; THENCE RUN SOUTH 41°18'24" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 625.81 FEET TO THE POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON SAID SURVEY; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

1) THENCE RUN SOUTH 09°54'26" WEST, A DISTANCE OF 39.63 FEET, 2) THENCE RUN SOUTH 14°40'22" WEST, A DISTANCE OF 26.60 FEET; 3) THENCE RUN SOUTH 38°49'11" EAST, A DISTANCE OF 26.61 FEET; 4) THENCE RUN SOUTH 42°28'43" EAST, A DISTANCE OF 71.01 FEET. 5) THENCE RUN SOUTH 49°12'31" EAST, A DISTANCE OF 58.74 FEET; THENCE RUN NORTH 47°59'41" EAST, DEPARTING SAID WETLAND JURISDICTIONAL LINE, A DISTANCE OF 110.62 FEET; THENCE CONTINUE NORTH 47°59'41" EAST, A DISTANCE OF 27.05 FEET; THENCE RUN NORTH 54°44'34" EAST, A DISTANCE OF 44.52 FEET; THENCE RUN NORTH 88°21'12" EAST, A DISTANCE OF 58.38 FEET TO A POINT ON THE AFORESAID WETLANDS JURISDICTIONAL LINE; THENCE RUN NORTH 03°15'41" WEST, ALONG SAID WETLANDS JURISDICTIONAL LINE, A DISTANCE OF 26.26 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 11°39'45" EAST, DEPARTING SAID WETLANDS JURISDICTIONAL LINE, A DISTANCE OF 143.23 FEET TO A POINT ON THE AFORESAID WETLANDS JURISDICTIONAL LINE, THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG SAID WETLANDS JURISDICTIONAL LINE: 1) THENCE RUN SOUTH 00°31'25" WEST, A DISTANCE OF 41.82 FEET, THENCE RUN SOUTH 11°17'06" WEST, A DISTANCE OF 56.64 FEET; THENCE RUN SOUTH 22°10'27" WEST, A DISTANCE OF 46.33 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 826 SQUARE FEET (0.019 ACRES) MORE OR LESS.

District

From: **Preservation**

To: **Planned Redevelopment - Commercial (Activity Center)**

SECTION 4. 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:

Site Area 8

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 378.49 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°12'38" WEST, ALONG SAID EAST LINE OF LOT 1, BLOCK 1 AND ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 38.61 FEET TO A POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING EIGHTEEN (18) COURSES AND DISTANCES; 1) THENCE RUN SOUTH 89°50'39" WEST, DEPARTING SAID EAST LINE OF LOT 1, BLOCK 1, AND SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 23.79 FEET; 2) THENCE RUN SOUTH 29°24'11" WEST, A DISTANCE OF 21.31 FEET; 3) THENCE RUN SOUTH 15°40'02" WEST, A DISTANCE OF 19.51 FEET; 4) THENCE RUN SOUTH 26°32'51" EAST, A DISTANCE OF 31.24 FEET; 5) THENCE RUN SOUTH 50°06'03" WEST, A DISTANCE OF 37.14 FEET; 6) THENCE RUN SOUTH 68°50'41" WEST, A DISTANCE OF 35.34 FEET; 7) THENCE RUN SOUTH 55°31'24" WEST, A DISTANCE OF 34.55 FEET; 8) THENCE RUN SOUTH 39°31'19" WEST, A DISTANCE OF 17.61 FEET; 9) THENCE RUN SOUTH 16°19'18" WEST, A DISTANCE OF 34.36 FEET; 10) THENCE RUN SOUTH 20°32'02" WEST, A DISTANCE OF 43.70 FEET; 11) THENCE RUN SOUTH 09°30'44" EAST, A DISTANCE OF 40.15 FEET; 12) THENCE RUN SOUTH 60°48'35" EAST, A DISTANCE OF 17.31 FEET; 13) THENCE RUN NORTH 15°05'23" EAST, A DISTANCE OF 11.96 FEET; 14) THENCE RUN NORTH 00°08'09" WEST, A DISTANCE OF 38.25 FEET; 15) THENCE RUN NORTH 15°11'03" EAST, A DISTANCE OF 46.57 FEET; 16) THENCE RUN NORTH 63°00'16" EAST, A DISTANCE OF 22.49 FEET; 17) THENCE RUN SOUTH 41°05'46" EAST, A DISTANCE OF 18.98 FEET; 18) THENCE RUN SOUTH 13°29'37" WEST, A DISTANCE OF 44.18 FEET; THENCE RUN SOUTH 11°39'45" WEST, DEPARTING SAID WETLAND JURISDICTIONAL LINE, A DISTANCE OF 143.23 FEET TO A POINT ON SAID WETLAND JURISDICTIONAL LINE; THENCE RUN SOUTH 03°15'41" EAST, ALONG SAID WETLAND JURISDICTIONAL LINE A DISTANCE OF 26.26 FEET; THENCE RUN SOUTH 88°21'12" WEST, DEPARTING SAID WETLAND JURISDICTIONAL LINE, A DISTANCE OF 58.38 FEET; THENCE RUN SOUTH 54°44'34" WEST, A DISTANCE OF 44.52 FEET; THENCE RUN SOUTH 47°59'41" WEST, A DISTANCE OF 137.67 FEET TO A POINT ON SAID WETLAND JURISDICTIONAL LINE; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) THENCE RUN NORTH 49°12'31" WEST, A DISTANCE OF 58.74 FEET; 2) THENCE RUN NORTH 42°28'43" WEST, A DISTANCE OF 71.01 FEET; 3) THENCE RUN NORTH 38°49'11" WEST, A DISTANCE OF 26.61 FEET; 4) THENCE RUN NORTH 14°40'22" EAST, A DISTANCE OF 26.60 FEET; 5) THENCE RUN NORTH 09°54'26" EAST, A DISTANCE OF 39.63 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN NORTH 41°18'24" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 345.79 FEET TO A POINT SAID WETLAND JURISDICTIONAL LINE; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 62°34'32" EAST, A DISTANCE OF 24.07 FEET; 2) THENCE RUN NORTH 66°45'14" EAST, A DISTANCE OF 35.11 FEET; 3) THENCE RUN NORTH 18°50'37" EAST, A DISTANCE OF 48.79 FEET; 4) THENCE RUN NORTH 19°09'30" EAST, A DISTANCE OF 52.55 FEET TO A POINT ON SAID NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY

SUNCOAST SURVEYING, INC.; THENCE RUN NORTH 41°18'24" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 128.24 FEET TO A POINT ON SAID WETLAND JURISDICTIONAL LINE; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN NORTH 80°28'38" EAST, A DISTANCE OF 3.04 FEET; 2) THENCE RUN SOUTH 06°42'22" EAST, A DISTANCE OF 44.35 FEET; 3) THENCE RUN SOUTH 03°07'38" EAST, A DISTANCE OF 43.97 FEET; 4) THENCE RUN SOUTH 15°08'20" EAST, A DISTANCE OF 9.86 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 97,357 SQUARE FEET (2.235 ACRES) MORE OR LESS.

District

From: **Preservation**

To: **Preservation**

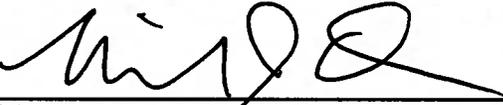
SECTION 5. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 6. 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 (DOE) 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-20  
(Land Use)

  
\_\_\_\_\_  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
7-18-14  
DATE

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY  
7/18/14  
DATE

ORDINANCE NO. \_\_\_-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA; BY CHANGING THE ZONING OF PORTIONS OF PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF DR. MARTIN LUTHER KING JR. STREET NORTH AND ROOSEVELT BOULEVARD, FROM EC (EMPLOYMENT CENTER) TO CCS-2 (CORRIDOR COMMERCIAL SUBURBAN), FROM EC (EMPLOYMENT CENTER) TO PRES (PRESERVATION), AND FROM PRES (PRESERVATION) TO CCS-2 (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:

Site Area 1

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 509.49 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°12'38" WEST, ALONG SAID EAST LINE OF LOT 1, BLOCK 1 AND ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 664.01 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 1, BLOCK 1, SAID POINT ALSO BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ROOSEVELT BOULEVARD (STATE ROAD NO. 686, A VARIABLE WIDTH RIGHT-OF-WAY); THENCE ALONG SAID SOUTHWESTERLY LINE OF LOT 1, BLOCK 1 AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF ROOSEVELT BOULEVARD THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 65°07'49" WEST, A DISTANCE OF 33.06 FEET; 2) THENCE RUN NORTH 49°57'02" WEST, A DISTANCE OF 42.56 FEET; 3) THENCE RUN NORTH 40°02'58" EAST, A DISTANCE OF 5.00 FEET; 4) THENCE RUN NORTH 49°57'02" WEST, A DISTANCE OF 355.09 FEET; THENCE RUN NORTH 47°59'41" EAST, DEPARTING SAID SOUTHWESTERLY LINE OF LOT 1 BLOCK 1 AND SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF ROOSEVELT BOULEVARD, A DISTANCE OF 22.83 FEET TO A POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT

NUMBER 12004; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING THIRTEEN (13) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 49°16'47" EAST, A DISTANCE OF 20.83 FEET; 2) THENCE RUN SOUTH 74°19'02" EAST, A DISTANCE OF 37.47 FEET; 3) THENCE RUN NORTH 78°07'22" EAST, A DISTANCE OF 41.80 FEET; 4) THENCE RUN NORTH 30°20'14" EAST, A DISTANCE OF 46.29 FEET; 5) THENCE RUN SOUTH 30°28'16" EAST, A DISTANCE OF 33.57 FEET; 6) THENCE RUN NORTH 82°47'11" EAST, A DISTANCE OF 54.22 FEET; 7) THENCE RUN NORTH 51°48'50" EAST, A DISTANCE OF 39.71 FEET; 8) THENCE RUN NORTH 18°31'34" WEST, A DISTANCE OF 32.24 FEET; 9) THENCE RUN NORTH 14°56'43" WEST, A DISTANCE OF 36.43 FEET; 10) THENCE RUN NORTH 03°15'41" WEST, A DISTANCE OF 52.79 FEET; 11) THENCE RUN NORTH 22°10'27" EAST, A DISTANCE OF 46.33 FEET; 12) THENCE RUN NORTH 11°17'06" EAST, A DISTANCE OF 56.64 FEET; 13) THENCE RUN NORTH 00°31'25" EAST, A DISTANCE OF 41.82 FEET; THENCE RUN NORTH 17°45'01" EAST, DEPARTING SAID WETLANDS JURISDICTIONAL LINE, A DISTANCE OF 122.99 FEET; THENCE RUN SOUTH 89°47'45" EAST, A DISTANCE OF 54.68 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 88,687 SQUARE FEET (2.036 ACRES) MORE OR LESS.

District

From: **EC (Employment Center)**

To: **CCS-2 (Corridor Commercial Suburban)**

SECTION 2. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Site Area 2

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN SOUTH 41°18'24" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 148.79 FEET TO THE POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON SAID SURVEY AND BEING THE POINT OF BEGINNING; THENCE ALONG SAID JURISDICTIONAL LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 19°09'30" WEST, A DISTANCE OF 52.55 FEET; 2) THENCE RUN SOUTH 18°50'37" WEST, A DISTANCE OF 48.79 FEET; 3) THENCE RUN SOUTH 66°45'14" WEST, A

DISTANCE OF 35.11 FEET; 4) THENCE RUN NORTH 62°34'32" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 24.07 FEET TO A POINT ON THE AFORESAID NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC; THENCE RUN NORTH 41°18'24" EAST, A DISTANCE OF 131.23 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 2,843 SQUARE FEET (0.065 ACRES) MORE OR LESS.

### Site Area 3

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 417.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°12'38" WEST, A DISTANCE OF 92.38 FEET; THENCE RUN NORTH 89°47'45" WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 54.68 FEET; THENCE RUN SOUTH 17°45'01" WEST, A DISTANCE OF 122.99 FEET TO A POINT ON THE WETLANDS JURISDICTIONAL LINE AS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE ALONG SAID WETLANDS JURISDICTIONAL LINE THE FOLLOWING EIGHTEEN (18) COURSES AND DISTANCES: 1) THENCE RUN NORTH 13°29'37" EAST, A DISTANCE OF 44.18 FEET; 2) THENCE RUN NORTH 41°05'46" WEST, A DISTANCE OF 18.98 FEET; 3) THENCE RUN SOUTH 63°00'16" WEST, A DISTANCE OF 22.49 FEET; 4) THENCE RUN SOUTH 15°11'03" WEST, A DISTANCE OF 46.57 FEET; 5) THENCE RUN SOUTH 00°08'09" EAST, A DISTANCE OF 38.25 FEET; 6) THENCE RUN SOUTH 15°05'23" WEST, A DISTANCE OF 11.96 FEET; 7) THENCE RUN NORTH 60°48'35" WEST, A DISTANCE OF 17.31 FEET; 8) THENCE RUN NORTH 09°30'44" WEST, A DISTANCE OF 40.15 FEET; 9) THENCE RUN NORTH 20°32'02" EAST, A DISTANCE OF 43.70 FEET; 10) THENCE RUN NORTH 16°19'18" EAST, A DISTANCE OF 34.36 FEET; 11) THENCE RUN NORTH 39°31'19" EAST, A DISTANCE OF 17.61 FEET; 12) THENCE RUN NORTH 55°31'24" EAST, A DISTANCE OF 34.55 FEET; 13) THENCE RUN NORTH 68°50'41" EAST, A DISTANCE OF 35.34 FEET; 14) THENCE NORTH 50°06'03" EAST, A DISTANCE OF 37.14 FEET; 15) THENCE RUN NORTH 26°32'51" WEST, A DISTANCE OF 31.24 FEET; 16) THENCE RUN NORTH 15°40'02" EAST, A DISTANCE OF 19.51 FEET; 17) THENCE RUN NORTH 29°24'71" EAST, A DISTANCE OF 21.31 FEET; 18) THENCE RUN NORTH 89°50'39" EAST, A DISTANCE OF 23.79 FEET TO THE POINT OF BEGINNING.

SAID CONTAINING 8,414 SQUARE FEET (0.193 ACRES) MORE OR LESS.

#### Site Area 4

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN SOUTH 41°18'24" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 625.81 FEET TO THE POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON SAID SURVEY AND THE POINT OF BEGINNING; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 09°54'26" WEST, A DISTANCE OF 39.63 FEET; 2) THENCE RUN SOUTH 14°40'22" WEST, A DISTANCE OF 26.60 FEET; 3) THENCE RUN SOUTH 38°49'11" EAST, A DISTANCE OF 26.61 FEET; 4) THENCE RUN SOUTH 42°28'43" EAST, A DISTANCE OF 71.01 FEET; 5) THENCE RUN SOUTH 49°12'31" EAST, A DISTANCE OF 58.74 FEET; THENCE RUN SOUTH 47°59'41" WEST, DEPARTING SAID LINE, A DISTANCE OF 22.83 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 1, BLOCK 1 AND A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ROOSEVELT BOULEVARD (STATE ROAD NO. 686, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY); THENCE RUN NORTH 49°57'02" WEST, ALONG SAID SOUTHWESTERLY LINE OF LOT 1, BLOCK 1 AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 44.91 FEET; THENCE RUN NORTH 47°05'17" WEST, ALONG SAID SOUTHWESTERLY LINE OF LOT 1, BLOCK 1 AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 140.61 FEET TO A POINT ON THE AFORESAID NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC.; THENCE RUN NORTH 41°18'24" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 89.04 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 5,949 SQUARE FEET (0.137 ACRES) MORE OR LESS

#### Site Area 5

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR.

MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°12'38" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 112.41 FEET TO A POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER E 12004 ; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN NORTH 15°08'20" WEST, A DISTANCE OF 9.86 FEET; 2) THENCE RUN NORTH 03°07'38" WEST, A DISTANCE OF 43.97 FEET; 3) THENCE RUN NORTH 06°42'22" WEST, A DISTANCE OF 44.35 FEET; 4) THENCE RUN SOUTH 80°28'38" WEST, A DISTANCE OF 3.04 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON THE AFORESAID SURVEY PREPARED BY SUNCOAST SURVEYING INC; THENCE RUN NORTH 41°18'17" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 20.55 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 627 SQUARE FEET (0.014 ACRES) MORE OR LESS.

District

From: **EC (Employment Center)**

To: **PRES (Preservation)**

SECTION 3. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Site Area 6

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN SOUTH 41°18'24" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 625.81 FEET TO THE POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON SAID SURVEY; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING AVE (5) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 09°54'26" WEST, A DISTANCE OF 39.63 FEET; 2) THENCE RUN SOUTH 14°40'22" WEST, A DISTANCE OF 26.60 FEET; 3) THENCE RUN SOUTH 38°49'11" EAST, A DISTANCE OF 26.61 FEET; 4) THENCE RUN SOUTH 42°28'43" EAST, A DISTANCE OF 71.01 FEET; 5) THENCE RUN SOUTH 49°12'31"

EAST, A DISTANCE OF 58.74 FEET; TO THE POINT OF BEGINNING; THENCE RUN NORTH 47°59'41" EAST, DEPARTING SAID WETLAND JURISDICTIONAL LINE, A DISTANCE OF 110.62 FEET; THENCE CONTINUE NORTH 47°59'41" EAST, A DISTANCE OF 27.05 FEET; THENCE RUN NORTH 54°44'34" EAST, A DISTANCE OF 44.52 FEET; THENCE RUN NORTH 88°21'12" EAST, A DISTANCE OF 58.38 FEET TO A POINT ON THE AFORESAID WETLANDS JURISDICTIONAL LINE; THENCE ALONG SAID WETLANDS JURISDICTIONAL LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 03°15'47" EAST, A DISTANCE OF 26.53 FEET; 2) THENCE RUN SOUTH 14°56'43" EAST, A DISTANCE OF 36.43 FEET; 3) THENCE RUN SOUTH 18°31'34" EAST, A DISTANCE OF 32.24 FEET; 4) THENCE RUN SOUTH 51°48'50" WEST, A DISTANCE OF 39.71 FEET; 5) THENCE RUN SOUTH 82°47'11" WEST, A DISTANCE OF 54.22 FEET; 6) THENCE RUN NORTH 30°28'16" WEST, A DISTANCE OF 33.57 FEET; 7) THENCE RUN SOUTH 30°20'14" WEST, A DISTANCE OF 46.29 FEET; 8) THENCE RUN SOUTH 78°07'22" WEST, A DISTANCE OF 41.80 FEET; 9) THENCE RUN NORTH 74°19'02" WEST, A DISTANCE OF 37.47 FEET; 10) THENCE RUN NORTH 49°16'47" WEST, A DISTANCE OF 20.83 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 17,614 SQUARE FEET (0.404 ACRES) MORE OR LESS.

#### Site Area 7

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 266.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN SOUTH 41°18'24" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 625.81 FEET TO THE POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON SAID SURVEY; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

1) THENCE RUN SOUTH 09°54'26" WEST, A DISTANCE OF 39.63 FEET, 2) THENCE RUN SOUTH 14°40'22" WEST, A DISTANCE OF 26.60 FEET; 3) THENCE RUN SOUTH 38°49'11" EAST, A DISTANCE OF 26.61 FEET; 4) THENCE RUN SOUTH 42°28'43" EAST, A DISTANCE OF 71.01 FEET; 5) THENCE RUN SOUTH 49°12'31" EAST, A DISTANCE OF 58.74 FEET; THENCE RUN NORTH 47°59'41" EAST, DEPARTING SAID WETLAND JURISDICTIONAL LINE, A DISTANCE OF 110.62 FEET; THENCE CONTINUE NORTH 47°59'41" EAST, A DISTANCE OF 27.05 FEET; THENCE RUN NORTH 54°44'34" EAST, A DISTANCE OF 44.52 FEET; THENCE RUN NORTH 88°21'12" EAST, A DISTANCE OF 58.38 FEET TO A POINT ON THE AFORESAID WETLANDS JURISDICTIONAL LINE; THENCE RUN NORTH 03°15'41"

WEST, ALONG SAID WETLANDS JURISDICTIONAL LINE. A DISTANCE OF 26.26 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 11°39'45" EAST, DEPARTING SAID WETLANDS JURISDICTIONAL LINE, A DISTANCE OF 143.23 FEET TO A POINT ON THE AFORESAID WETLANDS JURISDICTIONAL LINE, THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG SAID WETLANDS JURISDICTIONAL LINE: 1) THENCE RUN SOUTH 00°31'25" WEST, A DISTANCE OF 41.82 FEET; THENCE RUN SOUTH 11°17'06" WEST, A DISTANCE OF 56.64 FEET; THENCE RUN SOUTH 22°10'27" WEST, A DISTANCE OF 46.33 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 826 SQUARE FEET (0.019 ACRES) MORE OR LESS.

District

From: **PRES (Preservation)**

To: **CCS-2 (Corridor Commercial Suburban)**

SECTION 4. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Site Area 8

THAT PORTION OF LOT 1, BLOCK 1, ROOSEVELT CENTRE REPLAT 5TH ADDITION, AS RECORDED IN PLAT BOOK 89, PAGES 49, 50, AND 51, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1; THENCE RUN SOUTH 00°12'38" WEST, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, AND ALONG THE WEST RIGHT-OF-WAY LINE OF 9TH STREET NORTH (DR. MARTIN LUTHER KING JR. STREET NORTH, A 200 FOOT WIDE PUBLIC RIGHT-OF-WAY), A DISTANCE OF 378.49 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°12'38" WEST, ALONG SAID EAST LINE OF LOT 1, BLOCK 1 AND ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 38.61 FEET TO A POINT OF INTERSECTION WITH A WETLAND JURISDICTIONAL LINE AS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING EIGHTEEN (18) COURSES AND DISTANCES; 1) THENCE RUN SOUTH 89°50'39" WEST, DEPARTING SAID EAST LINE OF LOT 1, BLOCK 1, AND SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 23.79 FEET; 2) THENCE RUN SOUTH 29°24'11" WEST, A DISTANCE OF 21.31 FEET; 3) THENCE RUN SOUTH 15°40'02" WEST, A DISTANCE OF 19.51 FEET; 4) THENCE RUN SOUTH 26°32'51" EAST, A DISTANCE OF 31.24 FEET; 5) THENCE RUN SOUTH 50°06'03" WEST, A DISTANCE OF 37.14 FEET; 6) THENCE RUN SOUTH 68°50'41" WEST, A DISTANCE OF 35.34 FEET; 7) THENCE RUN SOUTH 55°31'24" WEST, A DISTANCE OF 34.55 FEET; 8) THENCE RUN SOUTH 39°31'19" WEST, A DISTANCE OF 17.61 FEET; 9) THENCE RUN SOUTH 16°19'18" WEST, A DISTANCE OF 34.36 FEET; 10) THENCE RUN SOUTH 20°32'02" WEST, A DISTANCE OF 43.70 FEET; 11) THENCE RUN SOUTH 09°30'44" EAST, A DISTANCE

OF 40.15 FEET; 12) THENCE RUN SOUTH 60°48'35" EAST, A DISTANCE OF 17.31 FEET; 13) THENCE RUN NORTH 15°05'23" EAST, A DISTANCE OF 11.96 FEET; 14) THENCE RUN NORTH 00°08'09" WEST, A DISTANCE OF 38.25 FEET; 15) THENCE RUN NORTH 15°11'03" EAST, A DISTANCE OF 46.57 FEET; 16) THENCE RUN NORTH 63°00'16" EAST, A DISTANCE OF 22.49 FEET; 17) THENCE RUN SOUTH 41°05'46" EAST, A DISTANCE OF 18.98 FEET; 18) THENCE RUN SOUTH 13°29'37" WEST, A DISTANCE OF 44.18 FEET; THENCE RUN SOUTH 11°39'45" WEST, DEPARTING SAID WETLAND JURISDICTIONAL LINE, A DISTANCE OF 143.23 FEET TO A POINT ON SAID WETLAND JURISDICTIONAL LINE; THENCE RUN SOUTH 03°15'41" EAST, ALONG SAID WETLAND JURISDICTIONAL LINE A DISTANCE OF 26.26 FEET; THENCE RUN SOUTH 88°21'12" WEST, DEPARTING SAID WETLAND JURISDICTIONAL LINE, A DISTANCE OF 58.38 FEET; THENCE RUN SOUTH 54°44'34" WEST, A DISTANCE OF 44.52 FEET; THENCE RUN SOUTH 47°59'41" WEST, A DISTANCE OF 137.67 FEET TO A POINT ON SAID WETLAND JURISDICTIONAL LINE; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) THENCE RUN NORTH 49°12'31" WEST, A DISTANCE OF 58.74 FEET; 2) THENCE RUN NORTH 42°28'43" WEST, A DISTANCE OF 71.01 FEET; 3) THENCE RUN NORTH 38°49'11" WEST, A DISTANCE OF 26.61 FEET; 4) THENCE RUN NORTH 14°40'22" EAST, A DISTANCE OF 26.60 FEET; 5) THENCE RUN NORTH 09°54'26" EAST, A DISTANCE OF 39.63 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC., PROJECT NUMBER 12004; THENCE RUN NORTH 41°18'24" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 345.79 FEET TO A POINT SAID WETLAND JURISDICTIONAL LINE; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 62°34'32" EAST, A DISTANCE OF 24.07 FEET; 2) THENCE RUN NORTH 66°45'14" EAST, A DISTANCE OF 35.11 FEET; 3) THENCE RUN NORTH 18°50'37" EAST, A DISTANCE OF 48.79 FEET; 4) THENCE RUN NORTH 19°09'30" EAST, A DISTANCE OF 52.55 FEET TO A POINT ON SAID NORTHWESTERLY LINE OF THE LANDS DEPICTED ON A SURVEY PREPARED BY SUNCOAST SURVEYING, INC.; THENCE RUN NORTH 41°18'24" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 128.24 FEET TO A POINT ON SAID WETLAND JURISDICTIONAL LINE; THENCE ALONG SAID WETLAND JURISDICTIONAL LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN NORTH 80°28'38" EAST, A DISTANCE OF 3.04 FEET; 2) THENCE RUN SOUTH 06°42'22" EAST, A DISTANCE OF 44.35 FEET; 3) THENCE RUN SOUTH 03°07'38" EAST, A DISTANCE OF 43.97 FEET; 4) THENCE RUN SOUTH 15°08'20" EAST, A DISTANCE OF 9.86 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 97,357 SQUARE FEET (2.235 ACRES) MORE OR LESS.

District

From: **PRES (Preservation)**

To: **PRES (Preservation)**

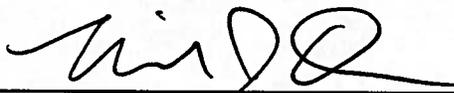
SECTION 5. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 6. 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-20  
(Zoning)

  
\_\_\_\_\_  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
7-18-14  
DATE

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY  
7/18/14  
DATE

RESOLUTION NO. 2014-\_\_\_\_

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-20

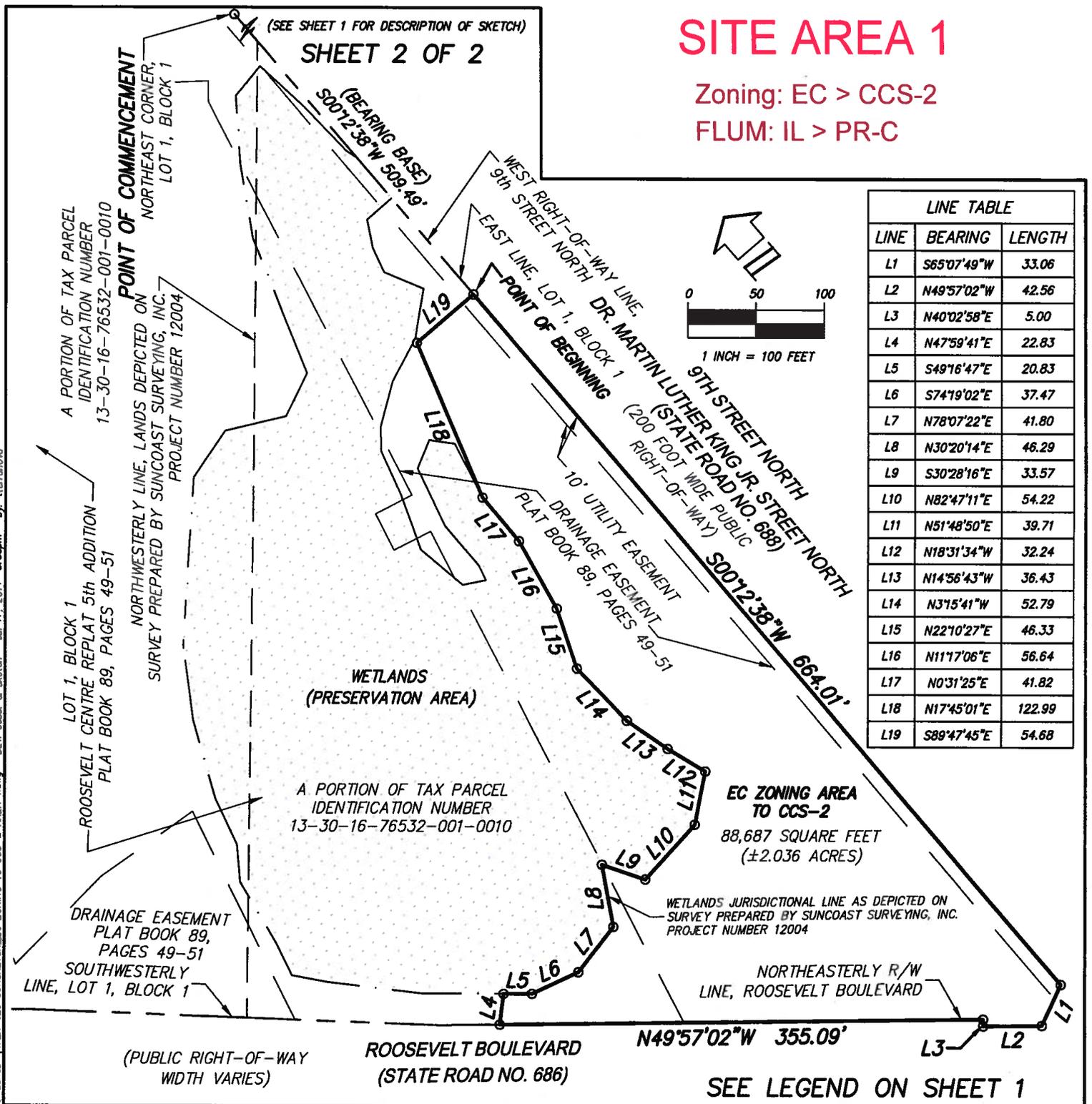
  
\_\_\_\_\_  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT 7-18-14  
DATE

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY 7/18/14  
DATE

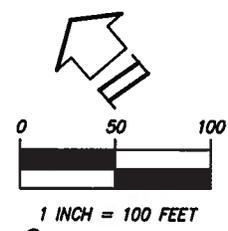
# SITE AREA 1

Zoning: EC > CCS-2  
FLUM: IL > PR-C

(SEE SHEET 1 FOR DESCRIPTION OF SKETCH)  
**SHEET 2 OF 2**



LINE TABLE		
LINE	BEARING	LENGTH
L1	S65°07'49\"W	33.06
L2	N49°57'02\"W	42.56
L3	N40°02'58\"E	5.00
L4	N47°59'41\"E	22.83
L5	S49°16'47\"E	20.83
L6	S74°19'02\"E	37.47
L7	N78°07'22\"E	41.80
L8	N30°20'14\"E	46.29
L9	S30°28'16\"E	33.57
L10	N82°47'11\"E	54.22
L11	N51°48'50\"E	39.71
L12	N18°31'34\"W	32.24
L13	N14°56'43\"W	36.43
L14	N3°15'41\"W	52.79
L15	N22°10'27\"E	46.33
L16	N11°17'06\"E	56.64
L17	N0°31'25\"E	41.82
L18	N17°45'01\"E	122.99
L19	S89°47'45\"E	54.68



Drawing name: S:\4FER\J29-St Pete Roosevelt and MLK\DWG-Land\4FER-J29 SURSKETCH\_EC ZONING TO CCS-2 AREA 1.dwg DEN desc. & sketch Jul 17, 2014 3:33pm by: tteranova

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

**SKETCH OF DESCRIPTION**  
-OF-  
**EC ZONING TO CCS-2**

A PORTION OF LOT 1, BLOCK 1 ROOSEVELT CENTRE REPLAT 5TH ADDITION - PLAT BOOK 89, PAGES 49-51 SECTION 13, TOWNSHIP 30 SOUTH, RANGE 16 EAST

PINELLAS COUNTY FLORIDA

**LAND DEVELOPMENT & TRANSPORTATION ENGINEERING PLANNING | SURVEYING & MAPPING**

7220 FINANCIAL WAY SUITE 200  
JACKSONVILLE, FLORIDA 32258  
PHONE: 904.332.8601 FAX: 904.332.8633  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:  
**THE FERBER COMPANY**

DATE: 07/17/14  
REV DATE:  
SCALE: 1"=100'

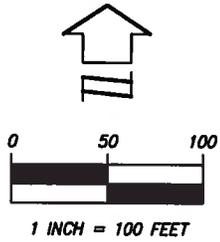
PROJ: 4FER-J29  
DRAWN BY: JDH  
CHECKED BY: JDH

# SITE AREA 2

Zoning: EC > PRES  
 FLUM: IL > Preservation

## LEGEND:

- LINE BREAK
- POC POINT ON A CURVE
- PC POINT OF CURVATURE
- PRC POINT OF REVERSE CURVATURE
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- OR OFFICIAL RECORDS BOOK
- PG PAGE
- CHANGE IN DIRECTION
- L1 LINE TAG LABEL (SEE TABLE)



LINE TABLE		
LINE	BEARING	LENGTH
L1	S19°09'30"W	52.55
L2	S18°50'37"W	48.79
L3	S66°45'14"W	35.11
L4	N62°34'32"W	24.07
L5	N41°18'24"E	131.23

A PORTION OF TAX PARCEL  
 IDENTIFICATION NUMBER  
 13-30-16-76532-001-0010

WETLANDS JURISDICTIONAL LINE AS DEPICTED ON  
 SURVEY PREPARED BY SUNCOAST SURVEYING, INC.  
 PROJECT NUMBER 12004

**EC ZONING TO PRESERVATION  
 ZONING-AREA 1**  
 2,843 SQUARE FEET  
 (±0.065 ACRES)

LOT 1, BLOCK 1  
 ROOSEVELT CENTRE REPLAT 5th ADDITION  
 PLAT BOOK 89, PAGES 49-51

WETLANDS  
 (PRESERVATION AREA)

A PORTION OF TAX PARCEL  
 IDENTIFICATION NUMBER  
 13-30-16-76532-001-0010

(SEE SHEET 1 FOR DESCRIPTION OF SKETCH)

**SHEET 2 OF 2**

**POINT OF COMMENCEMENT**

NORTHEAST CORNER,  
 LOT 1, BLOCK 1

(BEARING BASE)  
 S00°12'38"W  
 266.08'

**POINT OF BEGINNING**

S41°18'24"W  
 148.79'

WEST RIGHT-OF-WAY LINE,  
 9th STREET NORTH

9TH STREET NORTH  
 DR. MARTIN LUTHER KING JR. STREET NORTH  
 (STATE ROAD NO. 688)  
 (200 FOOT WIDE PUBLIC  
 RIGHT-OF-WAY)

DRAINAGE EASEMENT  
 PLAT BOOK 89, PAGES 49-51

10' UTILITY EASEMENT

EAST LINE, LOT 1, BLOCK 1

DRAINAGE EASEMENT  
 PLAT BOOK 89,  
 PAGES 49-51  
 SOUTHWESTERLY  
 LINE, LOT 1, BLOCK 1  
 ROOSEVELT BOULEVARD  
 (STATE ROAD NO. 688)  
 (PUBLIC RIGHT-OF-WAY  
 WIDTH VARIES)

**SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.**

### SKETCH OF DESCRIPTION

-OF-

### EC ZONING TO PRESERVATION

A PORTION OF LOT 1, BLOCK 1 ROOSEVELT CENTRE  
 REPLAT 5TH ADDITION - PLAT BOOK 89, PAGES 49-51  
 SECTION 13, TOWNSHIP 30 SOUTH, RANGE 16 EAST

PINELLAS COUNTY

FLORIDA



# Dewberry



LAND DEVELOPMENT &  
 TRANSPORTATION ENGINEERING  
 PLANNING | SURVEYING & MAPPING  
 7220 FINANCIAL WAY SUITE 200  
 JACKSONVILLE, FLORIDA 32256  
 PHONE: 904.332.8601 FAX: 904.332.8633  
 WWW.DEWBERRY.COM  
 CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

**THE FERBER COMPANY**

DATE: 06/26/2014  
 REV DATE:  
 SCALE: 1"=100'

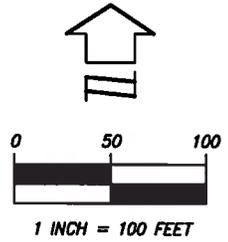
PROJ: 4FER-J29  
 DRAWN BY: JDH  
 CHECKED BY: JDH

# SITE AREA 3

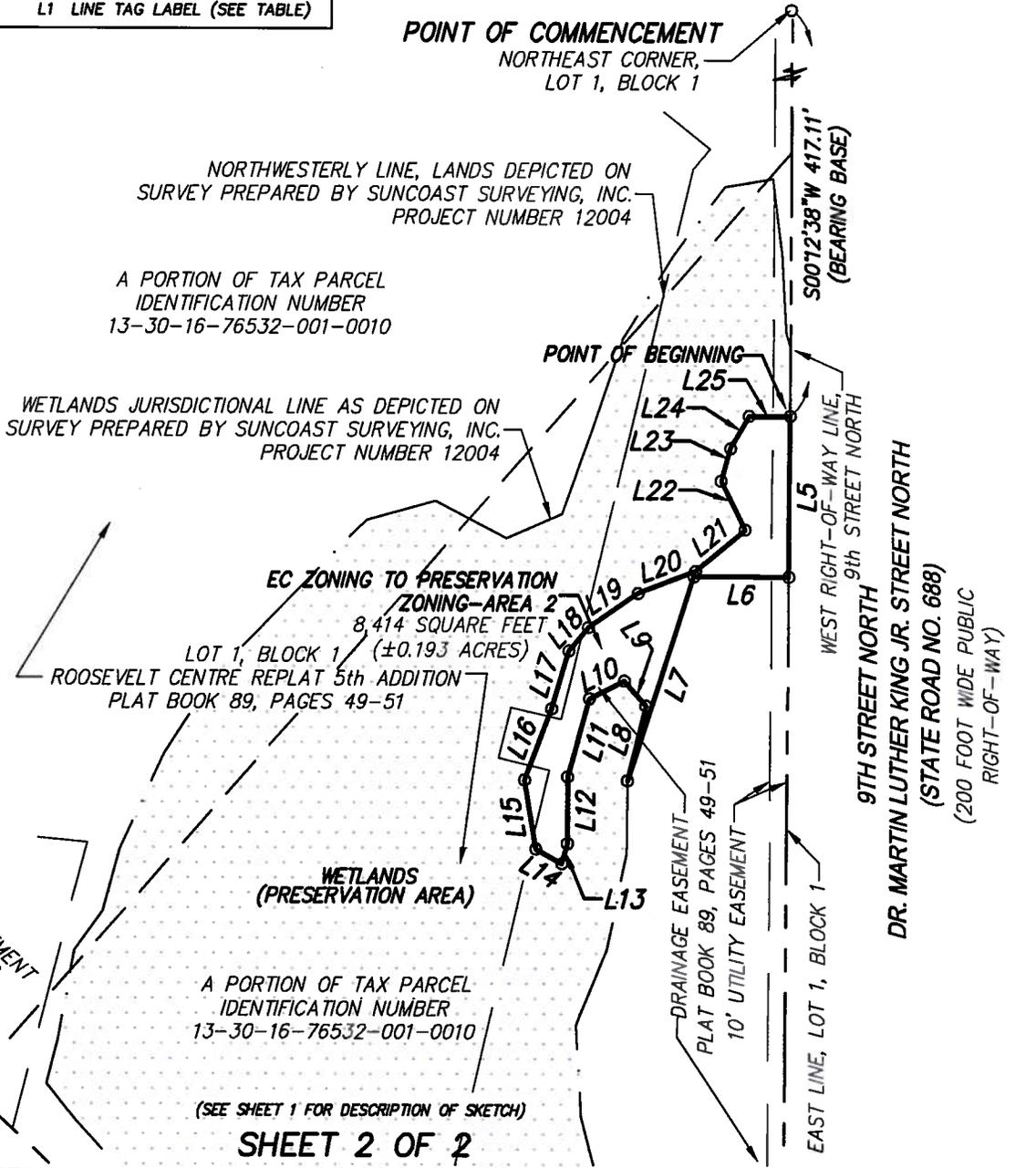
Zoning: EC > PRES  
 FLUM: IL > Preservation

**LEGEND:**

- LINE BREAK
- POC POINT ON A CURVE
- PC POINT OF CURVATURE
- PRC POINT OF REVERSE CURVATURE
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- OR OFFICIAL RECORDS BOOK
- PG PAGE
- CHANGE IN DIRECTION
- L1 LINE TAG LABEL (SEE TABLE)



LINE TABLE		
LINE	BEARING	LENGTH
L5	S0°12'38"W	92.38
L6	N89°47'45"W	54.68
L7	S17°45'01"W	122.99
L8	N13°29'37"E	44.18
L9	N41°05'46"W	18.98
L10	S63°00'16"W	22.49
L11	S15°11'03"W	46.57
L12	S0°08'09"E	38.25
L13	S15°05'23"W	11.96
L14	N60°48'35"W	17.31
L15	N9°30'44"W	40.15
L16	N20°32'02"E	43.70
L17	N16°19'18"E	34.36
L18	N39°31'19"E	17.61
L19	N55°31'24"E	34.55
L20	N68°50'41"E	35.34
L21	N50°06'03"E	37.14
L22	N26°32'51"W	31.24
L23	N15°40'02"E	19.51
L24	N29°24'11"E	21.31
L25	N89°50'39"E	23.79



SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

Drawing name: S:\4FER\J29-S1 Pete Roosevelt and MLK\DWG-Land\4FER-J29 SURSKETCH\_EC ZONING TO PRESERVE\_AREA 2.dwg DEV desc. & sketch Jan 28, 2014 5:21pm by Pradick

**SKETCH OF DESCRIPTION**  
 -OF-  
**EC ZONING TO PRESERVATION**

A PORTION OF LOT 1, BLOCK 1 ROOSEVELT CENTRE  
 REPLAT 5TH ADDITION - PLAT BOOK 89, PAGES 49-51  
 SECTION 13, TOWNSHIP 30 SOUTH, RANGE 16 EAST

PINELLAS COUNTY                      FLORIDA

**Dewberry**

**BOWYER SINGLETON**

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 PHONE: 904.332.8601 FAX 904.332.8633  
 WWW.DEWBERRY.COM  
 CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:  
**THE FERBER COMPANY**

DATE: 06/26/2014  
 REV DATE:  
 SCALE: 1"=100'

PROJ: 4FER-J29  
 DRAWN BY: JDH  
 CHECKED BY: JDH

# SITE AREA 4

Zoning: EC > PRES

FLUM: IL > Preservation

## LEGEND:

- LINE BREAK
- POC POINT ON A CURVE
- PC POINT OF CURVATURE
- PRC POINT OF REVERSE CURVATURE
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- OR OFFICIAL RECORDS BOOK
- PG PAGE
- CHANGE IN DIRECTION
- L1 LINE TAG LABEL (SEE TABLE)

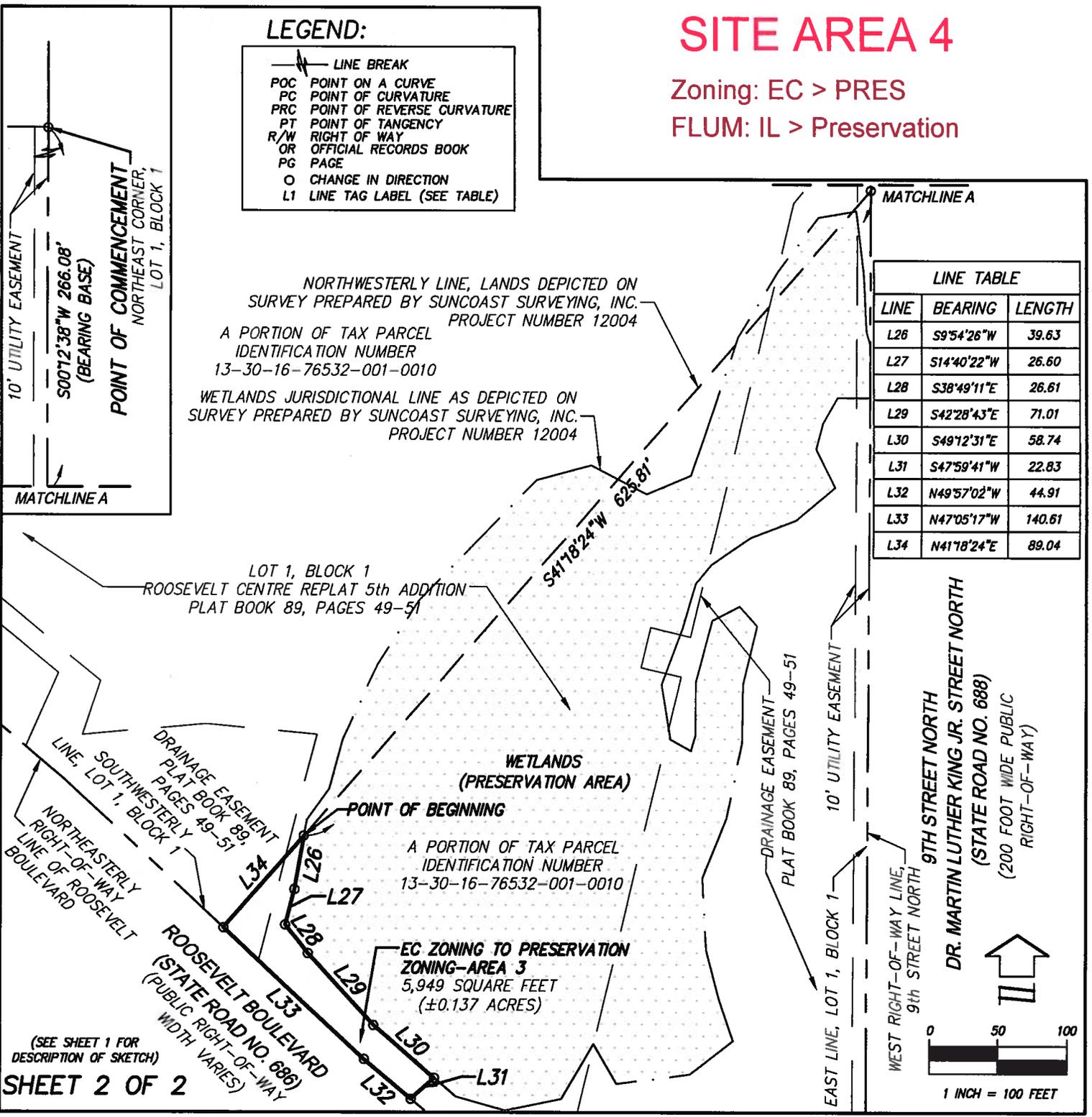
NORTHWESTERLY LINE, LANDS DEPICTED ON SURVEY PREPARED BY SUNCOAST SURVEYING, INC. PROJECT NUMBER 12004

A PORTION OF TAX PARCEL IDENTIFICATION NUMBER 13-30-16-76532-001-0010

WETLANDS JURISDICTIONAL LINE AS DEPICTED ON SURVEY PREPARED BY SUNCOAST SURVEYING, INC. PROJECT NUMBER 12004

LINE TABLE		
LINE	BEARING	LENGTH
L26	S9°54'26"W	39.63
L27	S14°40'22"W	26.60
L28	S38°49'11"E	26.61
L29	S42°28'43"E	71.01
L30	S49°12'31"E	58.74
L31	S47°59'41"W	22.83
L32	N49°57'02"W	44.91
L33	N47°05'17"W	140.61
L34	N41°18'24"E	89.04

Drawing name: S:\4FER\J29-St Pete Roosevelt and MLK\DWG-Land\14FER-J29 SURSKETCH\_EC ZONING TO PRESERVE\_AREA 3.dwg DEW desc. & sketch Jun 25, 2014 5:21pm by Jadhik



SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

### SKETCH OF DESCRIPTION

-OF-

### EC ZONING TO PRESERVATION

A PORTION OF LOT 1, BLOCK 1 ROOSEVELT CENTRE REPLAT 5TH ADDITION - PLAT BOOK 89, PAGES 49-51 SECTION 13, TOWNSHIP 30 SOUTH, RANGE 16 EAST

PINELLAS COUNTY

FLORIDA



## Dewberry



LAND DEVELOPMENT & TRANSPORTATION ENGINEERING PLANNING | SURVEYING & MAPPING

7220 FINANCIAL WAY SUITE 200 JACKSONVILLE, FLORIDA 32556  
PHONE: 904.332.8601 FAX: 904.332.8633  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

**THE FERBER COMPANY**

DATE: 06/26/2014  
REV DATE:  
SCALE: 1"=100'

PROJ: 4FER-J29  
DRAWN BY: JDH  
CHECKED BY: JDH

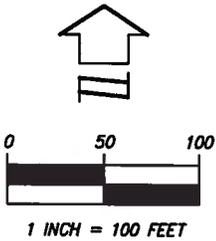
# SITE AREA 5

Zoning: EC > PRES

FLUM: IL > Preservation

## LEGEND:

- LINE BREAK
- POC POINT ON A CURVE
- PC POINT OF CURVATURE
- PRC POINT OF REVERSE CURVATURE
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- OR OFFICIAL RECORDS BOOK
- PG PAGE
- CHANGE IN DIRECTION
- L1 LINE TAG LABEL (SEE TABLE)



LINE	BEARING	LENGTH
L1	S07°12'38"W	112.41
L2	N15°08'20"W	9.86
L3	N3°07'38"W	43.97
L4	N6°42'22"W	44.35
L5	S80°28'38"W	3.04
L6	N41°18'17"E	20.55

### POINT OF COMMENCEMENT

NORTHEAST CORNER,  
LOT 1, BLOCK 1  
**POINT OF BEGINNING**  
(BEARING BASE)  
S00°12'38"W  
266.08'

A PORTION OF TAX PARCEL  
IDENTIFICATION NUMBER  
13-30-16-76532-001-0010

**EC ZONING TO PRESERVATION**  
**ZONING-AREA 4**  
627 SQUARE FEET  
(±0.014 ACRES)

NORTHWESTERLY LINE, LANDS DEPICTED ON  
SURVEY PREPARED BY SUNCOAST SURVEYING, INC.  
PROJECT NUMBER 12004

WETLANDS JURISDICTIONAL LINE AS DEPICTED ON  
SURVEY PREPARED BY SUNCOAST SURVEYING, INC.  
PROJECT NUMBER 12004

LOT 1, BLOCK 1  
ROOSEVELT CENTRE REPLAT 5th ADDITION  
PLAT BOOK 89, PAGES 49-51

WETLANDS  
(PRESERVATION AREA)

A PORTION OF TAX PARCEL  
IDENTIFICATION NUMBER  
13-30-16-76532-001-0010

(SEE SHEET 1 FOR DESCRIPTION OF SKETCH)

**SHEET 2 OF 2**

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

### SKETCH OF DESCRIPTION

-OF-

### EC ZONING TO PRESERVATION

A PORTION OF LOT 1, BLOCK 1 ROOSEVELT CENTRE  
REPLAT 5TH ADDITION - PLAT BOOK 89, PAGES 49-51  
SECTION 13, TOWNSHIP 30 SOUTH, RANGE 16 EAST

PINELLAS COUNTY

FLORIDA



## Dewberry



LAND DEVELOPMENT &  
TRANSPORTATION ENGINEERING  
PLANNING | SURVEYING & MAPPING

7220 FINANCIAL WAY SUITE 200  
JACKSONVILLE, FLORIDA 32256  
PHONE: 904.332.8601 FAX: 904.332.8633  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

**THE FERBER COMPANY**

DATE: 06/26/2014  
REV DATE:  
SCALE: 1"=100'

PROJ: 4FER-J29  
DRAWN BY: JDH  
CHECKED BY: JDH

Drawing name: S:\4FER\J29-St Pete Roosevelt and MLK\DWG-Land\1\4FER-J29 SURSKETCH\_EC ZONING TO PRESERVE AREA 4.dwg DEW desc. & sketch Jun 26, 2014 5:22pm by JFullick

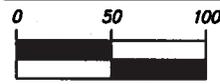
# SITE AREA 6

Zoning: PRES > CCS-2

FLUM: Preservation > PR-C

## LEGEND:

- LINE BREAK
- POC POINT ON A CURVE
- PC POINT OF CURVATURE
- PRC POINT OF REVERSE CURVATURE
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- OR OFFICIAL RECORDS BOOK
- PG PAGE
- O CHANGE IN DIRECTION
- L1 LINE TAG LABEL (SEE TABLE)

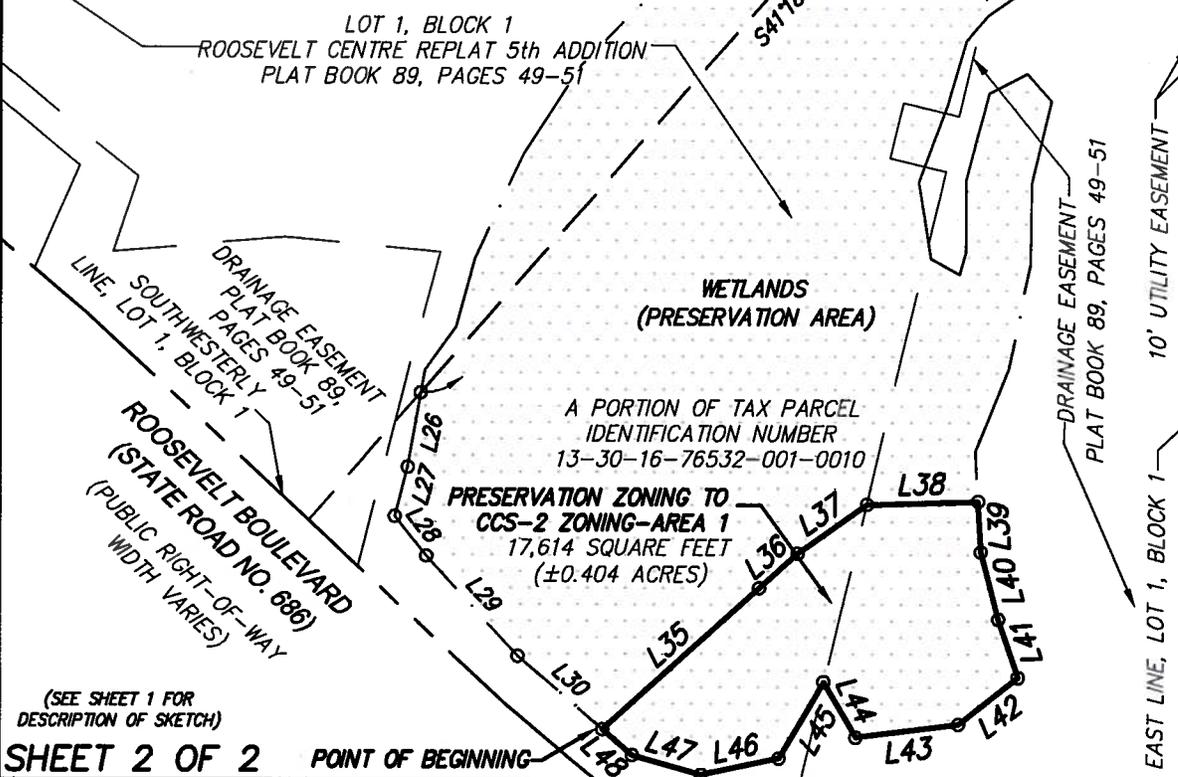
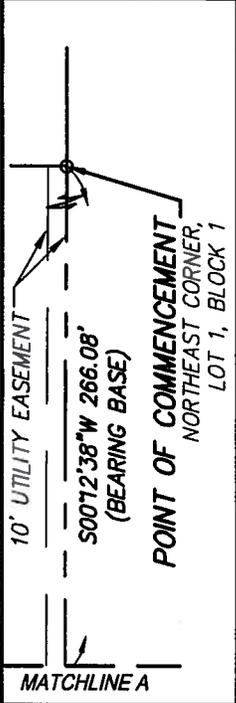


NORTHWESTERLY LINE, LANDS DEPICTED ON SURVEY PREPARED BY SUNCOAST SURVEYING, INC. PROJECT NUMBER 12004

A PORTION OF TAX PARCEL IDENTIFICATION NUMBER 13-30-16-76532-001-0010

WETLANDS JURISDICTIONAL LINE AS DEPICTED ON SURVEY PREPARED BY SUNCOAST SURVEYING, INC. PROJECT NUMBER 12004

LINE TABLE		
LINE	BEARING	LENGTH
L26	S9°54'26"W	39.63
L27	S14°40'22"W	26.60
L28	S38°49'11"E	26.61
L29	S42°28'43"E	71.01
L30	S49°12'31"E	58.74
L35	N47°59'41"E	110.62
L36	N47°59'41"E	27.05
L37	N54°44'34"E	44.52
L38	N88°21'12"E	58.38
L39	S3°15'41"E	26.53
L40	S14°56'43"E	36.43
L41	S18°31'34"E	32.24
L42	S51°48'50"W	39.71
L43	S82°47'11"W	54.22
L44	N30°28'16"W	33.57
L45	S30°20'14"W	46.29
L46	S78°07'22"W	41.80
L47	N74°19'02"W	37.47
L48	N49°16'47"W	20.83



WEST RIGHT-OF-WAY LINE, 9th STREET NORTH  
 9TH STREET NORTH  
 DR. MARTIN LUTHER KING JR. STREET NORTH  
 (STATE ROAD NO. 688)  
 (200 FOOT WIDE PUBLIC RIGHT-OF-WAY)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

**SKETCH OF DESCRIPTION**

-OF-

**PRESERVATION ZONING TO CCS-2 ZONIN**

A PORTION OF LOT 1, BLOCK 1 ROOSEVELT CENTRE REPLAT 5TH ADDITION - PLAT BOOK 89, PAGES 49-51 SECTION 13, TOWNSHIP 30 SOUTH, RANGE 16 EAST

PINELLAS COUNTY FLORIDA

**Dewberry**

**BOWYER SINGLETON**

LAND DEVELOPMENT & TRANSPORTATION ENGINEERING PLANNING | SURVEYING & MAPPING

7220 FINANCIAL WAY SUITE 200 JACKSONVILLE, FLORIDA 32256  
 PHONE: 904.332.8601 FAX: 904.332.8633  
 WWW.DEWBERRY.COM  
 CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

**THE FERBER COMPANY**

DATE: 06/26/2014  
 REV DATE:  
 SCALE: 1"=100'

PROJ: 4FER-J29  
 DRAWN BY: JDH  
 CHECKED BY: JDH

Drawing name: S:\FER\J29-St Pete Roosevelt and MLK\DWG-Land\014FER-J29 SURSKETCH\_PRESERVE ZONING TO CCS-2 AREA 1.dwg DEW desc. & sketch Jun 26, 2014 5:43pm by: Paulick

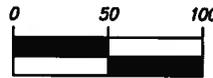
# SITE AREA 7

Zoning: PRES > CCS-2

FLUM: Preservation > PR-C

## LEGEND:

- LINE BREAK
- POINT ON A CURVE
- POINT OF CURVATURE
- POINT OF REVERSE CURVATURE
- POINT OF TANGENCY
- RIGHT OF WAY
- OFFICIAL RECORDS BOOK
- PAGE
- CHANGE IN DIRECTION
- LINE TAG LABEL (SEE TABLE)



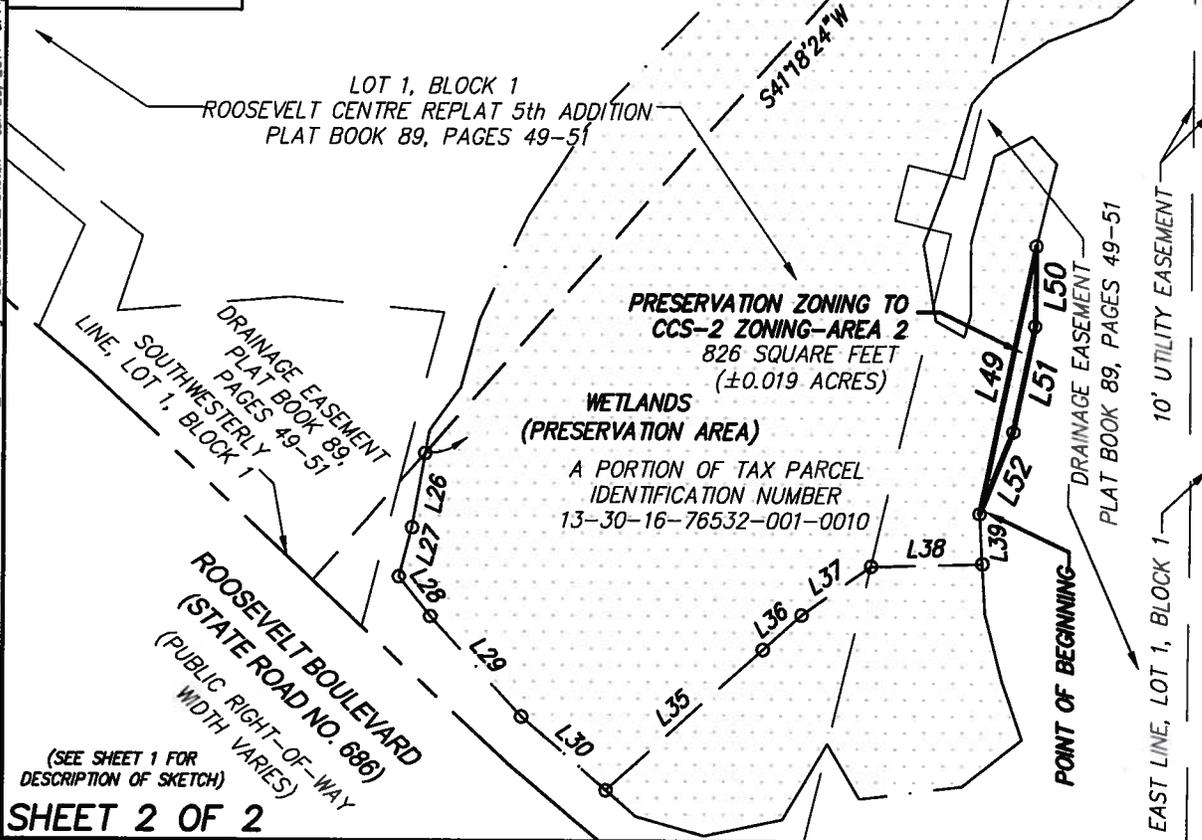
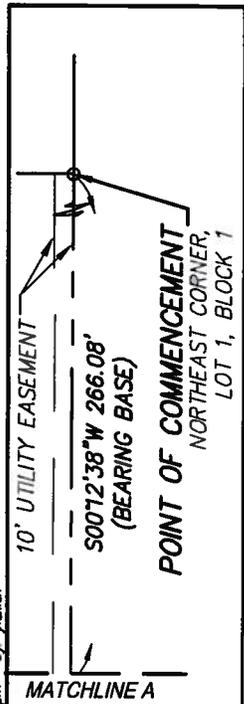
1 INCH = 100 FEET

NORTHWESTERLY LINE, LANDS DEPICTED ON SURVEY PREPARED BY SUNCOAST SURVEYING, INC. PROJECT NUMBER 12004

A PORTION OF TAX PARCEL IDENTIFICATION NUMBER 13-30-16-76532-001-0010

WETLANDS JURISDICTIONAL LINE AS DEPICTED ON SURVEY PREPARED BY SUNCOAST SURVEYING, INC. PROJECT NUMBER 12004

LINE TABLE		
LINE	BEARING	LENGTH
L26	S9°54'26"W	39.63
L27	S14°40'22"W	26.60
L28	S38°49'11"E	26.61
L29	S42°28'43"E	71.01
L30	S49°12'31"E	58.74
L35	N47°59'41"E	110.62
L36	N47°59'41"E	27.05
L37	N54°44'34"E	44.52
L38	N88°21'12"E	58.38
L39	N03°15'41"E	26.26
L49	N11°39'45"E	143.23
L50	S0°31'25"W	41.82
L51	S11°17'06"W	56.64
L52	S22°10'27"W	46.33



SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

### SKETCH OF DESCRIPTION

-OF-

### PRESERVATION ZONING TO CCS-2 ZONING

A PORTION OF LOT 1, BLOCK 1 ROOSEVELT CENTRE REPLAT 5TH ADDITION - PLAT BOOK 89, PAGES 49-51  
SECTION 13, TOWNSHIP 30 SOUTH, RANGE 16 EAST

PINELLAS COUNTY

FLORIDA



## Dewberry



LAND DEVELOPMENT & TRANSPORTATION ENGINEERING  
PLANNING | SURVEYING & MAPPING

7220 FINANCIAL WAY SUITE 200  
JACKSONVILLE, FLORIDA 32256  
PHONE: 904.332.8601 FAX: 904.332.8633  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

THE FERBER COMPANY

DATE: 06/26/2014  
REV DATE:  
SCALE: 1"=100'

PROJ: 4FER-J29  
DRAWN BY: JDH  
CHECKED BY: JDH

Drawing name: S:\4FER\J29-S1 Pete Roosevelt and MLK\DWG-Land\4FER-J29 SURSKETCH-PRESERVE ZONING TO CCS-2 AREA 2.dwg DEW desc. & sketch Jun 28, 2014 5:44pm by jpatil

# SITE AREA 8

Zoning: PRES > PRES

FLUM: Preservation > Preservation

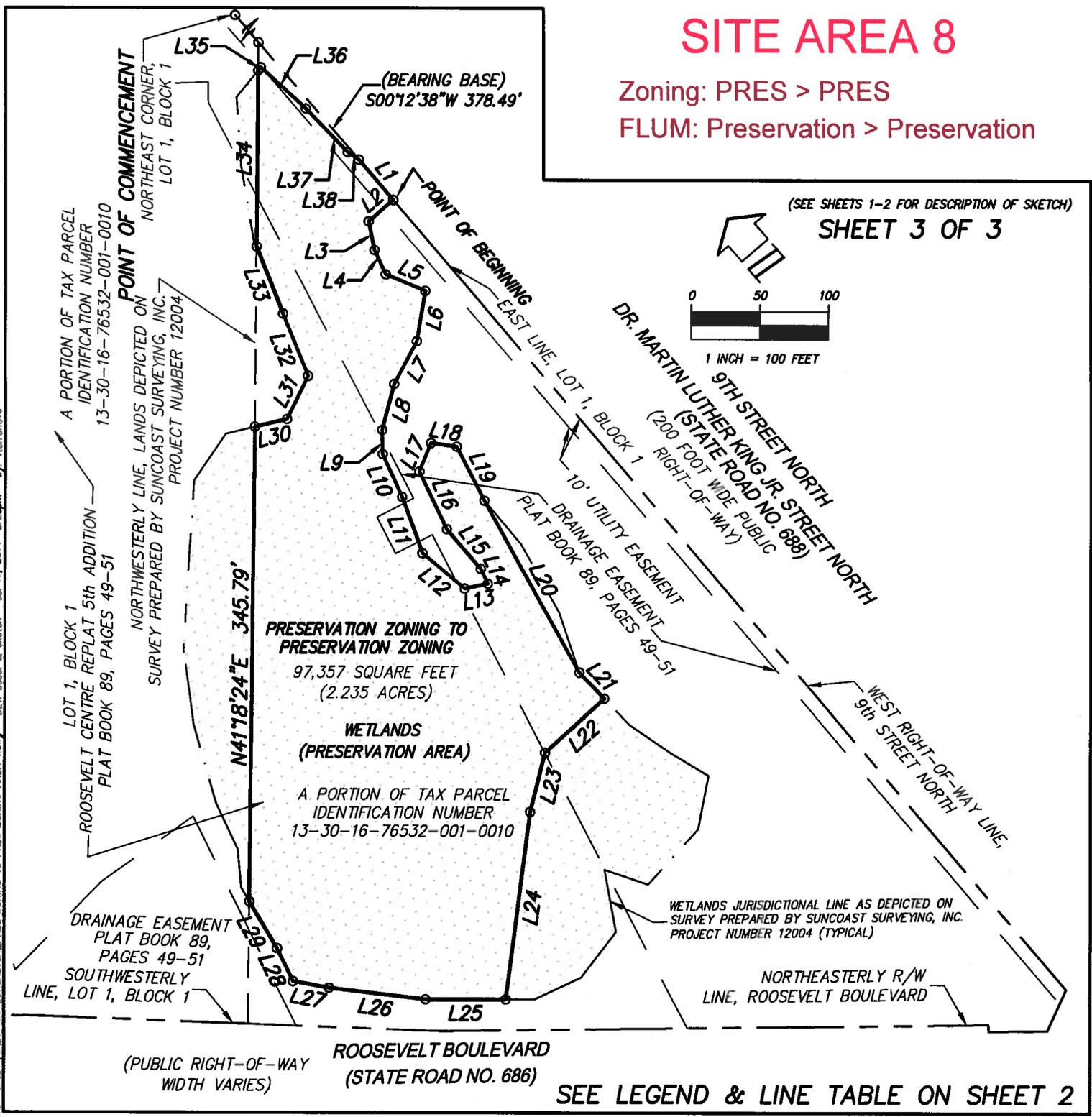
(SEE SHEETS 1-2 FOR DESCRIPTION OF SKETCH)

SHEET 3 OF 3



1 INCH = 100 FEET

Drawing name: S:\FER\J29-St Pete Roosevelt and MLK\DWG-Land\4FER-J29 SURSKETCH\_PRES ZONING TO PRES ZONING AREA 1.dwg DEW desc. & sketch Jul 17, 2014 3:28pm by: hterronova



SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

**SKETCH OF DESCRIPTION**  
-OF-  
**PRESERVATION ZONING**

A PORTION OF LOT 1, BLOCK 1 ROOSEVELT CENTRE  
REPLAT 5th ADDITION - PLAT BOOK 89, PAGES 49-51  
SECTION 13, TOWNSHIP 30 SOUTH, RANGE 18 EAST

PINELLAS COUNTY FLORIDA

**Dewberry**

**BOWYER SINGLETON**

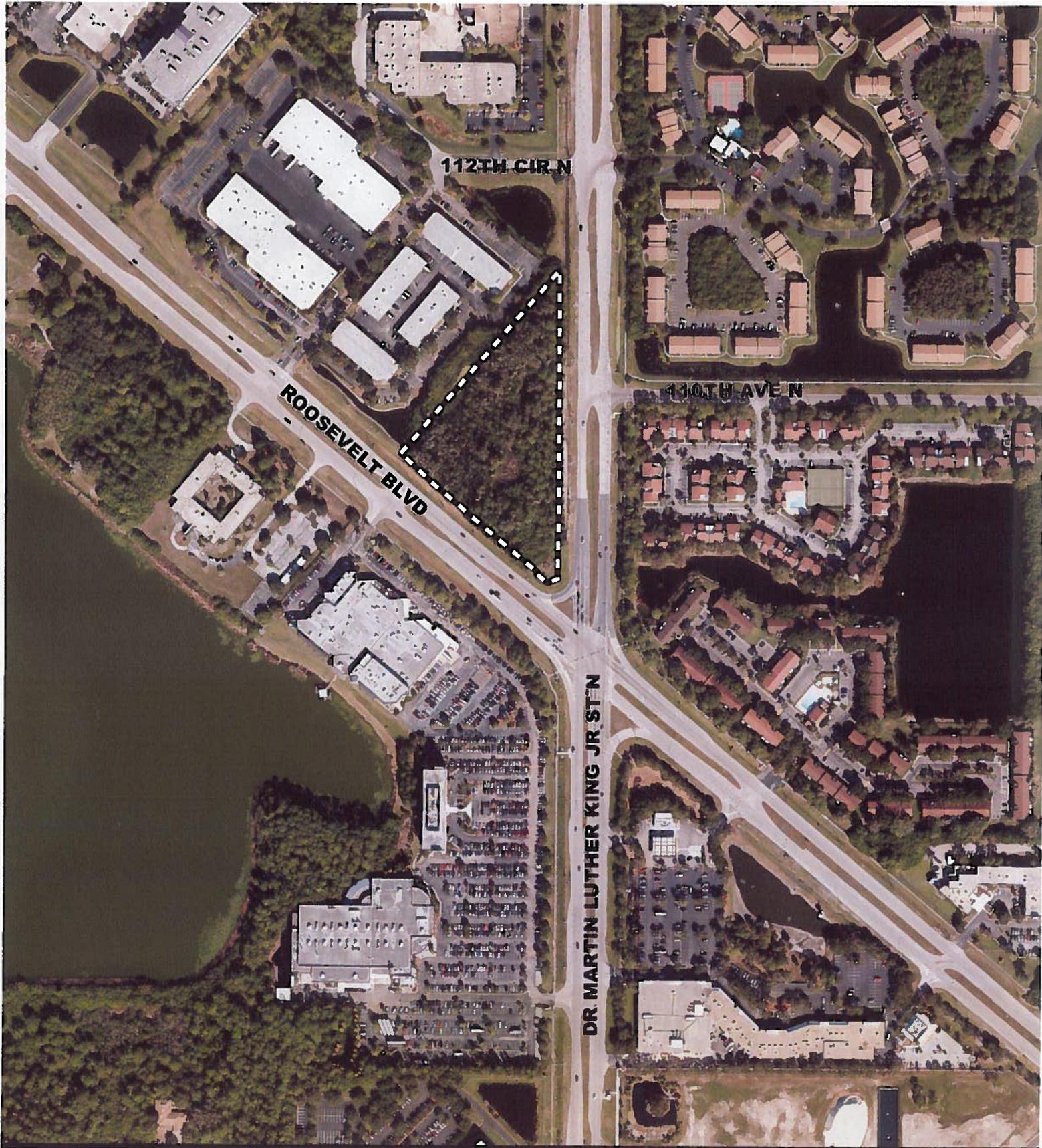
LAND DEVELOPMENT &  
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PHONE: 904.332.8601 FAX: 904.332.8633  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:  
**THE FERBER COMPANY**

DATE: 07/17/14  
REV DATE:  
SCALE: 1"=100'

PROJ: 4FER-J29  
DRAWN BY: JDH  
CHECKED BY: JDH



**AERIAL**

CITY FILE

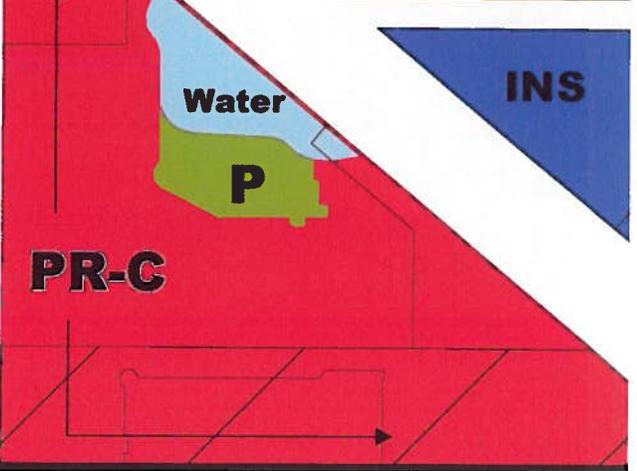
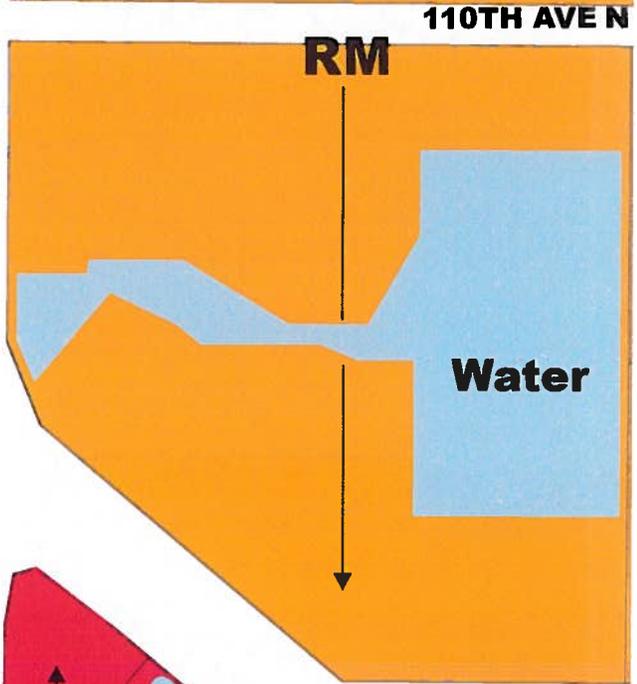
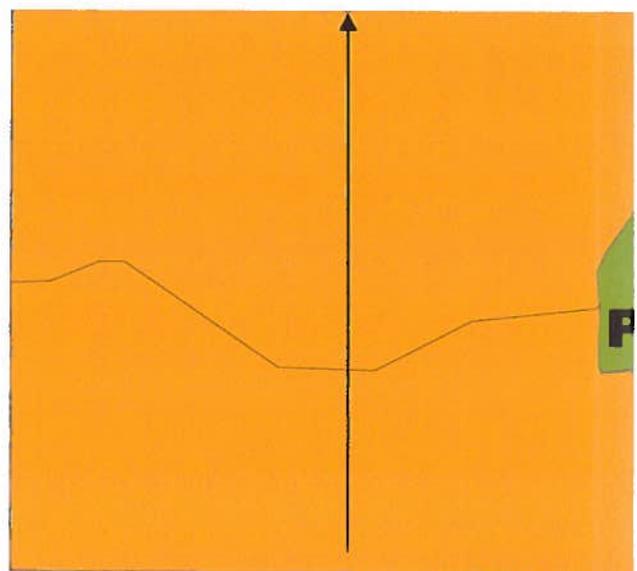
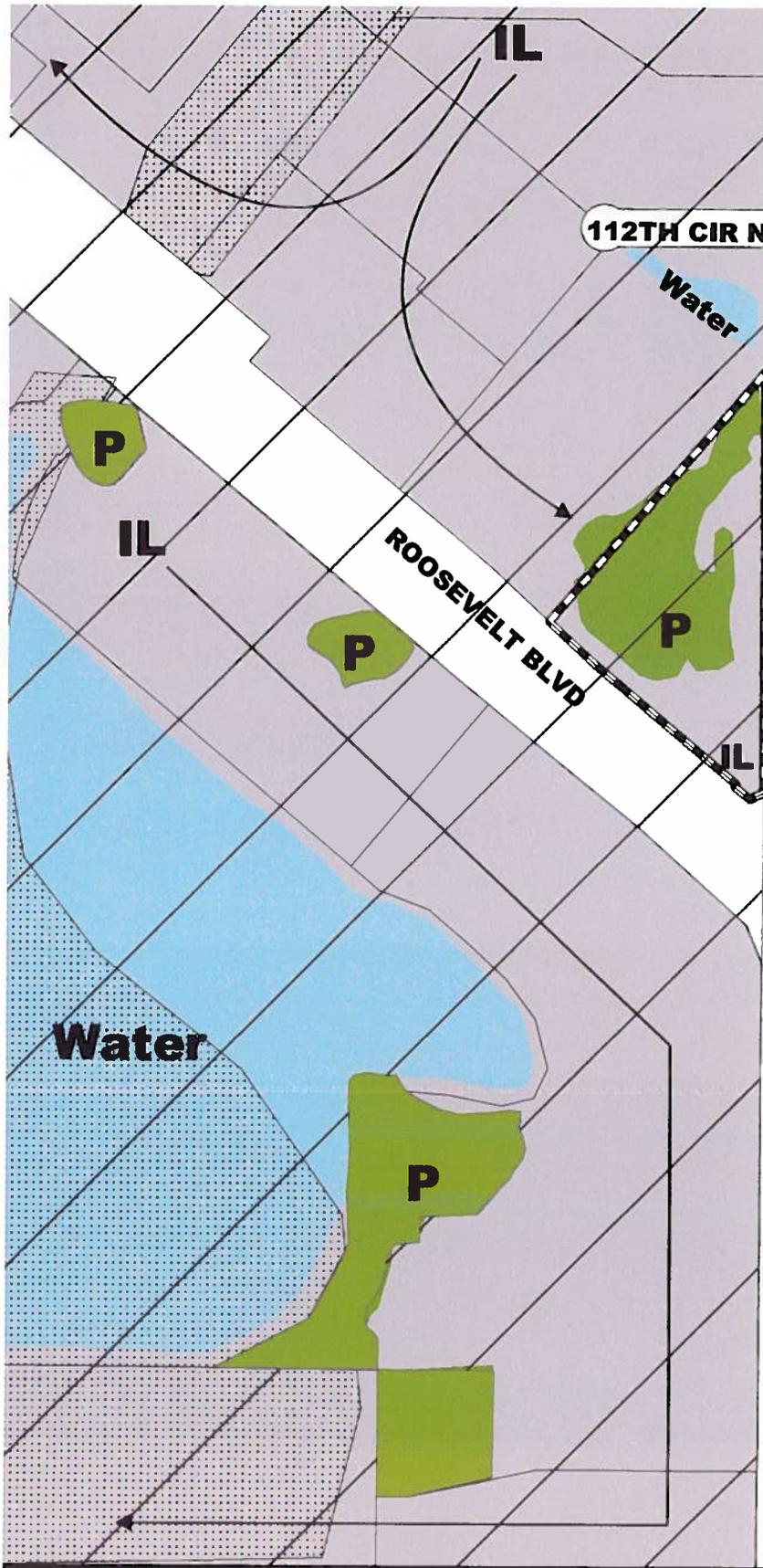
**FLUM-20**

SCALE: 1" = 375'



SUBJECT AREA





### LAND USE PLAN DESIGNATION

CITY FILE  
**FLUM-20**  
 SCALE: 1" = 375'

**From: IL**  
**(Industrial Limited**  
**-Activity Center)**

**To: PR-C**  
**(Planned Redevelopment Commercial**  
**-Activity Center)**



SUBJECT AREA

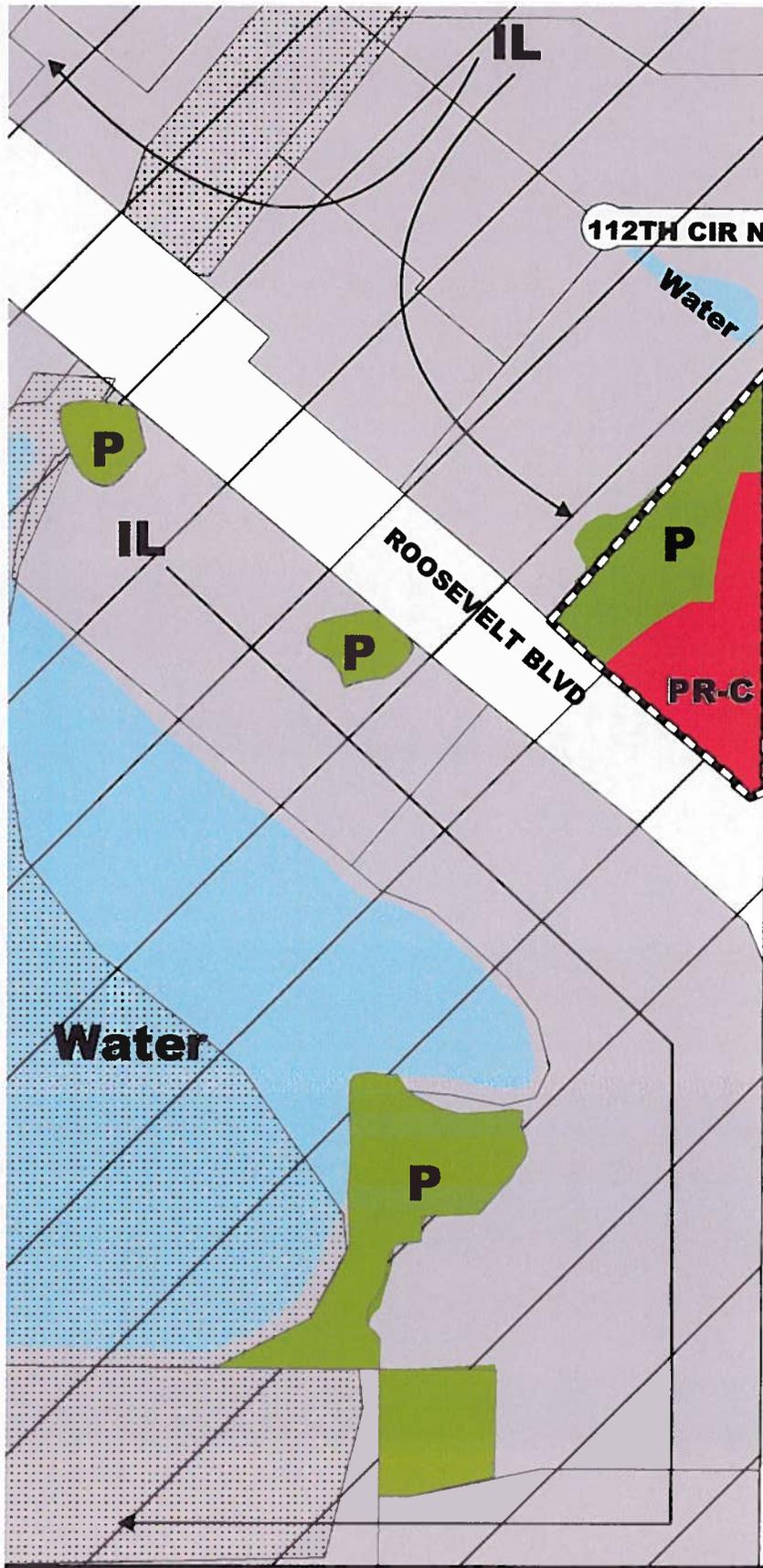


ACTIVITY CENTER

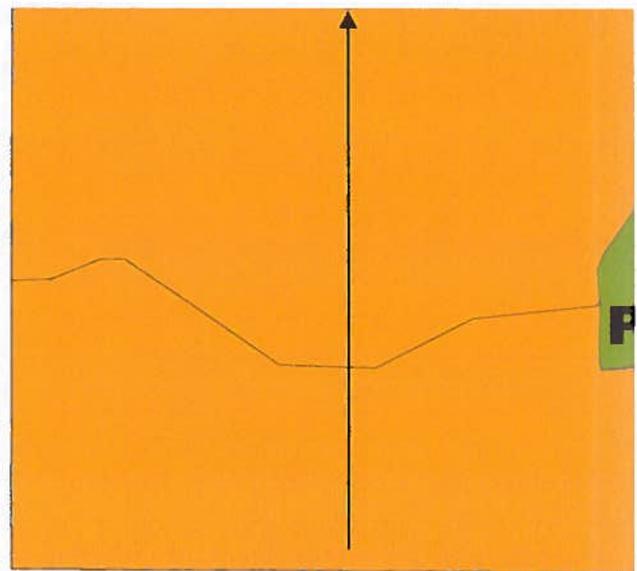


DRAINAGE FEATURES

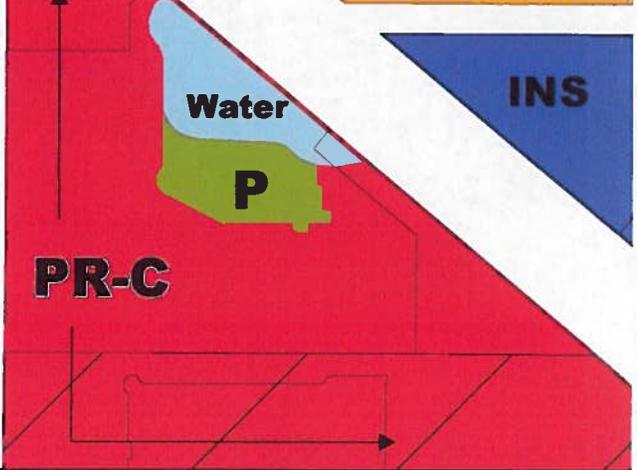
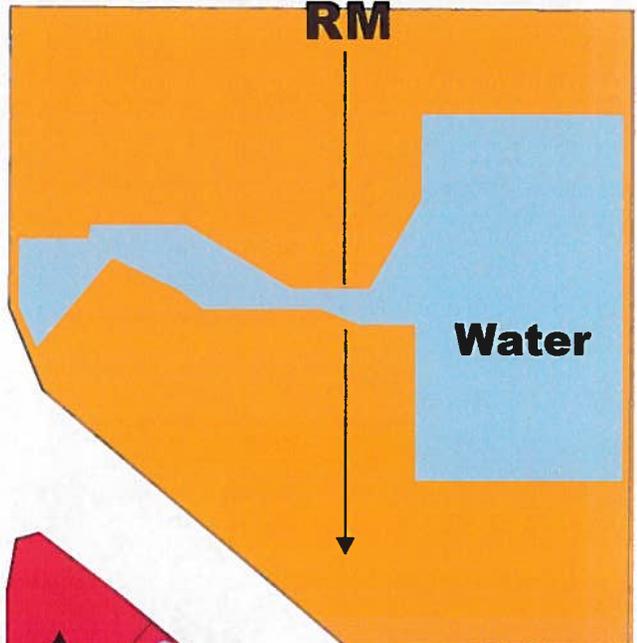




DR MARTIN LUTHER KING JR ST N



110TH AVE N



**PROPOSED LAND USE PLAN DESIGNATION**

CITY FILE

**FLUM-20**

SCALE: 1" = 375'

To: **PR-C**

**(Planned Redevelopment Commercial  
-Activity Center)**



SUBJECT AREA

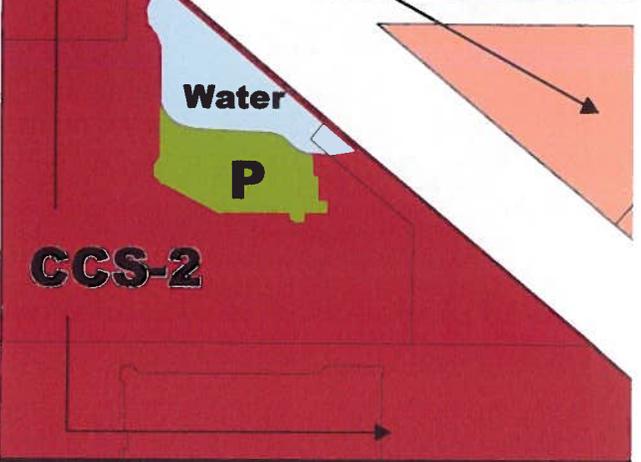
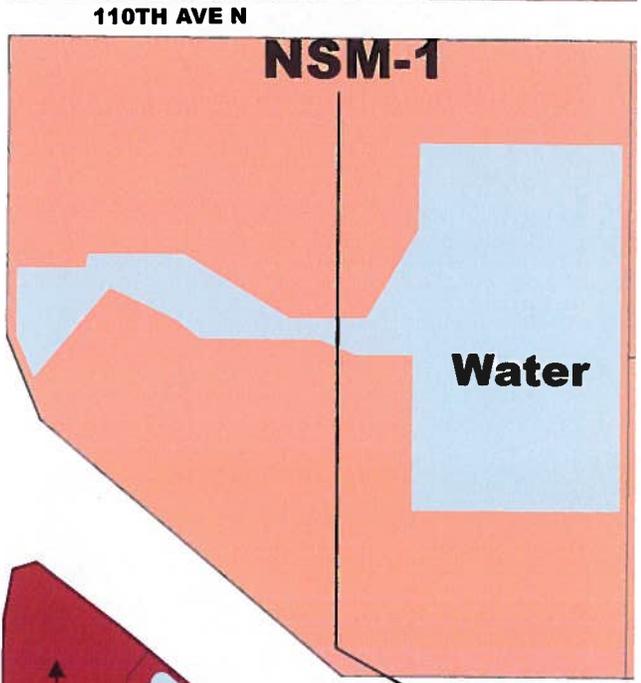
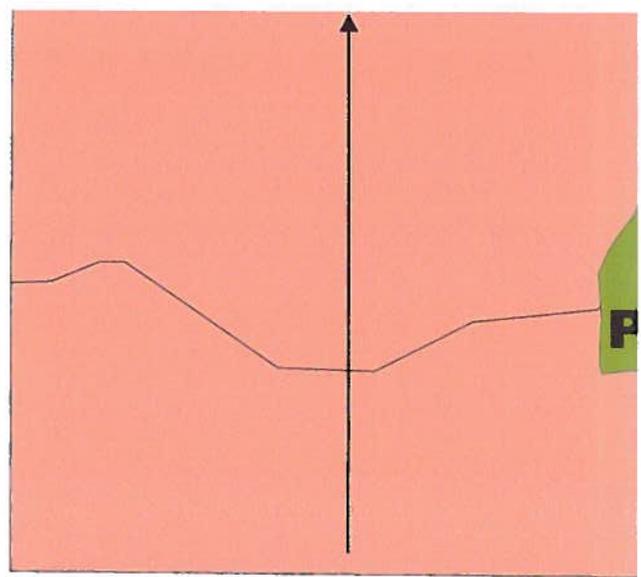
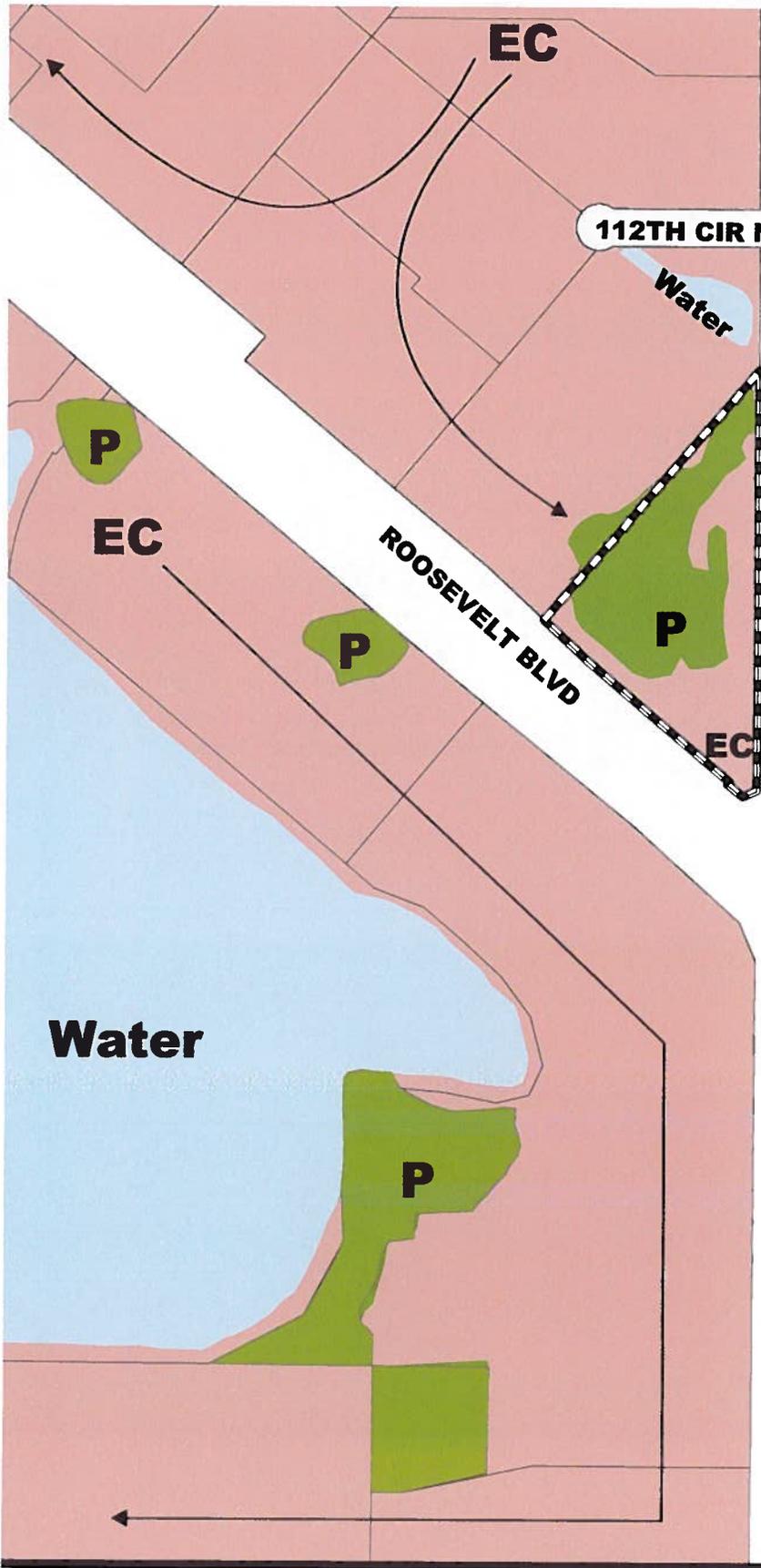


ACTIVITY CENTER



DRAINAGE FEATURES





DR MARTIN LUTHER KING JR ST N

**EXISTING ZONING**

CITY FILE
<b>FLUM-20</b>
SCALE: 1" = 375'

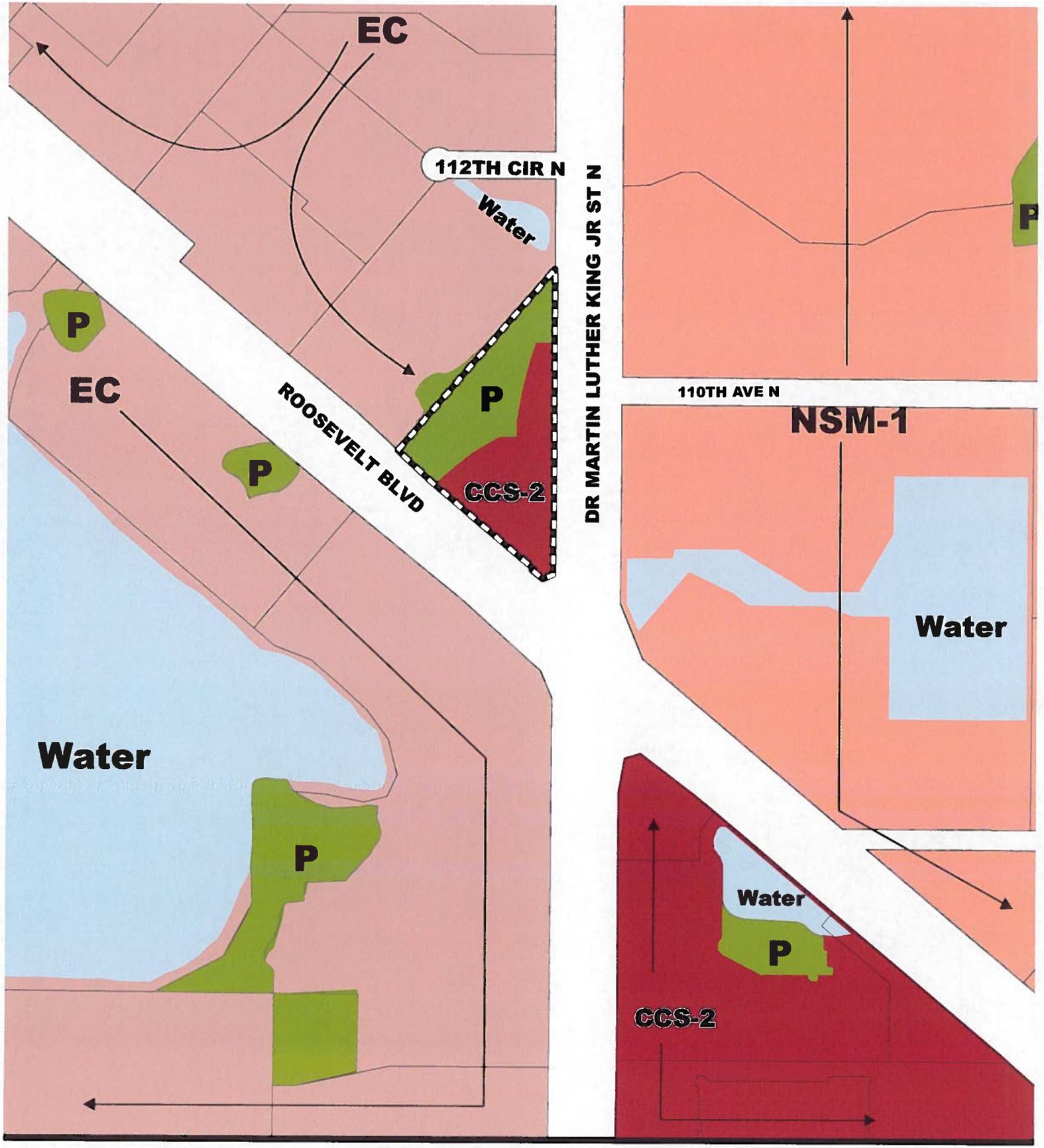
**From: EC**  
**(Employment Center)**

**To: CCS-2**  
**(Corridor Commercial Suburban)**



SUBJECT AREA





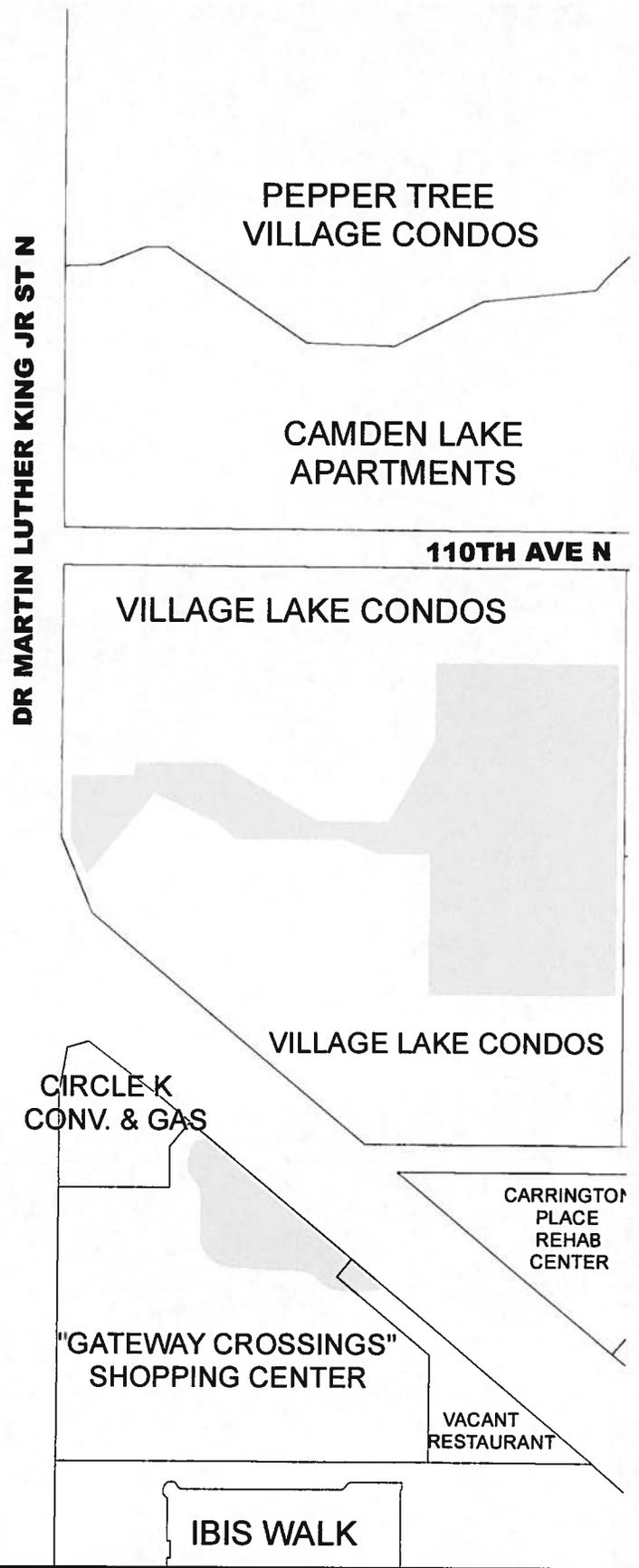
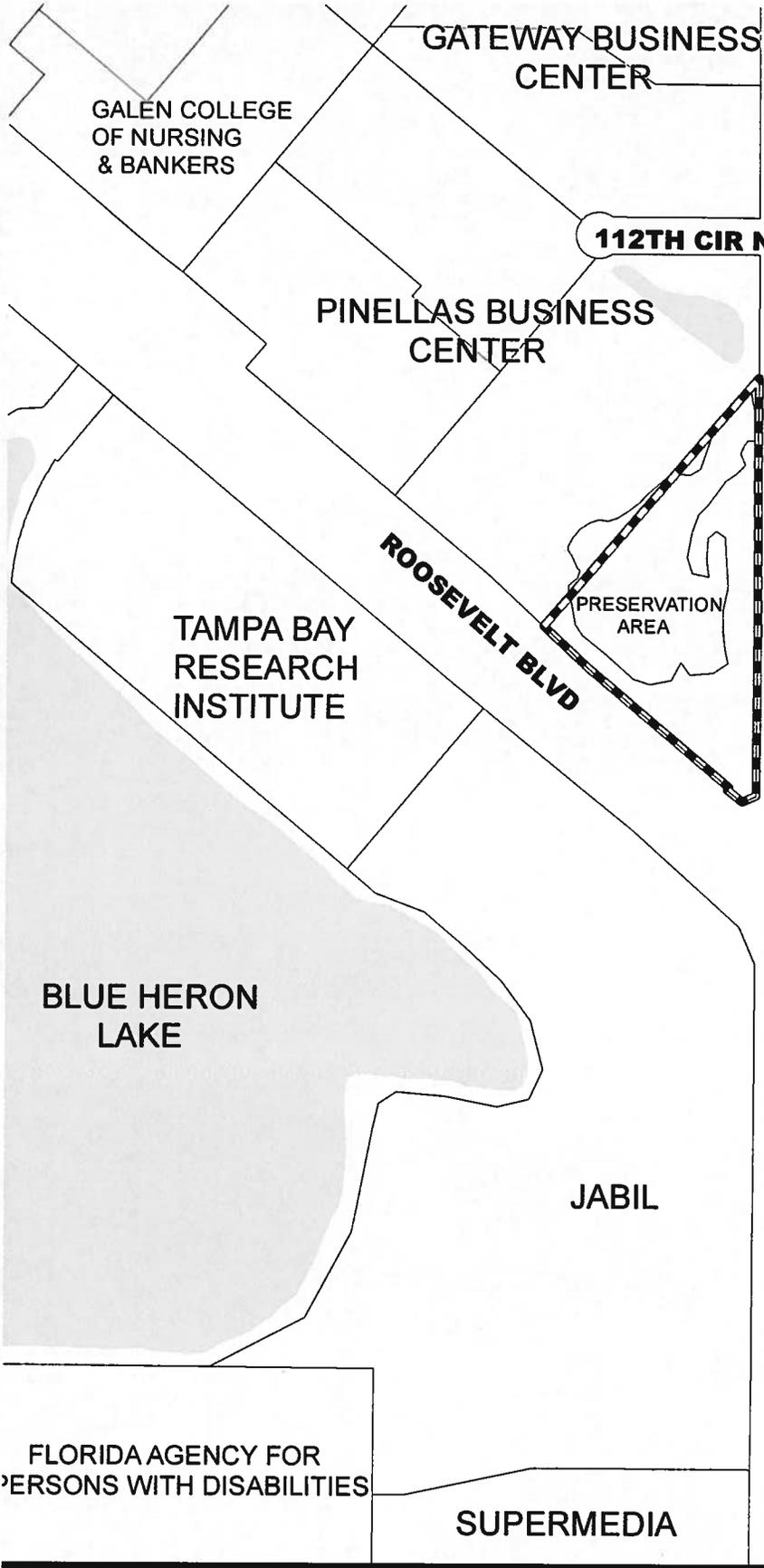
**PROPOSED ZONING**

CITY FILE
<b>FLUM-20</b>
SCALE: 1" = 375'

**To: CCS-2  
(Corridor Commercial Suburban)**

 SUBJECT AREA





**EXISTING SURROUNDING USES**

CITY FILE
<b>FLUM-20</b>
SCALE: 1" = 375'





**CITY OF ST. PETERSBURG  
COMMUNITY PLANNING & PRESERVATION COMMISSION  
PUBLIC HEARING**

**Council Chambers  
City Hall**

**June 10, 2014  
Tuesday, 3:00 p.m.**

*Approved as written 7/8/14*

**MINUTES**

**Present:** Robert "Bob" Carter, Chair  
Jeffery "Jeff" M. Wolf, Vice Chair  
Will Michaels  
Lisa Wannemacher  
Jeff Rogo, Alternate  
Arnett Smith, Jr., Alternate  
Thomas "Tom" Whiteman, Alternate

**Commissioners Absent:** Ed Montanari<sup>1</sup>  
Gwendolyn "Gwen" Reese<sup>1</sup> *<sup>1</sup>excused*

**Staff Present:** Derek Kilborn, Manager, Urban Planning, Design & Historic Preservation  
Aimee Angel, Planner, Urban Planning, Design & Historic Preservation  
Michael Dema, Assistant City Attorney, Legal  
Vicky Davidson, Administrative Assistant, Planning & Economic Development

The public hearing was called to order at 3:03 p.m., a quorum was present.

**I. OPENING REMARKS OF CHAIR**

**II. ROLL CALL**

**III. MINUTES**

The minutes from May 13, 2014 meeting were approved as written by a consensus vote.

**IV. PUBLIC COMMENTS**

No public comments made.

**V. QUASI-JUDICIAL PUBLIC HEARINGS**

**B. FLUM-20**

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

**Location:** The subject property, estimated to be 5.1 acres in size, is vacant land generally located on the northwest corner of Dr. Martin Luther King Jr. Street North and Roosevelt Blvd.

**Request:**

- For 2.02 acres, amend the Future Land Use Map designation from Industrial Limited (Activity Center) to Planned Redevelopment Commercial (Activity Center) and the Official Zoning Map designation from EC (Employment Center) to CCS-2 (Corridor Commercial Suburban), or other less intensive use.
- For 0.42 acres, amend the Future Land Use Map designation from Industrial Limited (Activity Center) to Preservation and the Official Zoning Map designation from EC (Employment Center) to PRES (Preservation), or other less intensive use.
- For 0.42 acres, amend the Future Land Use Map designation from Preservation to Planned Redevelopment Commercial (Activity Center) and the Official Zoning Map designation from PRES (Preservation) to CCS-2 (Corridor Commercial Suburban), or other less intensive use.

**Staff Presentation**

Derek Kilborn gave a PowerPoint presentation based on the staff report.

**Applicant Presentation**

David Singer with Singer & O'Donniley gave a PowerPoint presentation in support of the request.

**Public Hearing**

Dr. Margaret Hewitt, 880 S. Village Dr N, #105, spoke in opposition of the request. She is concerned about the impact to the preservation area and migrating birds along with the increase of traffic.

**Cross Examination**

By City Administration:  
Waived

By Applicant:  
Waived

**Rebuttal**

By City Administration:  
Waived

By Applicant:

Waived

### Executive Session

Commissioner Wolf stated that the re-allocation of the preservation area looks good on paper but is unsure of the effect it would have on the existing elements that are being preserved by the existing designation and asked for additional information. Mr. Singer stated that the area of square footage does not change; what would be taken out would be replaced. Mr. Singer then stated that Martin Armstrong, their environmental engineer with Armstrong Environmental Services is here to address the specific changes.

Mr. Kilborn stated that any application to amend or encroach into what is currently permitted as a wetland delineated area would require the applicant to go through the process to have those permits amended and

updated accordingly, so a rezoning approval by itself does not grant any authority to encroach into the wetland delineated area for development or site modification.

Mr. Martin Armstrong stated that the preservation area seen on the map was determined about 2 ½ years ago from doing a wetland delineation pursuant to SWFWMD's rules and regulations and have obtained a Jurisdictional Declaratory Statement from SWFWMD. The irregular boundary line of the preservation area was due to the inclusion of a couple of areas that were dug to be stormwater treatment ponds when the main part of the business park was developed in the 1980s and they are now trying to make it a workable area for development as well as enhance the wetland by clearing out the nuisance species.

Commission Chair Carter asked what portion of the subject site had been dug for drainage and not part of the preservation area. Mr. Martin replied that most of the area they are proposing to fill for development, about 0.29 acres, had been dug enhancing a stormwater pond along with another area where the "finger is located." These two areas were not originally wetland but has since become wetland.

Commissioner Michaels asked about the bird nesting concern. Mr. Martin stated that he has been through the wetland many times and have not seen any nests per se in the wetland and believes the wading bird habitat will be improved with the removal of the nuisance species.

Commissioner Wannemacher asked if a wildlife or protected species survey had been done and, if so, what were the results. Mr. Martin stated that a survey was done and that no protected species are currently using the habitat.

Commissioner Rogo asked about the factor causing staff's recommendation to change from the previous application submitted in 2012. Mr. Kilborn stated that because the subject site is an Industrial Limited property that is physically detached from the adjacent industrial park and because the property is less than five acres in size; the Countywide Plan Rules enable the location of retail uses at this particular site. Mr. Kilborn went on to say that this is a unique case where in this instance the interpretation of an accessory use at the City level is stricter than at the County level.

Mr. Kilborn also explained that when looking at environmentally sensitive properties, wetland delineated boundaries are necessary for permitting purposes; however, the City also has a preservation zoning district

of the subject site that has a delineated wetland boundary will have some preservation zoning beyond that extending out to the property lines and any development proposal received by the City for this site will have to go through the local and state permitting process for any encroachment into the delineated wetland boundary. Secondly, they will have to comply with the site and mitigation requirements of the preservation zoning district.

Commissioner Wolf asked who enforces the provisions and determines the boundaries when going through the permitting process for the delineated wetland boundary. Mr. Kilborn replied primarily the Southwest Florida Water Management District. Mr. Martin stated that a permit will need to be obtained from SWFWMD as well as from the Army Corp of Engineers to fill in the wetlands. Mr. Dema added that there is a City review, as well. Mr. Martin went on to say that their idea is to purchase mitigation credits from the Tampa Bay Mitigation Bank for the 0.29 acres of fill that will be placed in the wetland for the development. The nuisance species removal in the remaining preservation area is separate and does not require permitting.

Commissioner Wannemacher pointed out that approving this request will provide employment where there has been none for the past 30 years even though the current zoning is Employment Center. The reports from the experts were very compelling in terms of how they have tried to sell/market the site and she feels that the problem is due largely to the current zoning designation. Commissioner Wannemacher stated that she will be voting in favor of the request.

Mr. Dema cited, as a point of information regarding wetlands mitigation, a provision in the City Code 16.20.160.11, Subsection 4: "The wetland must be destroyed in such a manner that it may never return to its natural condition or size; for example, when a bridge is built. A new wetland of similar potential productivity shall be created within the immediate area to mitigate the loss. Mitigation area shall be at least two to one ratio of the land area affected."

Commissioner Rogo asked if the current owner of the subject site, The Pinellas Business Center, is the original owner. Mr. Singer replied that he believes the answer is yes and believes Mr. Dunholtz is in full support of this change.

Commissioner Smith asked how the high traffic area as well as the ingress and egress of the site will be handled if this request is approved. Mr. Kilborn stated that as part of any site plan application received by the City, the necessary permits are required from the regulating agencies along each of those roadways; showing access points to the site and meeting all of the minimum standards per the FDOT along Roosevelt Blvd. and the Pinellas County Engineering Dept. along Dr. Martin Luther King Jr. St N. Mr. Singer added that on page 14 of the staff report talks about the existing conditions and then read the following excerpt: "The entire City is designated as a transportation concurrency exception area. Regardless of this fact, the proposed FLUM change rezoning proposal commercial development is not expected to degrade existing levels of service on Roosevelt Blvd. and Dr. Martin Luther King Jr. St N due to excess roadway capacity available on these streets to accommodate new trips." Further up the page of the staff report it states that the total number of new trips expected to generate from a retail use on the subject site is 48 per day, a very small number when talking about traffic impact.

Commissioner Wolf stated his understanding of the City's concern with maintaining industrial land; however, the staff report addresses those concerns primarily based on the small size of the site as well as the marketing attempt. Commissioner Wolf went on to say that he is not as concerned about the zoning change because the

subject site probably will not be functional for an industrial site due to the small size but is more concerned about the environmental aspect.

Mr. Kilborn pointed out for accuracy in the record regarding traffic counts, it is 48 PM peak hour trips which is not the total for the day as stated earlier by the applicant.

Commissioner Whiteman asked if this was in addition to what the current store in the other location draws. Mr. Kilborn stated that the formulas are based on what is the current Future Land Use classification versus the proposed Future Land Use classification, and not based on comparisons to another same type of business across the street.

Commissioner Wolf pointed out that what would have to be done to limit access across a divided highway may have a greater impact on traffic flow than additional trips; however, the Commission's purview is zoning, not a site plan review.

**MOTION:** *Commissioner Wolf moved and Commissioner Michaels seconded a motion finding the requested amendment for 2.02 acres to the Future Land Use Map designation from Industrial Limited (Activity Center) to Planned Redevelopment Commercial (Activity Center) and to the Official Zoning Map designation from EC (Employment General) to CCS-2 (Corridor Commercial Suburban), or other less intensive use consistent with the Comprehensive Plan in accordance with the staff report.*

**VOTE:** *YES – Michaels, Wannemacher, Wolf, Carter, Rogo, Smith, Whiteman  
NO - None*

*Motion was approved by a vote 7 to 0.*

**MOTION:** *Commissioner Wolf moved and Commissioner Michaels seconded a motion finding the requested amendment for 0.42 acres to the Future Land Use Map designation from Industrial Limited (Activity Center) to Preservation and to the Official Zoning Map designation from EC (Employment General) PRES (Preservation), or other less intensive use; and for 0.42 acres to the Future Land Use Map designation from Preservation to Planned Redevelopment Commercial (Activity Center) and to the Official Zoning Map designation from PRES (Preservation) to CCS-2 (Corridor Commercial Suburban), or other less intensive use consistent with the Comprehensive Plan in accordance with the staff report.*

**VOTE:** *YES – Michaels, Wannemacher, Wolf, Carter, Rogo, Smith, Whiteman  
NO - None*

*Motion was approved by a vote 7 to 0.*



**Staff Report to the St. Petersburg  
Community Planning and Preservation Commission**

Prepared by the Planning & Economic Development Department,  
Urban Planning & Historic Preservation Division

For Public Hearing and Executive Action on June 10, 2014  
at 3:00 p.m., in the City Council Chambers, City Hall,  
175 Fifth Street North, St. Petersburg, Florida.

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**City File: FLUM-20**

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According to Department records, no CPPC members reside or have a place of business located within 2,000 feet of the subject property. All other possible conflicts should be declared upon announcement of the item.

**APPLICANT /  
PROPERTY OWNER**

Denholtz Associates  
14 Cliffwood Avenue, Suite 200  
Matawan, New Jersey 07747

**CO-APPLICANT /  
PROPERTY OWNER**

Ferber Company – Roosevelt, LLC  
100 2<sup>nd</sup> Avenue South, Suite 705-S  
St. Petersburg, Florida 33701

**AUTHORIZED  
REPRESENTATIVE:**

Singer & O'Donniley, P.A.  
712 South Oregon Avenue, Suite 200  
Tampa, Florida 33606

**SIZE/LOCATION:**

The subject property, estimated to be 5.1 acres in size, is vacant land generally located on the northwest corner of Dr. Martin Luther King Jr. Street North and Roosevelt Boulevard. The subject property includes Preservation Area N-69.

**PIN/LEGAL:**

The subject property is a portion of parcel 13-30-16-76532-001-0010. The legal description is attached.

**REQUEST:**

The subject property is currently designated as follows:

- 2.44 acres on the Future Land Use Map as Industrial Limited (Activity Center) and the Official Zoning Map as EC (Employment Center)
- 2.66 acres on the Future Land Use Map as Preservation and the Official Zoning Map as PRES (Preservation).

The application is requesting the following amendments:

- For 2.02 acres, amend the Future Land Use Map designation from Industrial Limited (Activity Center) to Planned Redevelopment - Commercial (Activity Center) and the Official Zoning Map designation from EC (Employment Center) to CCS-2 (Corridor Commercial Suburban), or other less intensive use.
- For 0.42 acres, amend the Future Land Use Map designation from Industrial Limited (Activity Center) to Preservation and the Official Zoning Map designation from EC (Employment Center) to PRES (Preservation), or other less intensive use.
- For 0.42 acres, amend the Future Land Use Map designation from Preservation to Planned Redevelopment - Commercial (Activity Center) and the Official Zoning Map designation from PRES (Preservation) to CCS-2 (Corridor Commercial Suburban), or other less intensive use.

**PURPOSE:**

The applicant states that the request seeks to allow a retail use (Walgreens Drug Store) that is commonly found at the intersection of two arterial roadways, and that the use can be supported by those roadways. The applicant further states that the retail use will have a demand from the users in the immediate area and that it is commonly associated with the surrounding office uses. The applicant indicates that the site is expected to meet and address all environmental concerns.

**EXISTING USE:**

The subject property is vacant, including approximately 2.66 acres of preservation land.

**SURROUNDING USES:**

*North:* Business/corporate park industrial and office uses  
*South:* Corporate headquarters for Jabil Circuit, and retail businesses (Gateway Crossing Shopping Center and Ibis Walk to the southeast)  
*East:* Village Lakes Condominiums  
*West:* Pinellas Business Center (office buildings)

**ZONING HISTORY:**

The present EC zoning designation has been in place since September 2007, following the implementation of the City's Vision 2020 Plan, the Citywide rezoning and update of the Land Development Regulations (LDRs). Prior to 2007, the subject property was designated with IP (Industrial Park) and IP-PRES (Industrial Park-Preservation) zoning.

**DEVELOPMENT POTENTIAL:**

The subject site is approximately 5.1 acres, or 222,320 sq. ft. in size:

- *Current Zoning.* The development potential for 2.44 acres or 106,515 sq. ft. of land designated EC, providing all other district regulations are met is 145,926 sq. ft. of industrial or corporate office space calculated at a floor-area-ratio of 1.37, which reflects the activity center designation.
- *Proposed Zoning.* The development potential for 2.44 acres or 106,515 sq. ft. of land designated CCS-2, providing all other district regulations are met, is 146 residential units calculated at a density of 60 units per acre, which reflects the activity center designation; 119,297 sq. ft. of non-residential space calculated at a floor-area-ratio of 1.12, which

reflects the activity center designation; or a mix of these uses. The CCS-2 regulations also provide a workforce housing density bonus of ten (10) units per acre.

- With regard to the preservation zoning on approximately 2.66 acres or 115,805 sq. ft. of the subject property, the City Code states that development, alteration, or improvement within a preservation area shall not exceed a floor-area-ratio (FAR) of 0.05 and an impervious surface ratio (ISR) of 0.10, and if developed, altered or improved, the remaining area must be left in its natural state. Thus, the “development potential” for the subject preservation area is approximately 5,790 sq. ft. of floor area.

### **SPECIAL INFORMATION:**

The subject property is located within the Gateway Activity Center and the Gateway Areawide Development of Regional Impact (GADRI), described in more detail below. The property is not located within the boundaries of a formal neighborhood association:

- On July 20, 2012 the Community Preservation Commission\* (CPC) conducted a public hearing pertaining to an appeal of the City Zoning Official’s determination that a proposed freestanding retail store with a pharmacy did not meet the standards for an “accessory use” within the EC (Employment Center) zoning district (Case No. 12-53000003). The appeal was denied by a unanimous vote of the CPC (7 to 0).
  - Subsequent to the CPC’s decision, an application was filed to amend the Future Land Use Map designation from Industrial Limited (Activity Center) to Planned Redevelopment Mixed-Use (Activity Center) and the Official Zoning Map designation from EC (Employment Center) to CCS-1 (Corridor Commercial Suburban). Following consideration and disagreement among City staff, the final staff recommendation was to deny the requested amendments.
  - On August 14, 2012, prior to the conclusion of the Planning & Visioning Commission\* (PVC) public hearing, the applicant withdrew the request to amend the Future Land Use Map designation from Industrial Limited (Activity Center) to Planned Redevelopment Mixed-Use (Activity Center) and the Official Zoning Map designation from EC (Employment Center) to CCS-1 (Corridor Commercial Suburban) pertaining to the subject 2.44 acres (City File FLUM-15).
  - On September 27, 2012, the applicant submitted additional material in support of the application. The material was reorganized as City File FLUM-16.
  - On November 13, 2012, the PVC held a public hearing and voted 3-to-2 in favor of a motion to recommend approval of the applicant’s request. **The motion failed however because it did not receive the required minimum of four (4) supporting votes (Section 16.80.040.3, City Code).**
  - The applicant appealed the PVC determination to the City Council. On December 20, 2012 the City Council conducted the first reading of the proposed ordinances. On January 24, 2013, the City Council voted 4-to-4 in favor of a motion to approve the appeal and overturn the Planning and Visioning Commission’s denial of the applicant’s request. **The motion failed however because it did not receive the required minimum of six (6) supporting votes (Section 16.70.010.6(J)(5), City Code).**
- \* *The Planning and Visioning Commission has since been merged with the Community Preservation Commission thereby forming the Community Planning and Preservation Commission (CPPC).*

## STAFF ANALYSIS:

The 5.1 acre subject property is a remnant of a 23.5 acre site originally developed with industrial and corporate office space in the mid-1980s, known then as the McCormick Center (City File SE-804). The project was described as a “very high quality, attractive development...with nearly three acres in preservation area and another three acres in setbacks and green area.” A new building was added to the McCormick Center in 1991, bringing the total square footage of the business park to approximately 200,000 sq. ft. (City File SE-804-D). There are no definitive statements in the files, but it is (arguably) likely that the subject area had been left undeveloped because of the existence of the wetland (Preservation Area N-69), and perhaps because (arguably) it served as a nature amenity for the business park employees, clients and visitors, as well as a natural buffer between the office buildings and the busy intersection of Dr. Martin Luther King Jr. Street North and Roosevelt Boulevard. Based on recent engineering and environmental analysis, it has been determined that while there are approximately 2.66 acres of preservation area there is another 2.44 acres of buildable land in the subject area.

### Existing Considerations

The subject property has a Future Land Use Map designation of Industrial Limited (Activity Center) and Official Zoning Map designation of EC (Employment Center). Pursuant to the Countywide Plan Rules, Section 2.3.3.6.1, *Retail Commercial* is allowed as a “secondary” use; pursuant to the City of St. Petersburg City Code, Section 16.10.020.1, *Retail Sales and Service* is allowed as an “accessory” use.

According to the Countywide Plan Rules, the proposed retail use is consistent with the existing Future Land Use Map designation and requires no change. Specifically, *Retail Commercial* is consistent with the Countywide Plan Rules, Section 2.3.3.6.1, which states that the retail use is allowed on Industrial Limited properties not to exceed a maximum land area of five (5) acres. The buildable area of the subject property measures only 2.44 acres.

According to the City of St. Petersburg City Code, the proposed retail use is allowed as an accessory use that has a direct and identifiable relationship to a principal use, for e.g. a t-shirt manufacturer who produces the textile product on-site and then sells a percentage of the inventory through a small, accessory storefront. The proposed retail pharmacy has no direct and identifiable relationship to any other businesses located within the adjacent industrial business park. Despite conditional authorization for retail uses under the current regulations, the applicant’s proposal does not meet the City’s definition for an accessory use. The distinction is the basis for submission of this rezoning application.

### Preservation Area N-69

The City file for Preservation Area N-69 contains copies of the previously referenced staff reports related to special exception site plan applications processed between May 1984 and May 1991 (associated with the adjacent office development). The file also contains a dredge & fill permit application and an aerial photo with preservation lines drawn in 1984, which appear similar to the present Preservation zoning boundary. Several of the staff reports make note of the need to preserve the pine canopy and upland pine flatwoods in certain areas, while a request to modify the existing preservation area (City File SE-804-C) was approved, which included the placement of a stormwater detention pond in the preservation area and the expansion and replanting of the wetland in an area occupied by pine flatwoods. In summary, Preservation Area N-69 has been impacted by the adjacent office development over the years, however, pursuant to the City Code, the impacts have been off-set with mitigation and related reconstruction of the wetland area.

The language for the City Council ordinances will require a wetland mitigation plan as a condition of any future site development proposal. The 2.66 acres of preservation area contain a large population of mature punk trees (*Melaleuca quinquenervia*), and the designated wetland is surrounded by a dense growth of Brazilian pepper (*Schinus terebinthifolius*) in the upland buffer zone. Both of these species are considered Category 1 on the 2013 Invasive Plant Species List by the Florida Exotic Pest Plant Council (FLEPPC).

The current site plan requires impacting approximately .42 acres of the wetland habitat. Although the wetland mitigation plan has not been finalized or submitted to the Southwest Florida Water Management District (SWFWMD), the US Army Corps of Engineers (ACOE) or the City of St. Petersburg for approval, it is anticipated that the punk trees and Brazilian pepper will be removed from the wetlands as part of the wetland mitigation plan. These invasive species shall be removed from the site as a condition of any subsequent development permit even if the mitigation plan approved by SWFWMD and the City requires alternative action. This will be achieved by cutting the trees at the base, removing the above-ground biomass from the wetlands, treating the punk tree stumps with an EPA-Approved Aquatic Herbicide, and replanting with native aquatic/wetlands species. In addition, the upland buffer surrounding the wetlands shall be cleared of all Brazilian peppers and replanted with native upland species. A monitoring and maintenance plan shall be instituted to treat and control nuisance aquatic and wetland species in the wetlands for a minimum of three (3) years or until the wetland meets the success criteria that will be included with the Environmental Resource Permits issued by SWFWMD and ACOE.

#### Gateway Areawide Development of Regional Impact (GADRI)

The subject property is located within the Gateway Areawide DRI (GADRI), the Development Order (Ordinance 1142-F) for which was adopted in November 1989. There is currently 18,063 sq. ft. of available retail capacity in the GADRI. The GADRI Master Plan identifies the northwest corner of Dr. ML King Jr. St. N. and Roosevelt Blvd. for office and industrial uses only. The effective date language for the City Council ordinances amending the land use and zoning will state that the land use and zoning changes will not become effective until the GADRI Master Plan (attached) has been amended to include commercial as an allowable use on the northwest corner of Dr. Martin Luther King Jr. Street North and Roosevelt Blvd. (allowing retail to be developed). The process is known as an NOPC (Notice of Proposed Change). The property owner/developer would be responsible for this process, including all fees, legal ads and other notice requirements. As of this writing, the Gateway Areawide Transportation Improvement Special Assessment Fee (GATISAF) is \$9,044.66 per 1,000 square feet of retail.

#### Consistency with the Comprehensive Plan

Due to the subject property's location within the Gateway Activity Center, the development potential under the present Industrial Limited land use and EC zoning is 145,600 sq. ft. of industrial or corporate office space (reflecting a floor-area-ratio of 1.37). Development potential under the proposed Planned Redevelopment - Commercial land use and CCS-2 zoning is 119,297 sq. ft. of commercial space (reflecting a floor-area-ratio of 1.12).

City staff has concluded that the applicant's request to amend the land use from Industrial Limited to Planned Redevelopment - Commercial, and the zoning from EC to CCS-2 is, on balance, consistent with the Comprehensive Plan.

- Previous City staff reports presented that the proposal was inconsistent with **Policy LU3.21**, which states, "... *the City shall continue to expand the acreage available for industrial development in appropriate locations.*" The basis for this original determination was that the requested changes would *eliminate* acreage available for industrial development. Upon further review and consideration, City staff now believes this determination was incomplete:

- First, the Policy states that industrial development should be expanded “...in appropriate locations.” Given the physical characteristics of the subject property, its isolation from the adjacent industrial limited uses, its small size (less than 2.5 acres of buildable land), the existence of a preservation area, and the requirement for traffic access to be located at a significant distance from the abutting intersection, the subject property is constrained in ways that make it less-than-ideal for industrial development. Consequently, while the surrounding geographic area is generally appropriate for industrial development, the physical conditions of the subject property are not appropriate and exhibit support for the requested amendments.
- More importantly, a rezoning to CCS-2 does not prohibit the types of industrial limited uses allowed under the current EC zoning district. While city staff acknowledges that the applicant is proposing a retail pharmacy in the near-term, the following land uses will continue to be allowed by right or special exception: office, general; office, medical; office, veterinarian; laboratories, research and development; light manufacturing; fleet-based services; hospitals; schools; and utility plants and substations.
- Previous City staff reports presented that the proposal was inconsistent with **Policy LU3.26.a**, which states, “*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 basis for this original determination was an assumption that the subject property’s buildable area remains suitable for development by industrial land uses. A review of the record however, shows that the subject property has remained undeveloped for more than 30 years. Moreover, the applicant has submitted a market program conducted by Elliot M. Ross, CCIM, Managing Director, and Jason G. Aprile, CCIM, Special Office Associate, RMC Ross Realty. The purpose of the market program was originally to attract qualified buyers. It has since become justification for considering alternative development options. According to the applicant and RMC Ross Realty, the only inquiries came from developers interested in building retail. The market program includes additional information to help illustrate the challenges when considering construction and rental rates for office space and other industrial limited uses.

- The applicant’s request is neutral when compared to **Policy LU3.7**, which states that *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*. The boundaries for the present Activity Center and Industrial Limited (IL) land use designation and EC (Employment Center) zoning district are logically drawn. The attached Gateway Activity Center maps depicting the Future Land Use and zoning designations for the area clearly show the dividing lines that have been established for the purpose of accommodating employment generating business and industry. These designations have been uniformly applied to property located on the west side of Dr. Martin Luther King Jr. Street North, between 118<sup>th</sup> Avenue North and Gandy Boulevard, moreover, along the north side of Gandy Blvd. and the east side of 28<sup>th</sup> Street and within the Carillon area.

The goal of the City is to attract high quality, job generating business and industry to these areas. Amending the land use and zoning boundaries to accommodate a *stand-alone, low-intensity retail store* on the northwest corner of Dr. Martin Luther King Jr. Street North and Roosevelt Boulevard

would appear upon initial inspection to be in conflict with the City's goal. However, given the unique physical characteristics of the subject property - a triangular shape of which more than half is encumbered by a preservation area - staff believes attainment of this goal is already significantly impaired. For these reasons, the impact of approving the requested change, and its effect on the City's goal, is negligible. Moreover, City staff does not believe that approval of the requested amendments would set a precedent within the Gateway Activity Center.

- Previous City staff reports presented that the proposal was inconsistent with **Policy LU3.17**, which states that *the 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*. The basis for this original determination was that the requested changes would *introduce* new retail opportunities to the subject property and that the position of the existing preservation area prevents new development from meeting the traditional definition for infill development. Upon further review and consideration, City staff now believes this explanation was incomplete. Under the present EC zoning, retail is already allowed as an accessory use to the industrial business park. The retail land use type is not a new introduction to the subject property; therefore, considerations about infill development are irrelevant.
- The applicant's request is not consistent with **Policy LU16.1**, which states that *development planning for the Gateway area shall include consideration of the promotion of industrial and office park development to diversify the City's economic base and generate employment*. However, for reasons already stated, the unique physical characteristics of the subject property make development of the proposal a reasonable alternative toward generating employment.
- Previous City staff reports presented that the proposal was inconsistent with **Policy LU18**, which states that *commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages*. The basis for this original determination was that the requested changes would *introduce* new retail opportunities to the subject property and that the position of the existing preservation area prevents new development from meeting the traditional definition for infill development. Upon further review and consideration, City staff now believes this explanation was incomplete. Under the present EC zoning, retail is already allowed as an accessory use to the industrial business park. The retail land use type is not a new introduction to the subject property; therefore, considerations about infill development are irrelevant.
- The applicant's request is consistent with **Policy LU18.1**, which states that *requests to amend the Land Use Plan to permit retail development in the North Sector of the City on corridors other than 4<sup>th</sup> Street North should be recommended for denial by City staff, except at appropriate intersections of major streets or in designated mixed use settings*. The subject property is located at the intersection of two (2) significant roadways, Dr. Martin Luther King Jr. Street North and Roosevelt Boulevard. City staff believes this meets the intent of the Policy.
- Previous City staff reports presented that the proposal was inconsistent with **Policy LU19.2**, which states that *land use patterns that impair the efficient functioning of transportation facilities shall be avoided through the denial of land use plan amendments that increase the frontage of commercial strips*. While there is sufficient roadway capacity on both Dr. Martin Luther King Jr. Street North and Roosevelt Boulevard, the addition of a curb cut on both roadways for a use permitted under the present IL designation will negligibly impair the efficient functioning of these transportation facilities (i.e., it is estimated that traffic would increase by an average of 496 daily trips and 48 p.m. peak hour trips).

- The applicant’s request is balanced when compared to **Policy T1.6**, which states that *the City shall support high-density mixed-use developments and redevelopments in and adjacent to Activity Centers, redevelopment areas and locations that are supported by mass transit to reduce the number and length of automobile trips and encourage transit usage, bicycling and walking.* The proposed project is a stand-alone, auto-oriented commercial building not associated with any high-density mixed-use developments. While staff acknowledges that this proposal is not immediately consistent with the policy, the unique physical characteristics of the subject property, when coupled with the market demands of the subject area, have rendered the property unused for more than 30 years. Since mass transit and other mobility enhancements along Dr. Martin Luther King Jr. Street North and Roosevelt Boulevard will continue to put upward pressure on the subject property for redevelopment, City staff expects that future redevelopment will complement this policy within the physical constraints of the subject property.

Other Relevant Comprehensive Plan Policies

The Level of Service (LOS) impact section of this report concludes that the requested Plan change and rezoning will not have a negative effect upon the City’s adopted LOS standards for public services and facilities including traffic, potable water, sanitary sewer, solid waste, mass transit, recreation, and stormwater management. Moreover, as detailed in the impact section and shown below, if the subject property is developed exclusively with office uses, there will likely be less demand for potable water and sanitary sewer service. A summary of the potential impact on the City’s public facilities is provided in the following table:

	Existing EC Zoning	Proposed CCS-2 Zoning	Net Change
Population	0	225	225
Potable Water	36,400 gpd	29,824 gpd	- 6,576 gpd
Sanitary Sewer	36,400 gpd	29,824 gpd	- 6,576 gpd
Solid Waste	0	293 tons	293 tons
Traffic (p.m. peak hour)	42 trips	90	48

**SPECIAL NOTE ON CONCURRENCY:**

Level of Service impacts are addressed further in this report. Approval of the requested Plan change and rezoning does not guarantee that the subject property will meet the requirements of concurrency at the time development permits are requested. 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:**

Staff recommends APPROVAL of the Future Land Use Map amendment from Industrial Limited (Activity Center) to Planned Redevelopment Commercial (Activity Center) and the Official Zoning Map designation from EC (Employment Center) to CCS-2 (Corridor Commercial Suburban), on the basis that the request, *on balance*, is consistent 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 objectives and policies from the Land Use Element and Transportation Element are applicable:

- LU2            The Future Land Use Plan shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.
- LU2.1        To facilitate compact urban development the City shall adopt the following activity centers as part of this Land Use Plan:
1. Gateway      3. Tyrone            5. Central Avenue  
2. Intown        4. Central Plaza
- LU2.2        The City shall concentrate growth in the designated Activity Centers and prioritize infrastructure improvements to service demand in those areas.
- LU2.5        The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locations where excess capacity is available.
- LU3.1.C.1.    Industrial Limited (IL) - Allowing a mixture of light industrial, industrial park, office park uses with a floor area ratio up to 0.65.
- LU3.1.E.3.    Activity Center (AC) - Overlaying the future land use designations in those areas, not less than 50 acres in size, with concentrated commercial and mixed-use centers suited to a more intensive and integrated pattern of development.
- LU3.1.F.3.    Planned Redevelopment – Commercial (C) - Allowing the full range of commercial and missed-uses including retail, office, service and high density residential uses not to exceed a floor area ratio of 1.25 and a net residential density of 55 dwelling units per acre.
- LU3.21        The City shall continue to expand the acreage available for industrial development in appropriate locations provided such expansion is supported by current and likely long-term market conditions.
- 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.

- 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.
- LU3.7 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.
- LU4 The following future land use needs are identified by this Future Land Use Element:
2. Commercial – the City shall provide opportunities for additional commercial development where appropriate.
  3. Industrial - the City shall provide opportunities for additional industrial and employment related development where appropriate.
- LU16.1 Development planning for the Gateway shall include consideration of the following issues:
1. promotion of industrial and office park development to diversify the City's economic base and generate employment;
  3. integration of land uses with existing and future transportation facilities recognizing the special transportation conditions within a regional activity center;
- LU18: Commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages.
- LU18.1 Requests to amend the Land Use Plan and Land Development Regulations to permit retail/office development in the North Sector on corridors other than 4<sup>th</sup> Street North should be recommended for denial by Staff, except at appropriate intersections of major streets or in designated mixed use settings.
- LU19.2 Land use patterns that impair the efficient functioning of transportation facilities shall be avoided through:

1. implementation of land development regulations that provide for site planning practices that limit curb cuts, provide for common access points and ensure safe and convenient on-site traffic circulation without adversely affecting the operational integrity of adjacent roadways;
2. denial of land use plan amendments that increase the frontage of commercial strips;

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.

T1.6 The City shall support high-density mixed-use developments and redevelopments in and adjacent to Activity Centers, redevelopment areas and locations that are supported by mass transit to reduce the number and length of automobile trips and encourage transit usage, bicycling and walking.

T7 The City shall promote the safe and efficient flow of traffic on major roadways through access management.

T7.1 The City shall, to the extent practical, reduce or prevent direct access from driveways to principal and minor arterials by prioritization of primary access. When a site is adjacent to a principal or minor arterial, the priority of primary access shall be, to the extent practical, to local roads first, neighborhood collectors second, collectors third, minor arterials fourth and principal arterials fifth. Access from nonresidential development onto local roads shall be designed to minimize the intrusion of traffic in adjacent residential areas.

T7.2 All development or redevelopment projects shall be required to provide safe and efficient access to the public road system, accommodate on-site traffic movements, and provide parking for motorized and non-motorized vehicles as required by implementation of the Land Development Regulations.

T7.3 The City shall encourage, through the development review process, adjacent commercial and office developments to provide cross-access easements, joint use driveways and connecting pedestrian facilities to minimize the number of trips generated on the major street system and the associated safety hazards.

T7.6 Access to new and redeveloped nonresidential parcels with frontage along two or more roadways should be limited to one access point per roadway.

T7.7 Access for corner lots or parcels shall be located the greatest distance from the corner commensurate with property dimensions.

- 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.**

Approximately 2.66 acres of the 5.1 acre subject property are presently, and will continue to be, designated Preservation. No evidence has been offered that the area provides 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.**

Under the proposed CCS-2 zoning, a total of 146 multifamily dwelling units could be developed, calculated at a density of 60 units per acre, which reflects the activity center designation. Assuming that there are 1.54 persons per multifamily unit, the buildout population is estimated to be 225 persons. Under the existing EC and Preservation zoning, no residential development is permitted. An approximate increase of 225 persons would not significantly alter the City's population or population density pattern.

**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. (This analysis does not include the development potential of the existing Preservation land, which is considered negligible.)**

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 5.1 acre site be approved, the City has sufficient capacity to serve the subject property.

#### **WATER**

Based on the present EC designation, the maximum demand for potable water is estimated to be 36,400 gallons per day as follows:

**Residential development:** 0 persons x 125gpcpd = 0 gallons/day; or

**Commercial development:** 145,600 sq. ft. of industrial or corporate office space x 0.25 gpd/sq. ft. = 36,400 gallons/day

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

Under the requested CCS-2 zoning, the maximum demand for potable water could reach 29,824 gallons per day, as follows:

**Residential development:** 225 persons x 125 gpcpd = 28,125 gallons/day; or

**Commercial development:** 119,297 sq. ft. of commercial space x 0.25 gpd/sq. ft. = 29,824 gallons/day

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

The rezoning of the subject property from EC to CCS-2 will not 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, for the 2013 water year (October 1, 2012 – September 30, 2013), is 29.0 mgd.

While the City's adopted LOS standard for potable water is 125 gallons per capita per day (gpcd), the City's actual gross consumption for the 2013 water year was approximately 79 gpcd. St. Petersburg's average day demand and gross per capita consumption of potable water are not increasing, and are actually decreasing in some water years, due to the overwhelming success of the City's water conservation program and reclaimed water program. In addition, the move to a once per week watering restriction has alleviated a portion of the potable water demand.

## WASTEWATER

The subject property is served by the Northeast Water Reclamation Facility.

Based on the present EC designation, the maximum demand for sanitary sewer is estimated to be 36,400 gallons per day as follows:

**Residential development:** 0 persons x 173 gpcpd = 0 gallons/day; or

**Commercial development:** 145,600 sq. ft. of industrial or corporate office space x 0.25 gpd/sq. ft. = 36,400 gallons/day

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

Under the requested CCS-2 zoning, the maximum demand for sanitary sewer could reach 29,824 gallons per day, as follows:

**Residential development:** 225 persons x 173 gpcpd = 38,925 gallons/day; or

**Commercial development:** 119,297 sq. ft. of commercial space x 0.25 gpd/sq. ft. = 29,824 gallons/day

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

The rezoning of the subject property from EC to CCS-2 will not impact the City's adopted LOS for wastewater. In 2013, the Northeast Water Reclamation Facility had an estimated excess capacity of 8.29 million gallons per day.

## 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 redeveloped with a retail business, the following calculations reflect solid waste generation for residential development that would be permitted under the proposed zoning designation. Assuming a population of 225 persons under the proposed CCS-2 zoning, it is estimated that approximately 293 tons of solid waste per year may be generated (225 persons x 1.3 tpypp). Such an increase (293 tons) will not impact the City's adopted LOS for solid waste.

## TRAFIC

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

Existing Industrial Limited Plan Category	42
Requested Planned Redevelopment Commercial Plan Category	<u>90</u>
	48 new p.m. peak hour trips

### Existing Conditions

There are two major roads with geographic proximity to the subject property: Roosevelt Boulevard North and Dr. M.L. King, Jr. Street North. Both roads are classified as minor arterial streets with Roosevelt Blvd. maintained by the State and Dr. M.L. King, Jr. St. North maintained by the County.

Based on the Pinellas County MPO's 2013 Level of Service Report, the level of service (LOS) for these two major roadways is as follows:

- Roosevelt Boulevard, between 4<sup>th</sup> Street North and 16<sup>th</sup> Street North, has a LOS of "B" based on the 2010 average annual daily traffic (AADT) of 25,481.
- Dr. M.L. King, Jr. Street North, between Gandy Boulevard and I-275, has a LOS of "B" based on the 2010 AADT of 12,101.

The entire City is designated as a Transportation Concurrency Exception Area (TCEA). Regardless of this fact, the proposed FLUM change, rezoning and proposed commercial development is not expected to degrade existing levels of service on Roosevelt Boulevard North and Dr. M.L. King, Jr. Street North due to the excess roadway capacity that is available on these streets to accommodate new trips.

*Source: City of St. Petersburg, Transportation and Parking Management Department.*

## Trip Generation

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 42 p.m. peak hour trips, calculated as follows:

Step a.            178 avg. daily trips per acre of IL land x 2.44 acres = approximately 434 avg. daily trips

Step b.            434 avg. daily trips x .097 percent = approximately 42 p.m. peak hour trips

Thus, the total vehicle trip generation for the existing Industrial Limited designation is 42 p.m. peak hour trips.

The vehicle trip generation rate under the requested PR-C land use is approximately 90 p.m. peak hour trips, calculated as follows:

Step a.            465 avg. daily trips per acre of PR-C land x 2.44 acres = approximately 930 avg. daily trips

Step b.            930 avg. daily trips x .097 percent = approximately 90 p.m. peak hour trips

In summary, a Plan change from Industrial Limited to Planned Redevelopment - Commercial will likely result in a net increase of 48 p.m. peak hour trips. Such an increase would have a minimal impact on roadway level of service.

(The traffic analysis presented above 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 Dr. M.L. King, Jr. Street North and Roosevelt Boulevard North (Route 59) with a peak hour service frequency of 20 minutes and an off-peak service frequency of 30 minutes. PSTA’s Route 58 provides service along Roosevelt Boulevard North, with a service frequency of 60 minutes. PSTA’s Route 4 provides intermittent service along Roosevelt Boulevard North and Dr. M.L. King, Jr. Street North. The LOS standard 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 remain at 22.9 acres per 1,000 permanent 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.

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

The land area is sufficient 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 14.42 acres of vacant land in the City designated with CCS-2 zoning. There are redevelopment opportunities on CCS-2 zoned property located elsewhere in the Gateway and Carillon area.

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

The proposed Planned Redevelopment – Commercial future land use designation is not consistent with the established land use pattern to the north, west and south which is Industrial Limited and to the east which is Residential Medium. It is consistent with the established land use pattern to the southeast.

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

City staff believes that the boundaries for the existing Activity Center and Industrial Limited (IL) land use designations and EC (Employment Center) zoning are logically drawn. These designations have been uniformly applied to property located on the west side of Dr. Martin Luther King Jr. Street North, between 118<sup>th</sup> Avenue North and Gandy Boulevard. The goal of the City is to attract high quality, job generating business and industry to these areas.

- 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 100-year flood plain. Specifically, the property is located in Special Flood Hazard Area AE, Flood Zone 9-feet, which requires that the top of the lowest habitable floor be at or above 9- feet NAVD (North American Vertical Datum). The subject property is also located within the CHHA (Coastal High Hazard Area) and Hurricane Evacuation Level "A."

- k. Other pertinent facts.** None.

**Legal Description of the Subject Property**

A portion of Lot 1, Block 1, ROOSEVELT CENTER REPLAT 5TH ADDITION as recorded in Plat Book 89, pages 49, 50 and 51 of the Public Records of the Pinellas County Florida.

Commence at the North East corner of said Lot 1, thence South  $00^{\circ} 12' 38''$  West, along the East boundary of said Lot 1, a distance of 266.08 feet to the Point of Beginning; thence continue South  $00^{\circ} 12' 38''$  West along said East boundary of said Lot 1, a distance of 907.42 feet; thence South  $65^{\circ} 07' 49''$  West, a distance of 33.06 feet; thence North  $49^{\circ} 57' 02''$  West, along the boundary line of said Lot 1, a distance of 42.56 feet; thence North  $40^{\circ} 02' 58''$  East, a distance of 5.00 feet; thence North  $49^{\circ} 57' 02''$  West, a distance of 400.00 feet; thence North  $47^{\circ} 05' 17''$  West, a distance of 140.61 feet; thence North  $41^{\circ} 18' 24''$  East, a distance of 714.86 feet to the Point of Beginning.

Parcel contains 5.10 acres, more or less.

March 31, 2014

Mr. Derek Kilborn  
Manager, Urban Planning and Historic Preservation  
P.O. Box 2842  
St. Petersburg, FL 33731-2842

***VIA HAND DELIVERY***

Re: Supporting Materials to Application for Rezoning/Future Land Use Plan Change

Dear Mr. Kilborn,

Attached please find supporting documentation for the application to rezone the parcel at MLK and Roosevelt in St. Petersburg from EC to CCS-2.

As you are aware, this five acre remnant from the Pinellas Park Business Center development has remained vacant for several decades. There is approximately two and a half acres of developable land on the site, and over half of the site is preservation area.

The current EC zoning designation cannot support development on this site. It certainly has not been for a lack of effort on the part of the landowner, who has marketed this site extensively to no avail. There are several reasons that this site remains vacant and would continue to remain vacant but for this zoning change:

- There is no demand for new office/industrial development in this area.<sup>1</sup>
  - The market is experiencing negative absorption over the last 12 months.
  - There are at least five existing, available office suites between 3,000 square feet and 17,000 square feet currently facing Roosevelt Blvd.
  - There is over 1.6 million square feet of vacant office and flex/warehouse space within three miles of the subject parcel.
- Rents for office/industrial space in this area have declined to between \$5 and \$11 per square foot.<sup>2</sup>
  - With the smallest feasible footprint for new office space on the subject parcel, given today's construction costs, the rent for office space at the subject parcel would have to approach \$26 per square foot.
  - This cost per square foot does not include any cost incurred to purchase the existing parcel.

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<sup>1</sup> See Exhibits 1 and 2.

<sup>2</sup> See Exhibits 1 and 2.

- The only inquiries regarding this parcel have come from developers looking to build retail. There has been no interest shown in building office/industrial space on the subject parcel.<sup>3</sup>
- After a very thorough discussion regarding this parcel and a request for a zoning change to CCS-1 over a year ago, City Council gave direction to staff and the property owner to work to attempt to find an industrial/office tenant/buyer for the site.<sup>4</sup>
  - Over a year later, and after significant efforts, no interest from industrial/office users has been expressed.
  - The most valuable use of this parcel is for retail purposes.
  - A zoning change to allow a retail use on this site does not impair the City of St. Petersburg's efforts to recruit and retain employment centers and corporate relocations due to both the extensive availability of office/industrial space in the immediate area as well as the economic reality that new office/industrial space on this parcel is not economically viable.
- The preservation area on the parcel makes it difficult to develop office/industrial space with connectivity to existing development.
  - The reconfiguration of preservation land on the parcel allows for proper setbacks, buffers and continuity of developable acreage that best supports a retail use.<sup>5</sup>
- Absent this zoning change, it is the strong opinion of real estate professionals that this parcel will remain vacant and unable to attract office/industrial users.<sup>6</sup>

Sincerely yours,

SINGER & O'DONNILEY, P.A.



David B. Singer

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<sup>3</sup> See Exhibit 1.

<sup>4</sup> See Exhibit 3.

<sup>5</sup> See Exhibit 4.

<sup>6</sup> See Exhibit 1.

**DATE:** May 30, 2014

**TO:** City of St. Petersburg

**FROM:** Clayton Watkins, P.E.

**RE:** Zoning Application for MLK and Roosevelt

The above referenced zoning application requests to reshape the existing preservation area due to the irregular shape of the preservation area and to accommodate the development of the property while providing enhancements to the preservation area. The proposed reshaping will not change the total preservation area of 2.66 acre. The proposed project is requesting to convert 0.42 acres of Preservation to CCS-2 zoning and convert 0.42 acres of IL zoning to Preservation.

The scoring for the proposed preservation area is a six (6). The six points are distributed as the following; four (4) points for the soils classification, (two (2) for the soils being poorly drained and two (2) for the site located within the 100-year floodplain) and two (2) points for the proposed enhancement area of freshwater marsh. The majority of the new preservation area is being proposed as floodplain mitigation area. The creation of the mitigation area will require the removal of the invasive plant material and the area will be planted with native wetland plant material expanding the existing wetland. The previous application stated that the 2.66 acres of wetland preservation was pending approval from SWFWMD and the ACOE and uplands are dominated by invasive species. As we have continued in the permitting process we conducted a pre-application meeting with SWFWMD to discuss the drainage design. During that meeting it was determined by SWFWMD that the site would be required to provide floodplain compensation for the wetland impact area. This new requirement to create floodplain compensation area will enhance the uplands.

We believe the above reasons validate the request to reshaping the existing Preservation area and accommodate future development of the site.



4401 W. Kennedy Blvd.  
Suite 100  
Tampa, Florida 33609  
Ph: (727) 726-2800 Fax: (727) 726-6780

March 25, 2014

Re: Roosevelt Blvd. & 9<sup>th</sup> St Land Marketing Summary & Results

To whom it may concern,

Please find below the market program conducted by RMC Ross Realty, specifically Elliott M. Ross, CCIM, Managing Director, and Jason G. Aprile, CCIM, Senior Office Associate, in an effort to attract a qualified buyer for the 5.1 gross acre site located on the NE corner of Roosevelt Blvd & 9<sup>th</sup> St, St. Petersburg. Throughout the process it became clear that the only interest in this site came from developers looking to build retail. In fact, the existing 204,000 SF office/flex park we were also marketing saw negative absorption over the last 12 months and asking rental rates declined to \$5-7/SF NNN and we continue to have five (5) available office/flex suites between 3,000 SF and 17,000 SF available facing Roosevelt Blvd. For these reasons, it is our expert opinion that there is currently no demand for office/industrial development on this site nor will market pricing support the cost of new construction for the next 10 to 15 years at a minimum.

#### **ACTIVITIES COMPLETED**

- Conducted detailed market study of competing properties
- Gathered all required due diligence materials
- Drafted custom sale marketing flyer and offering memorandum
- Designed and Installed for (4) custom For Sale road signs with potential site plan rendering facing Roosevelt Blvd & 9<sup>th</sup> Street
- Listed the property on all websites including, but not limited to: FGCAR (Catylist), LoopNet, CoStar, RRG Website, Total Commercial, CCIMnet, pced.org, Mid Florida MLS
- Press release sent to broker and developer database announcing new listing
- FGCAR e-blast sent to approximately 215 targeted Brokers sent on several occasions
- Discussed opportunity and several real estate association events including REIC, NAIOP, FGCAR & CCIM
- Cold called active Pinellas County developers & surrounding office tenants/sent offering memorandum
- CCIM MailBridge sent to a national audience of approximately 5,000 members on several occasions
- Attended monthly FGCAR Mid Pinellas and So. Pinellas Pitch Sessions
- REA database & Loopnet E-Blast sent
- Followed up with all inquiries

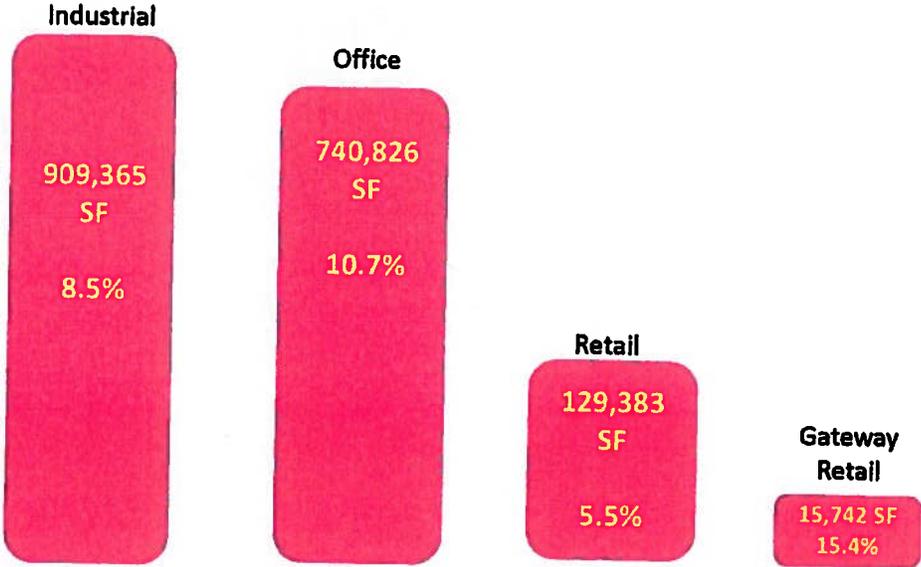
For reference, I am enclosing my bio and the offering memorandum for the site. If you have any questions, please do not hesitate to call.

Regards,

Elliott M. Ross, CCIM

Currently there is almost 1.65 Million SF of vacant office and flex/warehouse space within three miles of the proposed project. Within the Industrial category, vacancy is about 8.5% while office vacancy sits at nearly 11%. In comparison, the vacancy for retail in the immediate area is 5.5%. Furthermore, most of that retail space is broken up into multiple suites in different properties.

## PRODUCT VACANCY (3-Mile Radius)



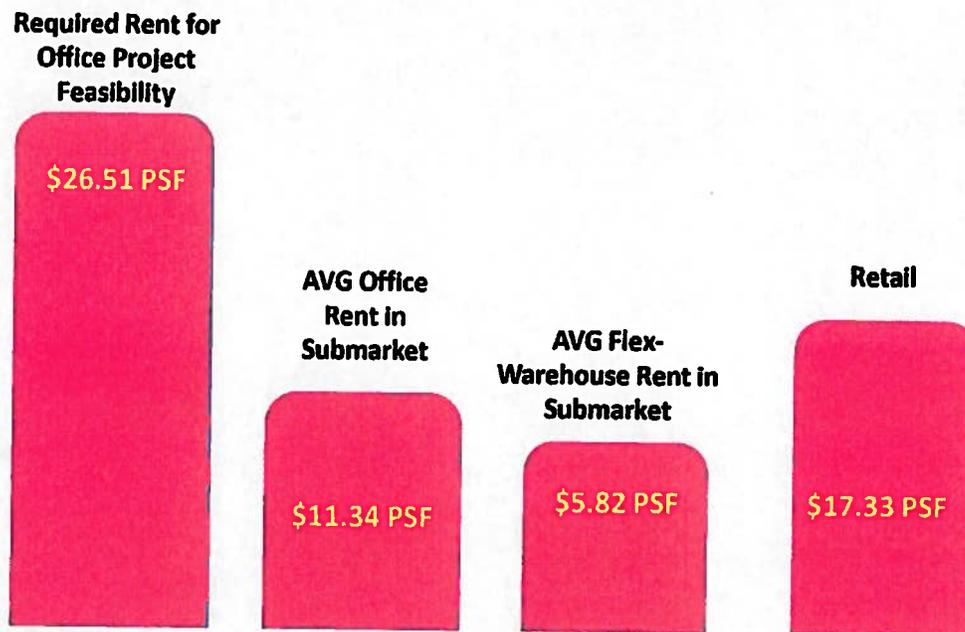
As you know, we are proposing a 16,500 SF drugstore on the remnant parcel. Our budget for this construction, excluding land cost, is around \$4.5M. In comparison, if we were to develop the parcel as currently allowed, the likely SF would be just shy of 23,000 SF in two stories. This is simply because any SF greater than this would require parking garages. The cost to construct an office building on this remnant parcel is approximately \$1.5 Million more than a drugstore, simply given the larger building size and the detailed interior finish. Again, this assumes the land for the project is provided by the owner at NO cost. Given the cost for an office building, and using typical returns required by developers and investors, the building would need to be rented for more than \$26 PSF to be considered economically worthwhile.

## DEVELOPMENT COST COMPARISON

- **16,510 SF Drug Store:** **\$4,513,375**
- **22,800 SF Office:** **\$6,045,895**
- **Above development cost EXCLUDES land!**
- **Industry trends for office development suggests a 10.0% return on costs for a comparable project.**
- **This would result in the need to achieve a rent of \$26.51 PSF (excluding land consideration) for the entire office building should the rezone be denied and office be constructed on the property.**

The rent needed for a two story office building, assuming current zoning and land use guidelines, will need to be far in excess of what is currently being achieved by other office and industrial properties within the subject's immediate trade area. In the category of Office, where there currently sits 740,000 SF of vacant space, you can lease space for slightly more than \$11 PSF, assuming triple net rents. And in the category of industrial, which the adjacent business park falls under, average rents are just under \$6.00 PSF with more than 900,000 square feet of vacant space.

## COST FOR DEVELOPMENT



## OFFERING MEMORANDUM



### PINELLAS BUSINESS CENTER COMMERCIAL LAND

10901 Roosevelt Blvd. and Dr. Martin Luther King Jr. St. North (9th Street)  
St. Petersburg, FL 33716



4401 W Kennedy Blvd, Suite 100  
Tampa, Florida 33609  
Tel. (727) 725-2800

Carrollwood Corporate Center  
8902 N Dale Mabry Hwy, Suite 300  
Tampa, Florida 33614  
Tel. (813) 960-8154

## TABLE OF CONTENTS

For Sale: Outparcel at Roosevelt Blvd. and Dr. MLK Jr. Street N.

- I. Executive Summary
- II. Property Description
  - Location Maps, Aerials and Proposed Use Site Plan
- III. Survey and Flood Map
- IV. Zoning and Future Land Use
- V. Demographics

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## EXECUTIVE SUMMARY



### Pinellas Business Center - Outparcel

RMC ROSS REALTY is retained to represent the owners in the sale of an outparcel adjacent to desirable Pinellas Business Center located at 10901 Roosevelt Blvd. in St. Petersburg, FL.

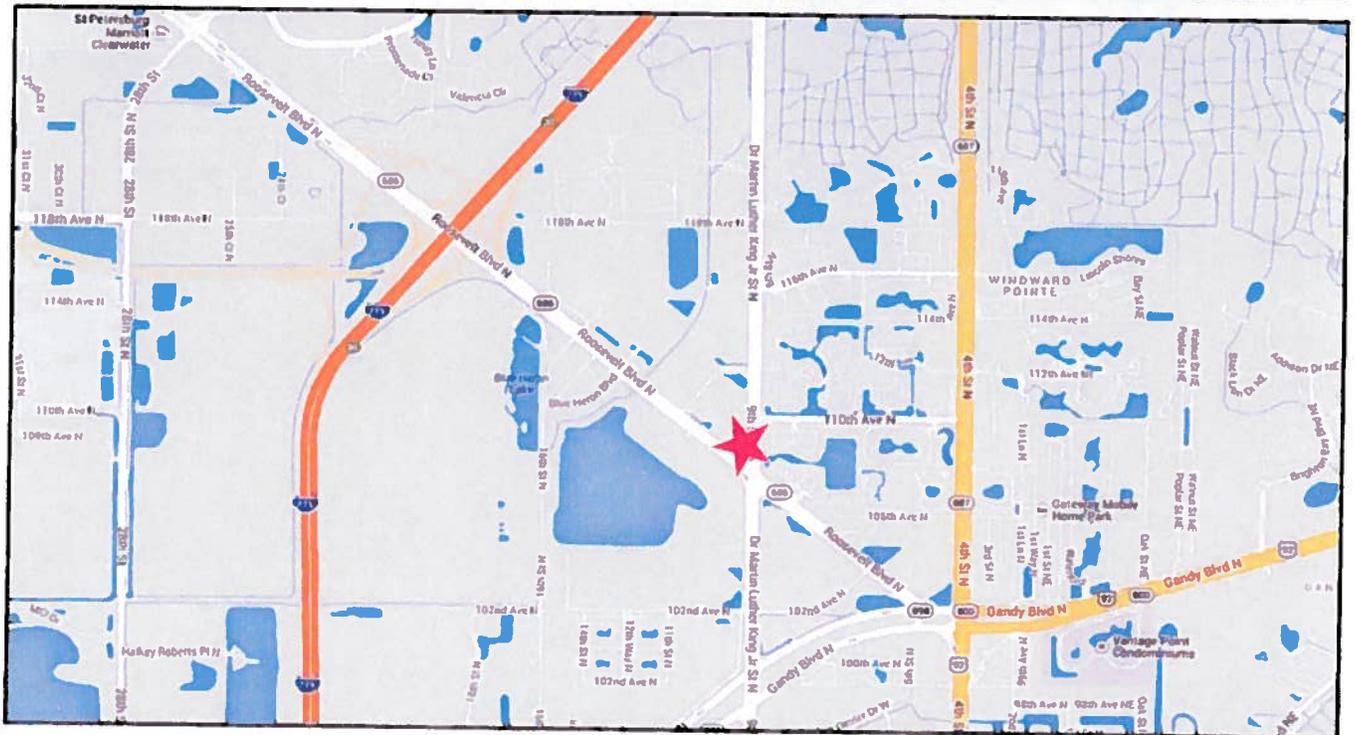
#### OFFERING HIGHLIGHTS

- ❖ **5.1 Gross Acres (2.44 estimated net usable acres) FOR SALE**
- ❖ **Commercial land site located adjacent to the Pinellas Business Center on the NE corner of Roosevelt Blvd. & Dr. Martin Luther King Jr. St. (9th St.) North**
- ❖ **Centrally Located within the Gateway/Mid-Pinellas submarket just off of I-275**
- ❖ **Zoning: EC - Employment Center**
- ❖ **Owner will sell subject to zoning change if needed**
- ❖ **Entitlements: Up to 22,800 SF Office Use**

#### OFFERING SUMMARY

County	Pinellas
Land Area	2.44 estimated net usable acres
Utilities	Electric: Duke Energy Water/Sewer: City of St. Petersburg
Zoning	EC - Employment Center
Future Land Use	Industrial Limited, with Activity Center Overlay
Asking Price	<b>\$ 2,100,000</b>

# LOCATION MAPS



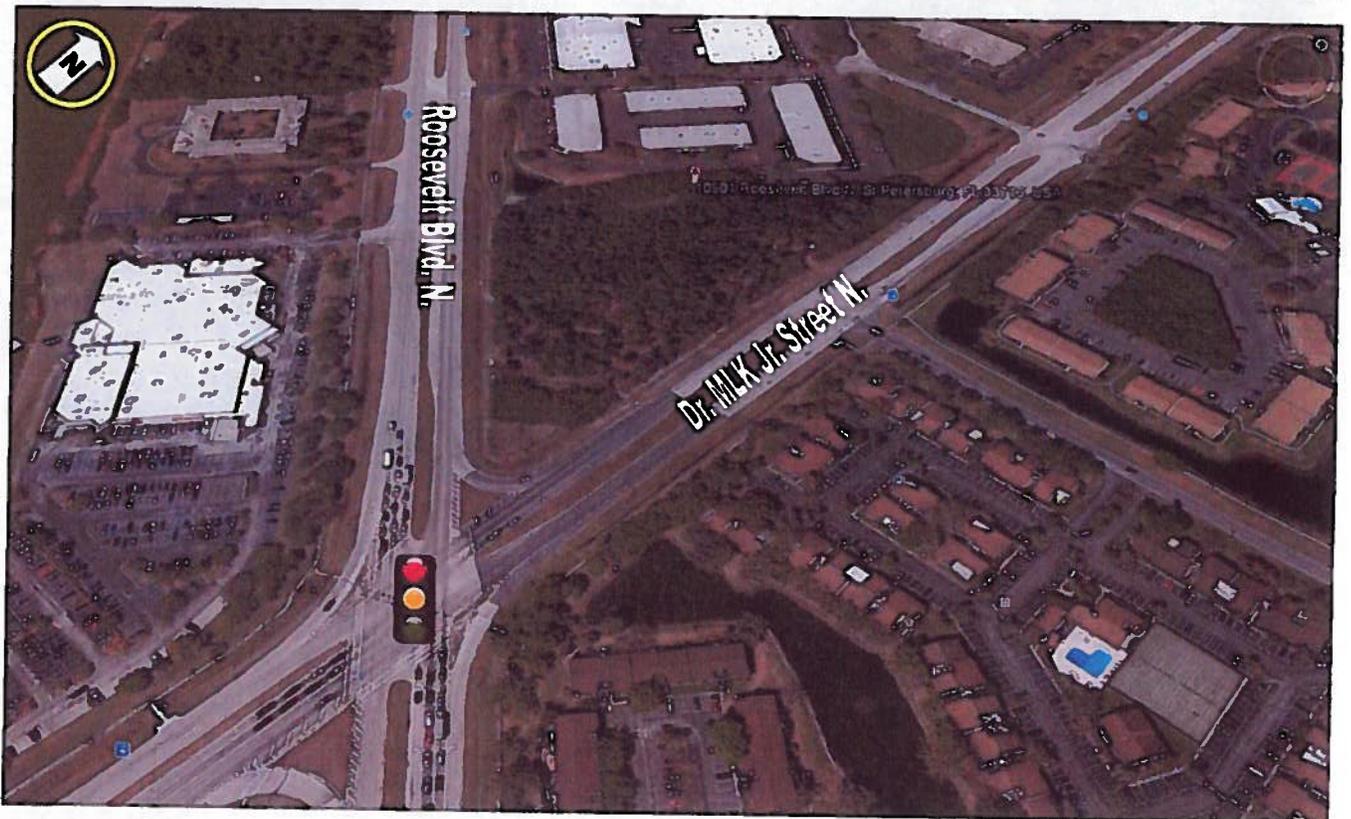
AERIAL



TRAFFIC COUNTS	
Roosevelt Blvd.:	17,500 AADT
Dr. Martin Luther King Jr. St. N.:	25,500 AADT

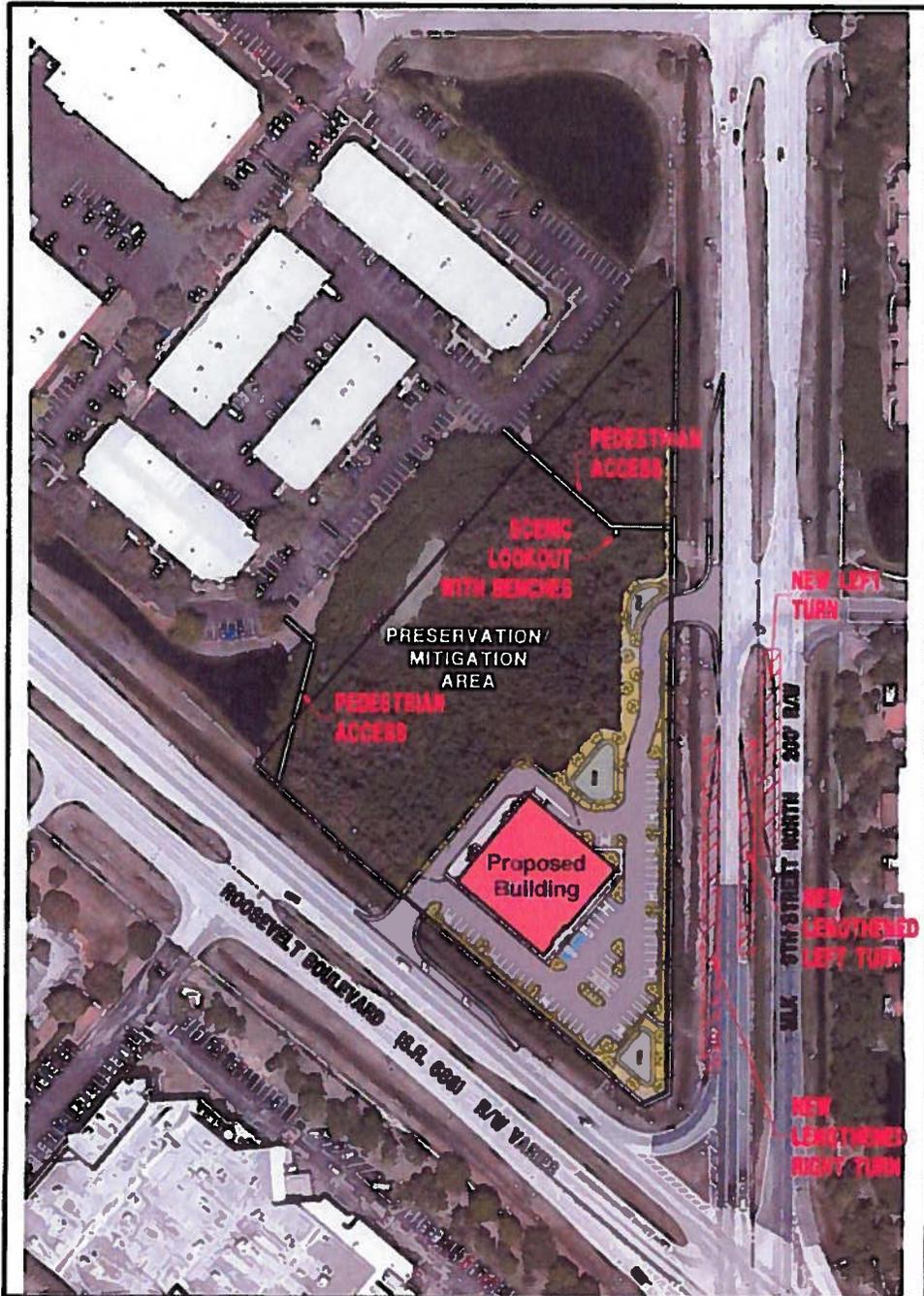
LOCAL DRIVE TIMES & DISTANCES		
I-275	1 Mile	2 Minutes
St. Pete - Clearwater International Airport	5 Miles	11 Minutes
Downtown St. Petersburg	8 Miles	14 Minutes
Westshore / Tampa International Airport	11 Miles	12 Minutes
Downtown Tampa	15 Miles	19 Minutes

# AERIALS



# PROPOSED WALGREENS

## CONCEPTUAL PLAN - PHASE I



**Ozona**  
Engineering, Inc.

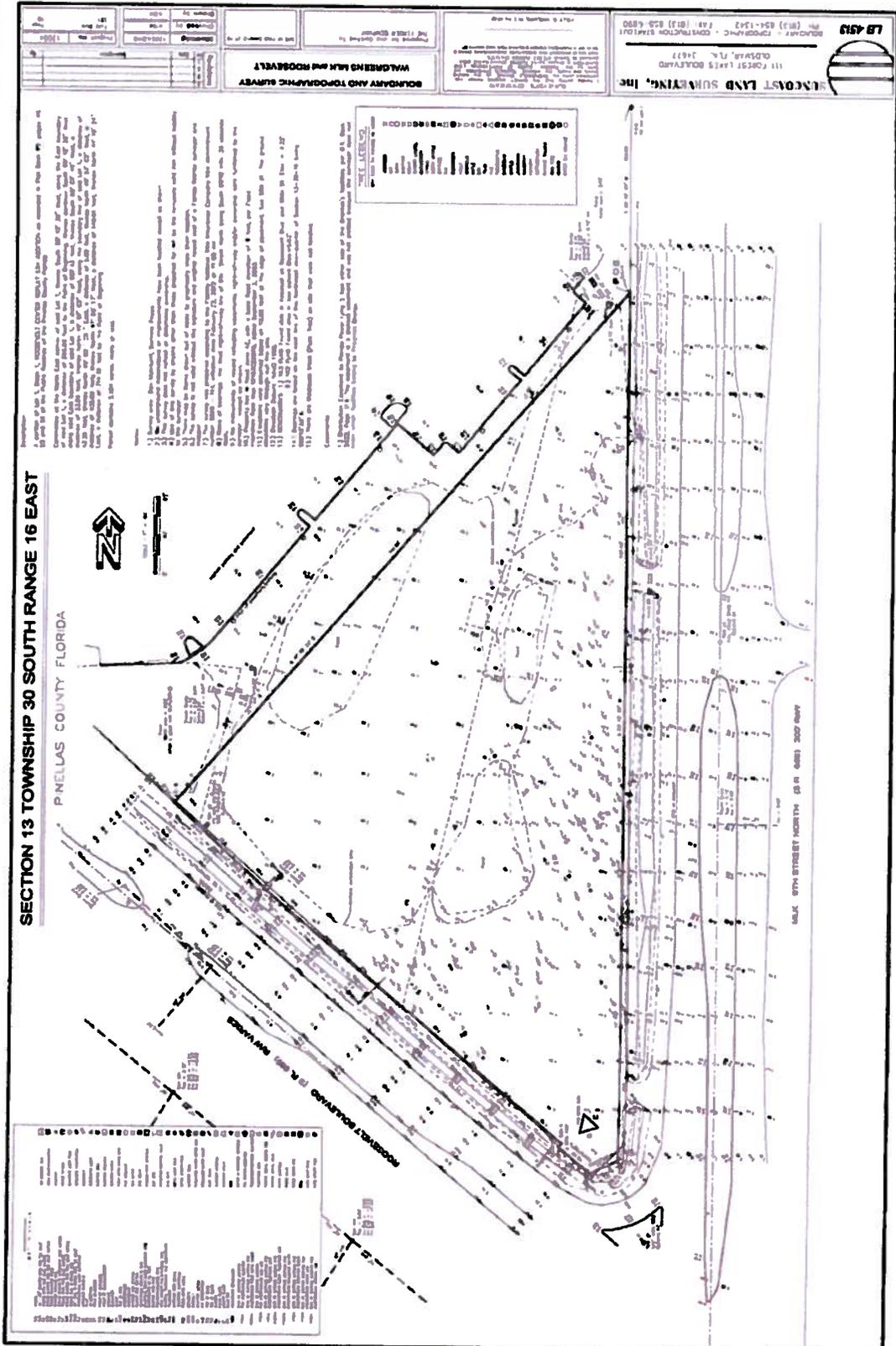
P.O. Box 432  
Ozona, Florida 34660-432  
Phone (727) 783-3939 Fax (727) 783-3434  
[www.ozonae.com](http://www.ozonae.com)

**PROPOSED WALGREENS WAS NOT APPROVED BY THE PLANNING COMMISSION**

**NWC ROOSEVELT BLVD. AND MARTIN LUTHER KING ST.  
CITY OF ST. PETERSBURG, FLORIDA**

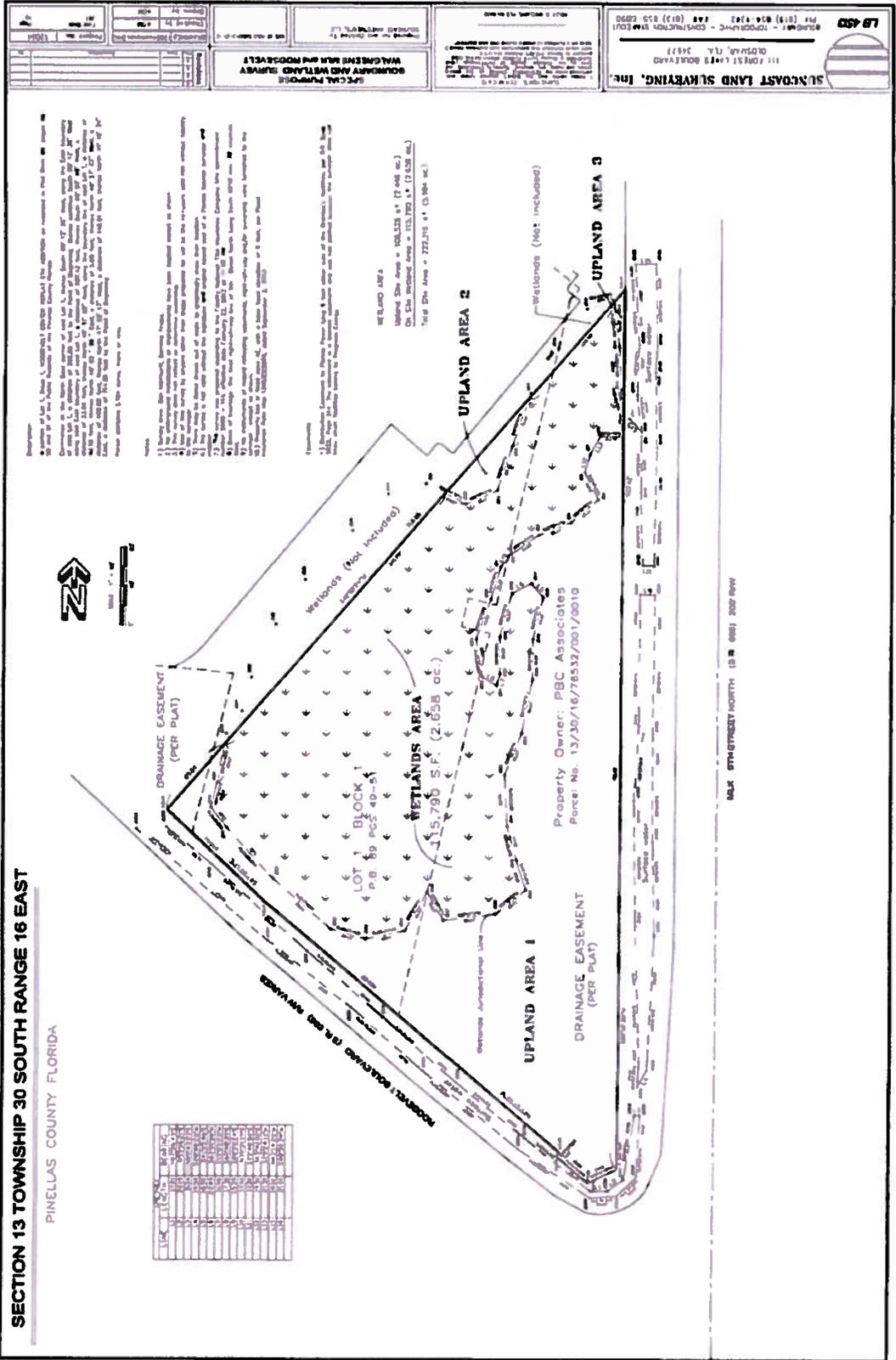
# BOUNDARY AND TOPOGRAPHIC SURVEY

24" x 36" Sheet  
Available  
Upon Request

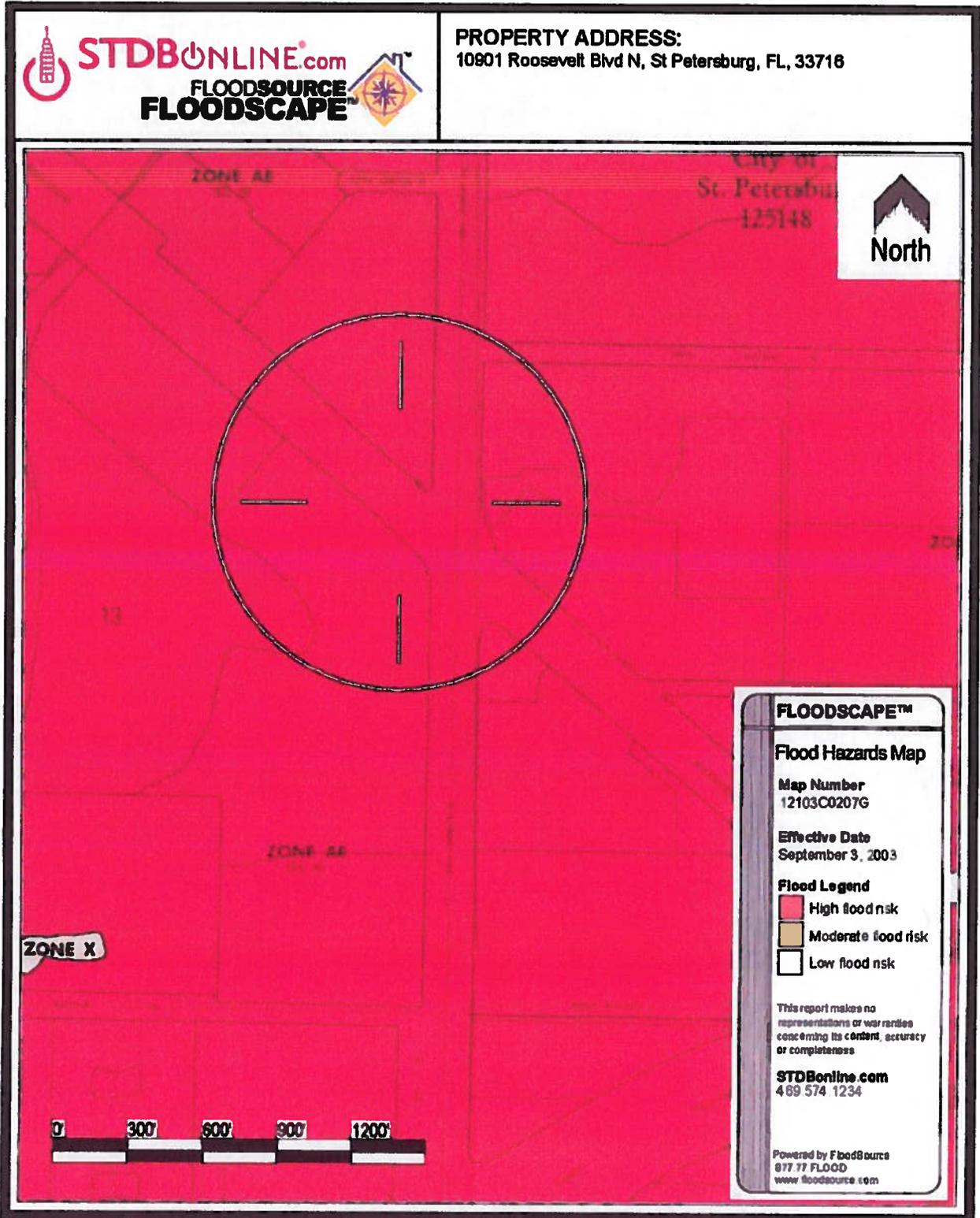


# BOUNDARY AND WETLAND SURVEY

24" x 36" Sheet  
Available  
Upon Request



# FLOOD MAP



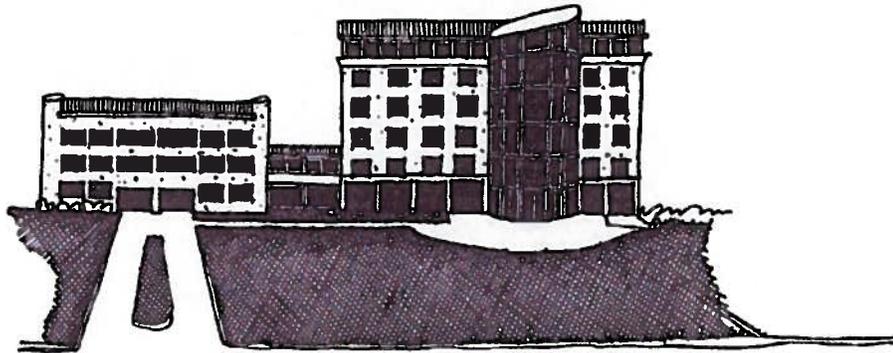
# ZONING

## SECTION 16.20.130. EMPLOYMENT CENTER DISTRICT ("EC")

Page 1 of 6

St. Petersburg, Florida, Code of Ordinances >> PART II - ST. PETERSBURG CITY CODE >> Chapter 16 - LAND DEVELOPMENT REGULATIONS >> SECTION 16.20.130. EMPLOYMENT CENTER DISTRICT ("EC") >>

### SECTION 16.20.130. EMPLOYMENT CENTER DISTRICT ("EC")



EC General

#### Sections

- [16.20.130.1. Composition of employment center.](#)
- [16.20.130.2. Purpose and intent.](#)
- [16.20.130.3. Permitted uses.](#)
- [16.20.130.4. Requirements for master development plans.](#)
- [16.20.130.5. Requirements for multifamily developments. Sod Farm property only.](#)
- [16.20.130.6. Development potential.](#)
- [16.20.130.7. Building envelope. Maximum height and minimum setbacks.](#)
- [16.20.130.8. Building design.](#)

#### 16.20.130.1. Composition of employment center.

The employment center district is a place of concentrated activity focusing on quality employment opportunities with accessory opportunities to live, work, and play. This district is designed for business uses which carry on their operation in enclosed facilities in such a manner that no negative impact is created outside of the site boundaries. The district promotes intense employment activity with accessory planned mixed-use developments that create aesthetically pleasing environments while allowing the functional interaction of a variety of land use types. All land uses permitted within the district shall meet strict performance standards to discourage offensive odors, noise, fumes, smoke, gases, dust, vibrations and other similar objectionable development impacts.

(Code 1992, § 16.20.130.1)

#### 16.20.130.2. Purpose and Intent.

The purpose of the EC district regulations is to allow and encourage the attraction of a variety of uses including all office types, highly specialized and technological industries, research and experimental institutions, light industrial support facilities, business services, and support oriented hotels, retail and multifamily residential uses. This district shall only be applied to land within activity centers that are identified in the plan and is primarily intended for the Gateway Primary Activity Center.

**SECTION 16.20.130. EMPLOYMENT CENTER DISTRICT ("EC")***(Code 1992 § 16 20 130 2)***16.20.130.3. Permitted uses.**

- A. Uses in this district shall be allowed as provided in the Matrix. Use Permissions and Parking Requirements.
- B. New residential development is prohibited except for the property with preexisting residential development rights like the "the Sod Farm."

*(Code 1992 § 16 20 130 3)***16.20.130.4. Requirements for master development plans.**

- A. A development that includes a multifamily use shall obtain approval of a master development plan for the development that identifies the type and scale of uses, permitted densities and intensities, and relationships among plan components. The master development plan shall
  - 1. Show the location and area of the existing and proposed uses, structures, parking and loading areas, green spaces, and street, pedestrian and bicycle networks.
  - 2. Include sufficient information to demonstrate that the residential uses are integrated with the other uses.
  - 3. Include sufficient information to demonstrate the relationships between, and compatibility of, the proposed uses and adjacent uses. Criteria used to determine compatibility shall be:
    - a. The functional relationship between the residential use and anticipated demand for this housing created by the remainder of the proposed uses;
    - b. The phasing or sequencing of the construction to coordinate residential construction with the anticipated demand for and timing of the nonresidential uses;
    - c. The percentage of the wages of the proposed uses paid over and above the average metropolitan statistical area (MSA) wage for this area;
    - d. The adequacy of infrastructure in relationship to the phasing and scale of the development; and
    - e. An appropriate buffer between the residential use and adjacent nonresidential uses. This buffer will take into consideration:
      - 1. The nature and characteristics of the adjoining nonresidential uses, including noise, air, odor, and visual operating characteristics;
      - 2. The distance from and elevation of the adjoining nonresidential use, including the intervening land form, building or structural opaque barrier, and type and dimensions of landscape buffer; and,
      - 3. Any county ordinance that lawfully regulates the setback of residential uses from a county-owned solid waste disposal facility.
- B. The master development plan and all amendments to the master development plan shall require DRC approval. To the extent required by lawful authority, the master development plan and all amendments thereto shall be subject to review and recommendation by the Pinellas Planning Council (PPC), and review and approval by the county board of county commissioners sitting as the Countywide Planning Authority (CPA) which shall occur prior to final approval by the DRC or the POD of the master development plan and any amendments thereto, a final site plan, a building permit, or other development order.
- C. If the property included in the master development plan is adjacent to or within 500 feet of another municipality, the master development plan shall be submitted to that municipality for review and comment at the same time that it is submitted to the PPC. The failure of the municipality to comment upon the master development plan within a reasonable time after such submittal shall not be grounds to delay or deny approval of the master development plan.
- D. Construction shall proceed in a manner that is consistent with the approved master development plan. Site plans submitted for approval shall be consistent with the approved master development plan.
- E. Uses shall comply with the following additional conditions:
  - 1. All pervious areas shall be covered with a vegetative covering and landscaping.
  - 2. Uses shall prevent the escape of all fumes, odors, smoke, vibrations, and loud, sharp or penetrating noises which are offensive or which constitute a nuisance to surrounding activities or which interfere with the conduct of any other uses.

**ZONING**

**SECTION 16.20.130. EMPLOYMENT CENTER DISTRICT ("EC")**

Page 3 of 6

- 3. No motor vehicles shall be parked on private property within 25 feet of any right-of-way or residentially developed property. All parking areas and driveways shall be hard surfaced (e.g., concrete, asphalt, or some similar heavy-duty surfacing material).
- 4. All freight should be loaded and unloaded on those sides of buildings which do not face any street or residentially zoned property. All such facilities shall be screened from the street and residentially zoned property.
- 5. No waste material or refuse shall be placed on any part of a property outside of buildings.
- 6. No materials or supplies should be stored or placed on any part of the property outside of the buildings. Any finished or semi-finished products stored or placed outside of the buildings shall be allowed in the rear one-half of the property, and shall not be stored or placed on the side of a building adjacent to a street or residentially zoned property. All materials shall be screened from the street or residentially zoned property.

(Code 1992, § 16.20.130.4)

**16.20.130.5. Requirements for multifamily developments; Sod Farm property only.**

- A. A development that includes a multifamily use shall not be less than 100 contiguous gross acres under common control at the time of application.
- B. The multifamily use shall be located within 1,000 feet of a designated public transit corridor and connection point.
- C. The multifamily use shall be integrated with other uses in the development, which shall include uninterrupted pedestrian connections, an internal roadway system to reduce impacts to offsite areas, open space and recreational facilities, public spaces abutting uses, bicycle facilities, and accommodation for mass transit. Such integration shall be designed to increase the interaction between on-site uses, to reduce the need for automobile use within the development, to reduce off-site automobile trips and to encourage the provision of shared infrastructure.
- D. The multifamily use shall not exceed 25 percent of the area subject to the master development plan.
- E. The multifamily use shall not be located within the coastal high hazard zone.
- F. The multifamily use shall not be located within the 65 decibel day-night sound level area as identified on the St. Petersburg-Clearwater International Airport Noise Contours Map, April 1996, by Greiner, Inc., and as adopted by the Pinellas County Board of County Commissioners in Ordinance No. 97-58 (section 142-39(b)).
- G. The multifamily use shall not be permitted to transfer density outside of the approved master development plan area.

(Code 1992, § 16.20.130.5)

**16.20.130.6. Development potential.**

Achieving maximum development potential will depend upon market forces, such as minimum desirable unit size, and development standards, such as minimum lot size, parking requirements, height restrictions, and building setbacks.

**Minimum Lot Size, Maximum Density and Maximum Intensity**

	EC	
	All Other Uses	Schools
Minimum lot width	N/A	300 ft.
Minimum lot area	1.0 acre	N/A
Maximum residential density	Residential density within activity center (units per acre) 75	
	Hotel density (rooms per acre) 40	
Maximum nonresidential intensity within activity center (floor area ratio)	Maximum by right	Maximum with TDR
	1.37	1.5

**ZONING**

**SECTION 16.20.130. EMPLOYMENT CENTER DISTRICT ("EC")**

Maximum impervious surface (site area ratio)	0.85
(1) Applies to Sod Farm only. Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential density, nonresidential floor area and impervious surface.	

(Code 1992, § 16.20.130.6, Ord. No. 876-G, § 14, 2-21-2008, Ord. No. 985-G, § 34, 7-15-2010)

**16.20.130.7. Building envelope: Maximum height and minimum setbacks.**

**Maximum Building Height**

<b>Building Height</b>	<b>EC</b>
All buildings	Height shall be governed by the floor area ratio, Federal Aviation Administration (FAA) and other airport guidelines that may be established.
Refer to technical standards regarding measurement of building height.	

**Minimum Building Setbacks**

<b>Building Setbacks</b>	<b>EC</b>
Adjacent to streets	20 ft.
All interior yards abutting nonresidentially zoned property	10 ft.
All interior yards abutting residentially zoned property	50 ft.
Additional criteria may affect setback requirements including design standards and building or fire codes. Refer to Technical Standards for yard types. A property with an approved plan pursuant to the Large Tract Planned Development Overlay, shall utilize the setbacks set forth in that approval.	

(Code 1992, § 16.20.130.7)

**16.20.130.8. Building design.**

The following design criteria allow the property owner and design professional to choose their preferred architectural style, building form, scale and massing, while creating a framework for good urban design practices which create a positive experience for the pedestrian. For a more complete introduction, see [section 16.10.010](#).

**Site layout and orientation.** The City is committed to creating and preserving a network of linkages for pedestrians. Consequently, pedestrian and vehicle connections between public rights-of-way and private property are subject to a hierarchy of transportation, which begins with the pedestrian.

**Building and parking layout and orientation.**

1. Buildings shall be located adjacent to streets to improve access and shall provide walkway connections to bus stops and public sidewalks
2. All service areas and loading docks shall be located behind the front facade line of the principal structure.
3. All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front facade line of the principal structure. Mechanical equipment that is visible from the primary street shall be screened with a material that is compatible with the architecture of the principal structure.
- 4.

**ZONING****SECTION 16.20.130. EMPLOYMENT CENTER DISTRICT ("EC")**

Page 5 of 6

Parking structures are encouraged to be internal to the site and include architectural features related to the principal structure and shall meet the general development standards for parking structures.

***Pedestrian connections***

1. Where multiple store fronts or multiple buildings exist within the same development, each storefront and building shall be connected by an internal sidewalk system that is clearly delineated from the vehicular pavement. The internal sidewalk system shall connect to any public sidewalk that abuts the property.
2. Cross easements which connect the internal pedestrian system are encouraged between abutting property owners.

***Building and architectural design standards.*** All buildings should present an inviting, human scale facade to the public roadway, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest.

***Building style.***

1. New construction shall utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.
2. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.
3. The use of features deemed to be "integral features of a recognized architectural style" shall be compatible with the elevation of a principal structure and the pattern, proportions and materials of surrounding structures. The following shall not be considered recognized architectural styles:
  - a. Highway or commercial prototype architecture, unless it is consistent with other requirements of this chapter.
  - b. Iconic, advertisement, and other road side attraction architecture. Examples of such include igloos, teepees, quonset huts, castles, plants, animals, foods and dinosaurs.
4. All accessory structures including, but not limited to, drive-throughs, canopies, storage buildings, and solid waste container enclosures shall be compatible with the architectural design of the principal structure. Compatibility shall be determined by reviewing building materials, finishes and other significant features.

***Wall composition.*** Wall composition standards ensure that ground-level storefronts and multifamily and single-family residential buildings offer attractive features to the pedestrian. Wall composition also mitigates blank walls and ensures that all sides of a building have visual interest.

1. Structures which are situated on corner lots, through lots, or by the nature of the site layout are clearly visible from rights-of-way shall be designed with full architectural treatment on all sides visible from public rights-of-way. Full architectural treatment shall include roof design, wall materials, and architectural trim, and door and window openings. While it is recognized that buildings have primary and secondary facades, the construction materials and detailing should be similar throughout.

***Roofs.*** Rooflines add visual interest to the streetscape and establish a sense of continuity between adjacent buildings. When used properly, rooflines can help distinguish between residential and commercial land uses, reduce the mass of large structures, emphasize entrances, and provide shade and shelter for pedestrians.

1. Buildings shall provide a pitched roof or a flat roof with a decorative parapet wall compatible with the architectural style of the building.

***Building materials.*** Building material standards protect neighboring properties by holding the building's value longer, thereby creating a greater resale value and stabilizing the value of neighboring properties.

1. Building materials shall be appropriate to the selected architectural style and should be consistent throughout the project.
2. Exterior walls shall be constructed of finished materials such as stucco, natural brick or stone, finished concrete, wood or other similar material on all sides. Exposed smooth concrete block or metal finishes shall not be permitted, except where it is an integral feature of a recognized architectural style.

**ZONING****SECTION 16.20.130. EMPLOYMENT CENTER DISTRICT ("EC")**

Page 6 of 6

**Signage** Signage standards ensure that signage is part of the overall design approach to a project.

1. Permitted freestanding and wall signs shall be designed to be compatible and integral with the principal structure. Sign boards, canopies, fascias and other architectural features shall be designed to incorporate signage or a uniform sign program. The base treatment of all freestanding signs shall be compatible with the color, materials and finish of the principal structure.

**Accessory structures and equipment** Accessory structures should reinforce the pedestrian character of the City. Above-ground utility and service features shall be located and designed to reduce their visual impact upon the streetscape.

1. All mechanical equipment (ground or roof), including, but not limited to, air conditioning condensers, heating units, electric meters, satellite dishes, irrigation pumps, ice machines and dispensers, outdoor vending machines, and propane tanks, displays and refilling areas visible from the public right-of-way or adjacent residential use shall be screened using architectural features consistent with the structure or landscaping of sufficient density and maturity at planting to provide opaque screening.
2. Site furnishings including benches, bicycle racks, light standards, trash receptacles, newspaper racks, and any other similar features shall be compatible with the architectural design of the principal structure.
3. Any fence or wall which is visible from any public right-of-way shall be designed as an integral feature of the architectural design of the principal structure. Such design shall include the use of similar materials, colors and finishes as the principal structure, shall have breaks, columns or bends and shall incorporate required landscaping.
  - a. The use of walls or fences, other than chain-link fences, around retention areas is allowed.
  - b. The use of chain-link fences shall only be allowed for properties which do not front on a major street or where existing vegetation or proposed landscaping will screen the fence from view from the major street.
4. External downspouts shall be enclosed within the building structure on the front and side facades and any other facade visible from a right-of-way.

(Code 1992 § 16.20.130.0, Ord. No. 876-G, § 14, 2-21-2008, Ord. No. 1029-G, § 26, 9-8-2011)

## FUTURE LAND USE

### **2.3.3.6 INDUSTRIAL CLASSIFICATION.**

#### **2.3.3.6.1 Category/Symbol - Industrial Limited (IL).**

**Purpose** - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a limited industrial manner; and so as to encourage the reservation and use of consolidated areas for industrial and industrial/mixed-use in a manner and location consistent with surrounding use, transportation facilities, and natural resource characteristics.

**Use Characteristics** - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Office; Research/Development; Light Manufacturing/Assembly (Class A) and (Class B); Wholesale/Distribution (Class A) and (Class B); Storage/Warehouse (Class A) and (Class B);
- **Secondary Uses** - Residential (subject to master development plan approval by the CPA); Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; Temporary Lodging; Institutional; Transportation/Utility; Recreation/Open Space; Transfer/Recycling; Incinerator Facility; Agricultural

**Locational Characteristics** - This category is generally appropriate to locations with sufficient size to encourage an industrial park arrangement, as well as integrated industrial/mixed-use projects, with provision for internal service access in locations suitable for light industrial use with minimal adverse impact on adjoining uses; and served by the arterial and thoroughfare highway network, as well as mass transit.

**Traffic Generation Characteristics** - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 178 trips per day per acre. Traffic impacts for industrial/mixed-use projects shall be determined based on the composition and density/intensity of the specific project.

**Density/Intensity Standards** - Shall include the following:

- **Residential Use** - Shall not exceed thirty (30) dwelling units per acre.
- **Temporary Lodging Use** - Shall not exceed: 1) fifty (50) units per acre; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- **All Other Uses** - Shall not exceed a floor area ratio (FAR) of .65 nor an impervious surface ratio (ISR) of .85, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .39 and an ISR of .65.

**Other Standards** - Shall include the following:

- **Industrial Uses Adjacent to Residential Categories** - An appropriate buffer, as determined by the local jurisdiction except for an industrial/mixed-use project requiring the submission of a master plan as outlined below, shall be provided in and between the Industrial Limited category and an adjoining Residential classification.

## FUTURE LAND USE

### 2.3.3.6.1 Industrial Limited (IL)

- **Acreege Limitations for Nonindustrial Secondary Uses That Are Not Part of a Master Development Plan - Institutional; Transportation/Utility; Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; Temporary Lodging; Agricultural Uses - shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous like uses. Secondary residential uses are only permitted pursuant to the requirements set forth for "Projects That Include Residential Use."**

**Standards for Industrial/Mixed-Use Projects – Industrial/mixed-use projects shall require the following:**

- **Number of Uses – Provision for two or more primary or secondary uses that are mutually supportive, and designed to be physically and functionally integrated.**
- **Public Transit – Location within reasonable proximity, and with specific provision for access, to a designated public transit corridor and connection point.**
- **Project Components – Integration of project components, including uninterrupted pedestrian connections, an internal roadway system to reduce impacts to offsite areas, open space and recreation facilities, public/common spaces in relationship to key project uses, bicycle facilities, and accommodation for mass transit, as appropriate. Such integration shall be designed so as to increase the interaction between uses, to reduce the need for automobile use within the project, as well as reduction of off-site automobile trips attributable to the project, and to encourage the provision of shared infrastructure.**
- **Master Development Plan – Preparation of a master development plan that stipulates the type and scale of uses, permitted densities and intensities, and relationships among plan components. Such plan shall distinguish the industrial/mixed-use project from the unplanned placement of uses on a site or sites, resulting from separate unrelated actions of distinct developments that fail to provide for synergism between uses.**

**Master Development Plan Requirements for Industrial/Mixed-Use Projects – Shall include the following:**

- **Projects That Do Not Include Residential Use – An industrial/mixed-use project which comprises not less than fifty (50) acres may include secondary Institutional; Transportation/Utility; Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; and Temporary Lodging uses subject to the following:**
  1. **The secondary nonindustrial uses that are part of a planned industrial/mixed-use project shall be subject to a master development plan, providing for unified control of the entire project.**
  2. **Such secondary nonresidential uses, alone or in combination, shall not comprise more than 25% of the area of the project governed by the master development plan.**
  3. **The master development plan required for industrial/mixed-use projects that do not include residential use shall be approved by the local government with jurisdiction.**
  4. **Where the property included in the master development plan is adjacent to or within five hundred (500) feet of an adjacent municipal or county jurisdiction, the master development plan shall be submitted to that adjoining jurisdiction for review and comment.**

## FUTURE LAND USE

### 2.3.3.6.1 Industrial Limited (IL)

- **Projects That Include Residential Use** – An industrial/mixed-use project which comprises not less than one hundred (100) contiguous acres under common control as of the effective date of this ordinance (*sic*)<sup>1</sup> may include secondary residential use subject to the following:
  1. Such residential component shall not:
    - a. Comprise more than 25% of the area of the master development plan;
    - b. Be located within the Coastal High Hazard Area;
    - c. Be located within the 65 decibel Day-Night Sound Level area as identified on the St. Petersburg-Clearwater International Airport Noise Contours map, April 1996 by Greiner, Inc., and as adopted by Pinellas County in Ordinance Number 97-58 (sec. 142-39(b));
    - d. Be permitted to transfer density to other Countywide Plan Map categories or outside of the approved master development plan area discussed below;
    - e. Be permitted to use density averaging, outside the master development plan area, as provided for in Section 6.1.3.
  2. The secondary residential use that is part of a planned industrial/mixed-use project shall be subject to a master development plan, providing for unified control of the entire project.
  3. The master development plan required for industrial/mixed-use projects that include residential use shall, upon preliminary approval by the local government with jurisdiction, be submitted to the PPC for review and recommendation to the CPA. The CPA may approve, approve with conditions, or deny the master development plan; which action shall require a majority plus one vote of the entire CPA if such action is contrary to the PPC recommendation. The local government with jurisdiction shall not approve a final site plan or issue a development order other than as is consistent with the action of the CPA.
  4. Where the property included in the master site plan is adjacent to or within five hundred (500) feet of an adjacent municipal or county jurisdiction, the master development plan shall be submitted to that adjoining jurisdiction, at the same time that it is submitted to the PPC/CPA, for review and comment by that adjoining jurisdiction.
  5. The master development plan shall include sufficient information to demonstrate that the secondary use components are integrated with the other uses in the project. The master site plan shall also include sufficient information to demonstrate to the PPC and CPA the relationships between, and compatibility of, the industrial, secondary nonindustrial and residential uses within and adjacent to the project. Criteria used to determine an acceptable, integrated industrial/mixed-use project that includes residential use shall include:
    - a. An appropriate justification for the residential component, including consideration of the following:
      - 1) Functional relationship between the residential component and anticipated demand for this housing created by the remainder of the development proposal;
      - 2) Phasing or sequencing of the project to coordinate residential construction with the anticipated demand for and timing of the nonresidential portion of the project;

<sup>1</sup> Editor's Note: This subsection adopted by Ordinance No. 04-5, effective January 14, 2004.

## FUTURE LAND USE

### 2.3.3.6.1 Industrial Limited (IL)

- 3) Contributory nature of the employment created and the percentage of the wages paid over and above the average Metropolitan Statistical Area (MSA) wage;
  - 4) Adequacy of infrastructure in relationship to the phasing and scale of the project.
- b. An appropriate buffer in and between the residential component of the master planned industrial/mixed-use project and adjoining categories or uses in those categories. This buffer requirement will consider the following:
- 1) the nature and characteristics of the adjoining nonresidential use(s), including noise, air, odor, and visual operating characteristics;
  - 2) the distance from and elevation of the adjoining nonresidential use, including the intervening land form, building or structural opaque barrier, and type and dimensions of landscape buffer; and
  - 3) Any county ordinance that regulates the setback of residential uses from a county-owned solid waste disposal facility.
6. For any jurisdiction to provide residential uses within the Industrial Limited category, the land development regulations of that jurisdiction shall be amended to require the PPC review and CPA approval of the master development plan, as a condition precedent to approval of the local site plan and/or development order.
7. Development of the project shall proceed in a manner that is substantially consistent with the CPA approved master development plan. Any amendment required to maintain that consistency shall be reviewed by the PPC and approved by the CPA.

## FUTURE LAND USE

### **2.3.3.9 SPECIAL DESIGNATIONS - CONT.**

#### **2.3.3.9.3 Category/Symbol - Activity Center (AC).**

**Purpose** - It is the purpose of this category to depict, utilizing an overlay, those areas of the county that are now developed, or appropriate to be developed, in a concentrated and cohesive pattern to facilitate mixed-use development as focal points of commerce, employment and housing of countywide significance; and to provide a mechanism whereby separate standards for density/intensity of use are employed, consistent with their special purpose, character, and capacity for service.

**Use Characteristics** - See applicable underlying categories.

**Locational Characteristics** - This category is generally appropriate to those concentrated commercial and mixed-use centers that are well-suited to a more intensive and integrated pattern of development; that are situated to serve a significant area of the countywide population; and to recognize and provide for those concentrated activity centers in a manner consistent with their relationship to adjoining uses and the transportation system, including mass transit. There will be two types of Activity Centers:

- These locations shall be a minimum of fifty (50) acres in size and shall be of countywide significance.
- The designated locations for activity centers shall include mixed land uses and may include regional shopping centers, major office and employment centers, public facilities, commercial recreation complexes, and high density residential.

**Traffic Generation Characteristics** - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be based upon the underlying categories, adjusted to account for the proposed density/intensity within each category.

**Density/Intensity Standards** - Shall include the following:

- Shall not exceed 2.5 times otherwise permitted density/intensity.

**Other Standards** - Shall include the following:

- **Special Area Plan Required** - The utilization of this category shall require a special area plan as set forth in Section 4.2.7.5.

## DEMOGRAPHICS



### Executive Summary

10901 Roosevelt Blvd N, Saint Petersburg, FL, 33716  
Rings: 1, 3, 5 mile radii

Prepared by Elliott Ross  
Latitude: 27.870440694  
Longitude: -82.64760043

Population	1 mile	3 miles	5 miles
2000 Population	9,971	47,566	140,891
2010 Population	10,672	51,764	146,256
2013 Population	10,619	52,347	146,529
2018 Population	10,729	53,493	148,347
2000-2010 Annual Rate	0.68%	0.85%	0.37%
2010-2013 Annual Rate	-0.15%	0.35%	0.06%
2013-2018 Annual Rate	0.21%	0.43%	0.25%
2013 Male Population	46.3%	47.7%	49.5%
2013 Female Population	53.7%	52.3%	50.5%
2013 Median Age	33.7	42.1	42.0

In the identified area, the current year population is 146,529. In 2010, the Census count in the area was 146,256. The rate of change since 2010 was 0.06% annually. The five-year projection for the population in the area is 148,347 representing a change of 0.25% annually from 2013 to 2018. Currently, the population is 49.5% male and 50.5% female.

#### Median Age

The median age in this area is 42.0, compared to U.S. median age of 37.3.

#### Race and Ethnicity

2013 White Alone	75.1%	82.2%	80.8%
2013 Black Alone	14.6%	8.3%	7.7%
2013 American Indian/Alaska Native Alone	0.2%	0.3%	0.4%
2013 Asian Alone	3.7%	4.4%	5.5%
2013 Pacific Islander Alone	0.1%	0.1%	0.1%
2013 Other Race	2.9%	2.0%	2.7%
2013 Two or More Races	3.4%	2.8%	2.8%
2013 Hispanic Origin (Any Race)	12.4%	9.5%	10.7%

Persons of Hispanic origin represent 10.7% of the population in the identified area compared to 17.4% of the U.S. population. Persons of Hispanic Origin may be of any race. The Diversity Index, which measures the probability that two people from the same area will be from different race/ethnic groups, is 46.5 in the identified area, compared to 62.1 for the U.S. as a whole.

#### Households

2000 Households	5,547	24,460	63,106
2010 Households	5,761	26,155	64,985
2013 Total Households	5,718	26,443	65,085
2018 Total Households	5,788	27,079	65,977
2000-2010 Annual Rate	0.38%	0.67%	0.29%
2010-2013 Annual Rate	-0.23%	0.34%	0.05%
2013-2018 Annual Rate	0.24%	0.48%	0.27%
2013 Average Household Size	1.77	1.94	2.17

The household count in this area has changed from 64,985 in 2010 to 65,085 in the current year, a change of 0.05% annually. The five-year projection of households is 65,977, a change of 0.27% annually from the current year total. Average household size is currently 2.17, compared to 2.17 in the year 2010. The number of families in the current year is 35,004 in the specified area.

**Date Note:** Income is expressed in current dollars

**Source:** U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018. Esri converted Census 2000 data into 2010 geography.

October 17, 2013

# DEMOGRAPHICS



## Executive Summary

10901 Roosevelt Blvd N, Saint Petersburg, FL, 33716  
Rings: 1, 3, 5 mile radii

Prepared by Elliott Ross

Latitude: 37.870440594

Longitude: -82.69760043

	1 mile	3 miles	5 miles
<b>Median Household Income</b>			
2013 Median Household Income	\$40,194	\$44,378	\$42,428
2018 Median Household Income	\$44,979	\$51,794	\$50,144
2013-2018 Annual Rate	2.27%	3.14%	3.40%
<b>Average Household Income</b>			
2013 Average Household Income	\$49,421	\$59,776	\$58,178
2018 Average Household Income	\$55,175	\$67,377	\$66,526
2013-2018 Annual Rate	2.23%	2.42%	2.72%
<b>Per Capita Income</b>			
2013 Per Capita Income	\$26,619	\$30,270	\$26,162
2018 Per Capita Income	\$29,683	\$34,158	\$29,891
2013-2018 Annual Rate	2.20%	2.45%	2.70%

### Households by Income

Current median household income is \$42,428 in the area, compared to \$51,314 for all U.S. households. Median household income is projected to be \$50,144 in five years, compared to \$59,580 for all U.S. households

Current average household income is \$58,178 in this area, compared to \$71,842 for all U.S. households. Average household income is projected to be \$66,526 in five years, compared to \$83,667 for all U.S. households

Current per capita income is \$26,162 in the area, compared to the U.S. per capita income of \$27,567. The per capita income is projected to be \$29,891 in five years, compared to \$32,073 for all U.S. households

### Housing

2000 Total Housing Units	6,188	27,274	70,742
2000 Owner Occupied Housing Units	1,112	13,574	42,075
2000 Renter Occupied Housing Units	4,434	10,886	21,031
2000 Vacant Housing Units	642	2,814	7,636
2010 Total Housing Units	6,648	30,283	74,662
2010 Owner Occupied Housing Units	1,145	13,763	40,294
2010 Renter Occupied Housing Units	4,616	12,392	24,691
2010 Vacant Housing Units	887	4,128	9,677
2013 Total Housing Units	6,633	30,380	75,062
2013 Owner Occupied Housing Units	1,008	13,204	38,349
2013 Renter Occupied Housing Units	4,710	13,238	26,735
2013 Vacant Housing Units	915	3,937	9,977
2018 Total Housing Units	6,673	30,560	75,695
2018 Owner Occupied Housing Units	1,068	13,706	39,397
2018 Renter Occupied Housing Units	4,720	13,373	26,579
2018 Vacant Housing Units	885	3,481	9,718

Currently, 51.1% of the 75,062 housing units in the area are owner occupied; 35.6%, renter occupied; and 13.3% are vacant. Currently, in the U.S., 56.4% of the housing units in the area are owner occupied; 32.3% are renter occupied; and 11.3% are vacant. In 2010, there were 74,662 housing units in the area - 54.0% owner occupied, 33.1% renter occupied, and 13.0% vacant. The annual rate of change in housing units since 2010 is 0.24%. Median home value in the area is \$113,874, compared to a median home value of \$177,257 for the U.S. In five years, median value is projected to change by 5.21% annually to \$146,788.

Data Note: Income is expressed in current dollars

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018. Esri converted Census 2000 data into 2010 geography.

October 17, 2013



4401 W. Kennedy Blvd, Suite 100  
Tampa, Florida 33609  
Tel. (727) 725-2800 / Fax (727) 726-6780

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**Exclusively Listed by:**

**ELLIOTT M. ROSS, CCIM  
JASON APRILE, CCIM**

**RMC ROSS REALTY**  
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3001 Executive Drive, Suite 250  
Clearwater, FL 33762-5324  
Phone: (727) 725-2800  
Fax: (727) 726-6780  
[www.rmcp.com](http://www.rmcp.com)

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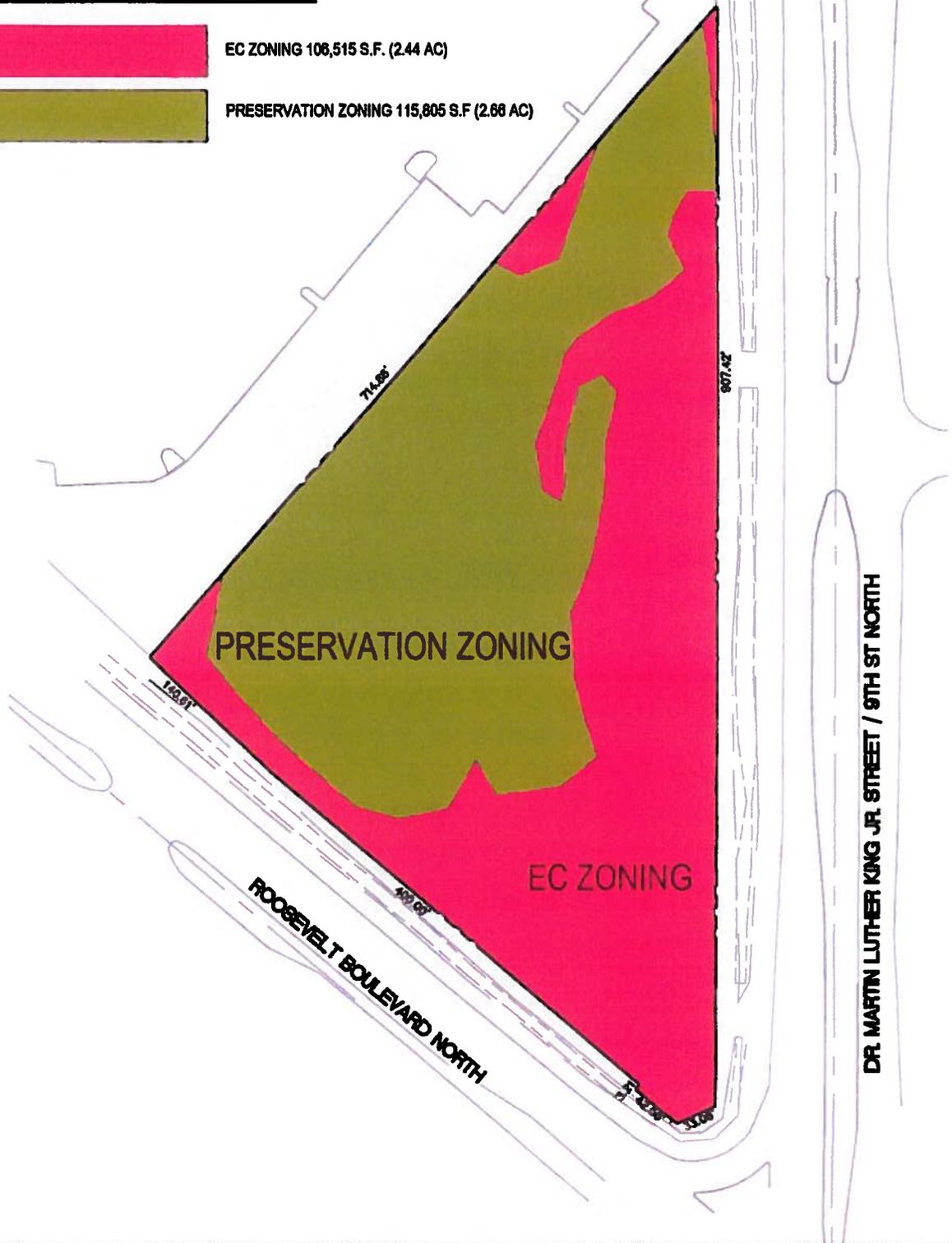
# LEGEND:



EC ZONING 106,515 S.F. (2.44 AC)



PRESERVATION ZONING 115,805 S.F. (2.66 AC)



## CURRENT ZONING EXHIBIT

PROJECT: ROOSEVELT & M.L.K. ZONING

PROJECT NO:	FT140010	PAGE NO:	1	OF	3
PREPARED BY:	CTW	DATE:	06/04/2014		
CHECKED BY:	JGL	SCALE:	1"=125'		



4960 W. KENNEDY BLVD, SUITE 600, TAMPA, FLORIDA 33609 - TEL: (813)379-4100

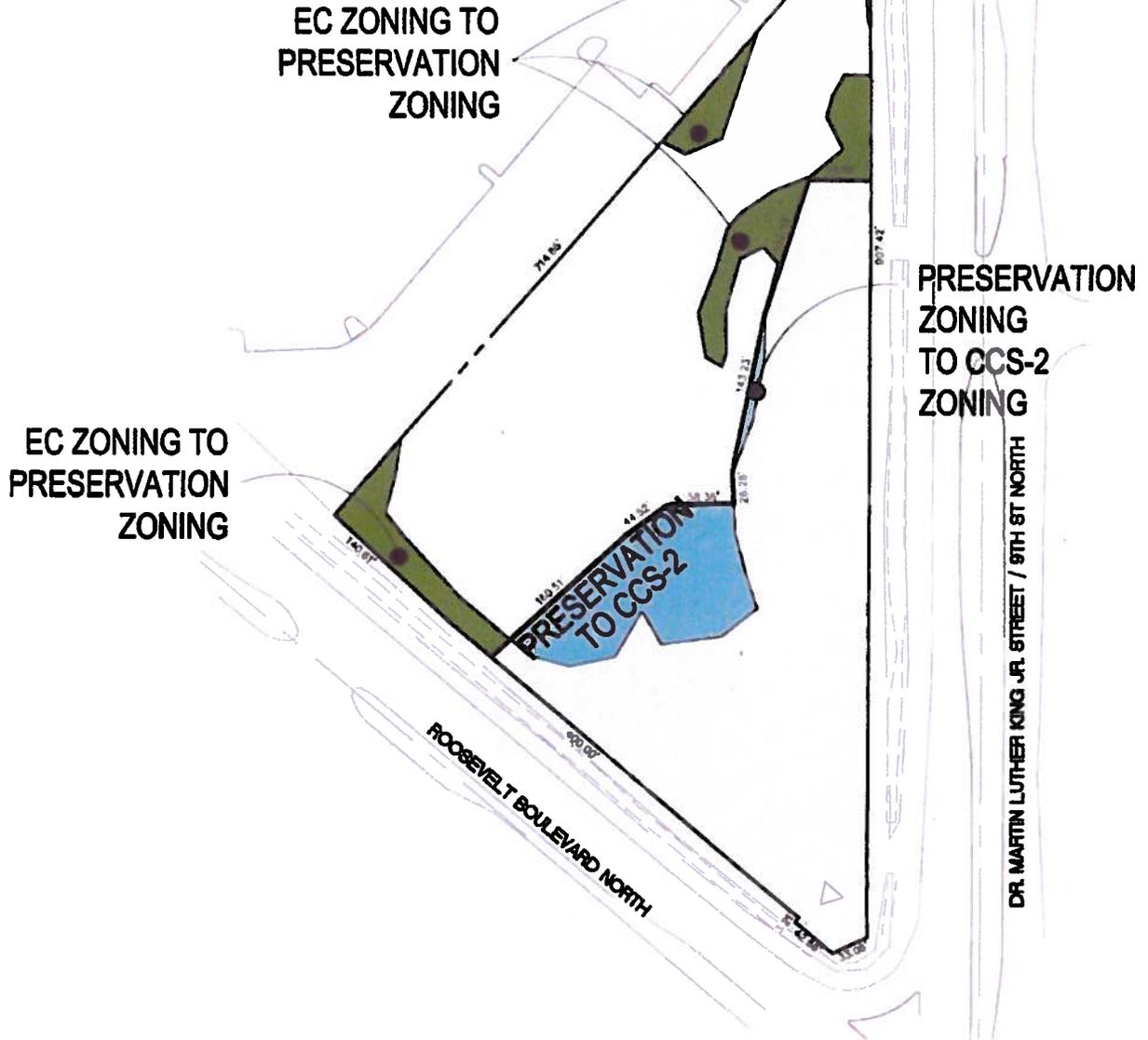
# LEGEND:



PRESERVATION TO CCS-2 ZONING 18,441 S.F. (0.42 AC)



EC ZONING TO PRESERVATION 18,445 S.F. (0.42 AC)



## PROPOSED ZONING CHANGES EXHIBIT

PROJECT: ROOSEVELT & M.L.K. ZONING

PROJECT NO:	FT140010	PAGE NO:	3	OF	3
PREPARED BY:	CTW	DATE:	06/04/2014		
CHECKED BY:	JGL	SCALE:	1"=125'		



4350 W. KENNEDY BLVD, SUITE 600, TAMPA, FLORIDA 33609 - TEL: (813)379-4100

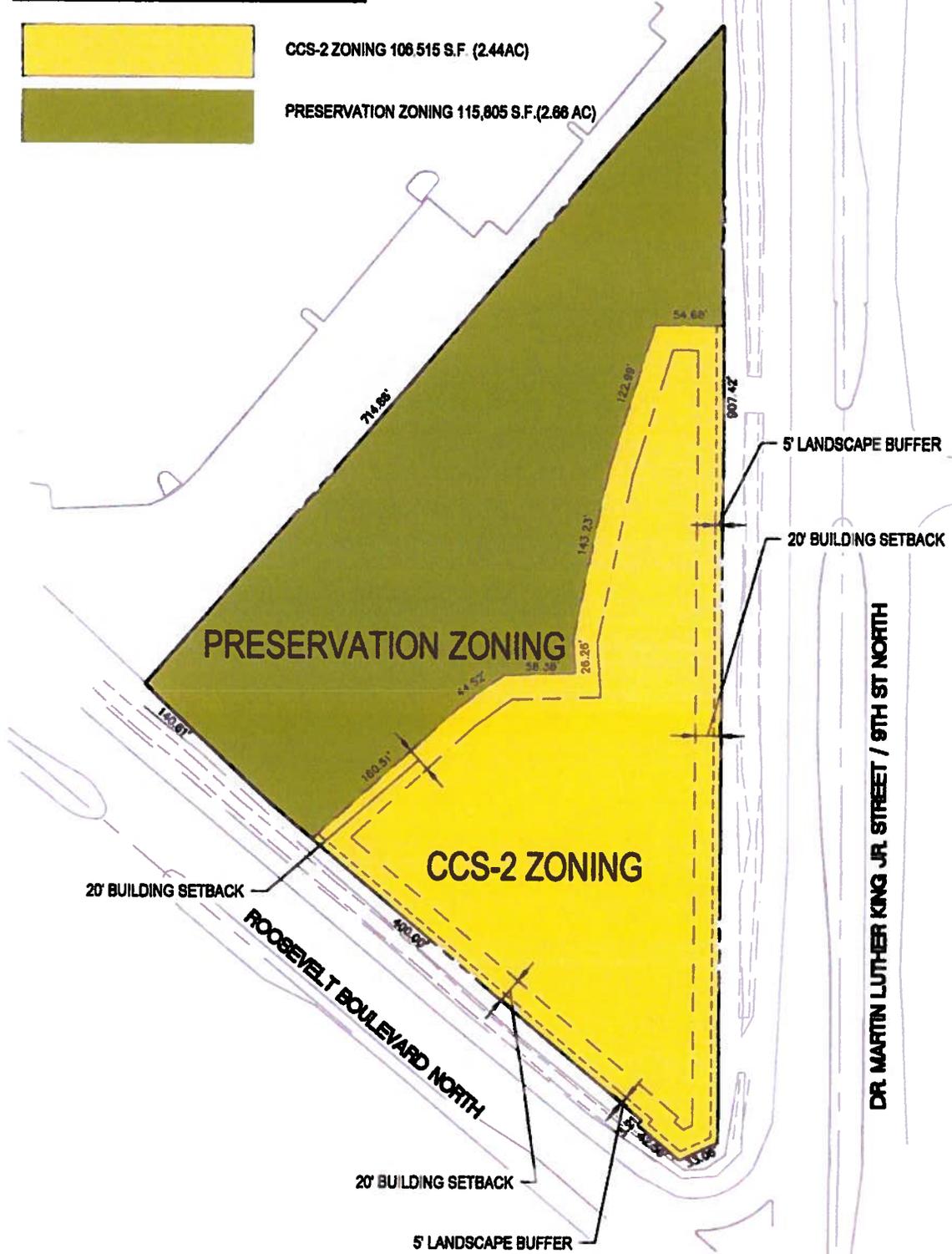
# LEGEND:



CCS-2 ZONING 108,515 S.F. (2.44AC)



PRESERVATION ZONING 115,805 S.F. (2.66 AC)



## PROPOSED ZONING WITH SETBACKS EXHIBIT

PROJECT: ROOSEVELT & M.L.K. ZONING

PROJECT NO:	FT140010	PAGE NO:	2	OF	3
PREPARED BY:	CTW	DATE:	06/04/2014		
CHECKED BY:	JGL	SCALE:	1"=125'		



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# CITY COUNCIL AGENDA

## Report Item

**TO:** Mayor and Members of City Council

**DATE:** July 25, 2014

**COUNCIL**

**DATE:** August 7, 2014

**RE:** NLC Youth, Education and Families

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**ACTION DESIRED:**

Would like to provide City Council with an oral report on the National League of Cities Youth, Education and Families.

Karl Nurse  
City Council

MEMORANDUM

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

FROM: Rick Kriseman, Mayor. 

RE: Pier Working Group Report

DATE: August 1, 2014

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For your review is the final report from the Pier Working Group. I am very proud of this group's hard work, community outreach, and ability to clearly identify common ground elements for the St. Petersburg pier. To provide more insight into the process and results, the group's Chair, Peter Clark of Tampa Bay Watch, will be available to provide a report at your August 7, 2014 Council meeting.

cc: Mike Connors  
Peter Clark (Tampa Bay Watch)

## **Pier Working Group Programmatic Element Recommendations**

### **EXECUTIVE SUMMARY**

The Pier Working Group (“PWG”) was formed in May, 2014, to confirm the programmatic priorities for consideration in the new St. Petersburg Pier. At the direction of Mayor Rick Kriseman, a 21-member volunteer citizen committee was appointed to create an inclusive and detailed public input process that reviewed relevant historical programmatic data, along with providing additional opportunities for the public to comment on essential elements of a new pier.

The following elements were classified as “required” by the PWG:

- Observation and viewing area’s are critical to the success of any program at the pier.
- Dining options, from casual to destination, are important to a wide variety of the community.
- Cycling, walking and jogging paths are more than a functional element; they are integral to the new pier experience.
- Transportation options from the pier uplands to the head are an essential element to a successful pier.
- Fishing.
- Courtesy and transient docks to accommodate both motorized and non-motorized watercraft.
- The new pier should have an environmental education element with the potential for an interactive marine discovery center.
- Some flexible event space and performance area(s) that include picnic areas and green space - adding a park-like atmosphere for visitor rest and recreation.
- Bike and watercraft rental.
- Retail opportunities that support the recreational elements of the new pier and enhance the visitor experience.

The PWG recognizes that all elements are subject to the current capital budget, sustainable operating costs and compliance with city design/permitting criteria. Additional factors such as shade, air conditioning, and coordination with the Downtown Waterfront Master Plan, are detailed further in the report.

## **RECENT PIER HISTORY & COMMUNITY INVOLVEMENT - TO DATE**

The St. Petersburg Pier has a rich history dating back over 100 years. The current pier bridge and pier head completed construction in 1926, and are in need of replacement. The most recent structure at the pier terminus, the inverted pyramid, opened in 1973 and is supported by a separate foundation system (completed at the same time) which appears to still be sound.

In a 2004 report to City Council, it was stated that the structural maintenance program for the Pier approach and Pier head were no longer cost effective, and its replacement should be planned for in the next 10 years. In 2005, with Pinellas County, a TIF (tax-increment financing) mechanism with subsequent amendments was put in place to replace the Pier approach and head, with an agreed upon allocation of \$50M for the pending work.

In 2009, a mayoral appointed Pier Advisory Task Force was formed, and over 14 months, met extensively with the public, hired outside consultants, and provided options for both the pier itself as well as the program. These options were not limited to the over-water portion of the Pier, but included the uplands contiguous to the pier approach.

Following the Pier Advisory Task Force recommendations in 2010, additional community input and consulting activities were performed, resulting in a City Council authorized design competition in 2011. A juried selection of a new pier called the "Lens" was approved by City Council, and the design process continued into 2013. During that timeframe, opposition formed in two primary groups, one to save the inverted pyramid, and one opposed to the Lens design. In August 2013, a referendum to cancel the architectural contract for the Lens was successful, allowing the City to begin a new process for the pier.

In January 2014, Mayor Kriseman took office and, shortly thereafter, recommended a new Request for Qualifications ("RFQ") to select a design consultant. In order to incorporate community input and create a new RFQ, the Pier Working Group was established to review, update, and recommend common activities/elements consistent with the desires of the community. This list of elements would then become the basis for what would be considered the programmatic elements necessary for the new St. Petersburg Pier.

## PIER WORKING GROUP PROCESS & PUBLIC INPUT

The citizen-led PWG was comprised of citizens from a wide variety of backgrounds for a well rounded community based result.

**Peter Clark, Chair**

*Founder & President – Tampa Bay Watch*

**Jackie Dixon**

*Dean – USF College of Marine Sciences*

**Emily Elwyn**

*President – St. Pete Preservation*

**Jen French**

*Rep. - Committee to Advocate for Persons with Impairments*

**Jopie Helsen**

*Owner – Sailor's Wharf / Chair – Tampa Bay Marine Industry Region*

**Paul Hsu**

*Rep. - West Central Business District & Pier Advisory Task Force*

**Carter “Bud” Karins**

*Karins Engineering / Rep. - Concerned Citizens of St. Pete*

**Robin Link**

*Mainsail Art Festival*

**Lorraine Margeson**

*Environmental Activist*

**Brother John Mohammed**

*Rep. - Midtown / President - Childs Park Neighborhood Association*

**Jim Moriarty**

*Rep. - Build the Pier*

**Ed Montanari, Vice-Chair**

*American Airlines / Rep. – Pier Advisory Task Force*

**Marlene Murray**

*President – Meadowlawn Neighborhood Association*

**Marilyn Olsen**

*Past President – Downtown Neighborhood Assoc. / Rep. - Pier Advisory Task Force / Rep. - DWMP Task Force*

**Ross Preville**

*Rep. - St. Petersburg Chamber of Commerce / Raymond James*

**David Punzak**

*Rep. - St. Petersburg Chamber of Commerce / Carlton Fields*

**Barbara Readey**

*General Manager – Vinoy Renaissance Hotel*

**Joe Reed**

*Ret. Investment Exec. / Rep. - Vote on the Pier*

**Angela Rouson**

*Board Member – Juvenile Welfare Board*

**Steve Westphal**

*Restaurateur / Board Member FRLA / Downtown Resident*

**Lisa Wheeler-Brown**

*President – Council of Neighborhood Associations*

Members included individuals from community and neighborhood associations, the historic preservation society, the marine industry, environmental and accessibility advocates, many of whom also served on or participated in the Pier Advisory Task Force, Build the Pier, Vote on the Pier, and the Concerned Citizens Group.

As the first item of business, the Mayor recommended the following Mission Statement & Objectives which were adopted by the PWG:

### **MISSION STATEMENT & OBJECTIVES**

The Pier Working Group will review and refine a cohesive programmatic proposal to the Mayor and City Council and community regarding the next St. Petersburg Pier. The Pier Working Group process will be inclusive and detailed, merging the best common ground elements proposed to date balanced with recognition of fiscal constraints and potential subsidy implications. The Pier Working Group's recommendations are intended to remain flexible, prioritizing the essential elements as gathered from both extensive analysis currently available and public outreach allowing a viable program proposal to be incorporated into the Request for Qualifications process soliciting new pier design teams at a future date.

1. Review all work products to date to establish common program elements to proceed with
2. Confirm programmatic requirements for viable uses and activities
3. Evaluate alternatives and essential characteristics for program components
4. Rank the selected program components into a "required" list and an "optional" list
5. Provide issues and constraints to be considered with selected programmatic components
6. Solicit public input regarding the proposed program to inform the group's final report

The PWG set out in June 2014 to review all relevant materials presented to date, with a focus on a) prior public input results, b) the Pier Advisory Task Force Report, c) the OpinionWorks survey, d) the Lambert Market Assessment and e) the 828 Alliance Report. Staying focused on the program, rather than what the structure will be that contains the program, the PWG established a subcommittee to focus on obtaining current public input.

The subcommittee, consisting of PWG members Peter Clark, Jen French, Carter "Bud" Karins, Robin Link, Lorraine Margeson, Ed Montanari (Subcommittee Chair), Joe Reed and Steve Westphal, began the process of obtaining public input. Their first steps were lengthy reviews of past program and public input to date, which became the quantitative elements of a Potential Pier Program Elements Survey (Exhibit A).

The top elements under consideration were:

Fine Dining	Flexible Event Space	Fishing
Open-Air Casual Dining	Comm. Gathering Space	Tram/Trolley
Fast Food	Amphitheater	Water Taxi
Café / Snack Bar	Exhibition Vessel Berth	Spa Beach to Vinoy Park
Banquet Space	Hotel	Bridge
Picnic Area	Observation Areas	Family Entertainment
Shopping	Cycling/Jogging/ Walking	Center
Kiosks	Motorized Boating	Amusement Park / Ferris
Bike / Watercraft Rental	Non-Motorized Boating	Wheel
Support Retail	Water Park	Marine Discovery Center
Performance/Stage	Courtesy Docks	Environmental Education

To be transparent and inclusive, ample opportunities were provided for citizens to list additional programmatic elements that may have not been included or fit a category above.

Public input sessions spanned five locations throughout the City, including the Childs Park Recreation Center, the Coliseum, Roberts Recreation Center, Lake Vista Recreation Center, and the J.W. Cate Recreation Center. Total attendees across these venues totaled 375 citizens.

In addition to the “in-person” venue driven meetings, an online survey was conducted simultaneously, resulting in an additional 1,585 respondents.

75 additional surveys were received from an independent citizen’s neighborhood and recreation center outreach.

When completing a survey, respondents were asked to rate the individual elements from “highest to lowest” and, once completed, select their “top ten” program priorities for the new pier. A benefit of being able to attend the sessions in person was that individuals were seated at tables, consisting of approximately eight citizens per table, where a separate process of discussion and “table ranking” could take place. During the review of this subject over the last six years, many citizens’ opinions have held firm in some areas, while many opinions have evolved over time. The table top sessions afforded individuals to share their rankings and work towards consensus, no different than what the City as a whole needs to do to complete this project. The resulting data is summarized in Exhibit B.

Following the public input process, the PWG reconvened to compare the results of their work to previous work on program elements, including the OpinionWorks Survey (December 2013), the Lambert Market Assessment (March 2010), and the Pier Advisory Task Force Report (June 2010).

## RECOMMENDATIONS

The resulting highly rated elements from public input sessions conducted in June/July 2014 and online survey results were generally consistent with the body of work leading up to the PWG effort. While elements were rated and ranked in the public input sessions and all were considered desirable and consistent with past review, several of the elements have become recommended as top priorities by the PWG.

## REQUIRED ELEMENTS

- **Observation Areas.** The pier experience is focused on public interaction with the water and observation areas. Both dedicated and passive elements are an integral part of the experience. Maximizing vistas, both of the waterfront and of the city from the pier, and minimizing potential view obstructions are critical to the ultimate design. The ability to have observation areas at various elevations are desirable elements as well.
- **Dining Options.** The dining option element was heavily discussed by the PWG. There was no disagreement from either the PWG or public input that creating both open-air casual and destination full-service air conditioned dining opportunities are required at the new pier. There was universal agreement that a variety of dining experiences and price points are welcome, including café/snack bars and fine dining.
- **Cycling / Walking / Jogging.** It is critical to provide flexible and safe lanes for this transportation element, mixing and, if needed, separating them to accommodate different speeds of transport that will accommodate all users. Linking to the city's existing trail system provides a functional and experiential adventure that should be included in any new pier design.
- **Transportation Options.** As important as the specific type of transportation option is ensuring the ease, speed and headways of any transportation element. Consideration should be given, but not limited, to a tram/trolley as well as a water taxi/ferry in conjunction with the cycling/walking/jogging element above. Environmentally friendly methods are encouraged. Fully accessible fixed linkages to parking and public transportation, ensuring seamless access, are required. Any transportation recommended must be viewed as part of the overall

pier experience, thoughtfully and efficiently carrying passengers to the pier terminus.

- **Fishing.** A most basic and required element of this pier is fishing. Recommendations included the potential to separate the fishing experience from the pedestrian experience from both a safety and cleanliness perspective. The inclusion of fish cleaning stations and potential for some type of artificial reef system, as well as thoughtful consideration as to where fishing areas should be, will benefit the overall pier experience. The PWG further recommends that the City engage the Ocean Team to assist in the details related to this element.
- **Marine Discovery / Environmental Educational Element.** The PWG recommends that the City engage the Ocean Team to further develop an environmental educational element and potential interactive marine discovery center. Designs must consider the unique water and environmental conditions of the site and the opportunity to enhance the public's awareness of the Gulf of Mexico with a focus on the Tampa Bay Estuary.
- **Courtesy & Transient Docks.** Consideration should be given to providing safe and effective courtesy and transient docks and to accommodate both motorized and non-motorized boating. The potential for a water ferry or water taxi rated highly in recent input and consideration for this, whether tied to the uplands or the pier itself, should be given consideration. Additionally, the potential to exhibit larger vessels has historically been a part of the pier experience and would be welcomed, again tied to either land or the pier itself.
- **Flexible Event Space Including Picnic Areas & Green Space.** Providing spaces to encourage social interaction that remain flexible are highly desired. The potential for a performance area, particularly one that does not appear empty when not in use, as well as flexible community space carry forward the best and basic elements for pier use and function. St. Petersburg and its downtown waterfront thrive on special events and providing a platform for this will benefit all. There should be an active balance of all types of areas, with a priority given to appropriate green space.
- **Bike & Watercraft Rental.** The ability for visitors to rent bicycles and watercraft is desired.
- **Retail.** Consideration should be given for support retail that enhances the recreational and visitor experience at the pier.

## OTHER CONSIDERATIONS

After reviewing a significant amount of qualitative data contained in the comment sections of the surveys, the PWG recommends the following elements be given due attention in the RFQ submission:

- **Downtown Waterfront Master Plan (“DWMP”).** The DWMP is a Charter required master plan with a required completion date of July 1, 2015. This plan focuses on a broad and diverse area of the City connected to the waterfront and, following its adoption, will be amended every seven years at a minimum. The pier process has been ongoing in earnest since 2008 and ensuring that future pier alternatives, particularly those on the uplands, should stay consistent with the direction of the DWMP. Likewise, the DWMP must track and intersect with the vast input to date on the pier to ensure a symbiotic relationship and seamless connections from the pier throughout the waterfront.
- **Green Building/LEED Certified Building.** The new pier must have a sustainable development platform, employing innovative and cost effective energy conservation techniques and potential to obtain LEED certification.
- **Capital/Operating Costs & Economic Sustainability.** The PWG recommends that the City fully analyze any selected concept(s) for long-term operating and economic sustainability.
- **Economic Development.** The new pier should become an engine for long-term economic growth, including providing jobs to the city’s local economy.
- **Visitors.** Recognize that the highest functioning pier will serve locals as well as tourists. Family-friendly activities and spaces will continue to resonate with this city’s population as well.
- **Shade & Air Conditioning.** Providing the ability to get out of the elements, including shade opportunities along the pier’s approach and the potential for air conditioned space at the terminus, is essential.
- **Parking.** Consistent with the required transportation element previously mentioned, the success of the pier and arguably the entire visitor experience depends on the ease with which parking can be accessed. It takes many elements to achieve that result and the PWG recommends ample parking proximate to transportation linkages be incorporated.
- **Accessibility.** Compliance with all Federal and State of Florida standards and access codes under the Americans with Disabilities Act (“ADA”) is needed for any pier design. Consideration should be given to “Universal Design”, which covers a broader spectrum making any built environment aesthetic and usable to the greatest extent possible by people of all abilities.

## **NEXT STEPS IN THE PROCESS**

The PWG recommends the following to ensure a seamless result regarding the program for the pending design:

1. Continue to coordinate with the Downtown Waterfront Master Plan process. Particular attention should be paid to the programming on the uplands as it relates to the DWMP.
2. Conduct an updated market assessment, in a manner that will not adversely affect the overall project timeline, to assist shortlisted RFQ respondents in their programming exercise.
3. Conduct a restaurant request for proposals at the appropriate time to gauge the market opportunities, interest, and selection of future dining options.

This report focused capturing both a historical perspective and recognizing consensus items that exist in the St. Petersburg community today. The recommendations contained herein can serve as a guide for program direction in the pending pier RFQ to deliver concepts that will satisfy our community's common ground ideas for a new pier.

## RESOURCES

- Exhibit A Potential Pier Program Elements Survey
- Exhibit B Pier Working Group Public Input Summary
- Exhibit C Additional Elements Provided Through Public Input  
*Located at <http://www.stpete.org/thenewpier/documents.asp>*
- Exhibit D Pier Advisory Task Force Report  
*Located at <http://www.stpete.org/stpete/PierAdvisoryTaskForceFinalReport6310.pdf>*
- Exhibit E OpinionWorks Survey  
*Located at <http://www.stpete.org/docs/StPeteVoterSurveySummary122013.pdf>*
- Exhibit F Lambert Advisory Market Assessment  
*Located at <http://www.stpete.org/thenewpier/docs/StPetePierLambertAdvisorySummary.pdf>*
- Exhibit G 828 Alliance Report  
*Located at <http://www.stpete.org/thenewpier/docs/Mayors828Alliance.pdf>*

## Exhibit A Potential Pier Program Elements Survey (Front Page)

### POTENTIAL PIER PROGRAM ELEMENTS

NAME:	
ADDRESS:	
ZIP CODE:	EMAIL:

The Pier public engagement process begins with you. Below are elements that have repeatedly surfaced as important to citizens over the last five years, many of which were noted in the Pier Advisory Task Force Report, a market assessment, and a recent opinion survey. Please take the time to: 1) Rate the various program elements on a scale of 1 - 5 and 2) rank the top ten, starting with the most important element required in a new Pier.

NOTICE: All information volunteered on this survey is subject to public records requests under Florida law.

**Please prioritize the following potential program elements**  
*Note: Element descriptions located on back of this sheet*

		Lowest	Low	Medium	High	Highest
		1	2	3	4	5
DINING	Fine Dining	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Open-Air Casual Dining	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Fast Food	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Cafe / Snack Bar	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Banquet Space	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
RETAIL / COMMERCIAL	Picnic Area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Shopping	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Kiosks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Bike / Watercraft Rental	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Support Retail	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
ENTERTAINMENT	Performance / Stage area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Flexible Event Space	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Community Gathering Space	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Amphitheater	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	OTHER	Exhibition Vessel Berth	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hotel		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Observation Areas		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cycling / Jogging / Walking		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
ACTIVITIES		Motorized Boating	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Non-Motorized Boating	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Water Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Courtesy Docks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Fishing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
TRANSPORT	Tram / Trolley	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Water Taxi	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Spa Beach to Vinoy Park Bridge	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
ATTRACTIONS	Family Entertainment Center	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Amusement Park / Ferris Wheel	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Marine Discovery Center	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Environmental Education	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	- - - - - WRITE IN ALTERNATIVE SUGGESTIONS BELOW - - - - -		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**↑ Please use this left hand space to rank your top TEN program elements 1 - 10**

# Exhibit A

## Potential Pier Program Elements Survey

### (Back Page)

#### ST. PETERSBURG PIER PROGRAM ELEMENTS

Public engagement is essential to the success of the next Pier process. This process starts with establishing the program, of which there has been extensive public input on to date. Attached are program elements brought forward from the Pier Advisory Task Force Report (2010), the Lambert Market Assessment Study (2010), a recent Public Opinion Survey (2013), and multiple public input sessions. These are not all-inclusive, but a starting point for consideration, and agreed upon as a starting point by the Mayor's Pier Working Group (2014).

Your review, rating and prioritizing the attached elements, as well as adding additional elements into blank spaces, is welcomed. The elements brought forward previously by the public are categorized on the attached sheet, with room to include any additional elements as desired.

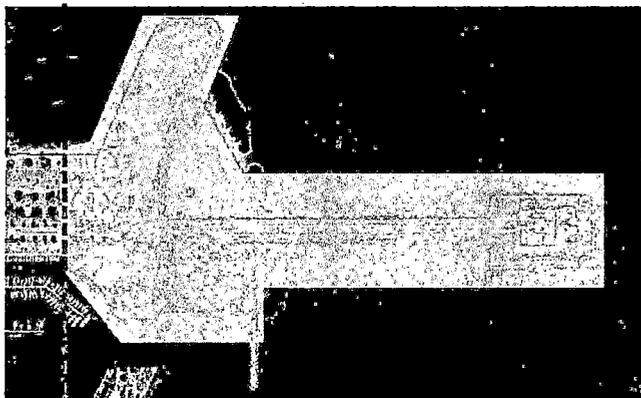
**DURING THE TABLE TOP DISCUSSIONS,  
PLEASE DO THE FOLLOWING:**

**INDIVIDUALS**

1. Please input your name, address and zip code on the individual sheet.
2. Rate each element on a scale of 1 - 5, with 5 being "Highest Priority" for the new St. Petersburg Pier.
3. Feel free to add any additional elements to the sheet, which will be shared with all respondents for the group discussion.
4. Once elements are rated, please rank your top ten elements in order of importance to you.

**TABLE**

1. Once individual rankings are complete, your table will work together to review and reach consensus as a group on a "Master Sheet" to rate elements.
2. Of all elements considered, please rank the top ten in order of importance (as a group).



**Project Area Under Consideration For Elements**

The project area above is focused on over-water development as well as the adjacent/complimentary uplands of Spa Beach and the parking lot south of the approach with its respective 10 year lease opportunities for leveraging private dollars.

**To further clarify elements, basic definitions include:**

**Pier Program:** Desired activities, uses

**Fine Dining:** Could mean a "destination" restaurant

**Banquet Space:** Flexible space, potentially connected to a restaurant, for banquets, events, weddings, available for group activities

**Kiosks:** Exhibit or retail, free standing

**Support Retail:** A museum gift shop for example that supports a commercial venture, vs. a dedicated retail establishment

**Flexible Event Space:** Could include area for art shows, entertainment, dances, open air market, could be air conditioned or open air

**Community Gathering Space:** Public meeting space

**Exhibition Vessel Berth:** Area within project capable of berthing a moderately sized transit or display vessel accessible by the public

**Motorized Boating:** Marine activity designated for motorized boats of various sizes

**Non-Motorized Boating:** Marine activity designated for boats without motors such as sailboats, rowing/paddling, kayaks, etc.

**Water Park:** As simple as a splash pad for kids or significant such as Adventure Island

**Courtesy Docks:** Docks dedicated for transient or temporary visitation of the Pier area and downtown

**Tram / Trolley:** ADA accessible transportation

**Family Entertainment:** An arcade for example

**Amusement Park:** Designated area providing a variety of amusement rides and activities, for example, a ferris wheel

**Marine Discovery Center:** A marine education center similar to "Great Explorations"

## EXHIBIT B

### Pier Working Group Public Input Summary

<b>CITY OF ST. PETERSBURG</b>	<i>Pier Working Group</i>
<b>SUMMARY INPUT RESULTS</b>	<i>July, 2014</i>

Public Input Venues	Date	Total Participants At Venues:	375
Childs Park Rec Center	06/19/14	Other Surveys Submitted <sup>1</sup> :	75
The Coliseum	06/24/14	Online Surveys:	1,585
Roberts Rec Center	06/26/14	Total Survey's Received:	2,035
Lake Vista Rec Center	06/30/14		
JW Cate Rec Center	07/02/14		

1. Independent surveys received from a citizen's neighborhood & Rec Center

#### Cumulative Results - Online + In Person

ELEMENT PRIORITY RANKINGS	
ELEMENT	QUANTITY IN TOP 10
Open-Air Casual Dining	1,192
Observation Areas	1,006
Cycling / Jogging / Walking	977
Tram / Trolley	780
Fishing	663
Shopping	626
Marine Discovery Center	612
Café / Snack Bar	611
Fine Dining	573
Bike / Watercraft Rental	573

ELEMENT RATINGS			
ELEMENT	QUANTITY RATED	RATING	
Observation Areas	1,162	5	Highest Rating
Bike / Watercraft Rental	619	4	High Rating
Fine Dining	549	3	Medium Rating
Support Retail	390	2	Low Rating
Hotel	1,249	1	Lowest Rated

#### Highest Rated Elements

Highest #5 Rated Elements	Quantity	Highest #4 + #5 Rated Elements	Quantity
Observation Areas	1162	Observation Areas	1659
Open-Air Casual Dining	1012	Open-Air Casual Dining	1618
Cycling / Jogging / Walking	989	Cycling / Jogging / Walking	1489
Tram / Trolley	808	Tram / Trolley	1377
Fishing	690	Fishing	1146
Courtesy Docks	564	Bike / Water Rental	1105
Marine Discovery Center	504	Courtesy Docks	1035
Water Taxi	504	Performance Stage	1035
Environmental Education	498	Flexible Event Space	1033
Bike / Watercraft Rental	486	Marine Discovery Center	1001
Performance / Stage Area	480	Café / Snack Bar	994
Flexible Event Space	469	Water Taxi	968
Non-Motorized Boating	429	Environmental Education	956
Shopping	407	Picnic Area	932
Café / Snack Bar	398	Non-Motorized Boating	901
Community Space	393	Shopping	882
Picnic Area	387	Community Space	876
Fine Dining	351	Fine Dining	770
Motorized Boating	299	Ampitheater	652
Ampitheater	280	Motorized Boating	635
Amusement / Ferris Wheel	275	Exhibition Vessel Berth	619
Family Entertainment Center	266	Support Retail	616
Water Park	242	Family Entertainment	601
Exhibition Vessel Berth	237	Kiosks	493
Spa Beach to Vinoy Bridge	223	Spa Beach to Vinoy Bridge	489
Support Retail	218	Amusement / Ferris Wheel	486
Fast Food	140	Water Park	454
Banquet Space	135	Banquet Space	387
Kiosks	135	Fast Food	342
Hotel	71	Hotel	162

**MEMORANDUM**  
City of St. Petersburg City Council  
Meeting of August 7, 2014

TO: The Honorable Bill Dudley, Chair, and City Councilmembers

FROM: Dave Goodwin, Planning and Economic Development Director 

DATE: August 4, 2014

SUBJECT: Initiating Amendments to the Comprehensive Plan, Future Land Map, Official Zoning Map and Land Development Regulations to allow the Adaptive Reuse of Harris School for a Homeless Teen Residence

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The City of St. Petersburg , Pinellas County School District and the Starting Right Now non-profit organization are working together to allow the adaptive reuse of the Harris School, located at 4600 Haines Road, as a teen residence. Allowing such a use on the Harris School property will require amendments to the City's Future Land Use Map, Official Zoning Map and possibly the Land Development Regulations. The City Code allows City Council to initiate amendments to the Comprehensive Plan, Future Land Use Map, Official Zoning Map and Land Development regulations.

The attached Resolution initiates the process for the appropriate amendments necessary to allow the Harris School adaptive reuse project to move forward and refers them to the Community Planning and Preservation Commission and the Development Review Commission, as may be necessary, for study and public hearing.

Attachments (2)      Resolution  
   Location map

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION INITIATING TEXT CHANGES TO THE LAND DEVELOPMENT REGULATIONS AND AMENDMENTS TO THE FUTURE LAND USE PLAN MAP AND THE OFFICIAL ZONING MAP FOR PROPERTY GENERALLY LOCATED AT 4600 HAINES ROAD (HARRIS SCHOOL), AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is working with Pinellas County Schools and Starting Right Now (a recognized 501c3 non-profit organization) to adaptively reuse the Harris School property for the purpose of establishing a facility for high school students that have become homeless, and

WHEREAS, Starting Right Now's mission is to end homelessness for an unaccompanied youth by providing a stable home, obtaining employment, teaching financial literacy, life skills and promoting educational achievement, and

WHEREAS, the Harris School has been vacant for an extended time and is presumed suitable for adaptive reuse to a residence type of use, and

WHEREAS, the current Future Land Use (PR-R) and Zoning Map (NT-1) designations do not allow a residence use of the type proposed, and

WHEREAS, City Council is authorized by Section 16.70.040.1.1.B of the City Code to initiate amendments to the Comprehensive Plan, Future Land use Map, Official Zoning Map and the Land Development Regulations, and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this Council hereby initiates amendments to the Comprehensive Plan, and to the Future Land Use and Official Zoning Map designations and the Land Development Regulations, as may be necessary, to allow the Harris School, located at 4600 Haines Road, to be converted to a supervised residence for high school students that have become homeless, which shall be referred to the City's Community Planning and Preservation and Development Review Commission, as may be necessary, for study and public hearing.

This Resolution shall become effective upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE

  
\_\_\_\_\_  
Planning and Economic Development Department

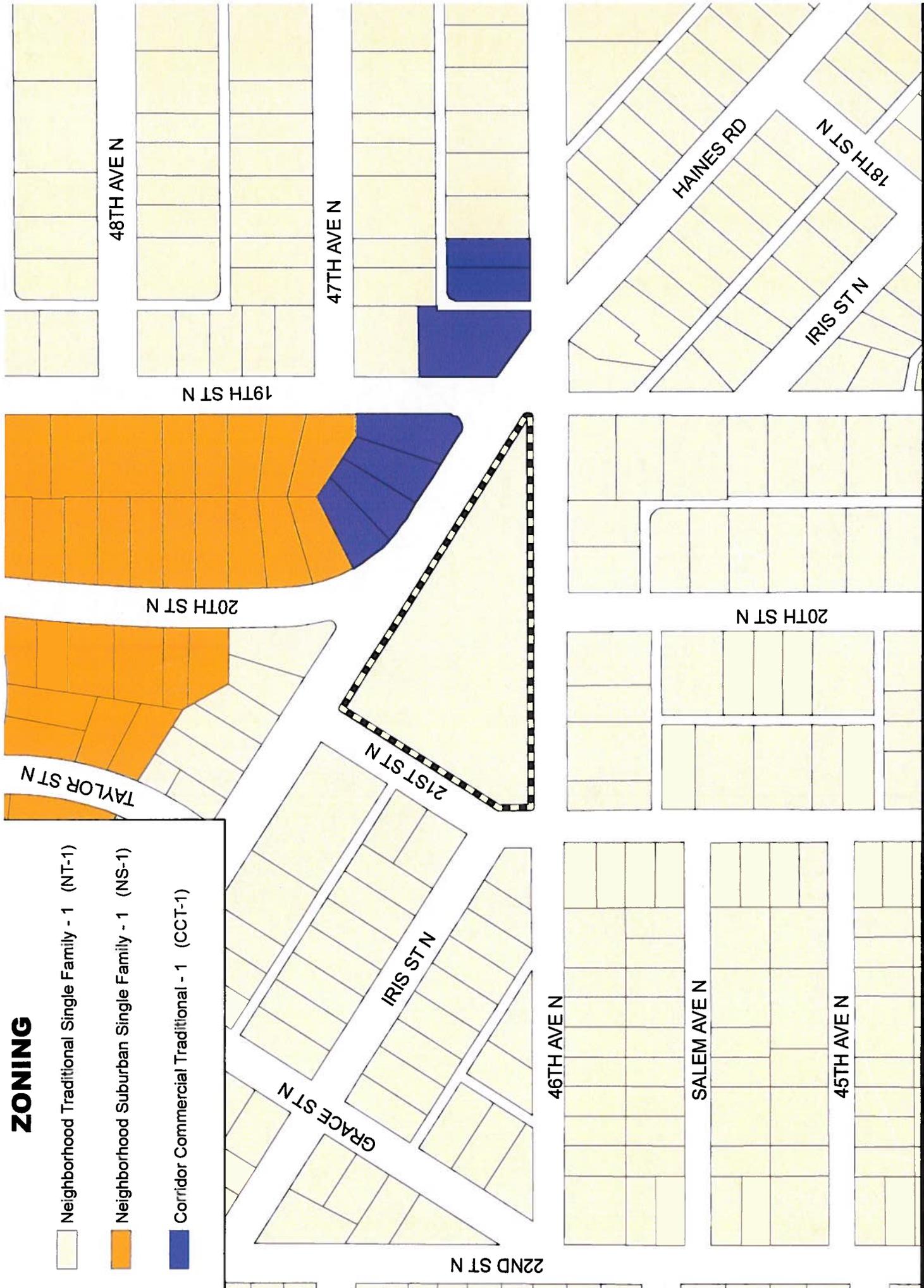
8-4-14  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
City Attorney's Office

8-4-14  
\_\_\_\_\_  
DATE

# ZONING

-  Neighborhood Traditional Single Family - 1 (NT-1)
-  Neighborhood Suburban Single Family - 1 (NS-1)
-  Corridor Commercial Traditional - 1 (CCT-1)



**SUBJECT AREA (HARRIS SCHOOL)**

## ST. PETERSBURG CITY COUNCIL

Meeting of August 7, 2014

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

**Subject:** An Ordinance in accordance with Section 1.02(c)(5)A., St. Petersburg City Charter, authorizing the restrictions contained in a Site Dedication ("Site Dedication") dedicating the boat ramp project area ("Project Area") at Crisp Park to the public as a boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to June 30, 2034, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission ("FFWCC") Grant from the Florida Boating Improvement Program, Boating and Waterways Section for boat ramp improvements at Crisp Park; authorizing the Mayor or his designee to execute a Site Dedication for the Project Area for a period ending June 30, 2034, and all other documents necessary to effectuate this Ordinance; and providing an effective date.

**Explanation:** The Florida Fish and Wildlife Conservation Commission ("FFWCC") offered the City a Grant from the Florida Boating Improvement Program, Boating and Waterways Section ("Grants") for boat ramp improvements at Crisp Park. On October 17, 2013, City Council adopted Resolution 2013-405 accepting the Grant for the construction of boat ramp improvements at Crisp Park. FFWCC requires the execution of a dedication ("Site Dedication") for the Project Area to the public as boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to June 30, 2034, as a requirement for receipt of the Florida Fish and Wildlife Conservation Commission ("FFWCC") Grant and as a condition of the Grant.

Section 1.02(c)(5)a of the City Charter provides:

(c)  
*The disposition of park and waterfront property.* With respect to the disposition of waterfront or park property the following shall govern:

(5)  
*Exception for acceptance of grants.* Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future uses in order to receive grants from governmental agencies upon the approval of City Council by an Ordinance receiving a public hearing and receiving an affirmative vote from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

A. Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed by replacing the grant facility and transferring the encumbrance to a new comparable park purchased at City expense or at the option of the Granting

Agency repaying the grant money. The City could also accept similar grants having restrictions that are less than perpetual using the same ordinance adoption procedure.

The proposed Site Dedication is subject to the above procedures.

**Recommendation.** Administration recommends that City Council schedule a public hearing on August 28, 2014, for the attached Ordinance.

**Cost/Funding /Assessment Information:** There are no expenditures or receipts associated with the passage of the Ordinance. Funding for the construction of the boat ramp improvements has been previously approved.

Approvals:

Legal:

*RSS*

Administration:

*Shay K. McBe*

Ordinance No. \_\_\_\_\_

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION ("SITE DEDICATION") DEDICATING THE BOAT RAMP PROJECT AREA ("PROJECT AREA") AT CRISP PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO JUNE 30, 2034, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT CRISP PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING JUNE 30, 2034, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE..

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Crisp Park is a City Waterfront Park located at Poplar Street and 35th Avenue NE, bounded on the north by 36th Avenue NE, on the south by private homes, on the east by Smacks Bayou, and on the west by Poplar St NE, which is subject to Section 1.02, of the St. Petersburg City Charter governing use and disposition of City park and waterfront property. Crisp Park contains a boat launching ramp facility.

Section Two. The Florida Fish and Wildlife Conservation Commission ("FFWCC") has awarded the City a grant from The Florida Boating Improvement Program, Boating and Waterways Section for the construction of boat ramp improvements at Crisp Park ("Grant") in the amount of \$55,000.

Section Three. The FFWCC requires that the City execute a site dedication ("Site Dedication") dedicating the project area at each of the waterfront parks covered by the Grants as set forth in the City's grant applications ("Project Area") to the public as a boating access facility for the use and benefit of the general public for a minimum period of twenty (20) years from the date of the Site Dedication through June 30, 2034.

Section Four. Section 1.02(c)(5)A of the St. Petersburg City Charter provides:

5) *Exception for acceptance of grants.* Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future

uses in order to receive grants from governmental agencies upon the approval of City Council by an Ordinance receiving a public hearing and receiving an affirmative vote from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

- A. Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed by replacing the grant facility and transferring the encumbrance to a new comparable park purchased at City expense or at the option of the Granting Agency repaying the grant money. The City could also accept similar grants having restrictions that are less than perpetual using the same ordinance adoption procedure.

The Site Dedication required by FFWCC qualifies for the exemption set forth in Section 1.02(c)(5)A.

Section Five. The Mayor or his designee is authorized to execute a Site Dedication for the Crisp Park Project Area for a period ending June 30, 2034 and all other documents necessary to effectuate this ordinance.

Section Six. 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. 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.

Approvals:

Legal:                     RSB                     Administration:                     Shy K McBay                    

Legal: 00199333.doc V.1

## ST. PETERSBURG CITY COUNCIL

Meeting of August 7, 2014

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

**Subject:** An Ordinance in accordance with Section 1.02(c)(5)A., St. Petersburg City Charter, authorizing the restrictions contained in a Site Dedication ("Site Dedication") dedicating the boat ramp project area ("Project Area") at Northeast Exchange Club Coffee Pot Park to the public as a boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to June 30, 2034, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission ("FFWCC") Grant from the Florida Boating Improvement Program, Boating and Waterways Section for boat ramp improvements at Northeast Exchange Club Coffee Pot Park; authorizing the Mayor or his designee to execute a Site Dedication for the Project Area for a period ending June 30, 2034, and all other documents necessary to effectuate this Ordinance; and providing an effective date.

**Explanation:** The Florida Fish and Wildlife Conservation Commission ("FFWCC") offered the City a Grant from the Florida Boating Improvement Program, Boating and Waterways Section ("Grants") for boat ramp improvements at Northeast Exchange Club Coffee Pot Park. On October 17, 2013, City Council adopted Resolution 2013-406 accepting the Grant for the construction of boat ramp improvements at Northeast Exchange Club Coffee Pot Park. FFWCC requires the execution of a dedication ("Site Dedication") for the Project Area to the public as a boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to June 30, 2034, as a requirement for receipt of the Florida Fish and Wildlife Conservation Commission ("FFWCC") Grant and as a condition of the Grant.

Section 1.02(c)(5)a of the City Charter provides:

(c)  
*The disposition of park and waterfront property.* With respect to the disposition of waterfront or park property the following shall govern:

(5)  
*Exception for acceptance of grants.* Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future uses in order to receive grants from governmental agencies upon the approval of City Council by an Ordinance receiving a public hearing and receiving an affirmative vote from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

A. Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed by replacing the grant facility and transferring the encumbrance to a new



Ordinance No. \_\_\_\_\_

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION ("SITE DEDICATION") DEDICATING THE BOAT RAMP PROJECT AREA ("PROJECT AREA") AT NORTHEAST EXCHANGE CLUB COFFEE POT PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO JUNE 30, 2034, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT NORTHEAST EXCHANGE CLUB COFFEE POT PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING JUNE 30, 2034, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE..

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Northeast Exchange Club Coffee Pot Park is a City Waterfront Park located at 1st Street and 31st Avenue NE, bounded on the north by the Masonic Grand Lodge F & AM of FL, on the south by 30th Avenue NE, on the east by Coffee Pot Bayou, and on the west by 1st Street North, which is subject to Section 1.02, of the St. Petersburg City Charter governing use and disposition of City park and waterfront property. Northeast Exchange Club Coffee Pot Park contains a boat launching ramp facility.

Section Two. The Florida Fish and Wildlife Conservation Commission ("FFWCC") has awarded the City a grant from The Florida Boating Improvement Program, Boating and Waterways Section for the construction of boat ramp improvements at Northeast Exchange Club Coffee Pot Park ("Grant") in the amount of \$38,750.

Section Three. The FFWCC requires that the City execute a site dedication ("Site Dedication") dedicating the Project Area covered by the Grant as set forth in the City's grant application ("Project Area") to the public as a boating access facility for the use and benefit of the general public for a minimum period of twenty (20) years from the date of the Site Dedication through June 30, 2034.

Section Four. Section 1.02(c)(5)A of the St. Petersburg City Charter provides:

5) *Exception for acceptance of grants.* Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future uses in order to receive grants from governmental agencies upon the approval of City Council by an Ordinance receiving a public hearing and receiving an affirmative vote from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

A.

Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed by replacing the grant facility and transferring the encumbrance to a new comparable park purchased at City expense or at the option of the Granting Agency repaying the grant money. The City could also accept similar grants having restrictions that are less than perpetual using the same ordinance adoption procedure.

The Site Dedication required by FFWCC qualifies for the exemption set forth in Section 1.02(c)(5)A.

Section Five. The Mayor or his designee is authorized to execute a Site Dedication for the Northeast Exchange Club Coffee Pot Park Project Area for a period ending June 30, 2034 and all other documents necessary to effectuate this ordinance.

Section Six. 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. 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.

Approvals:

Legal: \_\_\_\_\_

*RBS*

Administration: \_\_\_\_\_

*Jay K. McBel*

Legal: 00199336.doc V.1

## ST. PETERSBURG CITY COUNCIL

Meeting of August 7, 2014

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

**Subject:** An Ordinance in accordance with Section 1.02(c)(5)A., St. Petersburg City Charter, authorizing the restrictions contained in a Site Dedication ("Site Dedication") dedicating the boat ramp project area ("Project Area") at Grandview Park to the public as a boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to September 30, 2034, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission ("FFWCC") Grant from the Florida Boating Improvement Program, Boating and Waterways Section for boat ramp improvements at Grandview Park; authorizing the Mayor or his designee to execute a Site Dedication for the Project Area for a period ending September 30, 2034, and all other documents necessary to effectuate this Ordinance; and providing an effective date.

**Explanation:** The Florida Fish and Wildlife Conservation Commission ("FFWCC") offered the City a Grant from the Florida Boating Improvement Program, Boating and Waterways Section ("Grants") for boat ramp improvements at Grandview Park. On January 24, 2013, City Council adopted Resolution 2013-39 accepting the Grant for the construction of boat ramp improvements at Grandview Park. FFWCC requires the execution of a dedication ("Site Dedication") for the Project Area to the public as a boating access facility for the use and benefit of the general public from the date of execution of the Site Dedication by the City to September 30, 2034, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission ("FFWCC") Grant and as a condition of the Grant.

Section 1.02(c)(5)a of the City Charter provides:

(c)

*The disposition of park and waterfront property.* With respect to the disposition of waterfront or park property the following shall govern:

(5)

*Exception for acceptance of grants.* Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future uses in order to receive grants from governmental agencies upon the approval of City Council by an Ordinance receiving a public hearing and receiving an affirmative vote from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

A. Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed by replacing the grant facility and transferring the encumbrance to a new

comparable park purchased at City expense or at the option of the Granting Agency repaying the grant money. The City could also accept similar grants having restrictions that are less than perpetual using the same ordinance adoption procedure.

The proposed Site Dedication is subject to the above procedures.

**Recommendation.** Administration recommends that City Council schedule a public hearing on August 28, 2014, for the attached Ordinance.

**Cost/Funding /Assessment Information:** There are no expenditures or receipts associated with the passage of the Ordinance. Funding for the construction of the boat ramp improvements has been previously approved.

Approvals:

Legal:

*RdB*

Administration:

*Shirley K. McBe*

Legal: 00199351.doc V.1

Ordinance No. \_\_\_\_\_

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION ("SITE DEDICATION") DEDICATING THE BOAT RAMP PROJECT AREA ("PROJECT AREA") AT GRANDVIEW PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO SEPTEMBER 30, 2034, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT GRANDVIEW PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING SEPTEMBER 30, 2034, ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Grandview Park is a City Waterfront Park located at 6th Street and 39th Avenue South, bounded on the north by Paradise Bayou Apartments on the south by 39th Ave S, on the east by Big Bayou, and on the west by 6th Street South, which is subject to Section 1.02, of the St. Petersburg City Charter governing use and disposition of City park and waterfront property. Grandview Park contains a boat launching ramp facility.

Section Two. The Florida Fish and Wildlife Conservation Commission ("FFWCC") has awarded the City a grant from The Florida Boating Improvement Program, Boating And Waterways Section for the construction of boat ramp improvements at Grandview Park ("Grant") in the of \$250,000.

Section Three. The FFWCC requires that the City execute a site dedication ("Site Dedication") dedicating the Project Area covered by the Grant as set forth in the City's grant application ("Project Area") to the public as a boating access facility for the use and benefit of the general public for a minimum period of twenty (20) years from the date of the Site Dedication through September 30, 2034.

Section Four. Section 1.02(c)(5)A of the St. Petersburg City Charter provides:  
5) *Exception for acceptance of grants.* Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future

uses in order to receive grants from governmental agencies upon the approval of City Council by an Ordinance receiving a public hearing and receiving an affirmative vote from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

A.

Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed by replacing the grant facility and transferring the encumbrance to a new comparable park purchased at City expense or at the option of the Granting Agency repaying the grant money. The City could also accept similar grants having restrictions that are less than perpetual using the same ordinance adoption procedure.

The Site Dedication required by FFWCC qualifies for the exemption set forth in Section 1.02(c)(5)A.

Section Five. The Mayor or his designee is authorized to execute a Site Dedication for the Grandview Park Project Area for a period ending September 30, 2034 and all other documents necessary to effectuate this ordinance.

Section Six. 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. 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.

Approvals:

Legal:

*R/S*

Administration:

*Shy K McBes*

Legal: 00199352.doc V.1

# ST. PETERSBURG CITY COUNCIL

Meeting of August 7, 2014

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- TO:** The Honorable William H. Dudley, Chair, and Members of City Council
- SUBJECT:** **City File LDR-2014-03:** Amending St. Petersburg City Code, Chapter 16 (Land Development Regulations)
- REQUEST:** First reading of the attached ordinance amending St. Petersburg City Code, Chapter 16 (Land Development Regulations) adding policy items, making clarifications, and improving consistency with state and local law.
- ANALYSIS:** The Planning and Economic Development Department, working with the City Attorney's office, has prepared the attached proposal to amend the St. Petersburg City Code, Chapter 16 (Land Development Regulations). The proposal includes nine (9) items for consideration, generally classified into one (1) of three (3) categories:
- **Substantive (Regulatory) Changes** *mean* amendments resulting from new issues that were not originally contemplated or whose need has emerged from staff's experience in administering the city code. This amendment package includes four (4) substantive (regulatory) changes;
  - **Clarifications** *mean* the ongoing effort to provide the clearest language in the city code for benefit of staff and customers using the regulations. This amendment package includes four (4) clarifications;
  - **Consistency Improvements** *mean* to maintain consistency with changes in federal, state and local law. This amendment package includes one (1) consistency improvements.

## RECOMMENDATION:

### Administration:

The Administration recommends APPROVAL.

### Development Review Commission:

On July 2, 2014, the Development Review Commission (DRC) reviewed the attached ordinance and unanimously voted to recommend APPROVAL, based on consistency with the Comprehensive Plan.

Citizen Input:

No comments received.

Recommended City Council Action:

1. CONDUCT the first reading of the proposed ordinance; and
2. SET the second reading and adoption public hearing for August 28.

Attachments: Ordinance  
LDR Amendment Table  
DRC Staff Report

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR CLARIFICATION OF THE BUILDING MASSING AND FORM REQUIREMENTS WITHIN THE DOWNTOWN CENTER ZONING DISTRICTS; AMENDING THE RELATIVE SIGNIFICANCE OF ENVIRONMENTAL FACTORS WITHIN THE PRESERVATION (PRES) ZONING DISTRICT; CLARIFYING THE GRANDFATHERED STATUS OF FENCES AND WALLS; REDEFINING ARTWORK WITHIN THE SIGN ORDINANCE; AMENDING WALL SIGN REQUIREMENTS FOR THREE-STORY BUILDINGS; CLARIFYING SIGN REQUIREMENTS FOR NEIGHBORHOOD PLANNED UNIT DEVELOPMENTS; REMOVING AN EXPIRED CROSS-REFERENCE FOR CONVENIENCE STORES; AMENDING THE WATERFRONT YARD SETBACK FOR SCREEN ENCLOSURES WITH A SCREEN ROOF; MAKING INTERNAL LANGUAGE CONSISTENT; CODIFYING INTERPRETATIVE LANGUAGE AND CLARIFICATIONS; CORRECTING TYPOGRAPHICAL, GRAMMATICAL AND SCRIVENORS ERRORS; REMOVING OBSOLETE LANGUAGE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA, DOES ORDAIN:

**Section 1.** The Building Massing and Form Table which follows Section 16.20.120.7.2.B.4 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.120.7.2. Minimum building setbacks.

Building Massing and Form Table (~~DC-Core~~)

<b>Building Massing and Form</b>	
<b>DC-Core</b>	
<b><u>Setbacks along streets, excluding alleys</u></b>	<b>Setbacks along streets, excluding alleys</b>
• 0—200 ft. high	0 ft.
• Above 200 ft.	10 ft.
<p>Exemptions:</p> <ul style="list-style-type: none"> <li>• For lots of record that are equal to or less than 50 ft. in depth or 12,000 sq. ft. in total area, the 10-foot setback above 200 ft. is not required.</li> <li>• When buildings have a first floor plate of less than 16,000 sq. ft., the 10-foot setback above 200 ft. is encouraged but not required.</li> </ul>	
<b>Distances between buildings</b>	
• Blank wall to blank wall, up to 75 ft. high	0 ft.
• Blank or window wall to window wall up to 75 ft. high	15 ft.
• All conditions 75 ft. to 200 ft. high	40 ft.

<ul style="list-style-type: none"> <li>• All conditions above 200 ft.</li> </ul>	60 ft.
<p style="text-align: center;">Exemptions:</p> <p>For all conditions above 75 ft. on lots of record with an average lot width equal to or less than 120 ft., the property shall qualify for a <del>this</del> reduced minimum <u>interior</u> building setback <u>from each interior, shared property line.</u> <u>The reduced setback shall be equal to 25% of the lot width, or 15 feet, whichever is greater.</u> This setback shall be <del>as</del> measured from the interior, shared property line. This reduction is not a substitute for the "distance between buildings" requirement when measured across public alleys or between multiple buildings on a single property <u>and shall not be used in conjunction with the one-half "distance between buildings" measurement provided for in this Section.</u></p>	<del>25% of lot width</del> <del>or 15 ft.,</del> <del>whichever is</del> <del>greater</del>
<b>Maximum floor plate above 75 ft.</b>	30,000 sq. ft. per building
<b>DC-1 (East of Dr. Martin Luther King, Jr. Street)</b>	
<b>Setbacks along streets, excluding alleys</b>	
<ul style="list-style-type: none"> <li>• 0 to 75 ft. high</li> </ul>	0 ft.
<ul style="list-style-type: none"> <li>• Above 75 ft.</li> </ul>	10 ft.
<p style="text-align: center;">Exemptions:</p> <ul style="list-style-type: none"> <li>• For lots of record that are equal to or less than 50 ft. in depth or 12,000 sq. ft. in total area, the 10-foot setback above 75 ft. is not required.</li> <li>• When buildings have a first floor plate of less than 16,000 sq. ft., the 10-foot setback above 75 ft. is encouraged but not required.</li> <li>• For buildings that do not exceed 95 ft. in height, the 10-foot setback above 75 ft. is not required.</li> </ul>	
<b>Distances between buildings</b>	
<ul style="list-style-type: none"> <li>• Blank wall to blank wall, up to 75 ft. high</li> </ul>	0 ft.
<ul style="list-style-type: none"> <li>• Blank or window wall to window wall up to 75 ft. high</li> </ul>	15 ft.
<ul style="list-style-type: none"> <li>• All conditions above 75 ft.</li> </ul>	60 ft.
<p style="text-align: center;">Exemptions:</p> <p>For all conditions above 75 ft. on lots of record with an average lot width equal to or less than 120 ft., the property shall qualify for a <del>this</del> reduced minimum <u>interior</u> building setback <u>from each interior, shared property line.</u> <u>The reduced setback shall be equal to 25% of the lot width, or 15 feet, whichever is greater.</u> This setback shall be <del>as</del> measured from the interior, shared property line. This reduction is not a substitute for the "distance between buildings" requirement when measured across public alleys or between multiple buildings on a single property <u>and shall not be used in conjunction with the one-half "distance between buildings" measurement provided for in this Section.</u></p>	<del>25% of lot width</del> <del>or 15 ft.,</del> <del>whichever is</del> <del>greater</del>
<b>Maximum floor plate above 75 ft.</b>	30,000 sq. ft. per building

	building
<b>DC-1 (West of Dr. Martin Luther King, Jr. Street) and DC-2</b>	
<b>Setbacks along street, excluding alleys</b>	
• 0 to 50 ft. high	0 ft.
• Above 50 ft.	10 ft.
<p style="text-align: center;">Exemptions:</p> <ul style="list-style-type: none"> <li>• For lots of record that are equal to or less than 50 ft. in depth or 8,000 sq. ft. in total area, the 10-foot setback above 50 ft. is not required.</li> <li>• When buildings have a first floor plate of less than 16,000 sq. ft., the 10-foot setback above 50 ft. is encouraged but not required.</li> <li>• For buildings that do not exceed 75 ft. in height, the 10-foot setback above 50 ft. is not required.</li> </ul>	
<b>Distances between buildings</b>	
• Blank wall to blank wall, up to 50 ft. high	0 ft.
• Blank or window wall to window wall up to 50 ft. high	15 ft.
• All conditions 50 ft. to 200 ft. high	60 ft.
• All conditions above 200 ft.	80 ft.
<p style="text-align: center;">Exemptions:</p> <p>For all conditions above 50 ft. on lots of record with an average lot width equal to or less than 120 ft., the property shall qualify for a <del>this</del> reduced minimum <u>interior</u> building setback <u>from each interior, shared property line</u>. <u>The reduced setback shall be equal to 25% of the lot width, or 15 feet, whichever is greater. This setback shall be, as measured from the interior, shared property line. This reduction is not a substitute for the "distance between buildings" requirement when measured across public alleys or between multiple buildings on a single property and shall not be used in conjunction with the one-half "distance between buildings" measurement provided for in this Section.</u></p>	<del>25% of lot width or 15 ft., whichever is greater</del>
<b>Maximum floor plate above 50 ft.</b>	20,000 sq. ft. per building
<b>DC-3</b>	
<b>Setbacks along streets, excluding alleys</b>	
• 0 to 50 ft. high	0 ft.
• Above 50 ft.	20 ft.
• Above 50 ft. and adjacent to Beach Drive: From the 20-foot setback along Beach Drive a line will be drawn at a 60 degree angle towards the setback from First Street. This line shall create the envelope in which the building must fit.	60 degree angle
<b>Distances between buildings</b>	
• Blank wall to blank wall, up to 50 ft. high	0 ft.

• Blank or window wall to window wall up to 50 ft. high	15 ft.
• All conditions 50 ft. to 300 ft. high	60 ft.
• All conditions above 300 ft.	80 ft.
<p style="text-align: center;">Exemptions:</p> <p>For all conditions above 50 ft. on lots of record with an average lot width equal to or less than 120 ft., the property shall qualify for a <del>this</del> reduced minimum <u>interior building setback from each interior, shared property line.</u> <u>The reduced setback shall be equal to 25% of the lot width, or 15 feet, whichever is greater. This setback shall be, as measured from the interior, shared property line. This reduction is not a substitute for the "distance between buildings" requirement when measured across public alleys or between multiple buildings on a single property and shall not be used in conjunction with the one-half "distance between buildings" measurement provided for in this Section.</u></p>	<del>25% of lot width or 15 ft., whichever is greater</del>
<b>Maximum floor plate above 50 ft.</b>	15,000 sq. ft.
<b>Maximum building width above 50 ft.</b>	Each facade shall be less than 120 ft. wide

**Section 2.** Section 16.20.160.4 of the St. Petersburg City Code is hereby amended to read as follows:

**16.20.160.4. Criteria for designation.**

To be designated as a preservation district, a property shall have a combined score of four (4) or more points and exhibit at least one (1) of the following vegetation types listed:

Relative Significance of Environmental Factors

<b>Vegetation</b>	
Mangroves	2.0
Fresh marsh	2.0
Salt marsh	2.0
Hydric hammock	2.0
Mesic hammock	2.0
Deciduous forest	2.0
Urban mesic hammock	1.5
Pine flatwoods	1.0
Pine woods	1.0
<b>Wildlife</b>	
Documented presence of listed species	1.0
<b>Soils</b>	
Poorly drained (water table 0—10")	2.0
Medium percolation rate (water table 10—30")	2.0

100-year floodplain	2.0
<b><u>Nature Preserve</u></b>	
Government property designated as nature preserve in chapter 21	2.0

**Section 3.** Section 16.40.040.3.5.H of the St. Petersburg City Code is hereby amended to read as follows:

16.40.040.3. Charts.

5.DESIGN AND OTHER RELATED REGULATIONS

<b>H. GRANDFATHERED STATUS</b>	All <del>existing</del> fences and walls which do not comply with the regulations of this section, whether lawful when erected or otherwise, shall be brought into compliance at such time as more than 50 percent of the surface area of the fence or wall within any one yard is replaced. <u>All fences and walls constructed on or after September 30, 2007 shall comply with the regulations of this section at the time they are constructed.</u> All existing hedges which do not comply with the regulations of this section shall not be deemed grandfathered, but shall be brought into compliance not later than September 30, 2007.
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**Section 4.** The definition of ‘artwork’ in Section 16.40.120.19 of the St. Petersburg City Code is hereby amended to read as follows:

16.40.120.19. Definitions.

*Artwork* means drawings, pictures, symbols, paintings (including the painting of patterns or designs) or sculpture, which does not in any way include a company or corporate logo or text identifying any identify a product, service or business sold or available on the premises.

**Section 5.** Section 16.40.120.17.2.c of the St. Petersburg City Code is hereby amended to read as follows:

2. Wall signs.

c. Height. The height of a wall sign attached to a one-story building shall not exceed the allowable height of the building or the lowest part of the roof, whichever is lower. For two-story buildings, wall signs shall be permitted on the same floor or fascia as the business to be identified. Except as otherwise permitted by this sign code, no wall signs shall be permitted above the third ~~second~~ floor.

**Section 6.** Sections 16.40.120.5 of the St. Petersburg City Code is hereby amended to read as follows:

**16.40.120.5. Neighborhood, planned unit development, and mobile home districts.**

The following types of signs shall be permitted within the neighborhood, planned unit development, and mobile home zoning districts:

Neighborhood, <u>Planned Unit Development</u> , and Mobile Home Districts (NT, NS, NSM, NMH, <u>NPUD</u> ) (All uses, except subdivision entrances and single-family, duplex and multifamily residential uses)		
Freestanding signs	Permitted number of signs	One

	Maximum sign area	48 sq. ft. per sign face
	Maximum height	10 ft.
Wall signs	Maximum sign area	1.75 sq. ft. per linear front foot up to a maximum of 48 sq. ft.

**Section 7.** Section 16.40.120.13 of the St. Petersburg City Code is hereby deleted in its entirety and removed from the City Code.

**Section 8.** Section 16.50.325.4 of the St. Petersburg City Code is hereby amended to read as follows:

**16.50.325.4. All uses required to comply with provisions of chapter 20 regarding convenience business and convenience stores.**

All uses regulated by this section shall comply with the applicable provisions of chapter 20 regulating convenience businesses and convenience stores (~~currently sections 20-59 and 20-60~~).

**Section 9.** The sections for ‘decks and patios, uncovered,’ ‘retaining (return) wall,’ and ‘screen enclosure (screen roof)’ in Section 16.60.050.2 of the St. Petersburg City Code are hereby amended to read as follows:

**16.60.050.2. Allowable encroachments and setbacks.**

<ul style="list-style-type: none"> <li>Decks and patios, uncovered (up to 12 inches above existing grade <u>or the top of an existing seawall</u>)</li> </ul>	S, R	To property line	To property line
	SS	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	W	No closer to property line or seawall than 5 ft. <del>The maximum elevation shall be no more than the top of the existing seawall.</del> (Note: Federal and state regulations may be more restrictive.)	No closer to property line or seawall than 5 ft. <del>The maximum elevation shall be no more than the top of the existing seawall.</del> (Note: Federal and state regulations may be more restrictive.)
<ul style="list-style-type: none"> <li>Decks and patios, uncovered (more than 12 inches and less than 30 inches above existing grade <u>or the top of an existing seawall</u>)</li> </ul>	S, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	SS	No closer to property line than 8 ft.	No closer to property line than 8 ft.
	W	No closer to property line or seawall than 8 ft. <del>The maximum elevation shall be no more than the top of the existing seawall.</del> (Note: Federal and state regulations may be more	No closer to property line or seawall than 8 ft. <del>The maximum elevation shall be no more than the top of the existing seawall.</del> (Note: Federal and state regulations may be more

		restrictive.)	restrictive.)
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Retaining (return) wall	F, S, SS, R	To the property line: The overall height shall be no greater than 18 inches from the existing grade abutting both sides of the wall	To the property line: The overall height shall be no greater than 18 inches from the existing grade abutting both sides of the wall
	W	To the property line or seawall: The overall height shall be no greater than the top of the existing seawall. <del>abutting both sides of the wall.</del> (Note: Federal and state regulations may be more restrictive.)	To the property line or seawall: The overall height shall be no greater than the top of the existing seawall. <del>abutting both sides of the wall.</del> (Note: Federal and state regulations may be more restrictive.)

• Screen enclosure (screen roof)	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
	W	<u>No closer to the property line or seawall than 10 ft.</u>	<u>No closer to the property line or seawall than 10 ft.</u>

**Section 10.** Coding: As used in this ordinance, language appearing in ~~struck through~~ type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

**Section 11.** The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

**Section 12.** 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 this Ordinance, in which case this 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.

Approved as to form and content:

\_\_\_\_\_  
City Attorney (Designee)



# LDR 2014-03 - LAND DEVELOPMENT REGULATIONS (LDRs) CODE IMPROVEMENTS

	SECTION NO.	SECTION TITLE	COMPLEXITY	DESCRIPTION
1	16.20.120.7.2	DC: Downtown Center: <i>Minimum Building Setbacks</i>	Clarification	<p><b>Problem Statement:</b> The <i>distance between buildings</i> and <i>minimum building setback for properties equal to or less than 120 feet in width</i> continues to be a source of confusion for City Staff and the public. The existing language should be amended to restate, but not change, the regulation in order to clarify the relationship between this standard and how to correctly measure the setback standard.</p> <p><b>Requested Action:</b> Amend the table in Section 16.20.120.7.2 accordingly.</p>
2	16.20.160.4	PRES: Preservation <i>Criteria for designation</i>	Regulatory Change	<p><b>Problem Statement:</b> The criteria for designation of property as Preservation (PRES) does not include any points for owner consent.</p> <p><b>Requested Action:</b> Add 2.0 points to credit owner-initiated applications or applications with owner-consent. This amendment will qualify properties city-wide, and this amendment will have an immediate impact on the rezoning of property within the Boyd Hill Nature Preserve.</p>
3	16.40.040.5.H	Fences, Wall and Hedge Regulations <i>Grandfathered Status</i>	Clarification	<p><b>Problem Statement:</b> Section 16.40.040.5.H currently states, "All existing fences and walls, which do not comply with the regulations of this section, whether lawful when erected or otherwise, shall be brought into compliance at such time as more than 50 percent of the surface area of the fence or wall within any one yard is replaced..." The adopted language of this regulation is contrary to its originally intended goal. Whereas the purpose of this regulation was to provide clear instruction for the enforcement of fences, walls and hedges installed prior to adoption of the new land development regulations in August 2007, the adopted language seems to suggest that an illegal fence or wall installed <i>today</i> shall only be brought into compliance when future improvements are made. Indeed one violator of this provision argued that the City Code provides no clear cut-off date.</p> <p><b>Requested Action:</b> Amend the regulation to specifically reference fences and walls erected prior to September 10, 2007, the effective date of the land development regulations.</p>
4	16.40.120	Signage: <i>Wall Murals</i>	Regulatory Change	<p><b>Problem Statement:</b> St. Petersburg is the city of the arts, and the growing popularity of artistic murals makes it necessary to consider the distinctions between business signage and decorative street art. The current sign ordinance states, "<i>Artwork</i> means drawings, pictures, symbols, paintings (including the painting of patterns or designs) or sculpture, which does not in any way identify a product, service or business sold or available on the premises." For example, a restaurant selling hamburgers would not qualify for the artwork exemption if the artwork includes any type of hamburger imagery.</p> <p><b>Requested Action:</b> Amend the city code to allow artistic murals showing related imagery, but continue to prohibit official company or corporate logos or text for any product, service or business sold or available on the premises. "<i>Artwork</i> means drawings, pictures, symbols, paintings (including the painting of patterns or designs) or sculpture, which does not in any way include a corporate logo or wordmark for any product, service or business sold or available on the premises."</p>
5	16.40.120.17.A.2	Signage: <i>Wall Signs</i>	Regulatory Change	<p><b>Problem Statement:</b> Pursuant to Section 16.40.120.17.A.2.C, wall signs are prohibited above the second floor of any multi-story building except as exempted elsewhere in the ordinance. Elsewhere, in accordance with Sections 16.40.120.4 – 13, multi-story buildings of four (4) or more floors are allowed a sign at the top cornice of the building. The effect of this prohibition is that only three-story buildings are prohibited from having a wall sign along the cornice of the building. Since the Corridor and Center zoning classifications encourage the construction of multi-story buildings, and the Florida Building Code encourages the construction of three-story buildings or less, City Staff is recommending a more fair application of the standards to owners and tenants of three-story buildings.</p> <p><b>Requested Action:</b> Amend the city code to permit the installation of a wall sign along the cornice of a three-story building.</p>
6	16.40.120.13	Signage: <i>NPUD Zoning</i>	Clarification	<p><b>Problem Statement:</b> Section 16.40.120.13 states for properties located within the NPUD (Neighborhood Planned Unit Development) zoning classification, "The size of wall signs shall be as prescribed by the regulations for signs in the underlying zoning district in which the development is located." The problem is that there is no underlying zoning district – it is NPUD. There is a circuitous problem of the regulation referring back to itself with no standards in place.</p> <p><b>Requested Action:</b> Delete the subject section pertaining to NPUD properties; add the NPUD reference to Section 16.40.120.5 for Neighborhood districts; and qualify subdivision entrances and multi-family properties under Section 16.40.120.4.</p>

7	16.50.325.4	Retail Sales and Service: <i>Convenience Stores</i>	Consistency Improvement		<b>Problem Statement:</b> Section 16.50.325.4 cross references Chapter 20, Sections 20-52 and 20-53, for regulating convenience stores. Sections 20-52 and 20-53 have since been amended. The regulating language is now located in Sections 20-59 and 20-60.
					<b>Requested Action:</b> Amend Section 16.50.325.4 to maintain conformance with the cross- referenced numbers and standards.
8	16.60.050	Setbacks, Allowable Encroachments: <i>Minimum Waterfront Yard Setback</i>	Regulatory Change		<b>Problem Statement:</b> In 2007, the waterfront yard setback for screen enclosures with a screen roof was reduced to five (5) feet from the centerline of the seawall. Since 2007, the number of requests for a screen enclosure at five (5) feet is minimal. Based on the limited number of requests, City Staff is recommending an increase of the waterfront yard setback from five (5) feet to 10 feet.
					<b>Requested Action:</b> Amend the table in Section 16.60.050 accordingly.
9	16.60.050	Setbacks, Allowable Encroachments: <i>Minimum Waterfront Yard Setback</i>	Clarification		<b>Problem Statement:</b> The waterfront yard setback for <i>retaining walls and decks and patios, uncovered</i> , continues to be a source of confusion for City Staff and the public. The existing language should be amended to restate, but not change, the regulation in order to clarify the relationship between these amenities and the seawall.
					<b>Requested Action:</b> Amend the table in Section 16.60.050 accordingly.



# DEVELOPMENT REVIEW COMMISSION

Prepared by the Planning & Economic Development Department,  
Urban Planning and Historic Preservation Division

For Public Hearing on July 2, 2014  
at 2:00 p.m. in the City Council Chambers, City Hall,  
175 Fifth Street North, St. Petersburg, Florida.

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**APPLICATION:** LDR 2014-03

**APPLICANT:** City of St. Petersburg  
275 5<sup>th</sup> Street North  
St. Petersburg, Florida 33701

**REQUEST:** The applicant requests that the Development Review Commission (“DRC”) review and recommend approval of the attached proposed amendments to the City of St. Petersburg’s Land Development Regulations (LDRs), confirming consistency with the City of St. Petersburg’s Comprehensive Plan (“Comprehensive Plan”).

**AUTHORITY:** Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the Land Development Regulation Commission (“LDRC”), is responsible for reviewing and making a recommendation to the City Council on all proposed amendments to the LDRs.

**EVALUATION:**

**Recommendation**

The Planning & Economic Development Department finds that the proposed request is consistent with the Comprehensive Plan and recommends **APPROVAL**.

**Background**

In October 2006 and August 2007, the City Council adopted several significant ordinances related directly to the implementation of the St. Petersburg Vision 2020 Plan and the new Land Development Regulations (LDRs). The adopted ordinances included text amendments to the City’s Comprehensive Plan, including a new Vision Element, amendments to the Future Land Use Map (FLUM), the rezoning of the entire City and establishment of new land development regulations.

## Proposal

The Planning and Economic Development Department, working with the City Attorney's office, has prepared the attached proposal to amend the Land Development Regulations (LDRs), Chapter 16, City Code of Ordinances. The proposal includes nine (9) items for consideration, generally classified into one (1) of three (3) categories:

- **Substantive (Regulatory) Changes** means amendments resulting from new issues that were not originally contemplated or whose need has emerged from staff's experience in administering the city code. This amendment package includes four (4) substantive (regulatory) changes;
- **Clarifications** means the ongoing effort to provide the clearest language in the city code for benefit of staff and customers using the regulations. This amendment package includes four (4) clarifications;
- **Consistency Improvements** means to maintain consistency with changes in federal, state and local law. This amendment package includes one (1) consistency improvements.

For the benefit of City staff, residents and customers interpreting and using the City's land development regulations, the proposed amendments are part of the department's ongoing effort to provide the clearest language possible. Most of these amendments involve aspects of the LDRs that are applied city-wide. The appendix of this report includes the full list of items proposed for amendment.

## Compliance with the Comprehensive Plan

The following objectives and policies from the City's Comprehensive Plan are applicable to the attached proposed amendments:

Objective V1: When considering the probable use of land in a development application, the principles and recommendations noted in the Vision Element should be considered where applicable.

Policy V1.1: Development decisions and strategies shall integrate the guiding principles found in the Vision Element with sound planning principles followed in the formal planning process.

Objective LU7: The City will continue to revise and amend the land development regulations, as necessary, to ensure compliance with the requirements of Chapter 163.3202, Florida Statutes and Chapter 9J-24 F.A.C. The City will amend its land development regulations consistent with the requirements of Chapter 163.3202, Florida Statutes and Chapter 9J-24 F.A.C. so that future growth and development will continue to be managed through the preparation, adoption, implementation and enforcement of land development regulations that are consistent with the Comprehensive Plan.

Policy LU7.1: Pursuant to the requirements of Chapter 163.3202 F.S. and Chapter 9J-24 F.A.C. the land development regulations will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan.

Objective LU20: The City shall, on an ongoing basis, review and consider for adoption, amendments to existing and/or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.

*Policy LU20.1:* The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

### **Housing Affordability Impact Statement**

The proposed amendments will have no impact on housing affordability, availability or accessibility. A Housing Affordability Impact Statement is attached.

### **Adoption Schedule**

The proposed amendment requires one (1) public hearing, conducted by the City of St. Petersburg City Council. The City Council shall consider the recommendation of the DRC and vote to approve, approve with modification or deny the proposed amendment:

- 08-06-2014: First Reading
- 08-20-2014: Second Reading and Public Hearing

### **Exhibits and Attachments**

1. Proposed Ordinance
2. Table of Proposed Amendments
3. Housing Affordability Impact Statement

## City of St. Petersburg Housing Affordability Impact Statement

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Each year, the City of St. Petersburg receives approximately \$2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that *increase the cost of housing construction, or of housing redevelopment*, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1– June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. **Initiating Department:** Planning & Economic Development

II. **Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:**

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2014-03).

III. **Impact Analysis:**

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

No  (No further explanation required.)

Yes  Explanation:

If Yes, the **per unit cost increase** associated with this proposed policy change is estimated to be: \$\_\_\_\_\_.

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

No  (No further explanation required)

Yes  Explanation:

**IV: Certification**

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community's ability to provide affordable housing, please explain below:

CHECK ONE:

- The proposed regulation, policy, procedure, or comprehensive plan amendment will **not** result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required.( Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

/s/ Derek S. Kilborn, Manager signing for Dave Goodwin, Director 06/30/2014

\_\_\_\_\_  
Department Director (signature) \_\_\_\_\_  
Date

OR

- The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance *will increase housing costs* in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

\_\_\_\_\_  
Department Director (signature) \_\_\_\_\_  
Date

Copies to: City Clerk  
Joshua A. Johnson, Director, Housing and Community Development

**ST. PETERSBURG CITY COUNCIL**

**Meeting of August 7, 2014**

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

**Subject:** An Ordinance amending Chapter 27, subsection 27-284 of the St. Petersburg City Code; deleting surcharges for strong waste; correcting section references; establishing a date to begin calculating bills without a strong waste surcharge; correcting section references; establishing a date to begin calculating bills without a strong waste surcharge; providing for severability of provisions; providing an explanation of words struck through and underlined; and providing an effective date.

**Explanation:** As part of a settlement agreement with the City of Treasure Island regarding wholesale wastewater services, the City of St. Petersburg has agreed to remove a surcharge for strong wastes from the rates and charges billed to wholesale wastewater customers.

**Recommendation:** Administration recommends that City Council schedule a public hearing on August 28, 2014, for the attached Ordinance.

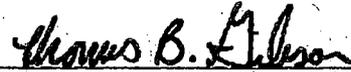
**Cost/Funding /Assessment Information:** There are no expenditures associated with the passage of the Ordinance; however there will be a decrease in revenue associated with the high strength surcharge being deleted.

Approvals:

Legal:



Administration:



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES FOR WHOLESALE CUSTOMERS; AMENDING CHAPTER 27, SUBSECTION 27-284 OF THE ST. PETERSBURG CITY CODE; DELETING SURCHARGES FOR STRONG WASTE; CORRECTING SECTION REFERENCES; ESTABLISHING A DATE TO BEGIN CALCULATING BILLS WITHOUT A STRONGWASTE SURCHARGE; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsection 27-284 of the St. Petersburg City Code is hereby amended as follows:

**Sec. 27-284. Wholesale wastewater customers.**

- (a) Wholesale wastewater service shall be provided to the City of Gulfport; the City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; the City of Pinellas Park; Treasure Island; and Tierra Verde Utilities, Inc. at a uniform volume rate of \$2,833.00 per million gallons for wholesale wastewater service effective October 1, 2013, based upon metered wastewater flows.
- ~~(b) In addition to the volume rate referenced in subsection (a) of this section the monthly wastewater service charge for the customers referenced in subsection (a) of this section shall include a strong waste surcharge for all wastewater service provided to a wholesale customer without an executed wastewater service agreement or as authorized in accordance with the terms of an executed wastewater service agreement. Such strong waste surcharge shall be applied to the measured monthly wastewater flows for the monthly billing as follows:~~
  - ~~(1) One-tenth of one percent for each part per million of chlorides exceeding 1,350 parts per million; and~~

~~(2) One-tenth of one percent for each part per million of sulfides in liquid in excess of 0.5 parts per million.~~

- (eb) Wastewater service may be provided to other wholesale customers in accordance with agreements as approved by City Council and at the same rates and surcharges as adopted in subsections (a) and (b) of this section.
- (ec) Upon expiration of existing contracts, wholesale customers continuing to receive wastewater service shall be charged those rates and surcharges as adopted in subsections (a) and (b) of this section. Those customers located outside of the City limits shall also be charged an additional 25 percent surcharge applied to the total wastewater charges billed.
- (ed) Wholesale wastewater service shall be provided to the City of St. Pete Beach at an estimated rate including a uniform operation and maintenance volume rate of \$2,080.00 per million gallons and a monthly capital charge of \$46,892.00 for wholesale wastewater service effective October 1, 2013. At the end of each fiscal year, actual rates for the fiscal year will be determined in accordance with the terms of the agreement for wholesale wastewater service between the City of St. Petersburg and the City of St. Pete Beach.

SECTION 2. That the strong waste surcharges provided in Subsection 27-284 of the St. Petersburg City Code shall not be utilized to calculate bills for wastewater service prepared during August of 2014 for services rendered in the month of July 2014 or for subsequent billings.

SECTION 23. That the unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 34. That words in ~~struck through~~ type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 45. 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.

LEGAL:

ADMINISTRATION:

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City Attorney (designee)



## MEMORANDUM

TO: William Dudley, City Council Chair and Members of City Council

FROM: Mike Jefferis, Director

DATE: July 24, 2014

SUBJECT: Renaming Wildwood Recreation Center

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This request is to rename Wildwood Recreation Center to honor Thomas "Jet" Jackson for his many years of community involvement and support. Councilmember Wengay Newton formally requested that City Council rename the Wildwood Recreation Center to the Thomas "Jet" Jackson Recreation Center as a new business item at the July 10, 2014 meeting of City Council.

### **Mr. Thomas "Jet" Jackson**

Thomas Jackson, or "Jet" as he is known, is commonly referred to as a pillar of the community. From his early days teaching new generations of St. Petersburg residents to swim, through his 50 plus year career with the City of St. Petersburg, Jet has stood out as an outstanding community servant. But the real measure of Jet's impact in the community does not come solely from his City employment. Jet's life in St. Petersburg has been about service to the larger public and serves as a role model for others. Jet has always been there when the community came to call. Whether it was a child or family who needed support, a grief stricken neighbor or community member that needed a strong shoulder, or a community occurrence that required his calm, influence and intercession, Jet has been there. Thomas "Jet" Jackson's significance to the community and City as a whole cannot be over stated.

### **Criteria for Renaming a Parks and Recreation Department Facility**

The criteria specified to rename a Parks and Recreation Department facility is contained in the City's municipal code, section 21-85, specifically sections 21-85(b) and (c):

Sec. 21-85. Factors to be considered in naming or renaming of City parks and City park and recreation buildings and facilities.

(a) The naming of a new Park or the renaming of a Park shall be by an ordinance amending Section 21-83 or 21-87. The naming or renaming of a Park or recreation building or facility or portion thereof located within a Park shall be by ordinance.

(b) In the naming or renaming of a Park or a building or facility or portion thereof located within a Park the following factors shall be considered:

(1) All Parks and buildings or facilities or portions thereof located within a Park, whether deeded to the City, acquired through outright purchase, or acquired by other means, may

be named by the City Council after receiving a recommendation from the Mayor or a City Councilmember.

(2) Designation of such names shall be based upon geographical features, historically significant persons, places or events, waterways, ecological features, existing name at the time of acquisition or lore and legend of the area.

(3) No Park or building or facility or portion thereof located within a Park shall be named for a living person, except when the individual has made exceptional contributions for a specific purpose or project, or when the donor of the Park Property stipulates a name as being a consideration of the donation.

(c) The factors in subsection (b) of this section shall be considered in the naming or renaming of a Park or building or facility or portion thereof located within a Park but any one or more of the requirements can be waived by an action receiving an affirmative vote from five or more members of City Council.

The request from Councilmember Wengay Newton to rename a Parks and Recreation Department facility satisfies the requirements in section 21-85(b) subsection (1).

Mr. Jackson's extensive contributions to the City of St. Petersburg and the greater community make him a historically significant person as required in Section 21-85(b) subsection (2).

While Mr. Jackson is still living, his exceptional contributions to the City throughout his 50 plus years of service satisfy the waiver requirements in Section 21-85(b) subsection (3). In the event of a finding by Council to the contrary, Section 21-85(c) allows Council to waive the requirements in Section 21-85(b) through an affirmative vote of five or more members.

### **Conclusion**

I am happy to recommend that based upon Mr. Jackson's exceptional contributions to the City of St. Petersburg, the Wildwood Recreation Center be renamed the Thomas "Jet" Jackson Recreation Center.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CITY CODE SECTION 21-86; MAKING CONFORMING CHANGES TO SUBSECTION (8); ADDING SUBSECTION (9); RENAMING THE WILDWOOD RECREATION CENTER AT WILDWOOD PARK THE "THOMAS 'JET' JACKSON RECREATION CENTER"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has received recommendations from Council Member Wengay Newton and Parks and Recreation Department Director Mike Jefferies to rename the Wildwood Recreation Center to the "Thomas "Jet" Jackson Recreation Center"; and

WHEREAS, the City Council has carefully considered the factors set forth in City Code Section 21-85; and

WHEREAS, Thomas "Jet" Jackson has made exceptional contributions to the City of St. Petersburg through his 50 plus years of service to the City; and

WHEREAS, throughout his career, Jet Jackson has gone above and beyond his duties as a City employee and has stood out as an outstanding servant to the community as a whole, and is a role model for others;

NOW, THEREFORE, THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The facility currently named the "Wildwood Recreation Center", located in Wildwood Park at 1000 28<sup>th</sup> Street South, St. Petersburg, FL 33712, is hereby renamed the "Thomas 'Jet' Jackson Recreation Center".

SECTION 2. Section 21-86 of the City Code is hereby amended to read:

This section contains the names of Park buildings or facilities, or portions thereof, named or renamed since August 31, 2000.

- (1) The lounge at the Tennis Center located at 650—18th Avenue South is named "The Mildred Harris Lounge."
- (2) The pavilion in the North Central Neighborhood Park generally located north of 9th Avenue North at 35th Street is named "The Howard Myrick Pavilion."

- (3) The building in Lake Maggiore Park located at 1101 County Club Way South is named the "Lake Maggiore Environmental Education Center."
- (4) The former McLin Pool Bathhouse located in Campbell Park at 1201 7th Avenue South is renamed the "Vearl Scott Neighborhood Family Center."
- (5) The center baseball field on the north side of the Northwest Park, 5801 - 22nd Avenue North is named the "Pete Stroud Field."
- (6) The auditorium at the Sunshine Multi-Service Center located at 330 Fifth Street North in Mirror Lake Park is named the "Martha M. Frappier Auditorium."
- (7) The two athletic fields on the southeast side of Bartlett Park, 642 22nd Avenue South, are named the "James 'JC' Turner Fields."
- (8) The Recreation Center ~~The building in Northwest Park currently named the Northwest Recreation Center,~~ located at 5801 22nd Avenue North, in Northwest Park is named the "J. W. Cate Recreation Center."
- (9) The Recreation Center located at 1000 28th Street South in Wildwood Park is named the "Thomas 'Jet' Jackson Recreation Center."

SECTION 3. Words that are ~~struck through~~ shall be deleted from the existing City Code and words that are underlined shall be added to the existing City Code. Provision not specifically amended shall continue in full force and effect.

SECTION 4. The provisions of this ordinance shall be deemed to be severable. If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance. The effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

SECTION 5. 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 (5<sup>th</sup>) 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.

APPROVED AS TO FORM AND CONTENT:

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City Attorney (designee)

## MEMORANDUM

To : Chair and Members of City Council  
From : Mark A. Winn, Chief Assistant City Attorney  
Subject: Amendments to Extended Hours Permitting Requirements  
Date : July 24, 2014

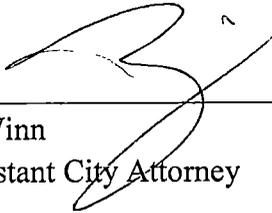
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Approximately 18 months ago City Council adopted an extended hours permit ordinance for alcoholic beverage establishments. This ordinance was the result of several years of attempting to address security issues related to the downtown area and the proliferation of late night business establishments. The ordinance requires all establishments wishing to sell alcoholic beverages for on-premises consumption after midnight, with a few exceptions, to obtain an extended hours permit. Councilmember Foster had initially expressed a concern about the high late fee along with members of staff and I had identified some issues with the language when we dealt with the first and only business that was impacted by the suspension process.

There are two primary reasons for this amendment. First, the ordinance established a very high late fee (\$200.00). This is significantly higher than the late fees the City normally charges and is probably not warranted under the circumstances. This ordinance proposes to reduce that fee to 30% of the renewal fee (\$15.00) for each month that they are late. Secondly, the experience we have had with enforcement indicated that certain language needed to be cleaned-up a little bit to be more in-line with what the case law would require for the suspension of a permit. Specifically, we have determined that in situations where there is a problem, if the business is taking the necessary steps to address the problem so that it will not happen again or it is more likely that it will not happen again, it appears that penalizing them for taking the corrective action was counterproductive. The goal of the ordinance has always been to get the business owner to be responsible to address any problems. Additionally, a number of typos or internal inconsistencies are being corrected, and some grammatical changes are being made to make the ordinance more understandable and to read better.

I recommend that you conduct first reading and establish a public hearing date for your second meeting in August so that the change in late fees will be in place before September 30, which is the first time they could be incurred.

If you have any questions, please feel free to contact me.

  
\_\_\_\_\_  
Mark A. Winn  
Chief Assistant City Attorney

MAW/frs

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE CITY CODE RELATING TO EXTENDED HOURS PERMITS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS SERVING ALCOHOL AFTER MIDNIGHT; REDUCING THE LATE FEE; PROVIDING FLEXIBILITY FOR THE CHIEF FOR SUSPENSION AND REVOCATION OF PERMITS WHEN THE PERMITTEE HAS TAKEN NECESSARY STEPS TO ADDRESS PROBLEMS; PROVIDING FOR THE CLARIFICATION OF CERTAIN LANGUAGE; PROVIDING FOR THE CORRECTION OF TYPOGRAPHICAL AND GRAMMATICAL ERRORS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Section 3-8 of the St. Petersburg City Code is hereby amended to read as follows:

**Sec. 3-8. Permits for extended hours for alcoholic beverage establishments.**

(a) *Purpose and findings.* The increase in the number of bars, nightclubs, restaurants, and other establishments licensed to sell alcoholic beverages in the City has caused an increase in the number of people in the downtown area and other locations in the City at any given time. The downtown area is a small area with a large number of these establishments in close proximity. At night, this large concentration of establishments and greater number of persons has at times created certain negative impacts and a need for an increase in security and law enforcement personnel. The increased patronage of persons at such establishments at other locations in the City has also, at times, created certain negative impacts and a need for an increase in security and law enforcement personnel. It is reasonable and appropriate for these establishments to provide for the security needs of their patrons to help mitigate the impacts created by their operations. The ability to sell, offer for sale, deliver or permit to be consumed upon the premises any alcoholic beverage beyond midnight on any day of the week is hereby declared to be, and is, a privilege subject to modification, suspension or termination by the City. No person or establishment may reasonably rely on a continuation of that privilege. As a condition of the continuation of this privilege, these establishments should take all necessary steps

to minimize or eliminate the negative impacts that their establishment may cause. The implementation of the permit process in this section is a necessary first step to achieve this goal.

(b) *Prohibition.* No owner, manager or employee (hereinafter collectively the "permittee") of an establishment dealing in alcoholic beverages for consumption on the premises within the City (hereinafter "establishment") may sell, offer to sell, deliver, serve or permit the consumption of any alcoholic beverages after midnight unless the establishment has an extended hours permit (hereinafter "permit") from the City and is in compliance with all conditions of the permit. "Dealing in alcoholic beverages" shall mean, but not be limited to, the sale, offering to sell, delivering, serving or permitting the consumption of alcoholic beverages. For the purposes of this section, an establishment shall include but is not limited to, bottle clubs, clubs, restaurants, bars, caterers of catered events and any other establishment for which the on premise consumption of alcohol is permitted but shall not include a restaurant which serves its full dinner menu (not a limited menu such as a "bar" menu, "late night" menu, etc.) during the time alcohol is sold for consumption on the premises. The provisions of this section shall not impair or impact an establishment's ability to remain open prior to midnight.

(c) *Application required.* Any establishment that desires to remain open for business after midnight on any night shall make an application for a permit.

(d) *Application.* The application for a permit shall be on the form provided by the POD accompanied by the application fee set forth in Chapter 12. The applicant shall complete the application by providing all the information requested, including but not limited to the name and address where notices related to this section are to be served. Service to this address shall be deemed valid service. The POD may request any information reasonably necessary to issue the permit.

(1) The POD shall review the application and, if the application is complete, a permit shall be issued which allows the establishment to sell, serve and dispense alcoholic beverages after midnight until the permitted closing hour (currently 3:00 a.m.). The POD may deny a permit if the applicant, or if the applicant is not an individual (eg. corporation, partnership, etc.) if any principal (eg. officer, director, partner, business manager, etc.) of the applicant, was directly associated with a permittee that had a permit revoked and that revocation is still in effect. ~~If an applicant is not an individual (eg. corporation, partnership, etc.), the POD may deny a permit if any principal (eg. officer, director, partner, business manager, etc.) of the applicant was directly associated with a permittee that had a permit revoked and that revocation is still in effect.~~

(2) If the permitted closing hour changes, the permit shall allow the establishment to sell, serve and dispense alcoholic beverages until the new permitted closing hour. The permit shall be conspicuously posted near the alcoholic beverage license for the establishment. The establishment must have a

current business tax receipt before an extended hours permit may be issued. The extended hours permit may be shown on the business tax receipt.

(3) Permittees shall amend the application that is on file with the POD within 30 days if any of the information set forth on the application form changes. In the event that there has been a change in ownership or a change in location of the establishment, the permittee shall immediately notify the POD and a new application shall be processed after payment of the required fee.

(4) Each permit shall expire at midnight on September 30. The permit may be renewed annually after payment of a renewal fee as set forth in Chapter 12, unless the permit has been suspended or revoked by the POD or the state beverage license has been revoked. If an establishment fails to renew the permit, it shall not remain open after midnight. Any renewal application received by the POD after September 30 shall be subject to the payment of a late fee of 30% of the renewal fee ~~\$200.00~~ for each month, or any portion thereof, after September 30 (e.g. an applicant applying on October 1 shall owe an additional 30% ~~\$200.00~~ late fee, an applicant applying on November 1 shall owe another 30% ~~a \$400.00~~ late fee).

(5) If an establishment has a sidewalk café area, a condition of every permit shall be that the establishment shall have an approved, current, valid sidewalk café permit, prior to approval of the permit or renewal. If the establishment does not have a valid sidewalk café permit and is in a DC zoning district, the establishment shall post a sign on the exterior of the establishment facing the street right of way, which sign shall be at least one foot by two feet, containing substantially the following information in letters not less than two inches in height: It is unlawful to consume alcoholic beverages on the sidewalk in front of this establishment.

(e) Acceptance of, and operation pursuant to, a permit shall be deemed to be the approval, permission and authorization by the owner of the establishment for any law enforcement officer to enter the establishment, when such establishment is open, and conduct a search to determine whether any provisions of law are being violated. "Open," for the purpose of this section, shall mean any time members of the public are inside the establishment, whether or not they have paid a fee to enter or whether or not their presence is pursuant to a private event. It is unlawful for any permittee to refuse to permit a lawful inspection of the establishment at any time it is open.

(f) Although not required, ~~police~~ law enforcement officers may, at their discretion, issue oral or written warnings that shall not be considered a notice of violation, to put an establishment on notice that a particular problem or problems must be addressed and could result in a notice of violation, or suspension or revocation of the permit, if not corrected.

(g) *Penalty.* The penalty for operating an establishment after midnight without a valid permit, in violation of any provision of this section, or of failing to comply with any condition of a permit, shall be a \$500.00 fine, ~~and the~~ The City may initiate any other actions to insure compliance with this section.

(h) *Suspension and revocation.*

(1) Suspension. The Chief of Police ~~may~~ shall suspend a permit for 30 days if the Chief determines that a permittee has committed any one or more of the following acts and that the permittee has not taken reasonable actions to prevent future occurrences:

- a. Two or more convictions for ~~Convicted of~~ violating any the same provision of the City Code relating to the operation of the establishment ~~(conviction shall not include pretrial pleas)~~ within a year which violations negatively impact the safety or security of patrons;
- b. Engaged in, or allowed, the use of alcoholic beverages at the establishment after closing hours by any person;
- c. Refused to allow an inspection of the establishment as authorized by this section;
- d. Knowingly permitted the use of controlled substances at the establishment, or should have known of the use of a controlled substance and has not taken the necessary actions ~~took no steps~~ to prevent future occurrences ~~it~~;
- e. Knowingly permitted gambling by any person at the establishment;
- f. Knowingly permitted, or should have known of, ~~Permitted~~ the possession or consumption by a minor of an alcoholic beverage at the establishment, or the sale to a minor of an alcoholic beverage at the establishment, or allowed a minor to enter and remain at the establishment;
- g. Convicted of violating any condition of a permit;
- h. Provided inadequate security on more than two occasions in a year. The Chief shall notify the establishment in writing, by hand delivery to the establishment and first class mail to the permittee, within ten calendar days of each occasion when there has been inadequate security and how the security was inadequate. Inadequate security means, for the purposes of this section, that a violent crime occurred at the establishment or in the right of way abutting the establishment, that could have been avoided with the implementation of one or more security measures including but not limited to: the establishment did not provide at least one security officer per each 150 occupants or any portion thereof (bartenders, barbacks and other employees with duties unrelated to security shall not be counted as a security officer), did not wand patrons on entry, or did not have full video surveillance of all public areas at the establishment with signs posted which warn the public, ~~and a violent crime occurred at the establishment or in the right of way abutting the establishment that could have been avoided with the implementation of one or more security measures.~~
- i. Failure to comply with any condition of an approved security plan.

(2) Suspensions will continue for the full 30 days and no permit shall be issued during the suspension for the establishment.

(3) Revocation. The Chief ~~may shall~~ revoke a permit if the permit is suspended twice within any 12-month period or if the Chief determines that a permittee has committed any one or more of the following acts and that the permittee has not taken reasonable actions to prevent future occurrences:

a. ~~The permit is suspended twice within any 12-month period;~~

b. The permittee has given false or misleading information in the material submitted during the application process;

be. The permittee has knowingly allowed the sale of controlled substances or any derivative thereof at the establishment;

cd. ~~A~~ The permittee allowed a member of the public to enter the establishment, and allowed the person to be served or to consume any alcoholic beverage, during a period of time when the permit was suspended.

(4) A revocation is effective for one year. The permittee shall not be issued a permit for the establishment, or any other establishment, for one year from the date the revocation became final. If, subsequent to revocation, the Chief determines that the basis for the revocation action has been corrected or abated, or determines that the permittee has taken action to ensure that the basis for the revocation will not occur again, which action(s) the Chief reasonably believes will ensure that the basis for the revocation will not occur again, the permittee may be granted a new permit if at least 90 days have elapsed since the date the revocation became final. The permittee shall reapply for a new permit in the same manner as for the initial permit.

(5) Notice of a suspension or revocation shall be made in writing, by hand delivery to the establishment and first class mail to the permittee at the address provided in the application. The notice shall identify the length of the suspension or revocation and the date of the first and last day the suspension or revocation is effective.

(6) For a suspendable offense, prior to and in lieu of suspension, the permittee may implement a security plan approved by the Chief which the Chief reasonably believes will ensure that the basis for the suspension will not occur again. The security plan shall include specific measures to address any concerns the Chief may have. In addition to the concerns related to the suspendable offense, the Chief may consider any other issues with the establishment in approving a security plan. Other issues may relate to any citizen complaints, city code issues or law enforcement issues or responses to calls. Conditions of the security plan may include, but are not limited to, requirements for the hiring of off duty law enforcement officers, private interior security persons, doormen, wandering of patrons, installation of security cameras, and employee training. Requirements for

the hiring of officers or employees may be limited to certain days. The security plan shall be in effect for six months. Payment for the cost of off duty law enforcement officers shall be made in advance or an acceptable plan for payment must be made which must be approved by the Chief.

(7) The fact that a conviction is being appealed shall have no effect on the suspension or revocation of the permit.

(i) *Appeals.* If the Chief denies the issuance or renewal of a permit or suspends or revokes a permit, the Chief shall deliver to send the permittee, by hand delivery to the establishment and first class mail to the permittee at the address provided in the application, written notice of the action and the right to an appeal.

The permittee may appeal the decision of the Chief to the City Council by following the procedures set forth in Chapter 16 for appeals. The filing of an appeal stays the action of the Chief in suspending or revoking a permit or denying a renewal until the City Council makes a final decision. If during the pendency of a stay, the permittee commits any other violation of this section which would warrant suspension or revocation, the Chief may suspend or revoke the permit as provided herein, subject to any appeal. If upheld on appeal, or if not appealed, suspensions would be applied consecutively and a revocation could ~~would~~ be applied instead of a suspension, as provided in this section if applicable.

(1) The City Clerk shall set the date for the hearing as soon as is reasonably possible, however, not more than 30 days from the date the written appeal is received.

(2) The City Council shall hold a public hearing to hear and consider evidence offered by any interested person to determine whether the Chief properly denied issuance or renewal of a permit, or properly suspended or revoked the permit in accordance with the provisions of this section.

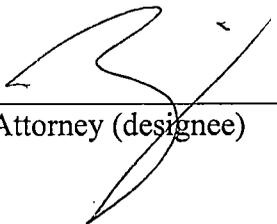
(3) The City Council shall determine whether the Chief properly suspended, revoked or denied the issuance or renewal of the permit and shall approve grant-or deny the appeal by majority vote of the Council Members present. Failure to reach a majority vote to approve the appeal is a will result in denial of the appeal. Decisions of the City Council shall be final decisions.

SECTION 2. Words in struck-through type shall be deleted. Underlined words constitute new language that shall be added. Provisions not specifically amended shall continue in full force and effect.

SECTION 3. The provisions of this Ordinance shall be deemed severable. The unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 4. In the event that 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)

REVISED  
8-6-14

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE CITY CODE RELATING TO EXTENDED HOURS PERMITS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS SERVING ALCOHOL AFTER MIDNIGHT; REDUCING THE LATE FEE; PROVIDING FLEXIBILITY FOR THE CHIEF FOR SUSPENSION AND REVOCATION OF PERMITS WHEN THE PERMITTEE HAS TAKEN NECESSARY STEPS TO ADDRESS PROBLEMS; PROVIDING FOR THE CLARIFICATION OF CERTAIN LANGUAGE; PROVIDING FOR THE CORRECTION OF TYPOGRAPHICAL AND GRAMMATICAL ERRORS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Section 3-8 of the St. Petersburg City Code is hereby amended to read as follows:

**Sec. 3-8. Permits for extended hours for alcoholic beverage establishments.**

(a) *Purpose and findings.* The increase in the number of bars, nightclubs, restaurants, and other establishments licensed to sell alcoholic beverages in the City has caused an increase in the number of people in the downtown area and other locations in the City at any given time. The downtown area is a small area with a large number of these establishments in close proximity. At night, this large concentration of establishments and greater number of persons has at times created certain negative impacts and a need for an increase in security and law enforcement personnel. The increased patronage of persons at such establishments at other locations in the City has also, at times, created certain negative impacts and a need for an increase in security and law enforcement personnel. It is reasonable and appropriate for these establishments to provide for the security needs of their patrons to help mitigate the impacts created by their operations. The ability to sell, offer for sale, deliver or permit to be consumed upon the premises any alcoholic beverage beyond midnight on any day of the week is hereby declared to be, and is, a privilege subject to modification, suspension or termination by the City. No person or establishment may reasonably rely on a continuation of that privilege. As a condition of the continuation of this privilege, these establishments should take all necessary steps

F-7

to minimize or eliminate the negative impacts that their establishment may cause. The implementation of the permit process in this section is a necessary first step to achieve this goal.

(b) *Prohibition.* No owner, manager or employee (hereinafter collectively the "permittee") of an establishment dealing in alcoholic beverages for consumption on the premises within the City (hereinafter "establishment") may sell, offer to sell, deliver, serve or permit the consumption of any alcoholic beverages after midnight unless the establishment has an extended hours permit (hereinafter "permit") from the City and is in compliance with all conditions of the permit. "Dealing in alcoholic beverages" shall mean, but not be limited to, the sale, offering to sell, delivering, serving or permitting the consumption of alcoholic beverages. For the purposes of this section, an establishment shall include but is not limited to, bottle clubs, clubs, restaurants, bars, caterers of catered events and any other establishment for which the on premise consumption of alcohol is permitted but shall not include a restaurant which serves its full dinner menu (not a limited menu such as a "bar" menu, "late night" menu, etc.) during the time alcohol is sold for consumption on the premises. The provisions of this section shall not impair or impact an establishment's ability to remain open prior to midnight.

(c) *Application required.* Any establishment that desires to remain open for business after midnight on any night shall make an application for a permit.

(d) *Application.* The application for a permit shall be on the form provided by the POD accompanied by the application fee set forth in Chapter 12. The applicant shall complete the application by providing all the information requested, including but not limited to the name and address where notices related to this section are to be served. Service to this address shall be deemed valid service. The POD may request any information reasonably necessary to issue the permit.

(1) The POD shall review the application and, if the application is complete, a permit shall be issued which allows the establishment to sell, serve and dispense alcoholic beverages after midnight until the permitted closing hour (currently 3:00 a.m.). The POD may deny a permit if the applicant, or if the applicant is not an individual (eg. corporation, partnership, etc.) if any principal (eg. officer, director, partner, business manager, etc.) of the applicant, was directly associated with a permittee that had a permit revoked and that revocation is still in effect. ~~If an applicant is not an individual (eg. corporation, partnership, etc.), the POD may deny a permit if any principal (eg. officer, director, partner, business manager, etc.) of the applicant was directly associated with a permittee that had a permit revoked and that revocation is still in effect.~~

(2) If the permitted closing hour changes, the permit shall allow the establishment to sell, serve and dispense alcoholic beverages until the new permitted closing hour. The permit shall be conspicuously posted near the alcoholic beverage license for the establishment. The establishment must have a

current business tax receipt before an extended hours permit may be issued. The extended hours permit may be shown on the business tax receipt.

(3) Permittees shall amend the application that is on file with the POD within 30 days if any of the information set forth on the application form changes. In the event that there has been a change in ownership or a change in location of the establishment, the permittee shall immediately notify the POD and a new application shall be processed after payment of the required fee.

(4) Each permit shall expire at midnight on September 30. The permit may be renewed annually after payment of a renewal fee as set forth in Chapter 12, unless the permit has been suspended or revoked by the POD or the state beverage license has been revoked. If an establishment fails to renew the permit, it shall not remain open after midnight. Any renewal application received by the POD after September 30 shall be subject to the payment of a late fee of 30% of the renewal fee ~~\$200.00~~ for each month, or any portion thereof, after September 30 (e.g. an applicant applying on October 1 shall owe an additional 30% ~~\$200.00~~ late fee, an applicant applying on November 1 shall owe another 30% ~~a \$400.00~~ late fee).

(5) If an establishment has a sidewalk café area, a condition of every permit shall be that the establishment shall have an approved, current, valid sidewalk café permit, prior to approval of the permit or renewal. If the establishment does not have a valid sidewalk café permit and is in a DC zoning district, the establishment shall post a sign on the exterior of the establishment facing the street right of way, which sign shall be at least one foot by two feet, containing substantially the following information in letters not less than two inches in height: It is unlawful to consume alcoholic beverages on the sidewalk in front of this establishment.

(e) Acceptance of, and operation pursuant to, a permit shall be deemed to be the approval, permission and authorization by the owner of the establishment for any law enforcement officer to enter the establishment, when such establishment is open, and conduct a search to determine whether any provisions of law are being violated. "Open," for the purpose of this section, shall mean any time members of the public are inside the establishment, whether or not they have paid a fee to enter or whether or not their presence is pursuant to a private event. It is unlawful for any permittee to refuse to permit a lawful inspection of the establishment at any time it is open.

(f) Although not required, ~~police~~ law enforcement officers may, at their discretion, issue oral or written warnings that shall not be considered a notice of violation, to put an establishment on notice that a particular problem or problems must be addressed and could result in a notice of violation, or suspension or revocation of the permit, if not corrected.

(g) *Penalty.* The penalty for operating an establishment after midnight without a valid permit, in violation of any provision of this section, or of failing to comply with any condition of a permit, shall be a \$500.00 fine, ~~and the~~ The City may initiate any other actions to insure compliance with this section.

(h) *Suspension and revocation.*

(1) Suspension. The Chief of Police ~~may shall~~ suspend a permit for 30 days if the Chief determines that a permittee has committed any one or more of the following acts and that the permittee has not taken reasonable actions to prevent future occurrences:

- a. Two or more convictions for ~~Convicted of~~ violating any the same provision of the City Code relating to the operation of the establishment (conviction shall not include pretrial pleas) within two years which violations negatively impact the safety or security of patrons;
- b. Engaged in, or allowed, the use of alcoholic beverages at the establishment after closing hours by any person;
- c. Refused to allow an inspection of the establishment as authorized by this section;
- d. Knowingly permitted the use of controlled substances at the establishment, or should have known of the use of a controlled substance and has not taken the necessary actions ~~took no steps~~ to prevent future occurrences ~~it~~;
- e. Knowingly permitted gambling by any person at the establishment;
- f. Knowingly permitted, or should have known of, ~~Permitted~~ the possession or consumption by a minor of an alcoholic beverage at the establishment, or the sale to a minor of an alcoholic beverage at the establishment, or allowed a minor to enter and remain at the establishment;
- g. Convicted of violating any condition of a permit;
- h. Provided inadequate security on more than two occasions in a year. The Chief shall notify the establishment in writing, by hand delivery to the establishment and first class mail to the permittee, within ten calendar days of each occasion when there has been inadequate security and how the security was inadequate. Inadequate security means, for the purposes of this section, that a violent crime occurred at the establishment or in the right of way abutting the establishment, that could have been avoided with the implementation of one or more security measures including but not limited to: the establishment did not provide at least one security officer per each 150 occupants or any portion thereof (bartenders, barbacks and other employees with duties unrelated to security shall not be counted as a security officer), did not warn patrons on entry, or did not have full video surveillance of all public areas at the establishment with signs posted which warn the public, ~~and a violent crime occurred at the establishment or in the right of way abutting the establishment that could have been avoided with the implementation of one or more security measures.~~
- i. Failure to comply with any condition of an approved security plan.

(2) Suspensions will continue for the full 30 days and no permit shall be issued during the suspension for the establishment.

(3) Revocation. The Chief ~~may shall~~ revoke a permit if the permit is suspended twice within any 12-month period or if the Chief determines that a permittee has committed any one or more of the following acts and that the permittee has not taken reasonable actions to prevent future occurrences:

a. ~~The permit is suspended twice within any 12-month period;~~

b. The permittee has given false or misleading information in the material submitted during the application process;

be. The permittee has knowingly allowed the sale of controlled substances or any derivative thereof at the establishment;

cd. ~~A~~ The permittee allowed a member of the public to enter the establishment, and allowed the person to be served or to consume any alcoholic beverage, during a period of time when the permit was suspended.

(4) A revocation is effective for one year. The permittee shall not be issued a permit for the establishment, or any other establishment, for one year from the date the revocation became final. If, subsequent to revocation, the Chief determines that the basis for the revocation action has been corrected or abated, or determines that the permittee has taken action to ensure that the basis for the revocation will not occur again, which action(s) the Chief reasonably believes will ensure that the basis for the revocation will not occur again, the permittee may be granted a new permit if at least 90 days have elapsed since the date the revocation became final. The permittee shall reapply for a new permit in the same manner as for the initial permit.

(5) Notice of a suspension or revocation shall be made in writing, by hand delivery to the establishment and first class mail to the permittee at the address provided in the application. The notice shall identify the length of the suspension or revocation and the date of the first and last day the suspension or revocation is effective.

(6) For a suspendable offense, prior to and in lieu of suspension, the permittee may implement a security plan approved by the Chief which the Chief reasonably believes will ensure that the basis for the suspension will not occur again. The security plan shall include specific measures to address any concerns the Chief may have. In addition to the concerns related to the suspendable offense, the Chief may consider any other issues with the establishment in approving a security plan. Other issues may relate to any citizen complaints, city code issues or law enforcement issues or responses to calls. Conditions of the security plan may include, but are not limited to, requirements for the hiring of off duty law enforcement officers, private interior security persons, doormen, wandong of patrons, installation of security cameras, and employee training. Requirements for

the hiring of officers or employees may be limited to certain days. The security plan shall be in effect for six months. Payment for the cost of off duty law enforcement officers shall be made in advance or an acceptable plan for payment must be made which must be approved by the Chief.

(7) The fact that a conviction is being appealed shall have no effect on the suspension or revocation of the permit.

(i) *Appeals.* If the Chief denies the issuance or renewal of a permit or suspends or revokes a permit, the Chief shall ~~deliver to send~~ the permittee, by hand delivery to the establishment and first class mail to the permittee at the address provided in the application, written notice of the action and the right to an appeal.

The permittee may appeal the decision of the Chief to the City Council by following the procedures set forth in Chapter 16 for appeals. The filing of an appeal stays the action of the Chief in suspending or revoking a permit or denying a renewal until the City Council makes a final decision. If during the pendency of a stay, the permittee commits any other violation of this section which would warrant suspension or revocation, the Chief may suspend or revoke the permit as provided herein, subject to any appeal. If upheld on appeal, or if not appealed, suspensions would be applied consecutively and a revocation could ~~would~~ be applied instead of a suspension, as provided in this section ~~if applicable~~.

(1) The City Clerk shall set the date for the hearing as soon as is reasonably possible, however, not more than 30 days from the date the written appeal is received.

(2) The City Council shall hold a public hearing to hear and consider evidence offered by any interested person to determine whether the Chief properly denied issuance or renewal of a permit, or properly suspended or revoked the permit in accordance with the provisions of this section.

(3) The City Council shall determine whether the Chief properly suspended, revoked or denied the issuance or renewal of the permit and shall approve ~~grant~~ or deny the appeal by majority vote of the Council Members present. Failure to reach a majority vote to approve the appeal is a ~~will result in~~ denial of the appeal. Decisions of the City Council shall be final decisions.

SECTION 2. Words in struck-through type shall be deleted. Underlined words constitute new language that shall be added. Provisions not specifically amended shall continue in full force and effect.

SECTION 3. The provisions of this Ordinance shall be deemed severable. The unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 4. In the event that 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)

**COUNCIL AGENDA  
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **July 31, 2014**

COUNCIL DATE: **August 7, 2014**

RE: ***Referral to the Budget, Finance and Taxation Committee***

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**ACTION DESIRED:**

Respectfully requesting a referral to BF&T for consideration of returning the PAL Building to the inventory of City insured properties to allow for increase in PAL funds available for programs benefiting clients of approximately \$30,000.

Charlie Gerdes  
Council Member

City of St. Petersburg  
Youth Services Committee Report  
Thursday, July 24, 2014  
8:30 a.m.

**Room 100**

Members and Alternates: Councilmembers Amy Foster (Chair), Charlie Gerdes (Vice-Chair), Bill Dudley, 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. Councilmembers in attendance were Amy Foster, Charlie Gerdes, and Bill Dudley
- B. Approval of Minutes for Youth Services Committee – June 19, 2014  
Councilmember Gerdes asked for clarification on one point after which the minutes for the meeting of June 19, 2014 were approved as submitted.
- C. Agenda Items

- 1. Civil Citation Update – Councilmember Amy Foster  
Councilmember Foster highlighted several points in her summary. First, the Department of Juvenile Justice has changed its focus and philosophy from the incarceration of youth to their rehabilitation. Also, the topic of arrested youth not getting the services that might provide training and skills guiding them to a path of success was discussed. Finally, service programs such as Clearwater’s Operation Graduate and the proposed evening reporting centers, an after school sanctuary providing tutoring, community service opportunities, etc., were considered.

Recommendations for improvements included: awareness providing civil citation programs; refresher training for officers; developing a handout for parents describing the program; designating a contact within the city network; and a city contact to supply a list of service providers within the city.

Other points of discussion included: case management and the need for a way to measure results from the day of offense to the time a youth is enrolled in an appropriate program; the problem of a gap in time from the day of a youth’s offense to the time the youth is enrolled in a divergent program; and the need for an accurate way to measure results.

Councilmember Foster recommended a monthly or quarterly report be generated to include the number of transports, where youth was transported, and are the committee recommendations working.

D. Next Meeting Date – Thursday, August 21, 2014

E. Adjournment – Meeting was adjourned at 9:00 a.m.

# ST. PETERSBURG CITY COUNCIL BUDGET, FINANCE & TAXATION COMMITTEE

## Committee Report for July 31, 2014

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

**Support Staff** Linda Livingston, Accountant III, Finance Department  
John Armbruster, Personnel Analyst III, Human Resources

**Call to Order**  
**Approval of Agenda-Approved**

### 1. New / Deferred Business

#### a. 3<sup>rd</sup> Quarter Financial Report

Anne Fritz, Finance Director, gave a presentation on quarterly financial statements which represent the City’s financial results for the nine months ending June 30, 2014. The presentation included the Investments Report, Debt Service Reports, Pension Reports and Financials Reports. The Investments Report shows the City’s holdings and quarterly results as of June 30, 2014.

Ms. Fritz reviewed the new format of the investment reports, which now detail the name of each holding as well as the CUSIP numbers, true rate of return, book value, and market value. A discussion of the investment philosophy relating to having equity exposure was reviewed and Ms. Fritz recommended that the City proceed carefully and with funds that are very long term and/or “endowment-like” funds such as the Weeki Wachee Fund, and now soon to be with the Water Cost Stabilization Fund and possibly some other funds as will be reviewed by the Investment Oversight Committee at an upcoming meeting.

The Debt Service Reports reflect the current principal and interest maturity schedule by year for the City. Ms. Fritz reminded the committee that the refunding and new issues will not be recognized in the report until after they are issued and closed. A summary of the debt expected future funding sources (beginning in the next fiscal year) for both governmental and enterprise debt was included in the analysis furnished by Ms. Fritz. She also explained about the sequestration effects on the outstanding Build America Bonds.

The Pension Reports display the current return on pension assets for the quarter as well as the solvency tests for the plans. During the current quarter all three pension funds continue to show positive results in the percentage funded. Ms. Fritz reviewed the current market holdings and the current market value of each plan as compared to the actuarial figures to reflect the pension solvency. Ms. Fritz also explained about the upcoming new accounting standards relating to pensions and how the funding reports will continue to come quarterly, but will be different from the accounting treatment of the pension plans that is required when the City implements GASB 67 and GASB 68.

The Financials results show that revenues and expenditures are generally consistent with the budgeted amounts. Revenue numbers continue to appear higher from a year to date perspective due to the timing of property tax collections. Ms. Fritz explained the new format of the financial reports, including discussing the results of the General Group of Funds and presented graphs representing percentage of actual revenues and expenditures as compared to the same percentages of budgeted amounts.

### 2. Continued Business / Deferred Business - None

### **3. Upcoming Meetings Agenda Tentative Issues**

#### **a. August 21, 2014**

1. Status of Proposed Investment: Water Stabilization Fund (Fritz)
2. Discussion for use of Tourist Development Tax Follow-up (Metz/Zeoli)
3. 3<sup>rd</sup> Quarter Budget Report (Greene)

#### **b. August 28, 2014**

1. Review of City's FEMA Community Rating System Audit and Introduction of new FEMA Coordinator (Goodwin)
2. Utility Rates (Connors/Leavitt/Rosetti)
3. Utility Bond Issue (Fritz)

#### **c. September 11, 2014**

1. 3<sup>rd</sup> Quarter Grants Report (Greene/Ojah Maharaj)
2. Dome Industrial Pilot Project Area (Metz)

### **4. Adjournment – Meeting adjourned at 9:21 a.m.**

City of St. Petersburg  
**Public Services & Infrastructure Committee Report**

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Meeting of July 31, 2014 - 9:15 a.m.

PRESENT: Committee Chair Bill Dudley, Vice-Chair Steve Kornell; Council Members: Wengay Newton, James Kennedy (alternate)

ALSO: Council Members Karl Nurse; Darden Rice; Support Staff: Brian Campbell, primary staff support; Blaise Mazzola, backup staff support; Mark Winn, Assistant City Attorney; Dave Goodwin, Director, Planning and Economic Development; Corey Malyszka, Interim Zoning Official, Derek Kilborn, Manager, Urban Planning and Historic Preservation.

A. Call to Order and Roll Call. 9:29 A.M.

B. Approval of Agenda (4-0 )

C. New Business

1. Skateboard Ordinance: Mark Winn presented a draft ordinance amending section 20-80 of the St. Petersburg City Code regulating the use of skateboards. Of particular note is that state law prohibits the use of skateboards on streets; streets width being defined as "curb-to-curb". CM Kennedy requested clarification of helmet requirements. CM Nurse inquired about enforcement and penalties. Violation is a Class I with a fine of \$213. Vote to approve to forward to council. (4-0) – Passed.
2. Renaming Childs Park Recreation Center to **Childs Park Recreation & Fitness Center**. CM Newton thanked staff for their efforts and work completed at the Childs Park Recreation Center. Vote to approve to forward to council. (4-0) – Passed.

D. New Business – Referrals from Council

1. Discussion and staff report regarding lots that have been platted but do not meet current size standards for construction, thus requiring variances. (Councilmember Kornell): CM Kornell recapped his referral. CM Nurse referenced Vision 20/20 and "lots of lots" that are under 5000sq ft and many 50'x50' (2500sq ft) lots. CM Rice requested clarification on the law regarding property rights of platted lot owners. Asst. City Attorney Winn stated that "owners can do whatever they please within existing code and zoning regulations" and that for platted lots, the City must generally allow the owner to have a reasonable use of the property. CM Rice requested a map of existing vacant platted lots, should the motion to move forward pass. Vote to have the Legal Department research and move forward (1-3) - Failed.
2. Reconsideration of Ordinance No. 110-H providing for the use of Electronically-Charged Fencing on property designated with IT (Industrial Traditional) and IS (Industrial Suburban) Zoning. (Councilmember Newton): Derek Kilborn presented graphic representation of existing code related to the industrial zoning requirements related to fencing. Meeting was recessed for City/PSTA Press

City of St. Petersburg  
**Public Services & Infrastructure Committee Report**

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Conference. Upon returning to labor, the Vote to approve to forward to council. (4-0) - Passed.

E. Meeting adjourned at 11:09 A.M.

City of St. Petersburg  
**Public Services & Infrastructure Committee Report**

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AN ORDINANCE AMENDING SECTION 20-80 OF THE ST. PETERSBURG CITY CODE REGULATING THE USE OF SKATEBOARDS; REGULATING AREAS WHERE SKATEBOARDS MAY BE OPERATED; MAKING IT UNLAWFUL TO RIDE OR OPERATE A SKATEBOARD IN CERTAIN MANNERS AND AT CERTAIN LOCATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Section 20-80 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 20-80. Skateboarding on private or public property.

- (a) It is unlawful for any person to operate or ride a skateboard in or upon any of the following locations:
- (1) Pursuant to State law, on any street in the City except when crossing in a crosswalk (currently F.S. 316.2065(11)). ~~On any sidewalk or street within the area bounded by Fifth Avenue North, Tampa Bay, Fifth Avenue South, and 16th Street.~~
  - (2) In any public parking garage, including the access/egress ramp.
  - (3) On any public access ramps or access ramps for persons with disabilities providing pedestrian access to a building.
  - (4) On any public or private property where prohibited by conspicuously located signs having lettering at least two inches high, and containing as a minimum the words, "No Skateboarding."
  - (5) On any private nonresidential property without having the written permission of the property owner or tenant on the letterhead of the property owner or tenant.
  - (6) On any private residential property without the permission of the owner or tenant of the property.
- (b) It is unlawful for the parent, legal guardian or custodian of a minor child to knowingly permit the child to violate any the provisions of ~~subsection (a)~~ this section.

City of St. Petersburg  
**Public Services & Infrastructure Committee Report**

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- (c) It is unlawful for any operator or rider of any skateboard to fail to yield the right-of-way to any pedestrian or to otherwise endanger or interfere with pedestrian traffic on any ~~street or~~ sidewalk within the City or to negligently operate a skateboard.
- (d) It is unlawful for any operator or rider of any skateboard to operate or ride a skateboard within the boundaries of a sidewalk café or within an area which has received a street closure permit for an event.
- (e) It is unlawful for any operator or rider of any skateboard to operate or ride a skateboard on a congested sidewalk or at a speed which is not safe for existing conditions.
- (f) It is unlawful for any operator or rider of any skateboard to operate or ride a skateboard on or against any City owned table, bench, hand or guard rail, or other structure and on any tennis or basketball court or other improvement which could be damaged from such use except in a designated skateboard park or facility.
- (g) Helmets should be worn by all operators or riders of skateboards. Helmets shall be worn by all operators or riders of skateboards who are under seventeen (17) years of age while on a City sidewalk. Helmets should meet the guidelines of the Consumer Product Safety Commission.

SECTION 2. Words in underlined type are additions to the City Code and ~~struck through~~ words are words to be deleted from the existing City Code.

SECTION 3. 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 4. 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.

Approved as to form and content:

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City Attorney (designee)

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- (1) Pursuant to State law, on any street in the City except when crossing in a crosswalk (currently F.S. 316.2065(11)). On any sidewalk or street within the area bounded by Fifth Avenue North, Tampa Bay, Fifth Avenue South, and 16th Street.
  - (2) In any public parking garage, including the access/egress ramp.
  - (3) On any public access ramps or access ramps for persons with disabilities providing pedestrian access to a building.
  - (4) On any public or private property where prohibited by conspicuously located signs having lettering at least two inches high, and containing as a minimum the words, "No Skateboarding."
  - (5) On any private nonresidential property without having the written permission of the property owner or tenant on the letterhead of the property owner or tenant.
  - (6) On any private residential property without the permission of the owner or tenant of the property.
- (b) It is unlawful for the parent, legal guardian or custodian of a minor child to knowingly permit the child to violate any the provisions of subsection (a) this section.
- (c) It is unlawful for any operator or rider of any skateboard to fail to yield the right-of-way to any pedestrian or to otherwise endanger or interfere with

pedestrian traffic on any ~~street or~~ sidewalk within the City or to negligently operate a skateboard.

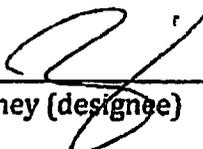
- (d) It is unlawful for any operator or rider of any skateboard to operate or ride a skateboard within the boundaries of a sidewalk café or within an area which has received a street closure permit for an event.
- (e) It is unlawful for any operator or rider of any skateboard to operate or ride a skateboard on a congested sidewalk or at a speed which is not safe for existing conditions.
- (f) It is unlawful for any operator or rider of any skateboard to operate or ride a skateboard on or against any City owned table, bench, hand or guard rail, or other structure and on any tennis or basketball court or other improvement which could be damaged from such use except in a designated skateboard park or facility.
- (g) Helmets should be worn by all operators or riders of skateboards. Helmets shall be worn by all operators or riders of skateboards who are under seventeen (17) years of age while on a City sidewalk.

SECTION 2. Words in underlined type are additions to the City Code and ~~struck-through~~ words are words to be deleted from the existing City Code.

SECTION 3. 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 4. 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.

Approved as to form and content:

  
\_\_\_\_\_  
City Attorney (designee)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CITY CODE SECTION 21-86; ADDING SUBSECTION (10); RENAMING THE CHILDS PARK RECREATION CENTER LOCATED IN CHILDS PARK THE "CHILDS PARK RECREATION AND FITNESS CENTER"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has received recommendations from a Council Member and Parks and the Public Service and Infrastructure Committee to rename the Childs Park Recreation Center to the "Childs Park Recreation and Fitness Center"; and

WHEREAS, the City Council has considered the factors set forth in City Code Section 21-85; and

WHEREAS, the Childs Park Recreation Center has a long tradition in South St. Petersburg of offering classes, providing youth and teen programs, and serving as a gathering place for the community; and

WHEREAS, the Recreation Center has recently added a new fitness center to further serve the community.

NOW, THEREFORE, THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The facility currently named the "Childs Park Recreation Center", located 4301 13<sup>th</sup> Avenue South, St. Petersburg, FL 33711, is hereby renamed the "Childs Park Recreation and Fitness Center."

SECTION 2. The St. Petersburg City Code is hereby amended by adding a new subsection to section 21-86 to read as follows:

- (10) The Recreation Center located at 4301 13th Avenue South in Childs Park is named the "Childs Park Recreation and Fitness Center."

SECTION 3. The provisions of this ordinance shall be deemed to be severable. If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance. The effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

H-3(6)

SECTION 4. 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 (5<sup>th</sup>) 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.

APPROVED AS TO FORM AND CONTENT:

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City Attorney (designee)

**SAINT PETERSBURG CITY COUNCIL**  
**Consent Agenda**  
**Meeting of August 7, 2014**

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

**Subject:** Approving the purchase of four loaders from Nortrax, Inc. for the Fleet Management Department at a total cost of \$559,784.25.

**Explanation:** This purchase is being made from Florida Sheriffs Association Bid No. 13-11-0904. The vendor will furnish and deliver two front end wheel loaders with 160 HP and 230 HP diesel engines respectively and two backhoe loaders with 93 HP diesel engines and 4-wheel drive. The loaders will also be furnished with power-shift transmissions, enclosed cabs, guards and warning lights. The equipment will be assigned to the Parks and Recreation and Stormwater, Pavement and Traffic Operations departments and will be used to move and load materials. The new loaders have life expectancies of seven years. They are replacing eight to eleven year-old units with original purchase prices ranging from \$46,000 to \$135,000. The old vehicles have reached the end of their economic useful lives and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida Sheriff's Association Bid 13-11-0904:

Nortrax, Inc. (Tampa, FL).....					\$559,784.25
Loader Backhoe, John Deere 310K	2	EA	\$ 57,828.00		\$115,656.00
Upgrade Model 310SK	2	EA	7,680.00		15,360.00
Options	2	EA	26,029.50		52,058.00
Wheel Loader, Front End, John Deere 544K	1	EA	121,565.00		121,565.00
Options	1	EA	35,605.50		35,605.50
Wheel Loader, Front End, John Deere 544K	1	EA	121,565.00		121,565.00
Upgrade Model 644K	1	EA	68,077.00		68,077.00
Options	1	EA	29,897.25		<u>29,897.25</u>
					<b>\$559,784.24</b>

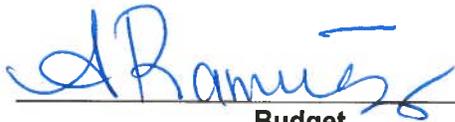
The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 13-11-0904 effective through September 30, 2014. This purchase is made in accordance with Section 2-256 (c) of the Procurement Code which authorizes the Mayor or his designee to purchase from the Sheriffs Association, Florida Association of Counties and Florida Fire Chiefs' Association negotiated purchase programs for vehicles.

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Department, Fleet Mechanical Costs (8002527).

**Attachments:** Vehicle Purchase Summary  
 Resolution

**Approvals:**

  
 \_\_\_\_\_  
**Administrative**

  
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**Budget**

**Vehicle Purchase Summary**

<b>Item No.</b>	<b>Description</b>	<b>Qty.</b>	<b>Department</b>	<b>Purpose</b>	<b>R</b>	<b>Age</b>	<b>Life Cycle</b>
1.	Wheel loader, 4-wheel drive, 160 HP diesel engine	1 EA	Parks & Recreation	Move and load material and debris from tree trimming and removal	R	11 YRS	10YRS
2.	Wheel loader, 4-wheel drive, 230 HP diesel engine	1 EA	Stormwater	Move and load materials (sand rock dirt etc.)	R	11 YRS	10YRS
3.	Loader Backhoe, 4-wheel drive, 93 HP diesel engine	2 EA	Stormwater	Used to transport materials and excavate underground storm water lines	R	11 YRS	8YRS

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT FOR THE PURCHASE OF FOUR (4) LOADERS FROM NORTRAX, INC. AT A TOTAL COST NOT TO EXCEED \$559,784.25 FOR THE FLEET MANAGEMENT DEPARTMENT UTILIZING FLORIDA SHERIFF'S ASSOCIATION BID NO. 13-11-0904; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace loaders that have reached the end of their economic useful lives; and

WHEREAS, pursuant to Section 2-256(c) of the City Code the City is permitted to purchase vehicles from selected entities providing vehicles pursuant to the Florida Sheriff's Association and Florida Association of Counties negotiated purchase program; and

WHEREAS, Nortrax, Inc. has met the specifications, terms and conditions of the Florida Sheriff's Association Bid No. 13-11-0904; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fleet Management Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the award of an agreement to Nortrax, Inc. for the purchase of four (4) loaders at a total cost not to exceed \$559,784.25 for the Fleet Management Department utilizing Florida Sheriff's Association Bid No. 13-11-904 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 August 7, 2014**

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

**Subject:** Awarding a blanket purchase agreement to Ronco Communications and Electronics, Inc. for network switching hardware, software and support services for the ICS Department in an amount not to exceed \$440,032.16

**Explanation:** The City received three bids for replacement network switching hardware and software. The contractor will provide hardware and software that is required to replace edge switches and wireless infrastructure in the City network that are reaching end of life. The current network switches were installed more than seven years ago are becoming unreliable. The new switching hardware will provide more reliable network access for end-users. In addition, these switches and wireless access points are integrated with updated network management software that will further increase the security of the City network. The updated network management software will improve oversight and control over users and devices attempting to connect to the City network. The current infrastructure does not allow for this level of control.

Bids were opened on Thursday, July 3, 2014 and are tabulated as follows:

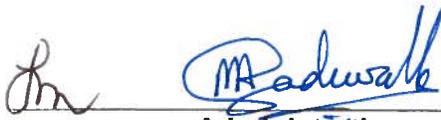
	<u>Bid Amount</u>
Ronco Communications and Electronics, Inc. (Tampa, FL)	\$440,032.16
Hayes e-Government Resources, Inc. (Tallahassee, FL)	581,132.85
Howard Technology Solutions a division of Howard Industries, Inc. (Laurel, MS)	681,100.00

Ronco Communications and Electronics, Inc. has met the requirements of Bid No. 7702 dated June 27, 2014. A blanket purchase agreement will be issued and will be binding only for actual quantities ordered. The agreement will be effective through September 31, 2015.

**Cost/Funding/Assessment Information:** Funds have been appropriated in the Technology and Infrastructure Fund (5019) Network Support (850-2565) and Telecommunications (850-2569) and are budgeted in the FY14 (\$30,000) and FY15 budgets (\$410,032.16).

**Attachment:** Resolution

**Approvals:**

  
\_\_\_\_\_  
**Administrative**

  
\_\_\_\_\_  
**Budget**

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT (BLANKET AGREEMENT) TO RONCO COMMUNICATIONS & ELECTRONICS, INC. IN AN AMOUNT NOT TO EXCEED \$440,032.16 FOR NETWORK SWITCHING HARDWARE, SOFTWARE AND SUPPORT SERVICES FOR THE ICS DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received three bids for network switching hardware, software and support services for the ICS Department pursuant to Bid No. 7702 dated June 27, 2014; and

WHEREAS, Ronco Communications & Electronics, Inc. has met the specifications, terms and conditions of Bid No. 7702; 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, the bid and award of an agreement to Ronco Communications & Electronics, Inc. in an amount not to exceed \$440,032.16 for network switching hardware, software and support services for the ICS Department is hereby approved the Mayor or Mayor's designee is hereby 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)

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT (BLANKET AGREEMENT) TO RONCO COMMUNICATIONS & ELECTRONICS, INC. IN AN AMOUNT NOT TO EXCEED \$440,032.16 FOR NETWORK SWITCHING HARDWARE, SOFTWARE AND SUPPORT SERVICES FOR THE ICS DEPARTMENT SUBJECT TO APPROPRIATIONS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received three bids for network switching hardware, software and support services for the ICS Department pursuant to Bid No. 7702 dated June 27, 2014; and

WHEREAS, Ronco Communications & Electronics, Inc. has met the specifications, terms and conditions of Bid No. 7702; and

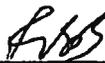
WHEREAS, the Administration recommends approval of this award.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, the bid and award of an agreement to Ronco Communications & Electronics, Inc. in an amount not to exceed \$440,032.16 for network switching hardware, software and support services for the ICS Department is hereby approved subject to appropriations; and

BE IT FURTHER RESOLVED that the Mayor or Mayor's designee is hereby 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)

CB-1

**ST. PETERSBURG CITY COUNCIL  
Consent Agenda  
Meeting of August 7, 2014**

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

**Subject:** Awarding a contract to Bayshore Contracting Corporation in the amount of \$271,836 for Marina Ship Store Alterations (Engineering Project No. 13223-019; Oracle No's. 12862, 13735 and 14124).

**Explanation:** The Procurement Department received five bids for Marina Ship Store Alterations (see below). The work consists of furnishing all labor, materials, equipment and services necessary to perform interior and exterior renovations to the Marina Ship Store. Work includes replacement of Heating, Air Conditioning, and Ventilation (HVAC) equipment with new efficient HVAC equipment providing two zones to control the office area and the retail area independently; the demolition of selected interior walls and construction of three (3) offices, a conference and break room and a communications room. Work includes electrical system upgrades and light fixture replacement with energy efficient lighting; replacement of flooring and millwork, counters and cabinets, repairs to exterior stairs, interior and exterior painting, and retail area renovations with new fixtures and new cooling equipment to sell ice, refreshments, coffee and snacks.

The Marina Store was constructed in 1997 and is located at 500 1st Avenue SE in downtown St. Petersburg in Demens Landing Park. The building was leased to a retail vendor until 2012 when the City took over full operations and moved the Marina Management staff into the facility. The building is elevated 22 feet above the ground and has a total area of 2,241 SF. The HVAC, lighting, and electrical systems are inefficient and need replacement. The existing interior spaces consist of four (4) offices, a storage area, 2 restrooms, elevator, retail space and a transaction counter for fuel sales. The renovated office space will increase efficiency for Marina Management, and the renovated retail space will offer Marina patrons food, ice, and refreshments in addition to sale of fuel and boating products, and a package delivery area for Marina tenants.

The contractor will begin work approximately ten (10) days from Notice to Proceed and is scheduled to complete the work within one hundred twenty (120) consecutive calendar days thereafter. Bids were opened on June 12, 2014, and are tabulated as follows:

<u>Bidder</u>	<u>Base Bid</u>
Bayshore Contracting Corporation (Tampa, FL)	\$271,836
Eveland Brothers, Inc. (Clearwater, FL)	\$290,900
New Vista Builders Group, LLC (Tampa, FL)	\$293,300
Stamper Construction Company (Tarpon Springs, FL)	\$295,700
Hodge Management, LLC (Seminole, FL)	\$346,287

Bayshore Contracting Corporation, the lowest responsible and responsive bidder has met the specifications, terms and conditions of Bid No. 7681 dated May 15, 2014, and has satisfactorily performed similar work for the city. Bayshore Contracting Corporation is a certified SBE. The Principal of the firm is Ernest Winn, President and Barry L. Duckworth, Vice President.

**Recommendation:** Administration recommends awarding this contract to Bayshore Contracting Corporation in the amount of \$271,836 for interior and exterior renovations at the Marina Store (Engineering Project No. 13223-019; Oracle No's. 12862, 13735 and 14124).

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Marina Capital Improvement Fund (4043) Marina Ship Store Renovation Project (12862, 13735 and 14124).

**Attachments:** Resolution

**Approvals:**

  
\_\_\_\_\_  
**Administrative**

  
\_\_\_\_\_  
**Budget**

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO BAYSHORE CONTRACTING CORPORATION IN AN AMOUNT NOT TO EXCEED \$271,836 FOR COMPLETION OF THE MARINA SHIP STORE ALTERATIONS PROJECT (ORACLE NOS. 12862, 13735 AND 14124); AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received five bids for the Marina Ship Store Alterations Project (Oracle Nos. 12862, 13735 and 14124) pursuant to Bid No. 7681 dated May 15, 2014; and

WHEREAS, Bayshore Contracting Corporation has met the specifications, terms and conditions of Bid No. 7681; 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, the bid and award of an agreement to Bayshore Contracting Corporation in an amount not to exceed \$271,836 for completion of the Marina Ship Store Alterations Project (Oracle Nos. 12862, 13735 and 14124) is hereby approved the Mayor or Mayor's designee is hereby 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 August 7, 2014**

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

**Subject:** Renewing a blanket purchase agreement with Swift Security, Inc. for security guard services for the Sanitation and Fleet Management departments at an estimated annual cost of \$127,000.

**Explanation:** On September 16, 2010, City Council approved a two year agreement with Swift Security, Inc. with three one-year renewal options. City Council approved the first and second renewals on June 7, 2012, and September 19, 2013 respectively. Under the renewal of contract clause, the city reserves the right to extend the contract a final one-year term.

The vendor provides un-armed uniformed security guard services at the Sanitation and Fleet complexes. Coverage for the Sanitation complex is from 3:00 p.m. to 7:00 a.m. Monday through Friday and 24 hour coverage for weekends and holidays. Coverage for the Fleet complex is from 12:00 a.m. to 7:00 a.m. Monday through Friday, weekends from 3:30 p.m. Saturday to 7:00 a.m. Monday and 24 hour coverage for some holidays. The guards watch over buildings and parking areas at the facilities. There is one guard at each location.

The Procurement Department, in cooperation with the Sanitation and Fleet Management departments, recommends renewal utilizing Pinellas County Bid No. 090-0258-B:

Swift Security, Inc (Tampa, FL).....\$127,000  
11,053 hrs. @ \$11.49/hr

The contractors have agreed to uphold the terms and conditions of Pinellas County Bid No. 090-0258-B dated May 28, 2010. 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 September 30, 2015.

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Sanitation Operating Fund (4021) [\$75,295], Sanitation Administration Division (4502237) and Fleet Management Fund (5001) [\$51,705] Fleet Services Division (8002521).

**Attachments:** Resolution

**Approvals:**

  
\_\_\_\_\_  
**Administrative**

  
\_\_\_\_\_  
**Budget**

A RESOLUTION APPROVING THE THIRD AND FINAL ONE-YEAR RENEWAL OPTION OF AN AGREEMENT (BLANKET AGREEMENT) FOR SECURITY GUARD SERVICES WITH SWIFT SECURITY, INC. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$127,000 FOR THE SANITATION AND FLEET MANAGEMENT DEPARTMENTS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 16, 2010, City Council approved the award of an agreement (Blanket Agreement) with three one-year renewal options to Swift Security, Inc. for security guard services utilizing Pinellas County Bid No. 090-0258-B; and

WHEREAS, on June 7, 2012 City Council approved the first one-year renewal option of the Agreement; and

WHEREAS, on September 16, 2013 City Council approved the second one-year renewal option of the Agreement; and

WHEREAS, the City desires to exercise the third and final one-year renewal option of the Agreement; and

WHEREAS, Swift Security, Inc. has agreed to hold its pricing firm under the terms and conditions of Pinellas County Bid No. 090-0258-B; and

WHEREAS, the Purchasing Department, in cooperation with the Sanitation and Fleet Management Departments, recommends approval of this renewal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the third and final renewal option of the Agreement (Blanket Agreement) for security guard services with Swift Security, Inc. at an estimated annual cost not to exceed \$127,000 for the Sanitation and Fleet Management Department 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 agreement will be effective through September 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 August 7, 2014**

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

**Subject:** Renewing a blanket purchase agreement with Diamond Supply & Fastener, Inc. for fastener replenishment services at an estimated annual cost of \$115,000.

**Explanation:** On August 18, 2011, City Council approved a two-year agreement with Diamond Supply & Fastener, Inc. with three one-year renewal options. On April 4, 2013, City Council approved the first renewal through August 31, 2014. Under the renewal of contract clause, the City reserves the right to extend the contract for this second one-year period if mutually agreeable.

The vendor furnishes and delivers automotive and industrial fasteners such as nuts, bolts, screws, brass fittings, cotter pins and related hardware; and also replenishes stock during scheduled service visits as instructed by the using department. The primary users are Fleet Management, Water Resources, and Stormwater, Pavement & Traffic Operations departments.

The Procurement Department recommends renewal:

Diamond Supply & Fastener, Inc..... \$115,000

The vendor has agreed to hold prices firm under the terms and conditions of RFP No. 7084 dated January 14, 2011. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract, and no requested increase in unit price. The vendor is also a certified SBE. The renewal will be effective from date of approval through August 31, 2015.

**Cost/Funding/Assessment Information:** Funds have been appropriated in Fleet Management Operating Fund (5001) [\$50,000], Fleet Mechanical Costs account (8002527); Sanitation Operating Fund (4021) [\$10,000], Container Maintenance (4502317); General Fund (0001) [\$10,000], Stormwater, Pavement and Traffic Operations Department, Traffic Sign Installation account (4001273) and Traffic Signals account (4001281); Water Resources Operating Fund (4001) [\$10,000] Water Resources Department, Cosme WTP account (4202077), Albert Whitted WRF(4202169), Northeast WRF (4202173), Northwest WRF (4202177) and Southwest WRF (4202181).

**Attachments:** Price History  
Resolution

**Approvals:**

  
\_\_\_\_\_  
**Administrative**

  
\_\_\_\_\_  
**Budget**

**Price History**  
320-36 Fasteners Stock Replenishment Services

<b>Item</b>	<b>Description</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>% Change</b>
1	3/16 X 3" S/S COTTER PIN, GRADE 18.8 SS	\$0.0765	\$0.0765	\$0.0765	\$0.0765	-
2	1/4 X 3" COTTER PIN, ZINC PLATE	0.0733	0.0733	0.0733	0.0733	-
3	5/64" DRILL BIT	0.5600	0.5600	0.5600	0.5600	-
4	1/4" DRILL BIT	1.4700	1.4700	1.4700	1.4700	-
5	DRILL SCREW, #8x.75" ZINC	0.0290	0.0290	0.0290	0.0290	-
6	DRILL SCREW, #10x1" ZINC	0.0462	0.0462	0.0462	0.0462	-
7	DRILL SCREW, #14x1.5" ZINC	0.1120	0.1120	0.1120	0.1120	-
8	FENDER WASHER, #18x 1" ZINC	0.0520	0.0520	0.0520	0.0520	-
9	FENDER WASHER. #50x1.50" ZINC	0.0820	0.0820	0.0820	0.0820	-
10	ATO-4 FUSE	0.3400	0.3400	0.3400	0.3400	-
11	MIN 25 FUSE	0.5900	0.5200	0.5900	0.5900	-
12	1/4-20 X 1 1/4" (USS) CAP SCREW/Gd 5	0.0405	0.0405	0.0405	0.0405	-
13	3/8-16 X 1 1/4" (USS) CAP SCREW/Gd 5	0.1029	0.1029	0.1029	0.1029	-
14	3/16" (USS) FLAT WASHER/Gd 5	0.0200	0.0200	0.0200	0.0200	-
15	5/16" LOCKWASHER/Gd 5	0.0103	0.0103	0.0103	0.0103	-
16	3/8-16 X 1 1/4" (USS) CAP SCREW/Gd 8	0.1155	0.1050	0.1155	0.1155	-
17	3/8" (USS) FLAT WASHER/Gd 8	0.0759	0.0690	0.0759	0.0759	-
18	5/16-18 (USS) HEX NUT/Gd 8	0.0363	0.0330	0.0363	0.0363	-
19	1/4--28 GREASE FITTING/STRAIGHT	0.1932	0.1610	0.1932	0.1932	-
20	1/2-13 (USS) NYLON LOCKNUT	0.0942	0.0942	0.0942	0.0942	-
21	1/4" SPLIT LOOM 100' roll	14.7900	14.7900	14.7900	14.7900	-
22	8-32 MACHINE SCREW NUT, ZINC	0.0086	0.0086	0.0086	0.0086	-
23	M8 X 25 MET CAP SCREW	0.1193	0.0819	0.1193	0.1193	-
24	M4 FLATWASHER	0.0391	0.0088	0.0391	0.0391	-
25	M10 LOCKWASHER/Gd 8.8	0.0150	0.0150	0.0150	0.0150	-
26	M12 LOCKWASHER/Gd 8.8	0.0280	0.0280	0.0280	0.0280	-
27	3/8-16 X 3/4 HEADLESS SET SCREW/KNURLED	0.1120	0.1120	0.1120	0.1120	-
28	8 X 1/2 PHILLIPS PN HD SMS	0.0272	0.0062	0.0272	0.0272	-
29	10 X 1/2 PH PAN HD SMS	0.0334	0.0096	0.0334	0.0334	-
30	1/4-20 X 1" S/S HEX HD CAP SCREW/Gd 18.8	0.1155	0.1155	0.1155	0.1155	-
31	10-24 S/S MACHINE SCREW NUT/Gd 18.8	0.0290	0.0281	0.0290	0.0290	-
32	1/4" S/S LOCKWASHER/Gd 18.8	0.0220	0.0220	0.0220	0.0220	-
33	3/8-16 X 3/8" S/S SET SCREW	0.0425	0.0425	0.0425	0.0425	-
34	14-16 GA BUTT CONNECTOR/VINYL	0.0400	0.0600	0.0400	0.0400	-
35	14-16 GA #10 RING, NYL INSUL, FUNNEL ENTRY	0.1410	0.1410	0.1410	0.1410	-
36	1/4" THREADED ROD PLATED 3 FT/Gd 5	0.7900	0.7900	0.7900	0.7900	-
37	14" HVY DUTY TY-WRAP WHITE, 100/PK	0.0970	0.1510	0.0970	0.0970	-
38	14 GA PVC WIRE/RED/100 FT ROLL	15.3600	10.7500	15.3600	15.3600	-

A RESOLUTION APPROVING THE SECOND ONE-YEAR RENEWAL OPTION OF THE AGREEMENT (BLANKET AGREEMENT) WITH DIAMOND SUPPLY & FASTENER, INC. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$115,000 FOR FASTENER REPLENISHMENT SERVICES; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 18, 2011, City Council approved the award of a two-year agreement (Blanket Agreement) with three one-year renewal options to Diamond Supply & Fastener, Inc. ("Vendor") for fastener replenishment services pursuant to RFP No. 7084 dated January 14, 2011; and

WHEREAS, on April 4, 2013 City Council approved the first one-year renewal option of the Agreement; and

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

WHEREAS, the Vendor has agreed to hold prices firm under the terms and conditions of RFP No. 7084; and

WHEREAS, the Procurement & Supply Management Department recommends approval of the second one-year renewal option of the Agreement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the second one-year renewal option of the Agreement with Diamond Supply & Fastener, Inc. at an estimated annual cost not to exceed \$115,000 for fastener replenishment services 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 renewal will be effect from the date of approval through August 31, 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 August 7, 2014**

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

**Subject:** Awarding a contract to Speeler & Associates, Inc. in the amount of \$114,700 for the Municipal Marina Mooring Piling Replacement - FY 2013-14 (Engineering Project No. 13073-119; Oracle Project No. 13277).

**Explanation:** The Procurement Department received five bids for the Municipal Marina Mooring Piling Replacement FY13-14 (see below). The work is located in the Central and South Yacht Basins of the Municipal Marina and consists of furnishing all labor, materials, equipment and services necessary to completely remove and legally dispose of 50 existing deteriorating piles ranging between 40 and 50 feet in length, and furnishing and replacing same with new pressure treated single mooring timber piles. The project also includes selectively removing 13 North Quay Wall docking cleats and related anchor bolts; restoring Quay Wall cap and furnishing and installing 13 new sets of cleats and anchor bolts at new designated North Quay Wall locations; and removing and legally disposing of two existing single pressure treated timber mooring pilings.

The contractor will begin work approximately ten (10) days from Notice to Proceed and is scheduled to complete the work within forty-five (45) consecutive calendar days thereafter. Bids were opened on July 1, 2014, and are tabulated as follows:

<u>Bidder</u>	<u>Total Bid</u>
Speeler & Associates, Inc. (Largo, FL)	\$114,700
Tampa Bay Marine, Inc. (Gibsonton, FL)	\$129,085
Kelly Brothers, Inc. (Fort Myers, FL)	\$147,750
Island Marine Group, LLC (Apollo Beach, FL)	\$149,050
Freck Enterprises, Inc. (Merritt Island, FL)	\$170,000

Speeler & Associates, Inc., the lowest responsible and responsive bidder has met the specifications, terms and conditions of Bid No. 7694 dated June 3, 2014, and has satisfactorily performed similar work for the City of Madeira, Marine Max Marina and Kokolakis Construction. The Principal of the firm is Jeffery J. Nasse, President/Vice President/Secretary/Treasurer.

**Recommendation:** Administration recommends awarding this contract to Speeler & Associates, Inc. in the amount of \$114,700 for the Municipal Marina Mooring Piling Replacement - FY 2013-14 (Engineering Project No. 13073-119; Oracle No. 13277).

**Cost/Funding/Assessment Information:** Funds are available in the Marina Capital Projects Fund (4043), Marina Piling Replacement FY12 Project (13277).

**Attachments:** Resolution

**Approvals:**

  
\_\_\_\_\_  
**Administrative**

  
\_\_\_\_\_  
**Budget**

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO SPEELER & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$114,700 FOR COMPLETION OF THE MUNICIPAL MARINA MOORING PILING REPLACEMENT – FY 2013-2014 PROJECT (ORACLE NO. 13277); AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received five bids for the Municipal Marina Mooring Piling Replacement – FY 2013-14 Project (Oracle No. 13277) pursuant to Bid No. 7694 dated June 3, 2014; and

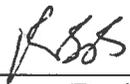
WHEREAS, Speeler & Associates, Inc. has met the specifications, terms and conditions of Bid No. 7694; and

WHEREAS, the Administration recommends approval of this award.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, the bid and award of an agreement to Speeler & Associates, Inc. in an amount not to exceed \$114,700 for completion of the Municipal Marina Mooring Piling Replacement – FY 2013-14 Project (Oracle No. 13277) is hereby approved the Mayor or Mayor's designee is hereby 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 August 7, 2014

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

**Subject:** Accepting proposals from AshBritt, Inc. and Crowder-Gulf Joint Venture, Inc. for storm debris removal and disposal services.

**Explanation:** The Procurement Department received nine proposals for storm debris removal and disposal services. The contractor(s) will provide all labor and equipment to mobilize, remove, clean up and dispose disaster debris caused by a natural or man-made disaster, such as a hurricane. Work may include road clearance, debris pick-up and removal from public right-of-ways, waterways, and public and private properties in the event of a declared emergency.

The contractors were required to submit labor rates for anticipated categories of personnel; hourly rates for all equipment likely to be activated; debris collection and haul rates including tree removal, hanging limb removal and stump removal. In addition, the contractors have provided rates for removing hazardous waste, Freon, marine vessel and abandoned cars.

Additionally, the contractor(s) would set up and maintain temporary debris management sites (DMS). The debris would be segregated into six categories: clean vegetative; vegetative debris containing other foreign matter; construction and demolition (C&D) debris, salvageable and recyclable debris; white goods; and hazardous or toxic waste. The contractor would grind clean vegetative debris, haul all remaining debris to a final disposal site and restore the DMS areas.

The contractor(s) would also be required to provide disaster recovery technical support including documentation in recovering funds from the State of Florida and FEMA's Public Assistance Program. There will be no cost to the city for entering into these contracts. The City reserves the right to activate both contractors concurrently depending on the severity of the disaster and availability of the contractors.

Proposals were received from:

- Arbor Tree & Land, Inc. d/b/a ATL Disaster Recovery
- AshBritt, Inc.
- Bergeron Emergency Services, Inc.
- Ceres Environmental Services, Inc.
- Crowder-Gulf Joint Venture, Inc.
- DRC Emergency Services, LLC
- Phillips and Jordan, Inc.
- TAG Grinding Services, Inc.
- TFR Enterprises, Inc.

The proposals were evaluated by a cross-functional team from Parks & Recreation, Sanitation, Audit Services, Risk Management, Finance, and Fire & Rescue. The evaluation criteria included: qualifications of the personnel, experience of the contractor, capacity (including equipment and subcontractors), past performance and reasonableness of cost.

The Administration recommends multiple awards:

AshBritt, Inc.  
Crowder-Gulf Joint Venture, Inc.

Multiple awards are recommended to assure quick return to normalcy in the event of an emergency. The contractors have met the requirements, terms and conditions of RFP No. 7519 dated February 10, 2014. Agreements will be effective through November 30, 2017.

AshBritt, Inc. has been in the disaster recovery industry for 23 years. They were incorporated in 1992 and are headquartered in Deerfield Beach, from where the contract will be serviced. They have 40 employees in Florida. References were checked with Broward and Escambia counties in Florida, Orange County, Texas and the State of Connecticut. They have performed satisfactorily for these entities.

Crowder-Gulf Joint Venture, Inc. has 40 years of experience in the disaster recovery business. Incorporated in Florida in 2002, the company has 300 employees nationally and is headquartered in Theodore, Alabama. The contract would be serviced from Theodore, but in Orlando after a disaster. They have had a contract with the City since July 2004.

These contracts will be administered by the Parks & Recreation and the Sanitation departments.

**Cost/Funding/Assessment Information:** Initially 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  
By: 

  
Budget

A RESOLUTION ACCEPTING PROPOSALS AND APPROVING AGREEMENTS WITH ASHBRIIT, INC. AND CROWDER-GULF JOINT VENTURE, INC. FOR STORM DEBRIS REMOVAL AND DISPOSAL SERVICES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received nine proposals for storm debris removal and disposal services pursuant to RFP No. 7519 dated February 10, 2014; and

WHEREAS, AshBritt, Inc. and Crowder-Gulf Joint Venture, Inc. (collectively, "contractors") have met the specifications, terms and conditions of RFP No. 7519; and

WHEREAS, the Administration recommends approval of awards to contactors; and

WHEREAS, the Mayor or his designee may activate one or both contractors depending on the nature and severity of the disaster and availability of the contractors.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the proposals from AshBritt, Inc. and Crowder-Gulf Joint Venture, Inc. are hereby accepted and agreements with AshBritt, Inc. and Crowder-Gulf Joint Venture, Inc. for storm debris removal and disposal services are hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is hereby authorized to execute all documents necessary to effectuate these transactions.

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 August 7, 2014

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

**SUBJECT:** A resolution authorizing the Mayor or his designee to terminate the current lease agreement with Coastal Sweets, LLC, a Florida limited liability company, d/b/a The Sweet Spot for use of space in the historic main building of Sunken Gardens located at 1961 - 4<sup>th</sup> Street North, St. Petersburg, Florida ("Premises"); and to execute a Lease Agreement for the Premises with Michael's Extraordinary Desserts, Inc., a Florida corporation, to operate a customized bakery and retail store and uses ancillary thereto for a term of five (5) years with the option to renew for one (1) additional five (5) year term; and to execute all documents necessary to effectuate same; and providing an effective date.

**EXPLANATION:** Real Estate and Property Management received a request from Coastal Sweets, LLC, a Florida limited liability company, d/b/a The Sweet Spot ("Sweet Spot") of its desire to sell its retail fixtures to Michael's Extraordinary Desserts, Inc., a Florida Corporation ("Michael's") and to terminate its lease agreement with the City for the ±2,426 square feet of retail space in the historic main building of Sunken Gardens at 1961 4<sup>th</sup> Street North ("Premises"), that would have expired in November 2018. Michael's has expressed a desire to lease the Premises to sell specialty baked goods, ice cream and other confections.

The proposed Lease Agreement ("Lease") contains the following business points which are substantially the same as the existing lease agreement with Sweet Spot:

- Rent will be paid monthly in an amount equal to ten percent (10%) of the gross dollar amount collected in the previous month but not less than Five Hundred Dollars (\$500.00), plus applicable sale tax.
- Common Area Maintenance shall be prorated based on the Premises area to total area of the common area of Sunken Gardens.
- Michael's will notify its vendors not to use 20th Avenue North as a through street and may not use more than five (5) parking spaces for its employees.
- The owner of Michael's shall provide a personal guaranty of payments for the term of the lease.

In order to implement the proposed Lease with Michael's, it will be necessary to terminate the existing lease agreement with Sweet Spot prior to its expiration date.

The owner of Michael's, Chef Michael Ostrander ("Chef Michael"), has extensive experience, starting his baking career at a vocational school in Middlesex, New Jersey, then continued in the U.S. Army for 10 years teaching baking at the U.S. Army Capital Foodservice Headquarters in Ft. Lee, Virginia,

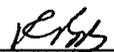
6 years in Europe under VII Corp Headquarters Foodservice Team, and 3 years as NCO IC at the Ft. Dix, New Jersey baking school.

In 2006, Chef Michael opened Michael's Extraordinary Desserts in Largo, Florida and in 2009, he opened Sweet Caroline's Bakery and Café in Palm Harbor, Florida.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution authorizing the Mayor or his designee to terminate the current lease agreement with Coastal Sweets, LLC, a Florida limited liability company, d/b/a The Sweet Spot for use of space in the historic main building of Sunken Gardens located at 1961 - 4<sup>th</sup> Street North, St. Petersburg, Florida ("Premises"); and to execute a Lease Agreement for the Premises with Michael's Extraordinary Desserts, Inc., a Florida corporation, to operate a customized bakery and retail store and uses ancillary thereto for a term of five (5) years with an option to renew for one (1) additional five (5) year term; and to execute all documents necessary to effectuate same; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** N/A

**ATTACHMENT:** Resolution

**APPROVALS:** Administration:   
Budget: N/A  
Legal:   
(As to consistency w/attached legal documents)

Legal: 00199229.doc V. 2

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO TERMINATE THE CURRENT LEASE AGREEMENT WITH COASTAL SWEETS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, D/B/A THE SWEET SPOT FOR USE OF SPACE IN THE HISTORIC MAIN BUILDING OF SUNKEN GARDENS LOCATED AT 1961 4<sup>TH</sup> STREET NORTH, ST. PETERSBURG, FLORIDA ("PREMISES"); AND TO EXECUTE A LEASE AGREEMENT FOR THE PREMISES WITH MICHAEL'S EXTRAORDINARY DESSERTS, INC., A FLORIDA CORPORATION, TO OPERATE A CUSTOMIZED BAKERY AND RETAIL STORE AND USES ANCILLARY THERETO FOR A TERM OF FIVE (5) YEARS WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL FIVE (5) YEAR TERM; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management received a request from Coastal Sweets, LLC, a Florida limited liability company, d/b/a The Sweet Spot ("Sweet Spot") of its desire to sell its retail fixtures to Michael's Extraordinary Desserts, Inc., a Florida Corporation ("Michael's") and to terminate its lease agreement with the City for the ±2,426 square feet of retail space in the historic main building of Sunken Gardens at 1961 4<sup>th</sup> Street North ("Premises"), that would have expired in November 2018; and

WHEREAS, Michael's has expressed a desire to lease the Premises to sell specialty baked goods, ice cream and other confections; and

WHEREAS, the proposed Lease Agreement ("Lease") contains the following business points which are substantially the same as the existing lease agreement with Sweet Spot:

- Rent will be paid monthly in an amount equal to ten percent (10%) of the gross dollar amount collected in the previous month but not less than Five Hundred Dollars (\$500.00), plus applicable sale tax.
- Common Area Maintenance shall be prorated based on the Premises area to total area of the common area of Sunken Gardens.
- Michael's will notify its vendors not to use 20th Avenue North as a through street and may not use more than five (5) parking spaces for its employees.
- The owner of Michael's shall provide a personal guaranty of payments for the term of the lease.

WHEREAS, in order to implement the proposed Lease with Michael's, it will be necessary to terminate the existing lease agreement with Sweet Spot prior to its expiration date; and

WHEREAS, the owner of Michael's, Chef Michael Ostrander ("Chef Michael"), has extensive experience where he began his baking career at a vocational school in Middlesex, New Jersey, then continued in the U.S. Army for 10 years teaching baking at the U.S. Army Capital Foodservice Headquarters in Ft. Lee, Virginia, 6 years in Europe under VII Corp Headquarters Foodservice Team, and 3 years as NCO IC at the Ft. Dix, New Jersey baking school; and

WHEREAS, in 2006, Chef Michael opened Michael's Extraordinary Desserts in Largo, Florida and in 2009, he opened Sweet Caroline's Bakery and Café in Palm Harbor, Florida.

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 terminate the current lease agreement with Coastal Sweets, LLC, a Florida limited liability company, d/b/a The Sweet Spot for use of space in the historic main building of Sunken Gardens located at 1961 4<sup>th</sup> Street North, St. Petersburg, Florida ("Premises"); and

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute a Lease Agreement for the Premises with Michael's Extraordinary Desserts, Inc., a Florida Corporation, to operate a customized bakery and retail store and uses ancillary thereto for term of five (5) years with an option to renew for one (1) additional five (5) year term; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

  
\_\_\_\_\_  
City Attorney (Designee)

APPROVED BY:

  
\_\_\_\_\_  
Bruce E. Grimes, Director  
Real Estate & Property Management

Legal: 00199229.doc V. 2

APPROVED BY:

  
\_\_\_\_\_  
Joseph F. Zeoli, Interim Director  
Downtown Enterprise Facilities

**ST. PETERSBURG CITY COUNCIL**  
**Consent Agenda**  
**Meeting of August 7, 2014**

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

**SUBJECT:** A resolution authorizing the Mayor or his designee to execute Amendment No. 3 to the Agreement between the City of St. Petersburg and Pinellas County Metropolitan Planning Organization (“MPO”) for the Central Avenue Bus Rapid Transit Corridor Enhancement Project (“Project”) that extends the Project completion date to September 30, 2016, and to execute all other documents necessary to effectuate this resolution; and providing an effective date.

**EXPLANATION:** In 2011, the City entered into an agreement (“Agreement”) with the Pinellas County Metropolitan Planning Organization (“MPO”) to fund the Central Avenue Bus Rapid Transit Corridor Enhancement Project (“Project”). The purpose of the Agreement is to allow the MPO to pass through to the City a 2009 Congressional Earmark in the amount of \$475,000 for Federal Transit Administration (“FTA”) Section 5309 grant funds to implement the Project. The City and MPO amended the Agreement in 2012 to allow the MPO to pass through to the City a 2010 Congressional Earmark in the amount of \$500,000 for FTA Section 5309 grant funds. The City and MPO amended the Agreement in 2013 to extend the Project completion date to September 30, 2014. The City and MPO wish to enter into Amendment No. 3 to the Agreement to extend the Project completion date to September 30, 2016. The MPO approved Amendment No. 3 to the Agreement at its meeting on July 9, 2014.

**RECOMMENDATION:** The Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to execute Amendment No. 3 to the Agreement between the City of St. Petersburg and Pinellas County Metropolitan Planning Organization (“MPO”) for the Central Avenue Bus Rapid Transit Corridor Enhancement Project (“Project”) that extends the Project completion date to September 30, 2016, and to execute all other documents necessary to effectuate this resolution; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** There are no costs associated with the Amendment.

**ATTACHMENTS:** Resolution  
Amendment to Agreement with Pinellas County MPO

**APPROVALS:**

Legal:                     *RJB*                      
Legal: 00198644.doc V. 1

Administration:                     *Ed Jant*  
*Evan Mory* 7-3-14



Amendment No. 3 to the Agreement between the City of St. Petersburg and the Pinellas County Metropolitan Planning Organization, extending the completion date from September 30, 2014 to September 30, 2016.

## **AGREEMENT**

This Amendment No. 3 to the Agreement, made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2014 by and between the PINELLAS COUNTY METROPOLITAN PLANNING ORGANIZATION (hereinafter "MPO") and the CITY OF ST. PETERSBURG (hereinafter "Subgrantee") for the Central Avenue BRT Corridor Enhancement Project (hereinafter "Project").

**WHEREAS**, the MPO entered into an Agreement on October 26, 2011, amended on March 14, 2012 and August 2, 2013, with the Subgrantee, hereinafter "Agreement" whereby Subgrantee desires to construct enhancement projects along Central Avenue; and

**WHEREAS**, the duration of the Agreement and availability of funds is established in Terms and Conditions of the Agreement; and

**WHEREAS**, an Amendment No. 3 to the Agreement is necessary extend the completion date from September 30, 2014 to September 30, 2016.

NOW, THEREFORE, in consideration of the mutual covenants, premises, and representations herein, the parties agree as follows:

**Section 1.0 Terms and Conditions** of the Agreement is hereby amended as follows:

The Project shall be undertaken and accomplished in accordance with the terms and conditions specified herein and contained in the Appendices named below, which are attached hereto and by reference incorporated herein. Appendices A and A-1 contain general provisions applicable to this Agreement. Appendix B identifies the Project manager and describes the scope of work for the Project. Appendix C contains the Project Budget, by line item, and identifies the funding sources.

The effective date of this Agreement shall be the date when this Agreement has been fully executed by all of the parties. The Subgrantee agrees to complete and fully invoice the Project by September 30, 2016. Total FTA participation for FY 2009 grant funds shall not exceed the sum of \$475,000 of all expenses incurred in performance of the Agreement. Total State of Florida Toll Credits to be used as the FY 2009 local match shall not exceed \$118,750. Total FTA participation for FY 2010 grant funds shall not exceed the sum of \$500,000 of all expenses incurred in performance of the Agreement. Total State of Florida toll Credits to be used as the FY 2010 local match shall not exceed \$125,000. The availability of federal funds shall be a condition precedent to the requirement that State of Florida Toll credits are secured or that the Subgrantee provide the 20% local match funds to complete the project. Subgrantee agrees to provide documentation of said local match prior to the MPO's issuance of a Notice to Proceed. Funds may not be expended until issuance of a Notice to Proceed by the MPO.

**Section 2.0:** All other provisions of the Agreement shall remain in effect and unaltered.

IN WITNESS WHEREOF, the parties hereto have caused these present to be executed, the day and year first above written:

PINELLAS COUNTY  
METROPOLITAN PLANNING ORGANIZATION

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
David Sadowsky, MPO Attorney

BY: \_\_\_\_\_  
Karen Seel, Chair

ATTEST: \_\_\_\_\_  
Sarah Ward, Interim Executive Director

THE CITY OF ST. PETERSBURG

Attest: \_\_\_\_\_  
Eva A. Andujar, City Clerk

By: \_\_\_\_\_  
Gary Cornwell  
As Its: City Administrator

(Seal)

Approved As To Content and Form:

\_\_\_\_\_  
City Attorney (Designee)

By: \_\_\_\_\_  
Assistant City Attorney

Legal: 00198146.doc v.1

**ST. PETERSBURG CITY COUNCIL**  
**Consent Agenda**  
**Meeting of August 7, 2014**

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

**SUBJECT:** A resolution authorizing the Mayor or his designee to apply for and administer A Florida Boating Improvement Program grant from the Florida Fish and Wildlife Conservation Commission ("FFWCC") on behalf of the City for a transient visitor dock located in the Central Yacht Basin ("Project"); providing that upon acceptance of the grant the City is willing, subject to annual appropriations, to enter into A 20-year agreement with FFWCC for the maintenance and operation of the Project; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and establishing an effective date.

**EXPLANATION:** The City desires to establish a transient visitor dock for short-term visits in the Central Yacht Basin ("Project"). The goal of the Project is to provide safe moorings for vessels for short-term visits to the downtown area. The plan calls for installation of a 400-ft (approximate) dock along the Pelican Parking Lot seawall, inside the St. Petersburg Marina North Jetty.

The City intends to apply for a Florida Boating Improvement Program grant through the Florida Fish and Wildlife Conservation Commission ("FFWCC") to provide funding to build the Project, to be operated by the City's Marina. Any grant funds received would be used to help cover costs associated with all phases of the project from planning through final construction of the transient visitor dock.

The Boating Infrastructure Grant Program of the FFWCC provides funding through competitive grants for tie-up facilities for transient recreational boats 26 feet or longer (non-trailerable). Eligible program participants include municipalities. Eligible uses of program funds include transient visitor docks for short-term visits of 10 days or less.

A requirement of the Florida Boating Improvement Program is to provide an adopted resolution by the Governing Body stating that the project manager (Mayor or designee) has the authority to apply for and administer the grant on behalf of the applicant (City) and that the Governing Body is willing to enter into a 20-year agreement for the maintenance and operation of the Project.

The Florida constitution, statutory law and the City Code do not permit the City to commit to agreements for which there is no appropriation, therefore the City's commitment to be willing to enter into a 20-year maintenance and operation agreement for the Project must be subject to annual appropriations. Administration of the grant will require City Council approval of the grant agreement(s) if awarded and compliance with all applicable laws, including the City Charter.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution authorizing the Mayor or his designee to apply for and administer A Florida Boating Improvement Program grant from the Florida Fish and Wildlife Conservation Commission ("FFWCC") on behalf of the City for a transient visitor dock located in the Central Yacht Basin ("Project"); providing that upon acceptance of the grant the City is willing, subject to annual appropriations, to enter into A 20-year agreement with FFWCC for the maintenance and operation of the Project; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and establishing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** N/A

**ATTACHMENTS:** Resolution

**APPROVALS:** Administration:

Chris Kallisto

Budget:

D. 2 Full 7-23-14

Legal:

RSS

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR AND ADMINISTER A FLORIDA BOATING IMPROVEMENT PROGRAM GRANT FROM THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") ON BEHALF OF THE CITY FOR A TRANSIENT VISITOR DOCK LOCATED IN THE CENTRAL YACHT BASIN ("PROJECT"); PROVIDING THAT UPON ACCEPTANCE OF THE GRANT THE CITY IS WILLING, SUBJECT TO ANNUAL APPROPRIATIONS, TO ENTER INTO A 20-YEAR AGREEMENT WITH FFWCC FOR THE MAINTENANCE AND OPERATION OF THE PROJECT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City desires to establish a transient visitor dock for short-term visits in the Central Yacht Basin ("Project") to provide safe moorings for vessels for short-term visits to the downtown area; and

WHEREAS, the City intends to apply for a Florida Boating Improvement Program grant through the Florida Fish and Wildlife Conservation Commission ("FFWCC") to provide funding to build the Project to be operated by the City's Marina; and

WHEREAS, the plan calls for installation of a 400-ft (approximate) dock along the Pelican Parking Lot seawall, inside the St. Petersburg Marina North Jetty; and

WHEREAS, Any grant funds received would be used to help cover costs associated with all phases of the Project from planning through final construction of the transient visitor dock; and

WHEREAS, the City's Grant application will be for funding design and construction of the transient visitor dock; and

WHEREAS, a requirement of the Florida Boating Improvement Program is to provide an adopted resolution by the Governing Body stating that the project manager (Mayor or designee) has the authority to apply for and administer the grant on behalf of the applicant (City), and that the City is willing to enter into a 20-year agreement for the maintenance and operation of the Project; and

WHEREAS, the Florida constitution, statutory law and the City Code do not permit the City to commit to agreements for which there is no appropriation, therefore the City's commitment to be willing to enter into a 20-year maintenance and operation agreement for the Project must be subject to annual appropriations.

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 apply for and administer a Florida Boating Improvement Program grant from the Florida Fish and Wildlife Conservation Commission ("FFWCC") on behalf of the City for a transient visitor dock located in the Central Yacht Basin ("Project"); and

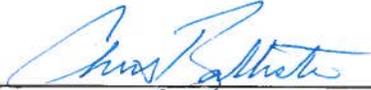
BE IT FURTHER RESOLVED, that upon acceptance of the grant the City is willing, subject to annual appropriations, to enter into a 20-year agreement with FFWCC for the maintenance and operation of the Project; and

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute all documents necessary to effectuate this transaction.

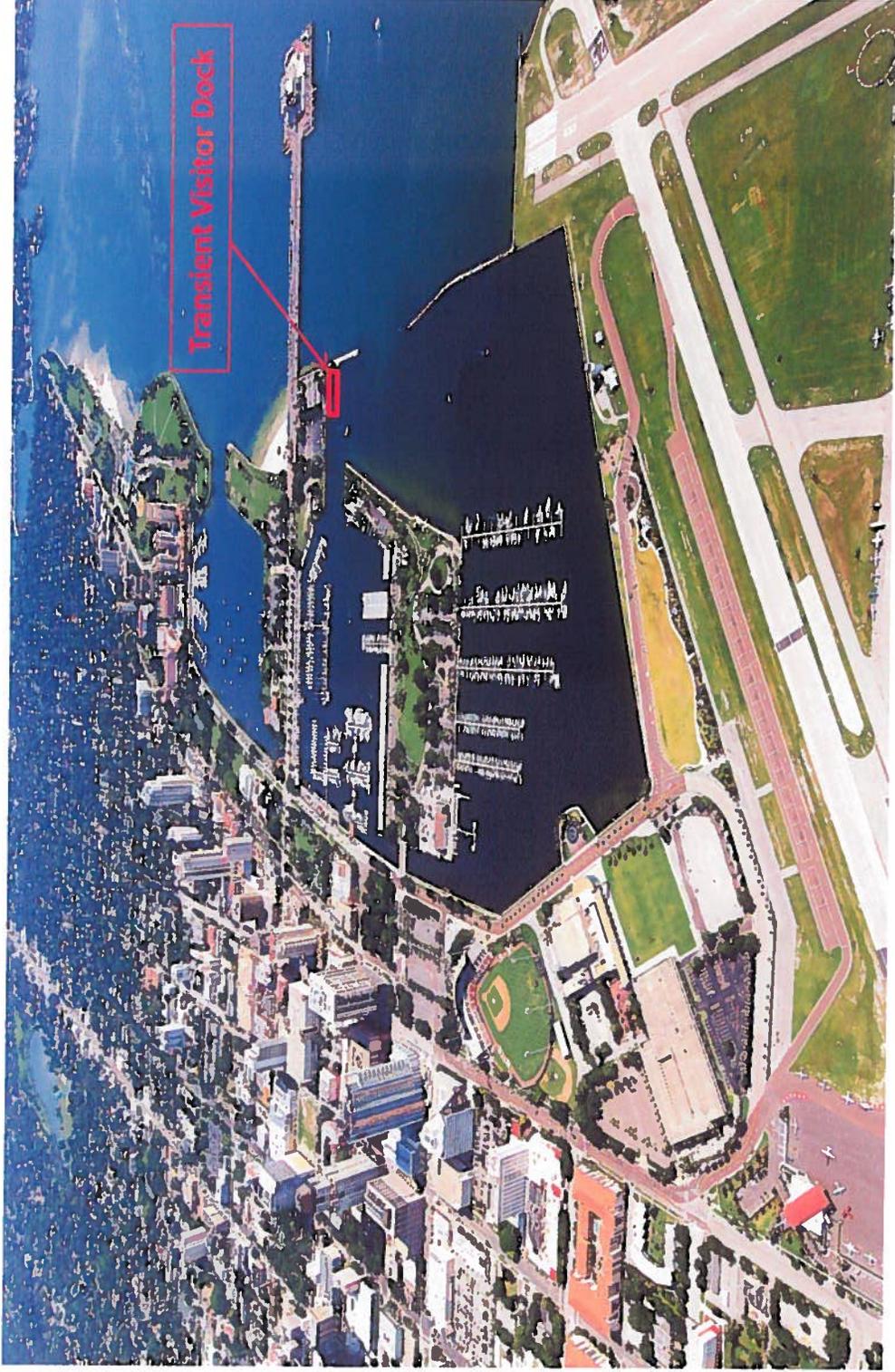
This resolution shall become effective immediately upon its adoption.

**Approvals:**

  
\_\_\_\_\_  
**Legal**

  
\_\_\_\_\_  
**Administration**

# Transient Visitor Dock



# ST. PETERSBURG CITY COUNCIL

## Consent Agenda

Meeting of August 7, 2014

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

**Subject:** A resolution authorizing the Mayor or his designee to accept a Florida Fish and Wildlife Conservation Commission ("FFWCC") Grant ("Grant") from the Florida Boating Improvement Program, Boating and Waterways Section, funded by the United States Department of the Interior, Fish and Wildlife Service, for the boat ramp improvements at Demens Landing Park ("Project") at a maximum reimbursement amount of \$187,000; to execute a Florida Boating Improvement Program Grant Award Agreement for the Project site with the FFWCC; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$187,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the Boat Ramp Facility Improvements Project (13181); and providing an effective date.

**Explanation:** On June 21, 2012, City Council adopted Resolution 2012-289, which authorized the Mayor or his designee to apply for Florida Boating Improvement Program Grants from the Florida Fish and Wildlife Conservation Commission ("FFWCC") for improvements to boat ramps located at Bay Vista Park, Crisp Park, Demens Landing Park, Grandview Park, Lake Maggiore Park, and Northeast Exchange Club Coffee Pot Park, and to administer the Grant(s) as required by the Grant guidelines, if awarded.

The FFWCC has awarded the City an FBIP Grant in the amount of \$187,000 for the Project. The Grant requires the City to execute an FBIP Grant Award Agreement for the Project site and a Site Dedication that dedicates the Project site to the public as a boating access facility for the use and benefit of the public for a minimum period of twenty (20) years through June 30, 2035. The Site Dedication will be presented to City Council for approval prior to requesting reimbursement of Grant funds upon the completion of the Project. The Grant also requires the City to provide a cost share match in the amount of \$146,000, which was previously appropriated by City Council and is available in the Boat Ramp Facility Improvements Project (13181).

The work under this Grant includes demolition of the existing boat ramp and the north, south, and center docks, and removal of the approach ramp; construction of a new two-lane boat ramp with three floating aluminum docks, a new ADA compliant approach ramp; pole lighting; direction signs from the park entrance to the boat ramp and parking area; and restriping the parking area.

**Recommendation:** Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to accept a Florida Fish and Wildlife Conservation Commission ("FFWCC") Grant ("Grant") from the Florida Boating Improvement Program, Boating and Waterways Section, funded by the United States Department of the Interior, Fish and Wildlife Service, for the boat ramp improvements at Demens Landing Park ("Project") at a maximum reimbursement amount of

\$187,000; to execute a Florida Boating Improvement Program Grant Award Agreement for the Project site with the FFWCC; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$187,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the Boat Ramp Facility Improvements Project (13181); and providing an effective date.

**Cost/Funding/Assessment Information:** Revenues of up to \$187,000 are to be received from this Grant. A supplemental appropriation in the amount of \$187,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from these additional revenues, to the Boat Ramp Facility Improvements Project (13181) will be necessary.

**Attachment:** Resolution

**Approvals:**

Administration: Shuf McBay Budget: Stacy McKee

Legal: 00198803.doc V. 2

Resolution No. 2014-\_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GRANT ("GRANT") FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION, FUNDED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, FOR THE BOAT RAMP IMPROVEMENTS AT DEMENS LANDING PARK ("PROJECT") AT A MAXIMUM REIMBURSEMENT AMOUNT OF \$187,000; TO EXECUTE A FLORIDA BOATING IMPROVEMENT PROGRAM GRANT AWARD AGREEMENT FOR THE PROJECT SITE WITH THE FFWCC; AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE GRANT; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$187,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE BOAT RAMP FACILITY IMPROVEMENTS PROJECT (13181); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On June 21, 2012, City Council adopted Resolution 2012-289 which authorized the Mayor or his designee to apply for Florida Boating Improvement Program ("FBIP") Grants from the Florida Fish and Wildlife Conservation Commission ("FFWCC") for improvements to boat ramps located at Bay Vista Park, Crisp Park, Demens Landing Park, Grandview Park, Lake Maggiore Park, and Northeast Exchange Club Coffee Pot Park, and to administer the Grant(s) as required by the Grant guidelines, if awarded,; and

WHEREAS, the FFWCC has awarded the City an FBIP Grant in the amount of \$187,000 for the boat ramp improvements at Demens Landing Park; and

WHEREAS, the Grant requires the City to execute an FBIP Award Agreement for the Project site and to execute a Site Dedication that dedicates the Project site to the public as a boating access facility for the use and benefit of the general public for a minimum period of twenty (20) years through June 30, 2035; and



**ST. PETERSBURG CITY COUNCIL**  
**Consent Agenda**  
**Meeting of August 7, 2014**

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

**SUBJECT:** A Resolution authorizing the Mayor or his designee to negotiate and provide a 0% interest acquisition and development forgiven loan in the amount of \$268,965 from the Home Investment Partnership ("HOME") Affordable Multi-Family Rental Program to Pinellas Affordable Living, Inc. for acquisition and development of the 3636 Park Apartments to be located at 3636 5<sup>th</sup> Avenue North; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution; and providing an effective date.

**EXPLANATION:** Pinellas Affordable Living, Inc. ("PAL, Inc."), the nonprofit Community Housing Development Organization subsidiary of Boley Centers, Inc. has requested that the City assist it with a 0% interest HOME loan of \$268,965 for the acquisition and development of 3636 Park Apartments to be located at 3636 5<sup>th</sup> Avenue North ("Development"). It is anticipated that 6 two bedroom units and 2 three bedroom units will be constructed for homeless families that meet the Florida Housing Finance Corporation ("FHFC") definition of very low income (at or below 40% of the Area Median Income) and will remain affordable for a period of 20 years. PAL, Inc. has been awarded \$1,312,000 from FHFC towards the total development costs which are anticipated to be \$1,599,203. The City's loan of \$268,965 will be deferred for twenty years and then be forgiven at the end of the twenty year affordability period. The City's Project Review Team ("PRT") reviewed the loan request on June 11, 2014 and agreed that the request should be forwarded to City Council for approval.

In order to accomplish the funding for this loan, the Administration will reduce the program income deposits in the Rehabilitation Loan program (Oracle 80918-13784) by \$115,451 and increase the HOME Investment Partnership ("HOME") Affordable Multi-family Rental Program by the corresponding amount and combine these funds with unencumbered Multi-family Rental Program funds in order to provide a loan in the amount \$268,965 to PAL, Inc.

**RECOMMENDATION:** The Administration recommends approval of the attached resolution authorizing the Mayor or his designee to negotiate and provide a 0% interest acquisition and development forgiven loan in the amount of \$268,965 from the Home Investment Partnership ("HOME") Affordable Multi-Family Rental Program to Pinellas Affordable Living, Inc. for acquisition and development of the 3636 Park Apartments to be located at 3636 5<sup>th</sup> Avenue North; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** Funds are available in previously appropriated HOME Investment Partnership Funds (Fund 1113, Award 80918).

Attachments: Resolution

Approvals:

Administration: 

Budget: 

Legal: 00199448.doc v. 2

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO NEGOTIATE AND PROVIDE A 0% INTEREST ACQUISITION AND DEVELOPMENT FORGIVEN LOAN IN THE AMOUNT OF \$268,965 FROM THE HOME INVESTMENT PARTNERSHIP ("HOME") AFFORDABLE MULTI-FAMILY RENTAL PROGRAM TO PINELLAS AFFORDABLE LIVING, INC. FOR ACQUISITION AND DEVELOPMENT OF THE 3636 PARK APARTMENTS TO BE LOCATED AT 3636 5<sup>TH</sup> AVENUE NORTH; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has established the need for additional affordable rental housing units as a priority in its 2011-2016 Consolidated Plan; and

WHEREAS, On May 21, 2013, Pinellas Affordable Living, Inc. ("PAL, Inc.") requested the City provide a 0% interest forgiven loan of \$268,965 so that PAL, Inc. can construct 6 two bedroom and 2 three bedroom units which will be restricted as to rent and occupancy for homeless families who are very low income as defined by Florida Housing Finance Corporation ("FHFC") (at or below 40% of Area Median Income) as the 3636 Park Apartments to be located at 3636 5<sup>th</sup> Avenue North ("Development"); and

WHEREAS, the Development is anticipated to cost a total of approximately \$1,599,203 and PAL, Inc has been awarded funds from FHFC in May 2014 for \$1,312,000 in development funds, and is requesting the City funds to pay the cost of the acquisition bridge loan, and a portion of both the hard and soft development costs; and

WHEREAS, The City's loan documents will provide that the loan be forgiven at the end of a successful twenty year affordability period; and

WHEREAS, on June 11, 2014, the City's Project Review Team reviewed the merits of the Development and agreed that the request should be forwarded to City Council for approval; and

WHEREAS, this approval to provide funds to the project is conditioned on the City's determination to proceed with, modify or cancel the project based on the results of a subsequent HUD environmental review; and

WHEREAS, the Administration will reduce the program income deposits in the Rehabilitation Loan program (Oracle 80918-13784) by \$115,451 and increase the HOME Investment Partnership ("HOME") Affordable Multi-family Rental Program by the corresponding amount and combine these funds with unencumbered Multi-family Rental Program funds in order to make available a total of \$268,965 to fund PAL, Inc.'s loan request.

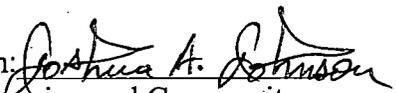
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his Designee is authorized to negotiate and provide a 0% interest acquisition and development forgiven loan in the amount of \$268,965 from the HOME Investment Partnership (HOME) Affordable Multi-family Rental Program to Pinellas Affordable Living, Inc. for the acquisition and development of the 3636 Park Apartments to be located at 3636 5<sup>th</sup> Avenue North; and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this resolution.

This resolution shall be come effective immediately upon its adoption.

Approvals:

Legal: /s/ RBB

Administration:   
Director, Housing and Community  
Development

Legal: 00199446.doc V. 2

**SAINT PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of August 7, 2014**

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

**Subject:** Approving the purchase of Sundial walkway signage from Thomas Sign and Awning Co., Inc, a sole source supplier, for the City Development Administration at a total cost of \$127,056.

**Explanation:** Administration received a proposal for design, fabrication and installation of two signs to replace those at First Street and Beach Drive connecting the alley adjacent to the Sundial complex. The contractor will design, manufacture and install the signs, as well as remove existing signs. The two new signs will be approximately 21 feet in height, with 15 and 17.7 foot arched projections respectively. The signs are fabricated from aluminum with rolled steel supports and are wind rated to 160 M.P.H. Channeled lettering and decorative elements on the signs will be LED illuminated. The new signs will provide pedestrian way finding to and from the facility and Beach Drive. This purchase is a component of the downtown garage and streetscape improvements approved by City Council on March 20, 2014. Because compatibility and consistency in design and materials with existing Sundial project signage is paramount, a sole source procurement is requested.

The Procurement & Supply Management Department, in cooperation with the City Development Administration, recommends:

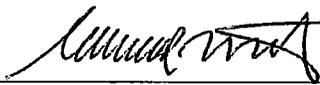
Thomas Sign and Awning Co., Inc.....\$127,056

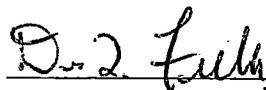
Thomas Sign and Awning Co., Inc. has provided similar services for the City in the past and has performed satisfactorily.

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Plaza Parkway Fund (3001), Projects 13707 & 14104.

**Attachments:** Sole Source Resolution

**Approvals:**

  
\_\_\_\_\_  
Administrative *BJL*

 8-1-14  
\_\_\_\_\_  
Budget

A RESOLUTION DECLARING THOMAS SIGN AND AWNING COMPANY, INC. TO BE A SOLE SOURCE SUPPLIER; ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT TO THOMAS SIGN AND AWNING COMPANY, INC. FOR THE PURCHASE OF SUNDIAL WALKWAY SIGNAGE AT A TOTAL COST NOT TO EXCEED \$127,056; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to purchase Sundial walkway signage; and

WHEREAS, compatibility and consistency in the design and materials for the new signs with the existing Sundial Project signage is paramount; and

WHEREAS, Section 2-249(1) of the City Code provides requirements for sole source procurement where the compatibility of equipment, accessories, or replacements parts is the paramount consideration; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the City Development Administration, recommends approval of the award of an agreement to Thomas Sign and Awning Company, Inc. as a sole source supplier; and

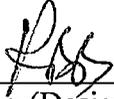
WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for the sole source purchase.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Thomas Sign and Awning Company, Inc. is a sole source supplier; and

BE IT FURTHER RESOLVED that the award of an agreement to Thomas Sign and Awning Company, Inc. for the purchase of Sundial walkway signage at a total cost not to exceed \$127,056 is hereby approved and the Mayor or the Mayor's designee is authorized to execute all necessary documents to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

  
\_\_\_\_\_  
City Attorney (Designee)

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

Department: City Development Admin. Requisition No. \_\_\_\_\_  
Check One:  Sole Source  Proprietary Specifications  
Proposed Vendor: Thomas Sign & Awning Company  
Estimated Total Cost: \$ 127,056.00

Description of Items (or Services) to be purchased:

Two pylon signs, 26' x 21', with cross beam and decorative elements including LED illumination.

Purpose of Function of items:

Substantial metal way finding signage from Beach Drive to First Street North, between Second Avenue North and Third Avenue North. Signage was called out in 2009 Downtown District Connector Plan and BayWalk Revitalization Plan. This signage is budgeted for as a part of the new Sundial construction and was approved by Council on March 14, 2014.

Justification for Sole Source of Proprietary specification:

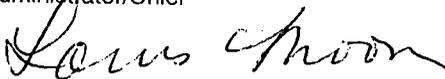
The Thomas Sign & Awning Company has provided signage to the former BayWalk site as well as the newly constructed Sundial project. New signage within Sundial was manufactured and installed by Thomas Sign, is 160 mph wind rated, and the new signage approved by Council must meet the identical look and specifications consistent with the revitalized Sundial project.

  
\_\_\_\_\_  
Department Director

7/16/14  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator/Chief

7/17/14  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Louis Moore, Director  
Procurement & Supply Management

7/22/14  
\_\_\_\_\_  
Date

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.

**ST. PETERSBURG CITY COUNCIL  
Consent Agenda**

**Meeting of August 7, 2014**

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

SUBJECT: Approving a contract with the Pinellas County Supervisor of Elections for conducting a Special Election in conjunction with their November 4, 2014 General Election/ Municipal Elections and approving a supplemental appropriation in the amount of \$20,500 from the unappropriated balance of the General Fund.

EXPLANATION:

The City is contracting with the Supervisor of Elections to conduct a Special Election to be held on November 4, 2014 at an estimated cost of \$ 18,000. This estimate does not include costs for legal notices estimated at an additional \$2,500.

Administration recommends approval of the contract with the Pinellas County Supervisor of Elections.

COST/FUNDING INFORMATION:

Funds will be available (\$20,500) from a supplemental appropriation from the unappropriated balance of the General Fund for FY2014.

ATTACHMENT: Resolution  
Proposed Contract

APPROVALS:

Administration:  .....

Budget: *D. 2 Full 8-6-14* .....

SOE special elec 11-4-14

A RESOLUTION APPROVING AN AGREEMENT WITH THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS FOR SUPPORT SERVICES FOR THE 2014 SPECIAL MUNICIPAL ELECTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$20,500 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City contracts with the Pinellas County Supervisor of Elections for support services related to special municipal elections.

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that there is hereby approved from the unappropriated balance of the General Fund the following supplemental appropriation for FY2014:

General Fund	
City Clerk Department	\$20,500

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to approve the contract with the Pinellas County Supervisor of Elections for support services for the November 4, 2014 Special Municipal Election.

This resolution shall become effective immediately upon its adoption.

APPROVALS:

  
\_\_\_\_\_  
Administration

  
\_\_\_\_\_  
Budget

\_\_\_\_\_  
Legal