



City of Pinellas Park
City Council
Agenda

Thursday, May 10, 2018

6:00 PM

City Council Chambers

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATION

PUBLIC COMMENT AND CORRESPONDENCE

CITIZENS COMMENTS ARE INVITED ON ITEMS OR CONCERNS NOT ALREADY SCHEDULED ON TONIGHT'S AGENDA. PLEASE LIMIT COMMENTS TO THREE MINUTES.

AT THIS TIME STAFF MEMBERS AND CITIZENS WILL BE SWORN IN IF THERE ARE ITEMS THAT ARE QUASI-JUDICIAL

II. APPROVAL OF MINUTES

Approval of Regular Council Minutes of April 26, 2018, as on file in the City Clerk's office.

III. PUBLIC HEARINGS

- P1 CONSIDERATION OF A REQUEST TO ESTABLISH A CONDITIONAL USE FOR A DRIVE-THRU RESTAURANT IN THE "GO" GENERAL OFFICE ZONING DISTRICT WITH VARIANCES AND WAIVERS TO THE FOLLOWING: REDUCE REQUIRED PARKING FROM 10 SPACES TO 9 SPACES, REDUCE THE DEPTH OF PARKING SPACES FROM 18 FEET TO 17 FEET, REDUCE THE TERMINAL ISLAND WIDTH FROM 5 FEET TO 3 FEET AND TO WAIVE THE STREETScape BUFFER REQUIREMENTS ALONG ULMERTON ROAD. (CU 2018-3/BOA 2018-8/MS 2018-8, T3 Properties, LLC)**

PUBLIC HEARING FIRST AND FINAL READING (Quasi-Judicial)

(Speaker - Danny Taylor, Planning & Zoning Director)

NOTE: This is a request to establish a Conditional Use for a drive-thru restaurant on a parcel generally located south of Ulmerton Road and west of 49th Street in the "GO" General Office Zoning District. In addition, the applicant requests a variance to reduce required parking from 10 to 9 spaces, reduce the depth of parking spaces from 18 feet to 17 feet, reduce the terminal island width from 5 feet to 3 feet, reduce the Conditional Use side yard setback from 30 feet to 15 feet and waive the entire streetscape buffer requirement. This parcel has been established as a parcel for stormwater retention for the Turtle Creek Subdivision and will, at minimum, be subject to approval by the Southwest Florida Water

Management District for modifications to the existing containment design. On April 5, 2018, the Planning and Zoning Commission recommended DENIAL of these requests.

ACTION: (Approve - Deny) After review of the Conditional Use criteria of Section 18-1531.6, the requirements for "Restaurants, Drive-in/Drive-thru" in Section 18-1531.10, the criteria for waivers to Conditional Use requirements in Section 18.1531.7, the criteria for variances in Section 18-1537.2, and the criteria for landscape waivers in Section 18-1533.22, I move to APPROVE/DENY Case No. CU 2018-3, BOA 2018-8, MS 2018-8 on a parcel generally located south of Ulmerton Road, west of 49th Street, and more particularly described in the legal description in Exhibit A; subject to the following conditions:

1. Prior to the issuance of a Certificate of Occupancy, contribution to the City's Tree Bank must be made equivalent to 2 intermediate trees and 22 hedges.
2. Prior to the issuance of a Building Permit, a Southwest Florida Water Management District permit must be approved for the retention system on the subject parcel.
3. The developer must provide an agreement to the City, in recordable form Running with the Land and binding upon all successors in title and interest, approved by the City Attorney, that the developer, now and in the future, would agree to maintain the retention areas currently owned by the developer, and with a Unity of Title between the two parcels now comprising the retention pond area.

Department: Community Development

Reference Material: [CU 2018-3 BOA 2018-8 MS 2018-8 backup](#)

P2 CONSIDERATION OF A REQUEST TO ESTABLISH TWO CONDITIONAL USES ON ONE PROPERTY FOR HEIGHT - BUILDINGS AND STRUCTURES OVER 40 FEET TO A MAXIMUM OF 55 FEET AND "STORAGE OF FLAMMABLE LIQUIDS ABOVE GROUND IN EXCESS OF 1,000 GALLONS"; ALSO A REDUCTION TO THE CONDITIONAL USE REQUIREMENT FOR A MINIMUM TANK SETBACK FROM 500 FEET TO 300 FEET TO ANY RESIDENTIAL DISTRICT. (CU 2018-5/CU 2018-6/MS 2018-13, Madico, Inc.)

PUBLIC HEARING FIRST AND FINAL READING (Quasi-Judicial)

(Speaker - Danny Taylor, Planning & Zoning Director)

NOTE: This is a request to establish two Conditional Uses on the property generally located at 9251 Belcher Road. The first Conditional Use is the increased height in the "M-1" Light Industrial Zoning District from 40 feet to 55 feet in order to install large mechanical equipment on top of the existing building. The second Conditional Use is to store flammable liquid tanks over 1,000 gallons above ground as an accessory to the manufacturing business that will operate inside the existing building. The applicant has also requested a waiver to the Conditional Use requirement for the flammable liquid tanks to be installed approximately 300 feet from the residential district rather than the required 500 feet. The

applicant has asserted that all improvements will meet the FL Building Code and FL Fire Prevention Code. As such, during permit review, the tanks and all other improvements will be required to meet these State-wide Codes. On April 5, 2018, the Planning and Zoning Commission recommended approval of Case Numbers CU 2018-5 and CU 2018-6, subject to the following conditions:

1. This site is limited to four (4) flammable liquid tanks over 1,000 gallons, not to exceed 40,000 gallons.
2. Allowable building height will not exceed 55 feet.

In addition, the Commission recommended denial of Case No. MS 2018-13 as they determined that the 500 foot separation requirement should be upheld.

ACTION: (Approve - Deny) After review of the Conditional Use criteria of Section 18-1531.6, the requirements for "Storage of Flammable Liquids Above Ground in Excess of One Thousand (1,000) Gallons " and "Height-Buildings and Structures Over Fifty (50) Feet in the B-1 District and Forty (40) Feet in Other Districts except "TC" Town Center District" in Section 18-1531.10 and the criteria for Conditional Use waivers in Section 18-1531.7, I move to APPROVE/DENY Case No. CU 2018-5/CU 2018-6/MS 2018-13 on a parcel generally located at 9251 Belcher Road, subject to the following conditions:

1. The flammable liquid tanks over 1,000 gallons may be installed as shown on the site plan in Exhibit B, no less than 300 feet away from any residential zoning district.
2. This site is limited to four (4) flammable liquid tanks over 1,000 gallons, not to exceed 40,000 gallons.
3. Allowable building height will not exceed 55 feet.

In the event that City Council wishes to follow the Planning and Zoning Commission's recommendation, Zoning staff has prepared an alternate motion as follows:

After review of the Conditional Use criteria of Section 18-1531.6, the requirements for "Storage of Flammable Liquids Above Ground in Excess of One Thousand (1,000) Gallons " and "Height-Buildings and Structures Over Fifty (50) Feet in the B-1 District and Forty (40) Feet in Other Districts except "TC" Town Center District" in Section 18-1531.10 and the criteria for Conditional Use waivers in Section 18-1531.7, I move to APPROVE Case No. CU 2018-5/CU 2018-6 on a parcel generally located at 9251 Belcher Road, subject to the following conditions:

1. This site is limited to four (4) flammable liquid tanks over 1,000 gallons, not to exceed 40,000 gallons.
2. Allowable building height will not exceed 55 feet.

In addition, I move to DENY Case No. MS 2018-13 and require the 500 foot minimum tank setback from residential zoning be upheld.

Department: Community Development

Reference Material: [CU 2018-5 CU 2018-6 MS 2018-13 Backup](#)

- P3 **AUTHORIZATION FOR THE MAYOR TO SIGN A DEVELOPMENT AGREEMENT BETWEEN PINELLAS PARK HOSPITALITY, LLC AND THE CITY OF PINELLAS PARK FOR THE DEVELOPMENT OF A HAMPTON INN HOTEL WITH INCREASED DENSITY UP TO 50 UNITS PER ACRE, 0.45 FLOOR AREA RATIO AND A MAXIMUM 50 FEET IN HEIGHT ON A PARCEL GENERALLY LOCATED AT 3845 PARK BOULEVARD. (DA 2018-1, Pinellas Park Hospitality, LLC)**

PUBLIC HEARING FIRST AND FINAL READING (Quasi-Judicial)

(Speaker - Danny Taylor, Planning & Zoning Director)

NOTE: This is a request to authorize City Council to enter into an agreement with the applicant for a Development Agreement to develop a new 96-room hotel, requiring an increase in density from 40 rooms per acre to 45.6 rooms per acre. In addition, the agreement includes a variance to building height from 50 feet to 60 feet. The site plan attached is to be an exhibit and reference to this agreement. Site design may be altered in the future, provided the intent is unchanged and no additional waivers or variances are required. This revised Development Agreement is complete and all Code requirements have been met.

ACTION: (Approve - Deny) Development Agreement with Pinellas Park Hospitality, LLC for the development of a hotel on a parcel generally located at 3845 Park Boulevard.

Department: Community Development

Reference Material: [DA 2018-1 Backup](#)

IV. CONSENT AGENDA

- C1 **RESOLUTION NO. 18-09. CONSIDERATION OF A REQUEST FOR A MINOR AMENDMENT TO A PREVIOUSLY APPROVED "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY AND MASTER PLAN TO RECONFIGURE THE BUILDINGS AND REDUCING THE NUMBER OF STRUCTURES WHILE MAINTAINING THE NUMBER OF APPROVED DWELLING UNITS. (PUD 2017-4(R), Sandahl Trust)**

NOTE: Pursuant to Section 18-1529.12(B) of the Land Development Code, the applicant has requested a minor amendment to the PUD Master Plan, specifically reducing the number of residential structures (three) and combining the total number of approved units into one four story building on the property with elimination of the proposed club house and pool and replaced with tot lot, shuffle board, splash pad, covered picnic area and rest rooms. The changes included in this amendment qualify for

approval by City Council without a public hearing or public notice. Staff has comments regarding site design that could be remedied during final site plan review and confirms that the intent of the Master Plan has not changed.

ACTION: (Adopt - Deny) Resolution No. 18-09.

Department: Community Development

Reference Material: [PUD 2017-4\(R\) Backup](#)

C2 APPOINTMENT TO HEALTH IN ALL POLICIES PINELLAS ADVISORY COUNCIL

NOTE: At the April 18, 2018 Pinellas Advisory Council meeting, members of the Pinellas Advisory Council requested an Elected Official of Pinellas Park to be appointed to the Council. The Council agreed to hold quarterly meetings with the next meeting taking place in late June. The partnering agencies, Florida Health Department in Pinellas County, City of St. Petersburg, Pinellas County, and City of Pinellas Park, will rotate hosting the meetings with meeting times to be announced.

Membership on the Pinellas Advisory Council is ongoing for the duration of the three-year grant period. There are no term limits.

ACTION: (Approve - Deny) Appointment of _____ as the City's representative on the Health in All Policies Pinellas Advisory Council to serve for the duration of the three-year grant period.

Department: Community Development

C3 AUTHORIZATION FOR THE MAYOR TO SIGN A PARTICIPANT AGREEMENT FOR DISASTER DEBRIS COLLECTION & REMOVAL SERVICES - Pinellas County Cooperative Contract No. 156-0491-P(JA) - Ceres Environmental Services, Inc.

NOTE: This authorizes the Mayor to sign a Participant Agreement dated August 7, 2017, between the City of Pinellas Park and Ceres Environmental Services, Inc. (6968 Professional Parkway East., Sarasota, FL 34240) for disaster debris collection & removal services. This firm will provide disaster recovery and debris removal services should a natural disaster occur. These services will be charged to the appropriate account.

ACTION: (Approve - Deny) Authorization for the Mayor to sign a Participant Agreement with Ceres Environmental Services, Inc. for disaster debris collection & removal services. The participant agreement period will be from August 7, 2017 through December 31, 2023, and the services will be charged to the appropriate account.

Department: Public Works

Reference Material: [Ceres Agenda](#)

C4 AUTHORIZATION FOR THE MAYOR TO SIGN A PARTICIPANT AGREEMENT FOR DISASTER DEBRIS COLLECTION & REMOVAL SERVICES - Pinellas County Cooperative Contract No. 156-0491-P(JA) - D & J Enterprises, Inc.

NOTE: This authorizes the Mayor to sign a Participant Agreement dated August 7, 2017, between the City of Pinellas Park and D & J Enterprises, Inc. (3495 Lee Road 10, Auburn, AL 36832) for disaster debris collection & removal services. This firm will provide disaster recovery and debris removal services should a natural disaster occur. These services will be charged to the appropriate account.

ACTION: (Approve - Deny) Authorization for the Mayor to sign a Participant Agreement with D & J Enterprises, Inc. for disaster debris collection & removal services. The participant agreement period will be from August 7, 2017 through December 31, 2023, and the services will be charged to the appropriate account.

Department: Public Works

Reference Material: [dj council agenda](#)

C5 AUTHORIZATION FOR THE MAYOR TO SIGN A PARTICIPANT AGREEMENT FOR DISASTER DEBRIS COLLECTION & REMOVAL SERVICES - Pinellas County Cooperative Contract No. 156-0491-P(JA) - Phillips and Jordan, Inc.

NOTE: This authorizes the Mayor to sign a Participant Agreement dated August 7, 2017, between the City of Pinellas Park and Phillips and Jordan, Inc. (10201 Parkside Drive, Suite 300, Knoxville, TN 37922) for disaster debris collection & removal services. This firm will provide disaster recovery and debris removal services should a natural disaster occur. These services will be charged to the appropriate account.

ACTION: (Approve - Deny) Authorization for the Mayor to sign a Participant Agreement with Phillips and Jordan, Inc. for disaster debris collection & removal services. The participant agreement period will be from August 7, 2017 through December 31, 2023, and the services will be charged to the appropriate account.

Department: Public Works

Reference Material: [pj agenda](#)

C6 AUTHORIZATION FOR PURCHASE UNDER THE PINELLAS COUNTY CONTRACT #16-0397-CP City Hall Sidewalks - Suncoast Development of PC, Inc.

NOTE: This item is for the construction of sidewalks around the City Hall wetland area. The materials, delivery and installation will be provided by Suncoast Development of PC, Inc., (2340 Destiny Way, Odessa, FL 33566) who is currently under contract with Pinellas County. The total cost for this project will not exceed \$85,000.00 and will be charged to account 301781-562538, 18781/620-CONSTR. The amount budgeted for this project is \$100,000.00 (page 232 of FY 17-18 adopted budget).

ACTION: (Approve - Deny) Authorization to purchase under Pinellas County contract, 16-0397-CP, construction of sidewalks provided by Suncoast Development of PC, Inc. in the amount not to exceed, \$85,000.00 to be charged to account 301781-562538.

Department: Public Works

Reference Material: [City of Pinellas Park City Hall - 02.27.18](#)

C7 AUTHORIZATION TO PURCHASE UNDER NATIONAL JOINT POWERS ALLIANCE CONTRACT #2018-120716-NAF - One 2018 Ford 26 + 2 (ADA) Passenger Bus - For Leisure Services Department

NOTE: This 2018 Ford Passenger Bus will be used by the Leisure Services Department to transport children and seniors to and from recreation centers as well as field trips throughout the year.

ACTION: (Approve - Deny) Authorization to purchase under National Joint Powers Alliance Contract #2018-120716-NAF - 2018 Ford Passenger Bus for the Leisure Services Department from Alan Jay Chevrolet, Sebring, Florida, at a total cost of \$101,271.00 to be charged to the appropriate account.

Department: Public Works

Reference Material: [2018 Ford Passenger Bus quote backup](#)

C8 AWARD OF BID 18/005 - DESIGN/BUILD PERFORMING ARTS CENTER - Bandes Construction Company, Inc.

NOTE: Bids were legally advertised and bids were solicited on Demand Star and the City website. Four (4) bids were received with Bandes Construction Company, Inc. (1368 Spalding Road, Suite C, Dunedin, Florida 34698) being the highest ranked bidder with a bid submittal of \$523,050.00. The amount budgeted for this project is \$525,000.00.

ACTION: (Approve - Deny) Authorization to award Bid 18/005 Design/Build for Performing Arts Center to Bandes Construction Company, Inc., Dunedin, FL, in the amount of \$523,050.00 to be charged to the appropriate accounts.

Department: Public Works

Reference Material: bid tabulation, bid book available for review

V. REGULAR AGENDA

NONE

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

VII. ADJOURNMENT

PLEASE NOTE that if a person decides to appeal any decision made by City Council with respect to any matter considered at the above-cited meeting, the person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City maintains a digital recording of all public hearings. In the event that you wish to appeal a decision, the digital recording may or may not adequately insure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (Section 286.0105, Florida Statutes).

FOR THE HEARING IMPAIRED — An interpreter for the hearing impaired will be made available upon requests made at least 72 hours in advance.