

# **City of Pinellas Park**

**City Council** 

Agenda

Thursday, January 10, 2019

6:00 PM

**City Council Chambers** 

## CALL TO ORDER

INVOCATION

#### PLEDGE OF ALLEGIANCE

#### **I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

#### SPECIAL PRESENTATIONS

#### 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 December 13, 2018, as on file in the City Clerk's office.

#### \_\_\_\_\_

#### **III. PUBLIC HEARINGS**

**P1 RESOLUTION NO. 18-31. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF** PINELLAS PARK, FLORIDA, VACATING A PORTION OF A DRAINAGE EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 5260 113TH AVENUE IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; VACATING A PORTION OF A UTILITY EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 11346 TOWNSHIP 53RD STREET IN SECTION 16, 30 SOUTH, RANGE 16 EAST; PROVIDING FOR AN EFFECTIVE DATE (V 2018-8, TSE Industries, Inc.)

#### CONTINUED PUBLIC HEARING FIRST AND FINAL READING

(Speaker - Erica Lindquist, Planning & Development Review Manager)

#### (P5 on 11/20/2018 Agenda)

NOTE: TSE Industries is requesting the vacation of a 168 foot long portion of a 10 foot wide drainage easement located under an existing building generally located at 5260 113th Avenue between Lots 28 and 29 and the vacation of a 279 foot long portion of a 5 foot wide utility easement generally located at 11346 53rd Street to the north of Lot 27.

ACTION: (Adopt - Deny) Resolution No. 18-31. Public hearing first and final reading.

*Department:* Community Development

**<u>Reference Material:</u>** Staff report, Resolution, Attorney Ltr, Minutes, Application, Map- V 2018-8

**P2** ORDINANCE OF THE CITY OF PINELLAS PARK, ORDINANCE NO. 4077. AN **FLORIDA** ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF **COMMERCIAL PLANNED UNIT** Α DEVELOPMENT (CPUD) **UNDERLYING "B-1"** GENERAL COMMERCIAL ZONING WITH ON **CERTAIN** PARCELS OF LAND GENERALLY LOCATED AT **3660 GANDY BOULEVARD AND** DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED MORE PARTICULARLY HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN FOR AND SUPPORTING DOCUMENTATION PROPOSED RETAIL PLAZA AND CONVENIENCE STORE WITH A GAS STATION; CERTIFYING CONSISTENCY WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE - (PUD 2015-6(R)2/BOA 2018-34/ MS 2018-27, Friends of Strays, Inc.)

#### PUBLIC HEARING SECOND AND FINAL READING - QUASI-JUDICIAL

#### (Speaker - Erica Lindquist, Planning & Development Review Manager)

NOTE: This is a request to amend a CPUD (Commercial Planned Unit Development) with underlying B-1 General Commercial Zoning for the development of a proposed 10,600 square foot retail plaza and convenience store with waivers and variances to the following: a variance to increase impervious surface area on both parcels; a variance to reduce the structure setback from 20 feet to 18 feet along the north, second front yard; and a waiver to reduce the required vehicular use area buffer at the right-of-way from 6 feet to 3 feet on both parcels. At its public hearing on November 1, 2018, the Planning and Zoning Commission recommended APPROVAL of this ordinance, subject to the following conditions:

1. Development controls are established through the development order, consisting of the application, staff report, and preliminary and final site plans, along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by Landmark Engineering and Surveying Corporation last revised on September 6, 2018, and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of CPUD adoption.

2. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.

3. A portion of the City of Pinellas Park's parcel of land, although not included in the PUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

(C18 on 12/13/2018 Agenda)
 ACTION: (Pass - Deny) Ordinance No. 4077. Public hearing second and final reading - quasi-judicial.
 <u>Department:</u> Community Development
 <u>Reference Material:</u> Ordinance, Attorney Ltr, Staff Report, Site Plan, Minutes, Application- PUD 2015-6(R)2

# P3 <u>ORDINANCE NO. 4076</u>. AMENDING ORDINANCE NO. 4070 FOR THE FISCAL YEAR 2018/2019

#### PUBLIC HEARING SECOND AND FINAL READING

#### (Speaker - Dan Katsiyiannis, Management and Budget Administrator)

NOTE: This budget amendment is the City's first for the fiscal year. Our first amendment is dedicated to bringing forward unspent budget funds for CIP projects from the prior year that were not finished as of September 30th. These projects will be completed this fiscal year. The attached increases this year's budget by \$3,598,087 for a revised total City budget of \$127,786,639.

(*C9 on 12/13/2018 agenda*)

ACTION: (Pass - Deny) Ordinance No. 4076. Public hearing second and final reading.

Department: OMB

Reference Material: Amend Ordinance, Budget Amend, Attorney Doc.

#### IV. CONSENT AGENDA

#### C1 <u>REAPPOINTMENT TO PINELLAS OPPORTUNITY COUNCIL - (William Holmes)</u>

NOTE: Mr. William Holmes has served on the POC since 2015 and has indicated that he is interested in continuing to serve on the Board for another term.

ACTION: (Approve - Deny) Re-Appointment of William Holmes to serve on the Pinellas Opportunity Council for the year 2019.

 Department:
 City Clerk

 Reference Material:
 Reappoint Bill Holmes POC

**C2 RESOLUTION NO. 19-01. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF** PINELLAS PARK, FLORIDA, PERTAINING TO A CHARTER REVIEW COMMITTEE, ESTABLISHING SUCH CHARTER REVIEW COMMITTEE FOR THE PURPOSE OF STUDYING THE CHARTER OF THE CITY OF PINELLAS PARK, RECEIVING PUBLIC DETERMINING то INPUT AND **WHETHER** THEY WISH RECOMMEND CONSIDERATION OF ANY CHANGES OR AMENDMENTS ТО THE CHARTER; PROVIDING FOR A PROCESS FOR THE APPOINTMENT OF THE MEMBERS OF SUCH COMMITTEE; PROVIDING PROCEDURES FOR THE MEETINGS OF SUCH **PROVIDING COMMITTEE;** TIME **SCHEDULES** FOR SUCH **COMMITTEE;** PROVIDING FOR THE SUNSETTING OF SUCH COMMITTEE.

#### FIRST AND FINAL READING

NOTE: This Resolution will establish a Charter Review Committee consisting of seven (7) voting members, five (5) members shall be designated by City Council and the two (2) remaining members shall be selected by vote of the City Council based upon applications received by the City.

ACTION: (Adopt - Deny) Resolution No. 19-01.

Department: City Clerk

Reference Material: 19-01.Charter Review.res

# C3 <u>APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY PETER</u> OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND <u>INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 (AX19-2)</u> - Located at 6131 109th Terrace North

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 109th Terrace North. The City agrees that for a period of twenty-four (24) months from the date of execution of this Agreement, the City shall waive City land development fees applicable for future redevelopment of the Property, in an amount up to, and not to exceed, Two Thousand Dollars (\$2,000.00). The City's annual projected revenue is Six Hundred Twenty-two Dollars (\$622.00) and no City funds were expended.

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of residential property owned by Peter Ozols and Inguna Ozols, as Co-Trustees of the Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017.

 Department:
 Community Development

 Reference Material:
 AX19-2 Ozols Agreement, Petition, Data Sheet, Comment Sheet, Revenue Analysis, Map and<br/>Attorney letter.pdf

C4 <u>ORDINANCE NO. 4078.</u> ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6131 109TH TERRACE NORTH (PETER OZOLS AND INGUNA OZOLS, CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 AX19-2)

### FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 109th Terrace North.

ACTION: (Pass - Deny) Ordinance No. 4078.

 Department:
 Community Development

**<u>Reference Material:</u>** AX19-2 Ozols Ordinance, Petition, Map and Attorney letter.pdf

# C5 <u>RESOLUTION NO. 19-02.</u> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AUTHORIZING A REFUND TO RESIDENTIAL RECYCLING CUSTOMERS EFFECTIVE FEBRUARY 1, 2019

#### FIRST AND FINAL READING

NOTE: The City began a curbside recycling program in October 1989 for residential customers. Due to the efforts of the community, the avoided disposal fee savings has resulted in a twelve-month credit of approximately \$70,166.00. This amount is to be refunded to residential customers as a credit of approximately \$4.00 per customer, which is to be applied to their utility account. This refund will be charged to account number 001-259911.

ACTION: (Adopt - Deny) Resolution No. 19-02. First and final reading.

*Department:* Finance

 Reference Material:
 RecylResCrHstyAttyLtr

# C6 <u>AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A</u> <u>RIGHT-OF-WAY EASEMENT FROM LIHN T. PHAM & TUYET-LE THI DANG</u> - 4220 70th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from Lihn T. Pham & Tuyet-Le Thi Dang to increase the right-of-way width to the required width for the installation of a potable water main, and for the future maintenance and operation of said equipment at 4220 70th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Lihn T. Pham & Tuyet-Le Thi Dang at 4220 70th Avenue North.

Department: Public Works

**Reference Material:** 4220 70th Ave Right of Way Easement backup

# C7 <u>AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A PERPETUAL</u> <u>UTILITY EASEMENT FROM 6351 49TH STREET LLC</u> - 6351 49th Street North

NOTE: The City of Pinellas Park has requested a utility easement from 6351 49th Street LLC to accommodate new utility equipment, and for the future maintenance and operation of said equipment at 6351 49th Street North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a utility easement from 6351 49th Street LLC at 6351 49th Street North.

 Department:
 Public Works

 Reference Material:
 10x37 Shed Utility Easement 6351 49th St backup

# C8 <u>AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO GIVE A PERPETUAL</u> <u>DRAINAGE EASEMENT TO PINELLAS COUNTY AT</u> - 59th Avenue North and 46th Street North.

NOTE: Pinellas County has requested a perpetual drainage easement at the pond to accommodate their new drainage infrastructure and for the future maintenance and operation of said infrastructure at the pond.

ACTION: (Approve - Deny) Authorization for the City of Pinellas Park to give a perpetual drainage easement to Pinellas County at the pond.

**Department:** Public Works

**Reference Material:** Drainage Easement 59th Ave to 44th St backup

#### **C9** AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A **RIGHT-OF-WAY** EASEMENT FROM RICHARD BRODTRICK 4160 70th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from Richard Brodtrick to increase the right-of-way width to the required width and for the installation of a potable water main, and for the future maintenance and operation of said equipment at 4160 70th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Richard Brodtrick at 4160 70th Avenue North.

 Department:
 Public Works

 Reference Material:
 4160 70th Ave Right of Way Easement backup

City Council Agenda

# C10 <u>AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A</u> <u>RIGHT-OF-WAY EASEMENT FROM GEORGE A. PARADISE</u> - 5245 78th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from George A. Paradise for the installation of a sidewalk, and for the future maintenance and operation of said equipment at 5245 78th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from George A. Paradise at 5245 78th Avenue North.

*Department:* Public Works

Reference Material: 5245 78th Ave N Right of Way Easement backup

# C11 <u>AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A</u> <u>RIGHT-OF-WAY EASEMENT FROM AJKJ, LLC</u> - 11486 68th Street North

NOTE: The City of Pinellas Park has requested a right-of-way easement from AJKJ, LLC to increase the right-of-way width to the required width and to allow a clear zone adjacent to the road at 11486 68th Street North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from AJKJ, LLC at 11486 68th Street North

Department: Public Works

**Reference Material:** 11486 68th Street 15' right of way easement backup

#### C12 AUTHORIZATION FOR MAYOR TO SIGN **INTERLOCAL** MAINTENANCE AGREEMENT WITH PINELLAS COUNTY Pages Plat Book 16-17 Perpetual -124, **Drainage Easement**

NOTE: This authorizes the Mayor to sign an Interlocal Maintenance Agreement with Pinellas County to transfer the maintenance responsibility for the drainage easement dedicated to the City of Pinellas Park by plat. The County will perform specific maintenance to this easement area for a five year term. The proposed agreement has been reviewed by the City Attorney's office.

ACTION: (Approve - Deny) Authorization for the Mayor to sign an Interlocal Maintenance Agreement with Pinellas County.

*Department:* Public Works

Reference Material: Interlocal Maintenance Agreement backup

#### V. REGULAR AGENDA

#### R1 <u>THE 2018 LIBRARY ANNUAL REPORT</u>

NOTE: The 2018 Library Annual Report is submitted to Council by the Library Advisory Board in accordance with Section 2-504 of the City Code of Ordinances. Members of the Library Board will be in attendance to present the report.

ACTION: (Approve - Deny) 2018 Library Annual Report.

Department: Leisure Services

**<u>Reference Material:</u>** 2018 Library Annual Report

#### 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.

JANUARY						
SUNDAY	MONDAY	THEODAY		THURSDAY	FRIDAY	SATURDAY
SUNDAY		TUESDAY	WEDNESDAY 2	THURSDAY 3	4	5
		Brush Site Closed Kwanzaa Ends New Year's Day City Offices & Library Closed				Elvis Tribute Concert Performing Arts Center
6	7	8	9	10	11	12
Partial Eclipse of the Sun Epiphany Orchestra Concert Performing Arts Center		5:30 PM Council Workshop	Pancake Breakfast Senior Center	5:30 PM Agenda Session 6:00 PM Council Meeting		
13	14	Organ Concert City Auditorium	16	17	18 Florida Arbor Day	19
20	21	22	23	24	25	26
	Total Eclipse of the Moon Martin Luther King Jr. Birthday (observed) City Offices & Library Closed	5:30 PM Council Workshop CRA After Workshop		5:30 PM Agenda Session 6:00 PM Council Meeting	· · · · ·	Everly Brothers Tribute Concert Performing Arts Center Movies in the Park Fourth Saturday Art Walk
27	28	29	30	31	DECEMBER 2018           S         M         T         W         T         F         S           1         2         3         4         5         6         7         8           9         10         11         12         13         14         15           16         17         18         19         20         21         22           23         24         25         26         27         28         29           30         31	FEBRUARY         S       M       T       W       T       F       S         1       2       3       4       5       6       7       8       9         10       11       12       13       14       15       16         17       18       19       20       21       22       23         24       25       26       27       28

			FEBRUARY			
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
			e *	2		
			5			
2	4					Groundhog Day
3	4	5	6	7	8	9
Orchestra Concert Performing Arts Center		Chinese New Year (Pig)				ABBA Tribute Concert Performing Arts Center
10	11	12	13	14	15	16
				St. Valentine's Day		
		Lincoln's Birthday	Pancake Breakfast	5:30 PM Agenda Session		
17	10	5:30 PM Council Workshop	Senior Center	6:00 PM Council Meeting		
17	18	19	20	21	22	23
						Bee Gees Tribute Concert
						Performing Arts Center
	Washington's Birthday (observed) Presidents' Day	Organ Concert City Auditorium	v			Movies in the Park
24	25	26	27	28	JANUARY	Fourth Saturday Art Walk MARCH
		20	21	20	SMTWTFS	S M T W T F S
					1 2 3 4 5 6 7 8 9 10 11 12	1 2 3 4 5 6 7 8 9
					13         14         15         16         17         18         19	10 11 12 13 14 15 16
		5:30 PM Council Workshop		5:30 PM Agenda Session	20 21 22 23 24 25 26	17 18 19 20 21 22 23
		CRA After Workshop	0.	6:00 PM Council Meeting	27 28 29 30 31	24 25 26 27 28 29 30 31



Staff Report

# File #: 18-672, Version: 1

Agenda Date: 1/10/2019

<u>RESOLUTION NO. 18-31</u>. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, VACATING A PORTION OF A DRAINAGE EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 5260 113TH AVENUE IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; VACATING A PORTION OF A UTILITY EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 11346 53RD STREET IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; PROVIDING FOR AN EFFECTIVE DATE (V 2018-8, TSE Industries, Inc.)

# CONTINUED PUBLIC HEARING FIRST AND FINAL READING

# (Speaker - Erica Lindquist, Planning & Development Review Manager)

# (P5 on 11/20/2018 Agenda)

NOTE: TSE Industries is requesting the vacation of a 168 foot long portion of a 10 foot wide drainage easement located under an existing building generally located at 5260 113th Avenue between Lots 28 and 29 and the vacation of a 279 foot long portion of a 5 foot wide utility easement generally located at 11346 53rd Street to the north of Lot 27.

ACTION: (Adopt - Deny) Resolution No. 18-31. Public hearing first and final reading.

# 

CASE NUMBER: V 2018-8 PZ HEARING: August 2, 2018 CC HEARING: November 20, 2018 PROPERTY OWNER / APPLICANT: TSE Industries, Inc.

### I. <u>GENERAL INFORMATION</u>

A. Request:

Request to vacate a 168-foot long portion of a 10-foot wide drainage easement located under an existing building generally located at 5260 113<sup>th</sup> Avenue between Lots 28 and 29 and a request to vacate a 279-foot long portion of a 5-foot wide utility easement generally located at 11346 53<sup>rd</sup> Street to the north of Lot 27.

В.	Purpose:	Commercial Business TSE Industries (plastic and rubber fabrication)
C:	Location:	5260 113 <sup>th</sup> Avenue (Lots 27, 28, 29, and 30) and 11346 53 <sup>rd</sup> Street (Lots 25 and 26)
D.	Site Area:	0.039 acres and 0.29 acres (MOL)
E.	Land Use Plan Designation:	IL (Industrial Limited)
	Zoning District:	M-1 (Light Industrial)
F.	Public Notification Date:	November 5, 2018
G.	Legal Advertising Date:	November 5, 2018
Н.	Utility Releases:	Frontier Communications requires a set of plans to locate their facilities. No objection from other utility providers.
1.	Legal Description:	Exhibit A

# II. SITE AND VICINITY CHARACTERISTICS

# A. Zoning/Development History:

The City annexed the property located at 5260 113<sup>th</sup> Avenue (Lots 27, 28, 29, and 30) from the County on June 25, 1998. The property located at 11346 53<sup>rd</sup> Street (Lots 25 and 26) was annexed on July 17, 2017.

B. Site characteristics:

The Mid County Industrial Center site is divided into six lots at two addresses. According to the Pinellas County Property Appraiser, four buildings have been constructed on the site. Buildings 1, 2, and 4 are located at 5260 113<sup>th</sup> Avenue. Building 1 was constructed in 1984, Building 2 in 1981, and Building 4 in 1996. Building 3, which is located at 11346 53<sup>rd</sup> Street, was built in 1981.

C. Vicinity Characteristics:

AREA	LAND USE PLAN MAP	ZONING	EXISTING CONDITIONS
NORTH	IL	M-1	Light Manufacturing (Unincorporated County)
SOUTH	IL	СН	Shopping Center
EAST	IL	M-1	Mid County Industrial Center
WEST	INS	Ρ	School

D. Traffic Circulation and Impact:

The proposed modifications to the drainage and utility easements should not affect traffic.

E. Essential Services Summary:

Planning & Zoning Director:	No objection
Building Director:	No objection
Life Safety Management:	Observations/Concerns Any development will require plan review.
Police Department Crime Prevention Officer:	No objection
PPWMD Executive Director:	Property is outside the PPWMD's jurisdiction.

Public Works Divisions

Public Works Administrator: Engineering Services Director: Utilities Director: Transportation/Stormwater Director: No objection No objection No objection AD 7/3/18

Community Development Administrator:

# III. COMPREHENSIVE PLAN REVIEW

A. Transportation Element:

Consistent X Inconsistent Not applicable \_\_\_\_\_

The proposed Vacation will remain consistent with the Transportation Element of the City's Adopted Comprehensive Plan.

# IV. SUMMARY REPORT

- A. Development Considerations: None
- B. Waivers Requested: None

# V. FINDINGS OF FACT

After review of Case No. V 2018-8, the Zoning Division has identified the following Findings of Fact: That,

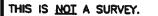
- 1. The vacation is consistent with the policies of the Comprehensive Plan.
- 2. The various utility agencies and City divisions have no objection to the vacation.

# VI. MOTION

After reviewing the staff analysis presented in this report, I move to APPROVE / DENY / APPROVE WITH CONDITIONS Case No. V 2018-8.

# Exhibit A Legal Descriptions

See attached descriptions of the two easements to be vacated.



THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



#### **DESCRIPTION:**

A PORTION OF LOTS 28 AND 29, MID COUNTY INDUSTRIAL CENTER, AS PER PLAT IZ THEREOF RECORDED IN PLAT BOOK 81, IZ PAGES 99 THROUGH 101, PUBLIC RECORDS I OF PINELLAS COUNTY, FLORIDA, LYING IN IZ SECTION 16, TOWNSHIP 30 SOUTH, RANGE I 16 EAST. PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS O FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF PLAT; LOT 30 OF SAID THENCE SOO'16'57"W, ALONG THE EAST LINE OF SAID LOT 30, A DISTANCE OF 59.60 FEET; THENCE DEPARTING SAID LINE, N89'01'44"W, A DISTANCE OF 195.02 FEET TO A POINT ON THE EAST LINE OF A 10 FOOT EASEMENT FOR DRAINAGE LYING OVER AND ACROSS LOTS 28 AND 29 AS SHOWN ON SAID PLAT; THENCE SOO'16'57"W, ALONG SAID EAST UNE, 15.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOO'16'57"W. ALONG SAID EAST LINE, A DISTANCE OF 168.13 FEET TO A POINT ON THE NORTH LINE OF A 50 FOOT DRAINAGE AND UTILITY EASEMENT AS SHOWN ON SAID PLAT; THENCE S89'54'07"W, ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET TO A NORTH POINT ON THE WEST LINE OF A 10 FOOT WIDE EASEMENT FOR DRAINAGE LYING OVER AND ACROSS LOTS 28 AND 29 AS SHOWN ON SAID PLAT; THENCE NOO'16'57"E, ALONG SAID WEST LINE, A DISTANCE OF 168.32 FEET; THENCE DEPARTING SAID LINE, S89'01'44"E, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.682 SQUARE FEET, (0.039 ACRE) MORE OR LESS

#### NOTES:

PINELLAS COUNTY, FLORIDA **113TH AVENUE NORTH** POC 80' RIGHT-OF-WAY(P) **NE CORNER** OF LOT 30 \$89'58'58"E(P) S89'58'58"E(P) 100.00'(P) 100.00'(P) NORTH LINE NORTH LINE шR 57 W(P) 16'57' LO LIN OF LOT 29 OF LOT 30 8 8 ທ່ Soci NOT INCLUDED OFL S S ø LOT 28(P) Sog N89'01'44,W 195.02 S89°01'44"E 10.00' POB N89'01'44"w 185.01' € LOT 29(P) (P),60. 5 ACRE) 13' ູ່ຮູ 289. Ϋ́Ε 289.( Έ 168. 168. LOT 30(P) ő ۵. 039 DRAINAGE( 6 EASENENT Ū <u>a</u> Ë(P) LNE è€ BEARINGS N00'16'57' .23' 57W(P) Ö R r line of drainage 16'57"W BEARINGS) 57"E 5 وا FEET, 289 N00°16 ዄ è S00°16' P N00-16' SQUARE EASEMENT DRAINAGE(P) 2 (BASIS S00-1 R Р В SiS NORTH LINE OF 50' DRAINA DRAINAGE AND 8 UTILITY EASEMENT(P) ю ß UTILITY MENT(P) ۵ EASEMENT(P S89\*54'07" W 10.00 20 ANDRA 5.0'(P) 5.0'(P) \$89\*54'07"W(P) S89'54'07"W(P) 100.00'(P) 100.00'(P) LEGEND SE CORNER OF LOT 28 LICENSED BUSINESS NUMBER OFFICIAL RECORD BOOK PLAT (PB 81, PG 99-101) PLAT BOOK PG PAGE/PAGES POB POC PSM POINT OF BEGINNING POINT OF COMMENCEMENT PROFESSIONAL SURVEYOR R/W RNG. SEC. RIGHT-OF-WAY RANCE SECTION

SEC.16, TWP. 30S., RNG. 16E.

SCALF:

FLORIDA

1" - 60'

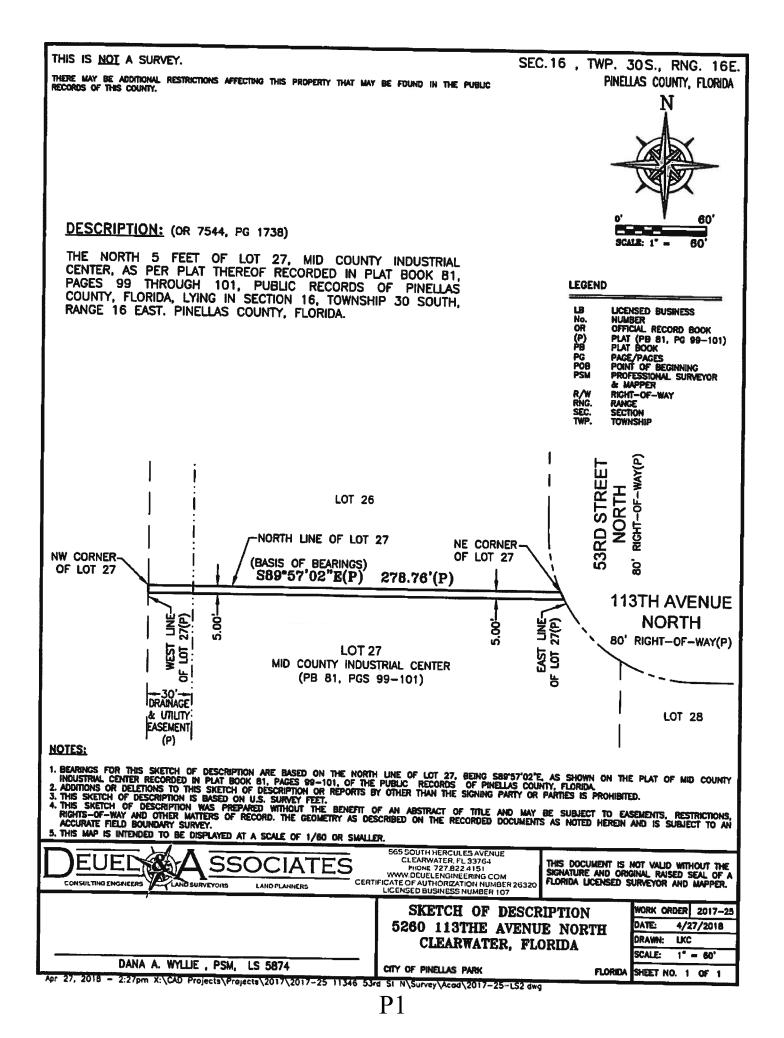
SHEET NO. 1 OF 1

TOWNSHIP 1. BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE EAST LINE OF LOT 30, BEING SOUTIG'ST'W, AS SHOWN ON THE PLAT OF MID COUNTY INDUSTRIAL CENTER RECORDED IN PLAT BOOK 81, PAGES 99-101, OF THE PUBLIC RECORDS OF PINELAS COUNTY, FLORIDA. 2. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED. 3. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TILE AND MAY BE SUBJECT TO EASEMENTS, RESTRUCTIONS, RIGHTS-OF-WAY AND OTHER MATERS OF RECORD. THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREIN AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/60 OR SWALLER. 565 SOUTH HERCULES AVENUE CLEARWATER, FL 33/64 PHONE 727.822 4151 WWW DEUELENGINEERING COM THIS DOCUMENT IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. (26) リヒ  $\mathbf{S}($ 1 CERTIFICATE OF LAND SURVEYORS CATE OF AUTHORIZATION NUMBER 26320 LICENSED BUSINESS NUMBER 107 CONSULTING ENGINEERS LAND PLANNERS SKETCH OF DESCRIPTION NORK ORDER 2017-25 DATE 4/27/2018 5260 113TH AVENUE NORTH DRAWN: I KC CLEARWATER, FLORIDA

DANA A. WYLLIE , PSM, LS 5874 CITY OF PHNELLAS PARK

Apr 27, 2018 - 2.25pm X:\CAD Projects\Projects\2017\2017-25 11346 53rd St N\Survey\Acod\2017-25-LS3.dwg

 $\mathbf{P}$ 



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, VACATING A PORTION OF A DRAINAGE EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 5260 113<sup>TH</sup> AVENUE IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; VACATING A PORTION OF A UTILITY EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 11346 53<sup>RD</sup> STREET IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pinellas Park has been petitioned to vacate a 168-foot long portion of a 10-foot wide platted drainage easement located under an existing building generally located at 5260 113<sup>th</sup> Avenue between Lots 28 and 29 and to vacate a 279-foot long portion of a platted public utility easement generally located at 11346 53<sup>rd</sup> Street, to the north of lot 27; and

WHEREAS, City Divisions and Private Utility Agencies have expressed no objections to the proposed vacations; and

WHEREAS, the City Council has determined that the portion of the platted drainage easement and the portion of a platted public utility easement, further described herein, serve no useful purpose and it is in the general interest of the public that the same be vacated, discontinued, and/or closed; and

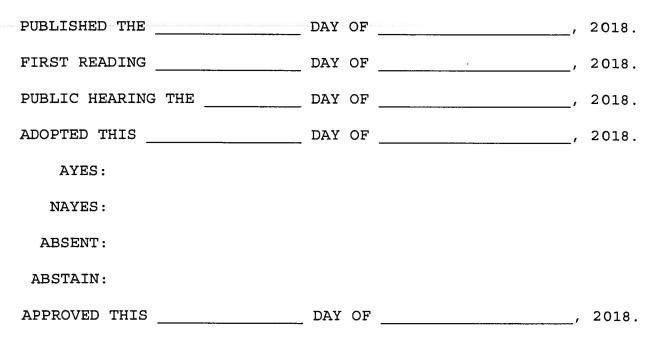
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

-1-

SECTION ONE: That the following described portion of easement over and under, above and across the following described real property be and the same are hereby vacated: THE EASEMENTS LEGALLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED

HERETO AND MADE A PART HEREOF.

**SECTION TWO:** That this Resolution shall be in full force and effect immediately upon its adoption.



Sandra L. Bradbury MAYOR

ATTEST:

Diane M. Corna, MMC CITY CLERK

-2- Resolution No.

#### Exhibit "A"

#### VACATE DRAINAGE EASEMENT

A PORTION OF LOTS 28 AND 29, MID COUNTY INDUSTRIAL CENTER, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 81 PAGES 99 THROUGH 101, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA LYING IN SECTION 16, TOWNSHIP 30 SOUITH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 30 OF SAID PLAT; THENCE S100°16'57"W, ALONG THE EAST LINE OF SAID LOT 30, A DISTANCE OF 59.60 FEET; THENCE DEPARTING SAID LINE, N89°01'44"W, A DISTANCE OF 195.02 FEET TO A POINT ON THE EAST LINE OF A 10 FOOT EASEMENT FOR DRAINAGE LYING OVER AND ACROSS LOTS 28 AND 29 AS SHOWN ON SAID PLAT; THENCE S00°16'57"W, ALONG SAID EAST LINE, 15.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°16'57"W, ALONG EAST LINE, A DISTANCE OF 168.13 FEET TO A POINT ON THE NORTH LINE OF A 50 FOOT DRAINAGE AND UTILITY EASEMENT AS SHOWN ON SAID PLAT; THENCE S89°54'07"W, ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET TO A POINT ON THE WEST SIDE OF A 10 FOOT WIDE EASEMENT FOR DRAINAGE LYING OVER AND ACROSS LOTS 28 AND 29 AS SHOWN ON SAID PLAT; THENCE N00°16'57"E, ALONG SAID WEST LINE, A DISTANCE OF 168.32 FEET; THENCE DEPARTING SAID LINE, S89°01'44"E, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,682 SQUARE FEET, (0.039 ACRE) MORE OR LESS

# VACATE UTILITY EASEMENT

THE NORTH 5 FEET OF LOT 27, MID COUNTY INDUSTRAIL CENTER, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 81, PAGES 99 THROUGH 101, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, IN SECTION 6, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.

-3- Resolution No.

JAMES W DENHARDT

# City of NELLAS PARK

5141 78TH AVE. . P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attomey Lauren Christ Rubenstein, Assistant City Attomey Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile

INELLAS FLORIDA

FLOR PHONE · (727) 369-0700 FAX

• (727) 544-7448

August 31, 2018

Ms. Erica Lindquist Planning & Zoning Division **City of Pinellas Park** P. O. Box 1100 Pinellas Park, Florida 33780-1100

(L) ß AUG 31

#### RE: City Document #18-222 Vacation Resolution V 2018-8 and Easement Agreements

Dear Ms. Lindquist:

I have received and reviewed the above-referenced Vacation Resolution and corresponding Easement Agreements. I would approve of the Easement Agreements as to form and correctness. As mentioned in Mr. Denhardt's previous correspondence, we believe the Resolution for vacation would only be appropriate if and when the Easement Agreements are granted. Therefore, I would approve of the Resolution as to form and correctness, provided that the proposed new Easements and Resolution are heard during the same agenda item by City Council, and a proposed Motion for City Council either approves or denies the proposed Easements and the proposed Vacation.

Very truly yours. Uom

Lauren C. Rubenstein Assistant City Attorney

CC: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Deputy City Manager Susan Walker, Community Development Administrator Danny E. Taylor, Planning & Zoning Director

LCR/dh 18-222.08312018.LEL.V 2018-18 and Essement Agmis.wpd



PRINTED ON RECYCLED PAPER

# CITY OF PINELLAS PARK, FLORIDA PLANNING AND ZONING COMMISSION MINUTES REGULAR MEETING August 2, 2018

The meeting was called to order at 7:00 p.m. by Dennis Shelley, Chairperson.

# ROLL CALL

PRESENT:	Dennis Shelley, Chairperson Louis Bommattei, Vice Chairperson James Madden Munaf Kapadia Brenda Braitling Neil Kummerer
STAFF PRESENT:	Lauren Rubenstein, Assistant City Attorney Danny Taylor, Planning & Zoning Director Erica Lindquist, Planning & Zoning Coordinator Carrie Moss, Planning & Zoning Analyst, Notary
INVOCATION:	Mr. Kapadia
PLEDGE OF ALLEGIANCE:	Mr. Kapadia
APPROVAL OF MINUTES:	July 9, 2018

Mr. Madden – Had four (4) suggested amendments to the minutes of July 9, 2018.

**MOTION** was made by <u>Mr. Madden</u> and **SECONDED** by <u>Mr. Bommattei</u> to **APPROVE** the minutes of July 9, 2018 with the 4 amendments.

# **REGULAR AGENDA**

Mr. Shelley - Read the rules and procedures for the Planning and Zoning Commission.

# PUBLIC HEARING OPENED

- 1. CASE NO.: V 2018-8
  - REQUEST: Consideration of a request for 5260 113<sup>th</sup> Avenue to vacate a section of a 10 foot drainage easement located under an existing building between Lots 28 and 29, to add a 15 foot drainage easement along the north side of Lots 29 and 30, and to add a 9 foot drainage easement along the east side of Lot 30.

Consideration of a request to 11346 53<sup>rd</sup> Street to vacate a 5 foot utility easement to the north of Lot 27 for a proposed building addition and to add a 15 foot utility easement on the north side of Lot 25 and east side of lots 25 and 26.

LOCATION: 5260 113th Avenue & 11346 53rd Street

<u>Ms. Lindquist</u> – Confirmed that all procedural requirements have been met and presented the staff report into the official record.

# QUESTIONS FOR STAFF

Mr. Madden - Did City Staff contact the County to see why this building is over an easement?

Ms. Lindquist – No.

# PROPONENTS

Chris Weddle, 610 E Morgan Street, Brandon, Civil Engineer for this project – This was platted with an unused drainage easement. It is not used and the City wanted it moved/cleaned up as part of the expansion.

Mr. Madden - What was the easement for?

Mr. Weddle - This is storm water drainage, there are no pipes. The new easement is a drainage ditch.

Ms. Braitling - The areas marked in red are the proposed new drainage?

Mr. Weddle – Yes, they will be dedicated drainage.

<u>Mr. Madden</u> – Is it appropriate for us to approve the vacations with the condition that the proposed new easements be created?

Ms. Rubenstein – Yes, it is a condition in the staff report and the findings of fact can be included in the motion.

### **OPPONENTS**

None

# PUBLIC HEARING CLOSED

# BOARD DISCUSSION

**MOTION** was made by <u>Mr. Madden</u> and **SECONDED** by <u>Mr. Kapadia</u> to **RECOMMEND APPROVAL** for Case no. V 2018-8. Predicated on the dedication of drainage easements as depicted on the site plan and the following conditions:

- 1. The vacation is consistent with the policies of the Comprehensive Plan.
- 2. The various utility agencies and City divisions have no objection to the vacation. Frontier Communications requires a set of plans to locate their facilities.

# ROLL CALL VOTE

Aye: Braitling, Bommattei, Madden, Shelley, Kapadia, Kummerer Nay: None

# MOTION CARRIED BY UNANIMOUS VOTE

City of Pinellas Park. Florida

APPLICATION FOR VACATION OF EASEMENTS OR RIGHTS-OF-WAY
FOR OFFICE USE ONLY
CASE # V_2018-8 UTILITY/MAIL RECEIPTS:PZ MEETING: 8218 CC MEETING: 9/13/18 PLAT SHEET: C-13 RELATED CASES:RECEIPT NUMBER: 243)415
PLAT SHEET: C-13 RELATED CASES:RECEIPT NUMBER: 243)415
ZONING DISTRICT: CH LAND USE DESIGNATION: $IL$ DATE RECEIVED: $5 24 18$
REQUEST AND PROPERTY INFORMATION
GENERAL LOCATION OF PROPERTY TO BE VACATED: 5260 113th Avenue North, Clearwater, Florida 33760
REASON FOR VACATION REQUEST: Cannot build structure over utility easement. The existing utility
easement will be rerouted around the building at site two. Also, the City of Pinellas Park requested
to vacate a portion of the platted drainage easement that passes under the existing building.
AN EXACT LEGAL DESCRIPTION OF THE PROPERTY TO BE VACATED MUST BE SUBMITTED. THE CITY SUGGESTS THE APPLICANT CONTACT A REGISTERED SURVEYOR TO DETERMINE THE EXACT LEGAL DESCRIPTION. IF NEEDED, THE CITY MAY REQUIRE A SURVEY OF THE SUBJECT PROPERTY.
LEGAL DESCRIPTION OF PROPERTY TO BE VACATED (attach if lengthy):
See attached Sketch and Legals. (Note: There are 2 separate easements being
vacated)
LEGAL DESCRIPTION: LOT       27, 28 & 29       BLOCK       Mid County Industrial Center         PARCEL NUMBER(S):       16-30-16-57676-000-0270       Mid County Industrial Center         I (we) the undersided, do hereby make application for vacation of public easements or rights-of-way and do certify that the information contained in this application s the and center to the best of my (our) knowledge.
Signature of Applicant 5/22/18
Date
Signature of Applicant Date
OWNER / APPLICANT INFORMATION
PROPERTY OWNER: TSE Industries, Inc. PHONE: (727) 540-1256
ADDRESS/CITY/ZIP: 5260 113th Avenue North, Clearwater, Florida 33760
AUTHORIZED AGENT: Chris Weddle, P.E. PHONE: (813) 643-9907
ADDRESS/CITY/ZIP: 610 East Morgan Street, Brandon, Florida 33510
OTHER REPRESENTATIVE: PHONE: ()
ADDRESS/CITY/ZIP:
Chris@auroracivi(.com
P1

# **AFFIDAVIT OF OWNERSHIP**

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAME OF ALL PROPERTY OWNERS, being first duly sworn, de	epose(s) and say(s):
---	----------------------

#### **TSE Industries**, Inc.

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:

ADDRESS OR GENERAL LOCATION:

5260 113th Avenue North, Clearwater, Florida 33760

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach:

See attached Sketch and Legals. (Note: There are 2 separate easements being vacated)

2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):

Cannot build structure over utility easement. The existing easement will be rerouted around the building at site two.

Also, the City of Pinellas Park requested to vacate a portion of the existing easement that passes under the existing building.

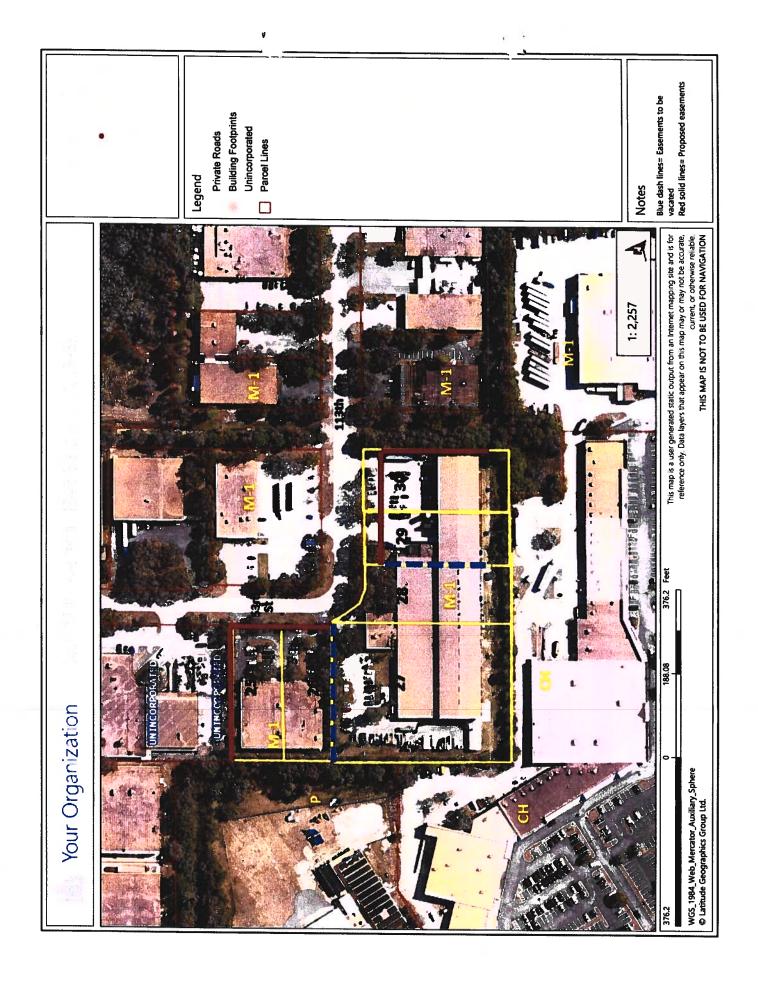
- 3. That the undersigned (has/have) appointed and (does/do) appoint <u>Chris Weddle</u> as (his/their) agent(s) to execute any petitions or other documents necessary to affect such application.
- 4. That this affidavit has been executed to induce the City of Pinellas Park, Florida, to consider and act on the above described property; to include City representatives to enter upon property to make inspections as are necessary to visualize site conditions and/or determine compatibility.

SIGNED (PROPERTY OWNER)

SIGNED (PROPERTY OWNER)

STATE OF FLORIDA COUNTY OF PINELLAS	The foregoing instrument was acknowledged before me this Right 9, 2018 by Rishard K. KImge (Date)
	(Name of person acknowledging and title of position)
RICHARD T. CATALANO Commission # GG 153781 Expires December 1, 2021 Bonded Thru Troy Fain Insurance 800-385-7019 (SEAL ABOVE)	who is personally known to me or who has produced
	(Name of Notary typed, printed or stamped)

VACATE.APL - Revised 9/20/17



**Staff Report** 

File #: 18-696, Version: 1

Agenda Date: 1/10/2019

ORDINANCE NO. 4077. AN ORDINANCE OF THE CITY OF PINELLAS PARK, FLORIDA ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITH UNDERLYING "B-1" GENERAL COMMERCIAL ZONING ON CERTAIN PARCELS OF LAND GENERALLY LOCATED AT 3660 GANDY BOULEVARD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN AND SUPPORTING DOCUMENTATION FOR PROPOSED RETAIL PLAZA AND CONVENIENCE STORE WITH A GAS STATION; CERTIFYING CONSISTENCY WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE - (PUD 2015-6(R)2/BOA 2018-34/ MS 2018-27, Friends of Strays, Inc.)

# PUBLIC HEARING SECOND AND FINAL READING - QUASI-JUDICIAL

# (Speaker - Erica Lindquist, Planning & Development Review Manager)

NOTE: This is a request to amend a CPUD (Commercial Planned Unit Development) with underlying B-1 General Commercial Zoning for the development of a proposed 10,600 square foot retail plaza and convenience store with waivers and variances to the following: a variance to increase impervious surface area on both parcels; a variance to reduce the structure setback from 20 feet to 18 feet along the north, second front yard; and a waiver to reduce the required vehicular use area buffer at the right-of-way from 6 feet to 3 feet on both parcels. At its public hearing on November 1, 2018, the Planning and Zoning Commission recommended APPROVAL of this ordinance, subject to the following conditions:

1. Development controls are established through the development order, consisting of the application, staff report, and preliminary and final site plans, along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by Landmark Engineering and Surveying Corporation last revised on September 6, 2018, and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of CPUD adoption.

2. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.

3. A portion of the City of Pinellas Park's parcel of land, although not included in the PUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

# File #: 18-696, Version: 1

(C18 on 12/13/2018 Agenda)

ACTION: (Pass - Deny) Ordinance No. 4077. Public hearing second and final reading - quasi-judicial.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PINELLAS PARK, FLORIDA ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITH UNDERLYING "B-1" GENERAL COMMERCIAL ZONING ON A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 3660 GANDY BOULEVARD AND MORE PARTICULARLY DESCRIBED EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN AND SUPPORTING DOCUMENTATION FOR COMMERCIAL Α "CPUD" PLANNED UNIT DEVELOPMENT; IMPOSING CONDITIONS OF DEVELOPMENT; CERTIFYING CONSISTENCY WITH THE ADOPTED COMPREHENSIVE PLAN; CITY'S PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (PUD 2015-6(R)2/BOA 2018-34/MS 2018-27, Friends of Strays, Inc.)

WHEREAS, the City Council adopted Ordinance #3965 on December 22, 2015 (PUD 2015-6) adopting a ``CPUD'' (Commercial Planned Unit Development) Master Plan and supporting documentation for the purpose of controlling development within the CPUD; and

WHEREAS, the City Council has now been petitioned to consider a Major Amendment to the CPUD Master Plan for development of the 1.85 acre (MOL) parcel; and

WHEREAS, the City Council has determined that it is in the public interest to authorize and approve a modification of the adopted CPUD Master Plan with underlying ``B-1'' General Commercial zoning generally located at 3660 Gandy Boulevard as herein provided; and

> - 1 -P2

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

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That the attached revised CPUD Master Plan, attached hereto as EXHIBIT "B" dated September 6, 2018 and prepared by Landmark Engineering and Surveying Corporation, is hereby adopted for the purpose of controlling development on the 1.85 acre (MOL) parcel of land generally located at 3660 Gandy Boulevard and more particularly described as follows:

THAT PARCEL LEGALLY DESCRIBED IN **EXHIBIT ``A''** WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

**SECTION TWO:** That the following attached **Exhibit "B"** shall be controlling as to the development of said commercial development, and is adopted as part of this ordinance as:

**EXHIBIT "B"**- MASTER PLAN dated September 6, 2018 and prepared by Landmark Engineering and Surveying Corporation and, that the following conditions of approval be adopted:

1. Development controls are established through the development order, consisting of the application, staff report, and preliminary and final site plans, along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, dated September 6, 2018 and prepared by Landmark Engineering and Surveying Corporation, and as may be directed by City Council to

> - 2 -P2

Ordinance No.

revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of "CPUD" Commercial Planned Unit Development adoption.

- 2. The developer shall contribute the cost of 174 hedges and 13 trees into the City of Pinellas Park's Tree Bank Fund account prior to approval of the Final Site Plan.
- 3. A portion of the City of Pinellas Park's parcel of land, although not included in the CPUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

SECTION THREE: That the City Council does hereby certify that this Ordinance is consistent with the City's Comprehensive Plan and elements thereof adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act.

**SECTION FOUR:** That all Ordinances, or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

**SECTION FIVE:** That this Ordinance shall become effective immediately upon its final passage and adoption.

3

Ordinance No. \_\_\_\_

PUBLISHED THE	DAY OF	, 2018.
FIRST READING	DAY OF	, 2018.
PUBLIC HEARING THE	DAY OF	, 2019.
PASSED THIS	DAY OF	, 2019.
AYES:		
NAYES :		
ABSENT:		
ABSTAIN:		
APPROVED THIS	DAY OF	, 2019.

Sandra L. Bradbury MAYOR

ATTEST:

Diane M. Corna, MMC CITY CLERK

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

#### EXHIBIT ``A''

PARCEL ONE:

LOTS 26, 27, 28, 56 AND 57, BLOCK 6 HOMELAND SUBDIVISION, AS RECORDED IN PLAT BOOK 6, PAGE 29, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND TRACT "A" COMFORT'S REPLAT, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 57, PAGE 57, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION THEREOF TAKEN FOR RIGHT-OF-WAY AND LYING WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 30 SOUTH, RANGE 16 EAST, SAID CORNER BEING 1326.49 FEET NORTHERLY OF THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4; RUN THENCE NORTH 89°41'46" EAST, 502.71 FEET; THENCE SOUTH 89°48'14" EAST, 790.77 FEET TO A POINT OF BEGINNING; RUN THENCE SOUTH 31°57'04" EAST, 397.67 FEET; THENCE NORTH 58°02'56" EAST, 50 FEET; THENCE NORTH 30°35'26.5" WEST, 148.13 FEET; THENCE NORTH 31°57'04" WEST, 103.35 FEET; THENCE NORTH 25°47'34.1" WEST, 70.88 FEET; THENCE NORTH 10°32'02.9" EAST, 52.34 FEET; THENCE NORTH 45°15'31.8" EAST, 71.12 FEET; THENCE NORTH 53°01'09.5" EAST, 172.08 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 42 FEET: THENCE EASTERLY, ALONG SAID CURVE 76.17 FEET, THROUGH A CENTRAL ANGLE OF 103°54'37" TO THE END OF SAID CURVE; THENCE NORTH 66°55'46.1" EAST, 20 FEET; THENCE SOUTH 23°04'13.9" EAST, 27.74 FEET; THENCE NORTH 66°55'46.1" EAST, 13.36 FEET; THENCE NORTH 45°03'46" EAST, 7.16 FEET; THENCE NORTH 23°04'13.9" WEST, 24.48 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEASTERLY HAVING A RADIUS OF 82 FEET; THENCE NORTHEASTERLY, ALONG SAID CURVE, 108.90 FEET THROUGH A CENTRAL ANGLE OF 76°05'23" TO THE END OF SAID CURVE; THENCE NORTH 53°01'09.5" EAST, 3.58 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWESTERLY, HAVING A RADIUS OF 2299.83 FEET; THENCE NORTHEASTERLY, ALONG SAID CURVE, 440.87 FEET THROUGH A CENTRAL ANGLE OF 10°59'01" TO THE END OF SAID CURVE; THENCE NORTH 42°02'08.8" EAST, 313.18 FEET; THENCE NORTH 44°56'14" WEST, 74.53 FEET; THENCE SOUTH 45°03'46" WEST, 1208.60 FEET; THENCE NORTH 89°48'14" WEST, 45.63 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH PARCEL TWO:

LOTS 81, 82, 83, 84 AND 85, BLOCK 7, HOMELAND SUBDIVISION, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 29, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS AND EXCEPT THAT PART OF LOTS 84 AND 85 LYING WITHIN FRANCIS STREET OR 35TH WAY N. FOR ROAD RIGHT-OF-WAY PURPOSES.

- 5 -

**P**2

Ordinance No. \_\_

#### TOGETHER WITH PARCEL THREE:

THAT PORTION OF AVENUE "B" AS PER THE PLAT OF COMFORT'S REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57, PAGE 57, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, AS VACATED BY RESOLUTION NO. 06-02 RECORDED JANUARY 19, 2006 IN OFFICIAL RECORDS BOOK 14882, PAGE 1855.

TOGETHER WITH RIGHT-OF-WAY VACATION PARCEL: (PER OR BK 18965 PG 2570)

THAT PORTION OF THE 25 FOOT WIDE CYPRESS TERRACE STREET RIGHT-OF-WAY DEDICATED AS AVENUE "C", LYING EASTERLY OF AND ADJACENT TO LOT 56, HOMELAND SUBDIVISION, AS RECORDED IN PLAT BOOK 6 PAGE 29 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 56 OF SAID HOMELAND SUBDIVISION; THENCE N.31°56'28"W., 49.90 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 56 TO THE NORTHEAST CORNER THEREOF AND THE SOUTHERLY BOUNDARY LINE OF TRACT 'A", COMFORT'S REPLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 57, PAGE 57, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S.89°53'08"E., 29.50 FEET ALONG SAID SOUTHERLY BOUNDARY LINE TO THE NORTHWEST CORNER OF TRACT "C" OF SAID COMFORT'S REPLAT; THENCE S.31°56'28"E., 34.24 FEET ALONG THE WESTERLY BOUNDARY LINE OF SAID TRACT "C" TO THE SOUTHWEST CORNER THEREOF AND THE NORTHERLY RIGHT-OF-WAY LINE OF 35TH WAY COURT; THENCE S.58°03'32"W., 25.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.



# EXHIBIT "B"

# MASTER SITE PLAN (prepared by Landmark Engineering & Surveying Corporation) Last revised September 6, 2018

- 7 -P2 Ordinance No. \_\_\_\_\_

# PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

October 17, 2018

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North SL Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



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Ms. Erica Lindquist Interim Planning & Zoning Manager City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

# RE: City Document #18-325 Ordinance PUD 2015-6(R)2, Friends of Strays, Inc.

Dear Ms. Lindquist:

I have received and reviewed the above-referenced ordinance. I note that the title of the ordinance starts with the ordinance number. The ordinance number only needs to appear at the top of the document, and does not need to be included in the title.

Under Section Two of the ordinance, the first condition needs to be updated to refer to the site plan prepared by Landmark Engineering and Surveying Corporation last revised on September 6, 2018.

Once the above changes are incorporated, and assuming that the legal description in Exhibit A is correct, I would approve of the ordinance as to form and correctness.

Very traily yours.

James W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Deputy City Manager Susan Walker, Community Development Administrator

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	STAFF REPORT				
CASE NUMBER	R: PUD 2015-6R2; BOA 2018-34;	OWNER: Friends of Strays, Inc.			
	MS 2018-27	AGENTS: SC MGT,LLC			
PZ HEARING:	November 1, 2018	Landmark Engineering & Surveying Corp.			
CC HEARING:	December 13, 2018 (1 <sup>st</sup> Read)				
	January 10, 2019 (Public Hearing)				

# I. <u>GENERAL INFORMATION</u>

A. Request:

Consideration of a request for a Major Amendment to a previously approved "CPUD" Commercial Planned Unit Development overlay and Master Plan for the development of a proposed 10,600 square foot retail plaza and convenience store in the "B-1" General Commercial Zoning District with waivers and variances to the following: a variance to increase impervious surface area on both parcels; a variance to reduce the structure setback from 20' to 18' along the north, second front yard; a waiver to reduce the required vehicular use area buffer at the right-of-way from 6' to 3' on both parcels. CPUD is required as a mechanism to include non-contiguous land into the development order.

В.	Proposed use:	Convenience store and Retail plaza
C.	Location:	3660 Gandy Boulevard
D.	Site Area:	1.85 acres (MOL)
E.	Land Use Plan Designation:	(CRD) Community Redevelopment District
	Zoning Classification:	"B-1" General Commercial
F.	Public Notification:	October 12, 2018
G.	Legal Advertising:	October 12, 2018
H.	Legal Description:	See attached Exhibit "A"

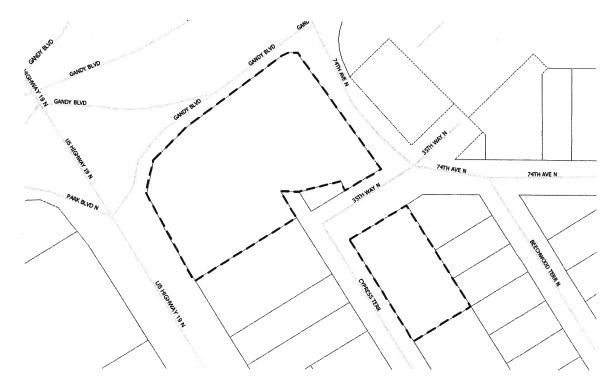
# II. SITE AND VICINITY CHARACTERISTICS

## A. Zoning/Development History:

The south parcel, to be used as a parking lot, was platted in the Homeland Subdivision, recorded in 1924. The north parcel was platted in the Comfort's Subdivision Replat approved by the Town Council on May 26, 1960. According to the Property Appraiser's website, the existing 7,949 square foot structure was built in 1966. In 1989, a restaurant renovation permit was issued by the Building Division. Over the years, there have been multiple restaurants occupying the site, to include Olde Villa and Shackleton's. In 1995, Friend's of Strays Thrift Shop was established and operated on the site until February 2014. From 2002 until today, there have been multiple temporary tent sales conducted in the parking lot at the site which included fireworks, tools, produce, etc.

The proposed development plan is to demolish the existing structure and build a new 16,760 square foot retail plaza with vehicular use area surrounding the building and a satellite parking lot on the parcel directly across 35<sup>th</sup> Way to the southeast. That parcel is currently being used as a parking lot and 52 spaces will be resurfaced. On October 8, 2015 V 2015-4 was approved by City Council and adopted Resolution 15-22.

On October 22, 2015 PUD 2015-6/BOA 2015-34/MS 2015-31 was approved by City Council and adopted Ordinance 3965. On April 17, 2017 PUD 2015-6(R) was approved by staff for a minor amendment for building footprint and parking data correction.



P2

B. Site Characteristics:

There is currently a 7,949 square foot structure on the north lot. The southeast lot is an existing parking lot with two curb cuts along 35th Way and two on Cypress Terrace which has no interior green space. A right-of-way vacation (V 2015-4) Resolution 15-22 was adopted by City Council vacating a portion of Cypress Terrace that dead-ends into the property. East of that, a portion of a City of Pinellas Park Lift Station encroaches into the applicant's property.

AREA	ZONING	LAND USE	EXISTING CONDITIONS
NORTH	"B-1"	CRD	J Howard Designs Formalwear
SOUTH	"B-1"	CRD	Dunkin Donuts
EAST	"R-5"/"R-4"	CRD/RLM	Lauren Manor West Condos, Single Family Dwellings
WEST	"B-1"	CRD	Shoppes at Park Place

C. Vicinity Characteristics:

D. **Essential Services Summary:** 

> Planning & Zoning Director: Objection/comment FDOT plans may adversely impact proposed site. A less intense development would be able to function better after proposed taking.

**Building Division Director:** 

Life Safety Management:

Objection Provided the setback reductions do not affect Fire Department access, amendment approved. RESPONSE: Setback reductions will not affect fire access.

Police Department Crime Prevention Officer:

No objections, but comment: The building on the northwest portion is close to the intersection, where accidents do occur. Might want to consider this when making a buffer or something to prevent a vehicle striking the building.

Public Works Divisions:

Public Works Administrator:

Engineering Services Director:

I approve the specific request with two conditions:

1. The SWFWMD must approve the development and approve the requested increase in impervious surface.

RESPONSE: There will actually be a reduction of impervious area for the project. It will be exempt from SWFWMD permitting.

2. There is also an illicit/unpermitted stormwater connection at the south end of the separate parking lot that needs to be removed. This consists of a yard drain inlet with undersized PVC pipe in the southeast corner of the parcel that connects to a road inlet in the right-of-way at the southwest corner.

Objection No objection

No objection

RESPONSE: This is unknown at this time. During permitting this can be addressed and resolved.

The additional comments below will need to be addressed for permitting/development but are not a condition of this specific request. I would like to bring attention to these items so that there are no surprises.

- This site has a petroleum contamination. Please consult with the FDEP and any additional required permitting and/or requirements.
   RESPONSE: The contamination removal was completed this year.
- This site most likely will have a taking in the near future for an upcoming FDOT widening project. Please consult with the FDOT about permitting, the site plan, and the proposed fuel

tank locations, etc. RESPONSE: The developers have been in contact with FDOT. At this point, FDOT does not have definite plans for US-19.

- Need more details for the City owned parcel that contains the lift station.
   RESPONSE: An agreement was worked out originally with City staff providing an easement over the city-owned parcel where there are no utilities. In return, an easement would be granted to the City where the lift station encroaches onto the privately owned subject parcel.
- The proposed dumpster enclosure cannot encroach the City owned parcel. RESPONSE: The dumpster enclosure has been relocated to not encroach the city-owned parcel.
- The 35<sup>th</sup> Way N. driveway connection may not be permitted. Need more details. RESPONSE: The access is existing and was agreed upon during the original CPUD. Driveways to the Gandy Blvd. ramp, as well as the northern access on US-19, will be removed. This access is needed as it will provide direct access to the overflow parking lot.

The separate parking lot has too many driveway connections. Please reconfigure or discuss waivers. All unused driveway aprons must be removed from the right-of-way.

RESPONSE: The overflow parking lot currently has four (4) driveway aprons, which I believe were installed by the City when improvements were made to 35th Way and Cypress Terrace. The current plan is to remove the two (2) entrances onto Cypress Terrace.

Utilities Division Director: Need more detail. Show lift station #20 in respect to variance.	No objection/ comments
Transportation & Stormwater Director:	No objection
PPWMD Executive Director:	No objection

Community Redevelopment Coordinator

Observations/concerns

My observations/concerns are with regard to how the development, specifically traffic flow entering and exiting the development, would coincide with the Forward Pinellas Gateway Area Mid County Master Plan and the FDOT's US 19 and Gandy Blvd. Interchange Improvements which are currently planned for the area.

#### FDOT

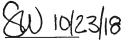
#### Observations/concerns

We are preparing for a Public Hearing for the PD&E along US 19 from 66<sup>th</sup> Ave to 118<sup>th</sup> Ave N. The attached pdf show the proposed improvements along the corridor and at the US 19 and Gandy Blvd interchange. I have also attached the PH invitation for your reference. Can you please forward the public hearing invitation to the developer in case there's any questions about the improvements? RESPONSE: This message was forwarded to the developer.

Can you please ask the applicant to schedule a pre-application meeting to discuss the proposed access? There are concerns with the location of the access and proposed parking within the driveway throat.

REPSONSE: The developers have been in contact with FDOT. At this point, FDOT does not have definite plans for US-19.

Community Development Administrator:



#### III. MASTER PLAN REVIEW

A. Ingress and egress to the development and proposed structures and all with particular reference to automotive and pedestrian safety, separation of automotive traffic and control, provision of services and servicing of utilities and refuse collection and ingress/egress in case of fire, catastrophe and emergency.

<u>Analysis</u>: All interior circulation provided for access to adjacent parking areas shall be privately owned and maintained by the property owner. As stated in the comments there are interchange improvements currently planned for US 19 and Park Boulevard that may negatively impact this development. The applicant is working with FDOT in regards to these comments. The site plan proposes three ingress/egress to the property. These are located along US 19, 74<sup>th</sup> Avenue and 35<sup>th</sup> Way. The US Hwy 19 drive aisle is proposed at 35 feet wide. The drive aisle along the north side of the property (74<sup>th</sup> Avenue) is proposed at 20 feet wide, and the drive aisle along the south side of the property (35<sup>th</sup> Way) is proposed at 24 feet wide. The second parcel with additional parking will have one-way access lanes to and from 35<sup>th</sup> Way that are proposed at 15 feet wide with diagonal parking. There are City water, sewer and reclaimed water services on this property. One dumpster enclosure is proposed on the southeast corner to accommodate for the business conducted at the site.

Traffic impacts are as follows:

1. Characteristics:

ACCESS / DESIGNATION		
US Highway 19	Arterial	
35 <sup>th</sup> Way	Local	
74 <sup>th</sup> Avenue	Local	
EXISTING CONDITIONS		
US Highway 19	6-lane divided	

US Highway 19	6-lane divided	
35 <sup>th</sup> Way	2-lane undivided	
74 <sup>th</sup> Avenue	2-lane undivided	

2. Trip Generation:

BY PREVIOUS USE - Discount Store
(56 trips/1,000 sf) x 7,181 sf = 402.14 trips per day
BY PROPOSED USE - Convenient Store + Retail
(887 trips per store over 3,000 SF = 887 trips per day
(887 trips per store over 3,000 SF = 887 trips per day (94.7 trips/1,000 sf) x 10,600 sf = 1003.82 trips per day TOTAL = 1 890 82 trips
TOTAL = 1,890.82 trips
DIFFERENCE
The proposed uses have a potential to increase trip generation by 1,891 trips per day.

3. Level of Service:

US Highway 19	LOS E	
35 <sup>th</sup> Way	N/A	
74 <sup>th</sup> Avenue	N/A	

Note: Level of Service is not assigned to local streets.

B. Location and relationship of off-street parking and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

<u>Analysis</u>: Internal traffic will be guided by interior islands and directional arrows. There will be signage directing customers to the additional satellite parking lot. All access aisles are wide enough for emergency vehicles. Landscaping will not be added to the parking parcel since the vehicular use area is not being expanded on that lot. There is an existing six foot solid wood fence along the northeast perimeter which belongs to the residential property owners. Otherwise, additional buffers or screens are not required. There is a waiver requested to the streetscape buffer along Gandy Boulevard in order to provide space for a 20 foot drive aisle and the two commercial structures.

C. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes, and other nuisances.

<u>Analysis:</u> PUD regulations provide for flexibility of setbacks subject to certain criteria, such as: character of the surrounding land, impact on abutting development, and the nature of proposed development. With exception to the requested waivers all other landscape requirements shall be met.

Exterior setbacks proposed for the entire PUD are: Fronts – 20 feet (abutting US 19, Gandy Blvd, 74<sup>th</sup> Avenue and 35<sup>th</sup> Way) Side – 5 feet (to the south)

The proposed setbacks will make the project compatible with the surrounding developments. The buffers along US 19 and 74<sup>th</sup> Avenue may not provide adequate streetscape after FDOT taking. The applicant is requesting a waiver to reduce the streetscape buffer along Gandy Blvd. and the perimeter buffer around the overflow parking lot. See Section V below for landscape waiver criteria and analysis.

D. Drainage on the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. City Council may grant approval, subject to approval by the City Manager, or his designee, of a drainage plan as required by the City Drainage Code.

Analysis: There is no stormwater retention/detention noted on the preliminary PUD plan. The applicant is pursuing a SWFWMD exemption and further drainage details will be reviewed with Final Site Plan Review. The applicant intends to address this during permitting.

E. Availability and compatibility of hook-in locations between the project and necessary utilities.

<u>Analysis</u>: Existing infrastructure for water and sewer services is adequate and reasonably available to meet the needs of the site. Lift station #20 is located on a 1,568 square foot parcel deeded to the City at the corner of 35<sup>th</sup> Way and Cypress Terrace.

F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effects, and compatibility and harmony with adjacent properties.

<u>Analysis</u>: Any signage desired will need to meet the requirements of Article 6, Signs, of the Land Development Code and will be reviewed with Final Site Plan Review. Exterior lighting shall be controlled through the use of cut-off fixtures.

G. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development surrounding landscape.

<u>Analysis</u>: The new structure on the north lot will be situated to face US 19. The parking lot to the south will have no structures added to it and is proposed for parking only. The physical characteristics of the site appear to be in harmony with the character of the neighborhood. No recreational facilities are included as this application has no residential component.

H. Proximity, relationship and compatibility of existing and proposed surrounding land use.

<u>Analysis</u>: The previous permanent use on this property was a thrift store and animal shelter. Over the past 10 years, there have been various temporary tent sales occupying the property. The proposed use appears to be consistent with the neighborhood and the Comprehensive Plan. There is an

existing 6 foot solid wood fence to the east of the parking parcel to buffer the single family homes. A landscape plan has not been submitted as part of this application. This road is arterial and faces a flyover which would not particularly require a larger buffer.

I. General amenities included as part of the development to complement the character of the surrounding area.

Analysis: This does not apply to a CPUD.

J. Treatment and location of handling of solid waste disposal.

<u>Analysis</u>: A dumpster enclosure is proposed for the new building near the corner of 35<sup>th</sup> Way and 74<sup>th</sup> Avenue.

K. Landscaping and preservation of natural or man-made features of the site including trees and other vegetation.

<u>Analysis</u>: A full landscaping plan is not part of this approval. This will be required at Final Site Plan Review. However, as stated above, a waiver is requested to reduce the streetscape buffer along Gandy Boulevard from six feet to three feet. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.

# IV. Sec. 18-1537.2. VARIANCE REVIEW CRITERIA (BOA 2018-34)

Variances from the terms of this Ordinance shall not be granted by the City Council sitting as the Board of Adjustment unless and until a written application for the variances is submitted demonstrating:

- 1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same district.
- 2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- 3. That the special conditions and circumstances do not result from the actions of the applicant.
- 4. That granting the variances requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.
- 5. The City Council shall further make a finding that the reasons set forth in the application justify the granting of the variances, and that the variances are the minimum variances that will make possible the reasonable use of the land, building or structure.

The City Council shall further make a finding that the granting of the variances will be in harmony with the general purpose and intent of this Ordinance, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

(A). Request for variance to Section 18-1520.4, *Maximum Lot Coverage*, to provide for 84% impervious surface.

<u>Analysis</u>: The existing condition of this site is at 90% impervious surface which makes this a 6% reduction with new development. The satellite lot is also at 90% and is being reduced to 84%. The intent is to improve the property while also providing for a reasonably sized retail plaza and convenience store/gas station. A similar variance was approved by the Community Redevelopment Agency at 7201 US 19 for 88% lot coverage in 2012 (BOA 2013-03).

(B). Request for variance to section 18-1520.4(B), *Setbacks*, to provide for a 18' foot setback along the Gandy Boulevard frontage for the 4,000 square foot convenience store. This may be

<u>Analysis</u>: The site is proposed to have two structures. The 4,000 gross square foot convenience store is proposed at 18.0' along Gandy Boulevard. The second structure will meet structure setbacks.

# V. <u>SECTION 18-1533.22.</u> WAIVERS (LANDSCAPE) (MS 2015-31)

In determining whether any requirements of this Section should be waived, the City Council or Community Redevelopment Agency, as applicable, shall consider the following criteria:

- 1. Purpose of Requirement. Whether the purpose of the requirement is otherwise fully achieved, or more important purposes of this Ordinance, the Comprehensive Plan, or the Community Redevelopment Plan will be served thereby, or the requirement serves no valid public purpose in the particular case;
- 2. Public Interest, Adjacent Property. Whether the waiver will create an adverse impact; on the public interest or on the adjacent property, and whether all necessary alternative measures shall be taken by the applicant to prevent any such impact;
- 3. Property Size Configuration, Natural Feature. Whether the size, configuration, and/or natural features of the property involved present a hardship on the development of the property;
- 4. Surrounding Property. The size, character, configuration, zoning, natural features of and use of the surrounding property; and
- 5. Hardship. Whether the need for the waiver is the result of a self-imposed hardship.
- (A). A waiver to the minimum streetscape buffer width to provide for 3' width along Gandy Boulevard, from 6.0 feet to 3 feet along Gandy Boulevard and also for the satellite parking lot.

<u>Analysis</u>: The purpose of this requirement will be fulfilled by way of landscaping throughout the remaining area of the site. Any required trees will be placed elsewhere on the property or calculated as a contribution to the City's Tree Bank Fund. This waiver does not appear to present any adverse affects to neighboring properties considering the project will improve the site and the property fronts two major arterial roadways. With this area having a flyover intersection, streetscape buffering is not necessarily pertinent to the site.

# VI. DEVELOPMENT CONSIDERATIONS

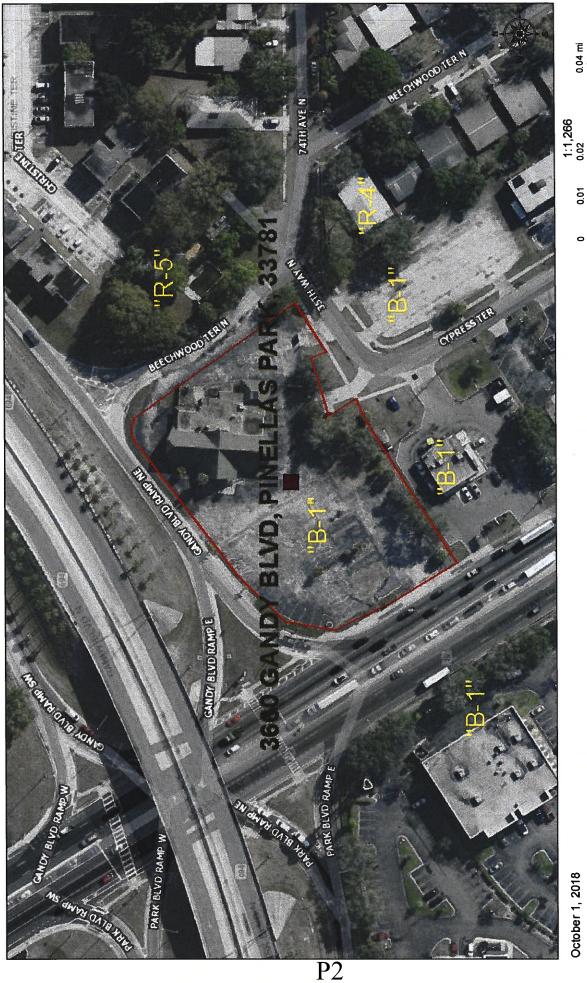
- 1. Application for building permits shall be submitted within six (6) months of Master Plan approval.
- 2. Any required landscaping not included in this application will be counted toward a contribution to the City's Tree Bank Fund.
- 3. Any proposed signage shall be in compliance with Article 6. Signs, of the Land Development Code.
- 4. The developer shall provide such documents as referenced in Section 18-1529.4 relative to unified control and assurances related to completion of the project.

# VII. MOTION

After review of the Master Plan and the review criteria of Section 18-1539.3 and the review criteria associated with variances and landscape waivers, I move to APPROVE/DENY Case Nos. PUD 2015-6(R)2/BOA 2018-34/MS 2018-27 for the adoption of a Master Plan within a "CPUD" Commercial Planned Unit Development overlay ("B-1" underlying zoning) or a zoning classification of lesser intensity as identified in Chapter 18, Land Development Code of the City Code of Ordinances on 1.85 acres (M.O.L.) of land generally located at 3660 Gandy Boulevard; with variances/waivers to the following: streetscape buffer width, maximum lot coverage and structure setback; subject to the following conditions:

- 1. Development controls are established through the development order, consisting of the application, staff report and preliminary and final site plans, along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by Landmark Engineering and Surveying Corporation last revised on September 6, 2018, and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of "CUD" Commercial Planned Unit Development adoption.
- 2. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.
- 3. A portion of the City of Pinellas Park's parcel of land, although not included in the PUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

# PUD 2015-6R2/BOA 2018-33/MS 2018-27



Centerlines

Private Roads

2018

Gty of Pinelias Park, Jason A. Griffin, Kevin Marlow Sources: Esch, HERE, Garm, Intermey, Increment P. Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geodasse, IGN, Kadester NL, Orcharce Suney, Esri Jagan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap

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# CITY OF PINELLAS PARK PLANNING AND ZONING COMMISSION MINUTES REGULAR MEETING - QUASI-JUDICIAL

DATE:

November 1, 2018

The meeting was called to order at 7:00 p.m. by Dennis Shelley Chairperson, Planning and Zoning Commission.

PRESENT:	Dennis Shelley, Chairperson
	James Madden, Vice Chairperson
	Louis Bommattei
	Zachary Hancock
	Brenda Braitling
	Munaf Kapadia
	Neil Kummerer Jr.

ABSENT: None

STAFF PRESENT: Erica Lindquist, Planning & Development Review Manager Melissa Thrumston, Interim Senior Planning & Development Analyst Rebecca Stephenson, Planning & Development Analyst, Notary Nicole Tikkanen, Planning & Development Staff Assistant Lauren Rubenstein, Asst. City Attorney

CONSULTANT: Michael Lauer, AICP, of Michael Lauer Planning

APPROVAL OF MINUTES: September 6, 2018 and October 4, 2018

<u>Mr. Madden</u>: changes that need to be clarified to the minutes. Pg. 2 M. H evaluations should say stash non-conforming use of mobile homes Key changes, same page from prior drafts second bullet should say categories FROM, not form

Mr. Shelley: Any other changes?

<u>Mr. Madden</u>: I guess the Last item on the same page, Attorney Denhart said "adjacent property persons". Do they have to be directly abutting to qualify as an aggrieved person? Because we deal with issues that affect the entire community, which in turn would mean they're all aggrieved.

<u>Ms. Rubenstein</u>: I was not at that meeting so I have to make an answer without looking into it. The statue provides for what an affected party is. So I'm not sure if this was a different situation that they were specifically speaking about where they were limiting it to adjacent properties. And I would also have to look at what he was referring to.

# QUESTIONS FOR STAFF

Mrs. Ruberistein: Carlos, on the rezoning, are you going to make the same request?

# <u>Mr. Yepes</u>: Yes.

<u>Mr. Shelley</u>: At this time, the case before us was tabled. I recommend this case be tabled as well, but cannot make that motion. At this time, I will entertain a motion. Yes, Mr. Madden?

<u>Mr. Madden:</u> Since this is a companion case to the Land Use Plan Amendment, I agree that we table this to the December 6<sup>th</sup> meeting as well.

MOTION was made by Mr\_Madden and SECONDED by Mr. Kapadia to

TABLE Case Z 2018-1 (QUASI JUDICIAL)

ROLL CALL VOTE

Ayes: Hancock, Braitling, Bommattei, Kapadia, Kummerer, Madden, Shelley Mays:

# MOTION CARRIED UNANIMOUSILY

- 4. CASE NO.: PUD 2018-6R/BOA 2018-34/MS 2018-27
  - REQUEST: Consideration of a request of a major amendment to a CPUD overlay and Master Plan for the development of a 4,000 square foot convenience store and gas station and a 6,600 square foot retail plaza on a 1.85 parcel of land.
  - LOCATION: 3660 Gandy Blvd.

Name: Friends of Strays, Inc.

Address: 2911 47th Avenue North, St. Petersburg, FL 33714

# QUESTIONS FOR STAFF

<u>Mr. Madden</u>: Did you get a full size plan? I really had difficulty. I couldn't read the plan. It went back and forth whether the FDOT needed some right of way, or not.

<u>Mrs. Thrumston</u>: FDOT has proposed a taking, in the future. We don't know if it's going to happen in 5 or 10 years, or so, but they are proposing a major reconstruction of that intersection. There was a public hearing the other night, and there are plans, but at this time, it is still under the proposed phase.

<u>Mr. Madden</u>: I don't want to unduly enrich the applicant by approving some plans where FDOT comes in and says "if you didn't approve that plan, we wouldn't have to pay a million dollars for a parking spot." If they're 5-10 years out, I have no problem going forward with it, which is appropriate for the property owner to use his property.

<u>Ms. Braitling</u>: I did attend the FDOT public hearing, and comments are still open for a few days. What they made very clear is that businesses along the road, down to Haines Road, 16 businesses are going to be removed. Friends of Strays indicated on the map, where the current building is, is ok. The only thing they had mentioned on that particular map was that it was a potential contamination. They are doing the development on that side of the road, and not on the mall side of the road.

# Mr. Madden: Did they give you a time table?

<u>Ms. Braitling:</u> The time table is not funded, but they are intending to do the design. They could achieve funding as early as 2019. The design process would begin in 2019. 2023 is about the time I think they would be actually doing things. They did indicate on some of the papers regarding your question of enrichment, they indicated they would be looking at occupancy and normal functioning of business. Now, if we're changing the location of the buildings, closer to that ramp, it may be impacted.

<u>Ms. Lindquist</u>: I was also at that meeting, and I did see one map that definitely shows this property being impacted. It was a map with a red line through the properties, and it appears to cut through this property on the US 19 side.

# PUBLIC HEARING OPENED

David Wright: 500 S. Himes Ave, Tampa, FL 33609. I have been sworn in. I'm presenting a request Major Amendment to a previously approved Commercial Planned Unit Development overlay and Master Plan for the development of a proposed 10,600 square foot retail plaza in the "B-1" General Commercial Zoning District. The site is an existing commercial tract. It is somewhat of an eyesore. It's been vacant since 2013. There was ground contamination, petroleum. The applicant is the contract purchaser, and has gone in and cleaned the site. The request includes variances and waivers to reduce the required vehicular use area buffer at the right of way from 6' to 3'; to increase impervious surface area to 84%, to reduce the setback from 20' to 15' along 74th Avenue. Correct me if I'm wrong, the FDOT is currently in PD&E studies. I've seen the same map. FDOT was notified of this request, they were given the opportunity to comment and they have no objections. They only ask that we contact them to schedule a pre-application meeting, which we've done.

## Mr. Madden: Do you have a larger plan than this?

<u>Mr. Wright</u>: I actually did not file this application. I was brought in to assist with this. I was given a full size copy though, and I'd be happy to give this to you.

Ms. Braitling: I was having trouble understanding what the 3-lane thing was about. Can you explain?

<u>Mr. Wright</u>: There is a required buffer along the perimeter of the site. Because we have vehicular travel lanes within the property, and there's a required six foot buffer from back of curb to existing roadways. We're requesting to reduce that down to three feet. In some areas of the site, especially on the Gandy ramp, the buffer is already down to zero feet. So, yes, we are requesting a reduction form six feet to three feet, but there

are some portions of the existing property that will be increased.

Ms. Braitling: Do you know how that aligns with where the FDOT is going to put that ramp?

<u>Mr. Wright</u>: I saw the same map you did, and I didn't see any impacts on the Gandy ramp. I agree with you. There were definite impacts along Highway 19. There will be just two driveways connecting to 35<sup>th</sup> way on the north.

<u>Ms. Braitling</u>: Is there going to be a way to restrict the traffic to the parking lot, so people aren't just driving across it.

Mr. Wright: Absolutely.

<u>Mr. Madden:</u> Can you give us your justification for the waivers and variances that you're seeking? Like increasing impervious surface area.

<u>Mr. Wright</u>: We're actually not increasing the impervious area. We are increasing the pervious area. However, we're still going to be at a greater impervious area than allows.

Mr. Madden: It said reverse. You're asking for an increase in impervious.

<u>Mr. Wright:</u> Yes we are asking for more than allowed in the code. But we are actually asking for a decrease in what exists today.

Mr. Madden: But you're still not meeting the code. How about the variance reduction to the structure setback?

<u>Mr. Wright</u>: That's what was required to fit that size building on the site. But I've already said if that's an issue we'll withdrawal that request.

Mr. Madden: The waiver to reduce the required vehicular use area buffer right of way from 6 to 3 feet?

Mr. Wright: That was to put the pumps on the side.

<u>Britt Erickson</u>: 3903 North Dale Blvd. 100 East, Tampa, FL 33624. I've been sworn in. I've been involved with the project since the inception. I can answer a lot of historical reference points you may have. With that, a lot of the reasoning for these requests are with the awkward shape of the property, it's very hard to get into the property, and you can't move that driveway to allow for straighter access. That's why these variance requests are needed to make this development, and have something long standing for the community here.

Mr. Shelley: The driveway is far enough from that ramp?

<u>Ms. Erickson</u>: The center of discussions with DOT throughout this process, it was our original concern that DOT would have issues with this. We actually met with them because we wanted to attain the access point off of Gandy. We worked with them to do a safety upgrade, and have the access point off of 35<sup>th</sup>, and off 19. That was at their request. We have been very involved in their discussions.

Ms. Braitling: I just wanted to clarify the setback on the 4000 square foot. When you say you would withdrawal

that, what did you mean?

<u>Mr. Wright</u>: It means that if it's going to be a problem for this commission that we would withdrawal the request for that variance.

<u>Ms. Braitling</u>: So you would try to make that building fit? Or you would just stop the whole PUD? <u>Mr. Wright</u>: We would make the building smaller.

# PROPONENTS

None

# **OPPONENTS**

None

# PUBLIC HEARING CLOSED

<u>Ms. Braitling</u>: There aren't a lot of gas stations in that vicinity, going that direction. It would be a positive improvement for the vicinity. We don't know what's going to happen with FDOT.

Mr. Madden: On the one that already approved in 2015, did it have any variances?

Mrs. Thrumston: Yes. It had variances. I don't have the list with me.

Ms. Braitling: Was that the one that had the issue with the lift station that needed to be adjusted?

Mrs. Thrumston: Yes. The whole site plan is being re-written.

MOTION was made by Mr. Kapadia and SECONDED by Mr. Madden to

APPROVE CASE PUD 2015-6R/BOA 2018-34/MS 2018-27 with the following conditions.

- 1. Development controls are established through the development order, consisting of the application, staff report and preliminary and final site plans, along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by Landmark Engineering and Surveying Corporation last revised on September 6, 2018, and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of "CUD" Commercial Planned Unit Development adoption.
- 2. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.
- 3. A portion of the City of Pinellas Park's parcel of land, although not included in the PUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

# **ROLL CALL VOTE**

Ayes: Hancock, Braitling, Bommattei, Kapadia, Kummerer, Madden, Shelley Nays:

## MOTION CARRIED UNANIMOUSILY

LDC 2018-1 5. CASE NO .: AN ORDINANCE OF THE PINELLAS PARK CITY COUNCIL, AMENDING THE REQUEST LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING ARTICLE 15, ZONING, SECTION 18-1501 - ADMINISTRATIVE AND LEGAL PROVISIONS; SECTION 18-1502 - DEFINITIONS; SECTION 18-1503 -GENERAL PROVISIONS; SECTION 18-1504 - NONCONFORMITIES, SECTION 18-1505 - DISTRICT REGULATIONS; SECTION 18-1506 - "F" FARM DISTRICT; SECTION 18-1507 - "RE" SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT; SECTION 18-1508 - "RR" RURAL RESIDENTIAL DISTRICT; SECTION 18-1509 -"R-1" SINGLE FAMILY RESIDENTIAL DISTRICT; SECTION 18-1510 - "R-2" SINGLE FAMILY RESIDENTIAL DISTRICT; SECTION 18-1511 - "R- 3" SINGLE FAMILY RÉSIDENTIAL DISTRICT; SECTION 18-1512 - "R-4" DUPLEX. RESIDENTIAL DISTRICT; SECTION 18-1513 - "R- 5" MULTI-FAMILY RESIDENTIAL DISTRICT; SECTION 18-15/14 - "R-6" MULTI-FAMILY RESIDENTIAL ØISTRICT; SECTION 18-1515 - "T-1" MANUFACTURED HOME SUBDIVISION DISTRICT; SECTION 18-1516 - "J-2" MANUFACTURED HOME PARK DISTRICT; SECTION 18-1517 - "ROR" RESIDENTIAL/OFFICE/RETAIL DISPRICT: SECTION 18-1518 - "CN" NEIGHBORHOOD COMMERCIAL DISTRICT; SECTION 18-1519 -"GO" GENERAL OFFICE DISTRICT; SECTION 18-1520 - "B-1" GENERAL COMMERCIAL DISTRICT; SECTION 18-1521 - "MXD" MIXED USE DISTRICT; SECTION 18-1522 - "TC" TOWN CENTER DISTRICT; SECTION 18-1523 - "CH" HEAVY COMMERCIAL DISTRICT: SECTION 18-1524 - "M-1" LIGHT INDUSTRIAL DISTRICT, SECTION 18-1525 - "IH" HEAVY/INDUSTRIAL DISTRICT; SECTION 18-1526 JOP PUBLIC DISTRICT; SECTION 18-1527 - "PRES" PRESERVATION DISTRICT; SECTION 18-1528 - "OS" OPEN SPACE DISTRICT; SECTION 18-1829 -PLANNED UNIT DEVELOPMENT DISTRICT; SECTION 18-1530 - ACCESSORY USE AND SUPPLEMENTARY DISTRICT REGULATIONS; SECTION 18-1531 -CONDITIONAL USE REGULATIONS; SECTION 18-1532 - OFF-STREET PARKING AND LOADING REGULATIONS; SECTION 18-1533 /- LANDSCAPING REGULATIONS; SECTION 18-1536 - ADMINISTRATIVE EXCEPTIONS; SECTION 18-1537 – VARIANCES; SECTION 18-1541 - FINAL SIJE PLANS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWATH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Updates and discussion on LDC 2018-1





City of Pinellas Park, Florida APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)				
FOR OFFICE USE ONLY				
CASE # PUD 2015-6 RZ PZ MEETING: 11/11 18 C/CRA MEETING: 12/13/18/STRd 1/10/19				
PLAT SHEET: F-3 RELATED CASES: ALS 2018-39 RECEIPT NUMBER: 343183				
ZONING DISTRICT: $B-1$ LAND USE DESIGNATION: $CRD$ date received: $9/27/18$				
REQUEST AND PROPERTY INFORMATION				
REQUEST:				
GENERAL LOCATION OF PROPERTY OR ADDRESS: 3660 Gandy Boulevard, Pinellas Park (SE Corner of US-19 & Gandy Blvd)				
PROPERTY SIZE (Acreage or Square Feet): 1.85 AC±				
CURRENT USE, NUMBER AND TYPE OF BUILDINGS:Retail - 1 Building - 7,193 SF±				
PARCEL NUMBER(S): 27-30-16-17712-000-0010; 27-30-16-40914-007-0810				
LEGAL DESCRIPTION: LOT, BLOCK, SUBDIVISION				
OR METES AND BOUNDS DESCRIPTION (attach if lengthy): See Attached Legal Description				
OWNER/APPLICANT INFORMATION				
PROPERTY OWNER: Friends of Strays, Inc. PHONE: ( 727 ) 522-6566				
ADDRESS/CITY/ZIP: 2911 47th Avenue North; St. Petersburg, Florida 33714				
AUTHORIZED AGENT: JSC MGT, LLC PHONE: ( 843 ) 723-9979				
ADDRESS/CITY/ZIP: 171 Church Street, Suite 300; Charleston, SC 29401				
OTHER REPRESENTATIVE: Landmark Engineering & Surveying Corp. PHONE: (813) 621-7841				
ADDRESS/CITY/ZIP: 8515 Palm River Rd; Tampa, Florida 33619 David Bell				

PUD.APL - Revised 1993, 6/994, 11/05, 7/08, 2/11, 5/15





#### **AFFIDAVIT OF OWNERSHIP**

STATE OF FLORIDA - COUNTY OF PINELLAS:

1.

NAME OF ALL PROPERTY OWNERS, being first duly swom, depose(s) and say(s):

CF STRAYS INC JOT FOR PROFIT LORPORATION OR AG1 A

That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit

ADDRESS OR GENERAL LOCATION:

366 GANTY BLUD PINELLAS PARK FL

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach:

SEE ATTACHED EXHIBIT L

That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):

HPULICAT.CN NE FIR ABOUF P OTFIZ

- 3. That the undersigned (has/have) appointed and (does/do) appoint\_TSL MGT LLC as (his/their) agent(s) to execute any petitions or other documents necessary to affact such application.
- 4. That this affidavit has been executed to induce the City of Pinalas Park. Florida, to consider and act on the above described property: to include City representatives to enter upon property to make inspections as are necessary to visualize site conditions and/or determine compatibility.

SIGNED (PROPERTY ON

SIGNED (PROPERTY OWNER)

STATE OF FLORIDA COUNTY OF <u>PINELLAS</u>	The longoing instrument was acknowledged before me this <u>5<sup>11</sup> day of September</u> , 2018
	By Maurzin Delancy Eppley
	who is personally known to me or who has produced
(SEAL ABOVE)	ROBERT R. ANDERSON ROBERT R. ANDERSON MY COMMISSION # GG 123189
a.	EXPIRES: July 21, 2021 Name of Notary typed, printed or stamped) Bended Thru Notary Public Underwritere

PUD.APL - Revised 1993, 6/994, 11/05, 7/08, 2/11, 5/15

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Staff Report

# File #: 18-687, Version: 1

Agenda Date: 1/10/2019

# ORDINANCE NO. 4076. AMENDING ORDINANCE NO. 4070 FOR THE FISCAL YEAR 2018/2019

# PUBLIC HEARING SECOND AND FINAL READING

# (Speaker - Dan Katsiyiannis, Management and Budget Administrator)

NOTE: This budget amendment is the City's first for the fiscal year. Our first amendment is dedicated to bringing forward unspent budget funds for CIP projects from the prior year that were not finished as of September 30th. These projects will be completed this fiscal year. The attached increases this year's budget by \$3,598,087 for a revised total City budget of \$127,786,639.

(C9 on 12/13/2018 agenda)

ACTION: (Pass - Deny) Ordinance No. 4076. Public hearing second and final reading.

#### ORDINANCE NO. 4076

AN ORDINANCE OF THE CITY OF PINELLAS PARK AMENDING SECTIONS I, VI, AND VII OF ORDINANCE NO. 4070, AN APPROPRIATION AND TAX LEVY ORDINANCE OF THE CITY OF PINELLAS PARK, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That Sections I, VI, and VII of Ordinance 4070 in and for the City of Pinellas Park, Florida, are amended (pursuant to the attached schedules) to read as follows:

#### SECTION I. GENERAL FUND

There is hereby appropriated from the revenues on hand and/or accruing from the collection of taxes levied and assessed General Fund expenses for the City for the fiscal year ending September 30, 2019, (the millage of real and personal property taxes being set at 5.4900 mills as aforesaid) and from revenues on hand and/or accruing from all other sources during the said fiscal year, and for the general operating expenses and obligations of the City of Pinellas Park during said fiscal year, in accordance with the attached budget amendment, the sum of fifty nine million, nine hundred thirty six thousand, nine hundred and eleven dollars (\$59,936,911).

P3

(A) All revenues under Section I of this Ordinance shall be placed exclusively in the General Fund of the City of Pinellas Park, from which the expenditures for general operating purposes, debt retirement, capital improvements and all other necessary or proper expenses shall be paid.

(B) Revenues received or accrued for materials and/or service rendered, the volume or cost of which cannot be determined in advance so as to be included as a definite amount in the budget, for which the City is reimbursed shall be placed in the General Funds of the City and the cost of such materials and/or service shall be paid from the General Funds, and any excess of receipts above disbursements, shall become a part of the revenues of the City.

#### SECTION VI. CAPITAL EQUIPMENT REPLACEMENT FUND

There is hereby appropriated from the "Capital Equipment Replacement Fund", which revenues are derived from transfers from the General Fund and the Water and Sewer Revenue Fund and from any and all other sources during said fiscal year, for the purpose of capital equipment replacement and internal service expenses of the City of Pinellas Park, in accordance with the budget amendment attached, for the fiscal year ending September 30, 2019, the sum of ten million, seven hundred fifty one thousand, five hundred and seventy nine dollars (\$10,751,579).

**P3** 

#### SECTION VII. CAPITAL IMPROVEMENT FUND

There is hereby appropriated from the "Capital Improvement Fund," which revenues are derived from transfers from the Public Improvement Revenue Fund and from any and all sources during said fiscal year, for the purpose of general capital improvement projects within the City of Pinellas Park, in accordance with the budget amendment attached, for the fiscal year ending September 30, 2019, the sum of sixteen million, two hundred seventy four thousand, three hundred and fifty four dollars (\$16,274,354).

SECTION TWO: Attached hereto and incorporated herein are schedules that amend Ordinance No. 4070. All Ordinances in conflict herewith are hereby repealed insofar as the same affect this Ordinance.

SECTION THREE: The provisions of the Ordinance and any parts or sub-parts thereof shall be deemed to be severable and independent of each other, and in the event that any portion or subsection of this Ordinance is found to be invalid or unenforceable, such findings shall not affect any remaining portions of this Ordinance.

P3

SECTION FOUR: That this Ordinance shall be in full force and effective immediately after its passage and approval in the manner provided by law.

FIRST READING THE	DAY OF	,	2018.
PUBLISHED THE DA	Y OF	_'	2018.
PUBLIC HEARINGS THE	DAYS OF	_'	2018.
PASSED THIS AYES: NAYS: ABSENT: ABSTAIN:	DAY OF	_'	2018.
APPROVED THIS	DAY OF	_,	2018.

Sandra L. Bradbury MAYOR

ATTEST:

Diane Corna, MMC CITY CLERK

#### BUDGET AMENDMENT (ORDINANCE NO. 4076) FISCAL YEAR 2018-2019

#### General Fund (001), Section I Revenues (Schedule A)

Begi	innina Budaet	ł	Increase		Decrease	Ending Budget
		:			200.0000	
	1,300,210		210,000			1,667,074
	464.000	,			241.667	222,333
					241,001	222,000
$\rightarrow$						
\$	1,852,216	\$	278,858	\$	241,667	\$ 1,889,407
<u>Begi</u>	nning Budget		Increase		Decrease	Ending Budget
	0		38,000			38,000
	120,809				2,420	118,389
						1000
	3,000		1,611			4,611
\$	123,809	\$	39,611	\$	2,420	\$ 161,000
Beair	nnina Budaet		Increase		Decrease	Ending Budget
\$	59,899,720	\$	39,611		2,420	\$ 59,936,911
\$	59,899,720	\$	278,858	\$	241,667	\$ 59, <del>9</del> 36,911
		Sec	tion VI			
Deel	Dudeet		1		<b>D</b>	Califa - Dudaat
Dedi	amig pudget		increase		Decrease	Ending Budget
	3,107,828				35,580	3,072,248
\$	3 107 828	s		s	35,580	\$ 3,072,248
	\$ and (001) Jres (Scl Begi \$ acement \$ acement \$ acement \$ acement	1,388,216 464,000 1,388,216 464,000 1,852,216 and (001), Section I ares (Schedule B) Beginning Budget 0 120,809 3,000 \$ 123,809 124,809	464,000 \$ 1,852,216 \$ and (001), Section I ures (Schedule B) <u>Beginning Budget</u> 0 120,809 3,000 \$ 123,809 \$ accement Fund (501), Section I section I summary <u>Beginning Budget</u> \$ 59,899,720 \$ \$ 59,899,720 \$ accement Fund (501), Section I Beginning Budget \$ 59,899,720 \$ \$ 3,107,828	1,388,216       278,858         464,000       \$         \$       1,852,216       \$       278,858         und (001), Section I	1,388,216       278,858         464,000         \$ 1,852,216       \$ 278,858         and (001), Section I         ares (Schedule B)         Beginning Budget       Increase         0       38,000         120,809       3,000         120,809       39,611         \$ 123,809       \$ 39,611         \$ 123,809       \$ 39,611         \$ 123,809       \$ 39,611         \$ 123,809       \$ 39,611         \$ 123,809       \$ 39,611         \$ 123,809       \$ 39,611         \$ 123,809       \$ 39,611         \$ \$ 59,899,720       \$ 39,611         \$ \$ 59,899,720       \$ 278,858         acement Fund (501), Section VI         \$ \$ 59,899,720       \$ 278,858         \$ \$ 59,899,720       \$ 278,858         \$ \$ 59,899,720       \$ 278,858         \$ \$ 59,899,720       \$ 278,858         \$ \$ 59,899,720       \$ 278,858         \$ \$ 59,899,720       \$ 278,858	1,388,216       278,858         464,000       241,667         \$ 1,852,216       \$ 278,858       \$ 241,667         and (001), Section I       Increase       Decrease         0       38,000       120,809       2,420         3,000       1,611       2,420         3,000       1,611       \$ 2,420         3,000       1,611       \$ 2,420         \$ 123,809       \$ 39,611       \$ 2,420         at (001), Section I       S 2,420         \$ 59,899,720       \$ 39,611       \$ 2,420         s 59,899,720       \$ 278,858       \$ 241,667         acement Fund (501), Section Viss (Schedule K)       Section Viss (Schedule K)       S 35,580

#### Capital Equipment Replacement Fund (501), Section Vi Expenditures (Schedule L)

Fire Administration (221)	Beginning Budget	Increase	Decrease	Ending Budget
562108 Capital Equipment For purchase of SCBA	41,500		38,000	3,500
Station #35 (224) 562108 Capital Equipment				
Purchase Ice Machine	1,500	2,420		3,920
Total	\$ 43,000	\$ 2,420 \$	38,000	\$ 7,420

# Capital Equipment Replacement Fund (501), Section VI Summary

Expenditures Revenue	Beginning Budget \$ 10,787,159 \$ 10,787,159		Decrease         Ending Budget           \$ 38,000         \$ 10,751,579           \$ 35,580         \$ 10,751,579					
Capital Improvement Fund (301), Section VII Expenditures (Schedule N)								
	Beginning Budget	Increase	Decrease Ending Budget					
Flood Control (382) •Proj 19382/727								
562538 Capital Project Infrastructure	200,000	150,000	350,000					
Capital Project Land (175) •Proj 19175/620 CIP Improvement City at Large 562504 PROPACQ/Purchase 5775 75th Terr.	0	75,000	75,000					
Capital Improvement City at Large (175)								
CIP Improvement	4 200 0 40							
562520  •Project 17/508 City's Comprehensive Plan	1,368,640	297						
Project 17/549 Citywide A/C Assessment		18,250						
Project 18175/200 Building Department Enhancement     Project 18175/201 City Hall 1st Floor Restroom		40,000 55,000						
Project 18175/205 Tech Services Remode!		100,000						
Project 18175/207 Electronic Upgrade City Hail Outdoors     Project 18175/202 ODA Place Update		25,000						
Project 18175/600 CRA Plan Update		9,430	1,616,617					
CRA Art Distric Signs (175)			12					
•Project 17/601 536538	0	140,000	140,000					
Capital Improvement City at Large (175) • Project 18175/210								
573048 Citywide Homeowners Improvement Grant	75,000	1,842	76,842					
Capital Improvement City at Large (175) • Project 18175/245 Replace HVAC at CCSA 573675 Remodel Church BLDG/PAC	7,131	8,217	15,348					
Capital Improvement City at Large (175) •Project 18175/603								
574293 Home Owner Assistance Grant/CRA	75,000	5,000	80,000					
Capital Improvement Fire (282) CIP Improvement								
562520 • Proj 17/525 Station 34 Floor Resurfacing	35,000	5,550						
Proj 17/526 Station 35 Bathroom Renovation		31,690						
Capital Improvement Water & Sewer (381) CIP Improvement			72,240					
562520	150,000	650.000						
Proj 18381/510 LS 31 Pump & Controls     Proj 18381/540 Sewer Inspection & Cleaning (program)		650,000 15,844						
Capital Improvement Water & Sewer (381)			815,844					
CIP Infrastructure								
562538 •Proj 17/527 LS 30 Force Main Rehab	1,626,695	550,000						
•Proj 17/530 Water Pump at Station 1 & 2		15,732						
Proj 18381/500 LS 5 Force Main Replacement     Proj 18281/522 Rockflow Proventor Replacement (Pressam)		160,000						
<ul> <li>Proj 18381/533 Backflow Preventer Replacement (Program)</li> <li>Proj 18381/536 Manhole Rehab (Program)</li> </ul>		7,230 7,882						
Capital Improvement Water & Sewer (381) • Proj 18381/534			2,367,539					
575613 Infiltration & Inflow Program	125,000	56,025	181,025					
Capital Improvement FLD (382) • Proj 18382/700 60th ROW Acquisitions								
562504 Capital Projects Land	0	24,428	24,428					

#### Capital Improvement Fund (301), Section VII Expenditures (Schedule N)

	Beginning Budget	Increase	Decrease	Ending Budget
Capital Improvement (481)				
<ul> <li>Proj 18481/102 Citywide Land Clearing (Program)</li> </ul>	72.31			
562520 Capital Improvement Transportation	85,000	3,000		88,000
Capital Improvement Transportation (481)				
Capital Projects Infrastructor				
562538	1,453,187			
<ul> <li>Proj 18481/105 Citywide Curb Replacement (Program)</li> </ul>		100,000		
Proj 18481/110 50th Street Pond Enhancement		190,828		
•Proj 18481/130 FDOT Landscape Program 66th St		28,415		
				1,772,430
Capital Improvement Trasportation (481)				
•Proj 18481/100				
571455 Widen 70th Ave at US19	0	59,927		59,927
Capital Improvements Recreation (781)				
Capital Projects Improvements				
562520	927,000			
<ul> <li>Proj 17/519 Lurie Park Upgrades</li> </ul>		65,212		
<ul> <li>Proj 18781/206 Bandshell Renovation</li> </ul>		75,000		
<ul> <li>Proj 18781/313 Playgroung Replacement (Program)</li> </ul>		4,231		
<ul> <li>Proj 18781/315 Park Fence Replacement (Program)</li> </ul>		6,098		
•Proj 18781/321 Park Walking Trail Renovation		248,545		
<ul> <li>Proj 18781/322 Park Security Lighting</li> </ul>		68,860		
<ul> <li>Proj 18781/330 Forbes Rec Service Desk</li> </ul>		1,740		
<ul> <li>Proj 18781/340 Barn Renovation at Helen Howarth</li> </ul>		50,000		
<ul> <li>Proj 18781/355 Skyview Shade Structure</li> </ul>		4,700		
Proj 18781/600 Davis Field Master Plan		300,000		
Proj 18781/650 Library Renovation		193,750		
				1,945,136
Capital Improvement Recreation (781)				
<ul> <li>Proj 18781/620 CIP Infrastructure</li> </ul>				
562538 Boardwalk & Wetland Restoration	220,000	13,753		233,753
Capital Improvement Recreation (781)				
•Proj 18781/602 CIP Grant				
573447 CRA FAÇADE Grant	0	30,000		30,000
9				
Total	\$ 6,347,653	\$ 3,596,476 \$	ē -	\$ 9,944,129

#### Capital Improvements Fund (301), Section VII Revenue (Schedule M)

Correct Foreword (204.00)	Beginning Bu	iget	Increase	Decrease	E	inding Budget
Carry Forward (30100) •Proj 19175/620-PROPACQ Capital Improvement = 300103 To revise amount of carryforward	2,410,0	)23	3,596,476			6,006,499
Total	\$ 2,410,0	)23 \$	\$ 3,596,476	\$-	\$	6,006,499

#### Capital Improvements Fund (301), Section VII Summary

Expenditures	<u>Beginning Budget</u> \$ 12,677,878 \$	Increase 3,596,476	Decrease	\$ Ending Budget 16,274,354
Revenue		3,596,476	•	\$ 16,274,354
	All Budgeted Funds Summ	iary	\$1.7	

# Beginning Budget Increase Decrease Ending Budget Expenditures \$ 124,188,552 \$ 3,638,507 \$ 40,420 \$ 127,786,639 \$ 124,188,552 \$ 3,875,334 \$ 277,247 \$ 127,786,639

;

# PINELLAS PARK

5141 78TH AVE. - P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 Füst Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



FLORIDA PHONE • (727) 369-0700

FAX • (727) 544-7448

1.17 SOF

November 20, 2018

Ms. Paulina Scott OMB Division City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-361 Ordinance Amending Sections I, VI and VII of Ordinance No. 4070

Dear Ms. Scott:

I have received and reviewed the above-referenced Ordinance. I would approve of the Ordinance as to form and correctness.

Very truly yours,

ulenst

Lauren C. Rubenstein Assistant City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Deputy City Manager Dan Katsiyiannis, OMB Administrator

LCR/dh 16-361.11202018.LPS.Oxd Amanding Ord No 4070.wpd



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Staff Report

File #: 18-717, Version: 1

Agenda Date: 1/10/2019

# **REAPPOINTMENT TO PINELLAS OPPORTUNITY COUNCIL - (William Holmes)**

NOTE: Mr. William Holmes has served on the POC since 2015 and has indicated that he is interested in continuing to serve on the Board for another term.

ACTION: (Approve - Deny) Re-Appointment of William Holmes to serve on the Pinellas Opportunity Council for the year 2019.

# PINELLAS OPPORTUNITY COUNCIL, INC. 501 1<sup>st</sup> AVENUE NORTH, SUITE 517, ST. PETERSBURG, FLORIDA 33701 P.O. BOX 11088, ST. PETERSBURG, FLORIDA 33733-1088 Carolyn W. King, Executive Director

TELEPHONE (727) 823-4101

www.poc-inc.org

FAX (727) 822-0426

The Community Action Agency Serving Pinellas County, Florida Since 1968

December 13, 2018

Sandra Bradbury, Mayor City of Pinellas Park 5141 – 78<sup>th</sup> Avenue North Pinellas Park, FL 33782



Dear Mayor Bradbury:

The City of Pinellas Park holds a seat on our board of directors. Your current designated representative is William A. Holmes

State rules governing our organization require us to obtain, each year, a letter signed by the appropriate official confirming the designation of representatives.

In order that we may comply with the above referenced rules, we hereby request that a 2019 designation letter be forwarded to us at your earliest convenience (see attached sample letter). If you are appointing a new representative, please include his/her name, mailing address, and telephone number.

Thank you very much for your continuing support of our agency, and for your cooperation in this matter. If you require additional information, or have any questions, please call.

Sincerely,

Coralyn W. Bring

Carolyn W. King, MBA Executive Director

Attachment

CC: William A. Holmes Diane M. Corna, MMC

POC is s charitable organization in accordance with section 501(c) (3) of the Internal Revenue Code. One hundred percent of contributions received are used to support programs operated by POC. POC is registered with the Florida Department of Agriculture & Consumer Services. A COPY OF PARTNERSHIP THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE WITHIN THE STATE 1-800-435-7352. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE. REGISTRATION\_NUMBER: CH 2732.



**Staff Report** 

# File #: 18-718, Version: 1

Agenda Date: 1/10/2019

**RESOLUTION NO. 19-01.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO A CHARTER REVIEW COMMITTEE, ESTABLISHING SUCH CHARTER REVIEW COMMITTEE FOR THE PURPOSE OF STUDYING THE CHARTER OF THE CITY OF PINELLAS PARK, RECEIVING PUBLIC INPUT AND DETERMINING WHETHER THEY WISH TO RECOMMEND CONSIDERATION OF ANY CHANGES OR AMENDMENTS TO THE CHARTER; PROVIDING FOR A PROCESS FOR THE APPOINTMENT OF THE MEMBERS OF SUCH COMMITTEE; PROVIDING PROCEDURES FOR THE MEETINGS OF SUCH COMMITTEE; PROVIDING TIME SCHEDULES FOR SUCH COMMITTEE; PROVIDING FOR THE SUNSETTING OF SUCH COMMITTEE.

# FIRST AND FINAL READING

NOTE: This Resolution will establish a Charter Review Committee consisting of seven (7) voting members, five (5) members shall be designated by City Council and the two (2) remaining members shall be selected by vote of the City Council based upon applications received by the City.

ACTION: (Adopt - Deny) Resolution No. 19-01.



#### RESOLUTION NO. 19-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO A CHARTER REVIEW COMMITTEE, ESTABLISHING SUCH CHARTER REVIEW COMMITTEE FOR THE PURPOSE OF STUDYING THE CHARTER OF THE CITY OF PINELLAS PARK, RECEIVING PUBLIC INPUT AND DETERMINING WHETHER THEY WISH TO RECOMMEND CONSIDERATION OF ANY CHANGES OR AMENDMENTS TO THE CHARTER; PROVIDING FOR A PROCESS FOR THE APPOINTMENT OF THE MEMBERS OF SUCH COMMITTEE; PROVIDING PROCEDURES FOR THE MEETINGS OF SUCH COMMITTEE; PROVIDING TIME SCHEDULES FOR SUCH COMMITTEE; PROVIDING FOR THE SUNSETTING OF SUCH COMMITTEE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Pinellas Park believes that it is proper to periodically have a Citizens' Committee review the Charter of the City and make a determination as to whether they believe any changes to the Charter should be considered, and if so, to recommend any such proposals to the City Council for consideration and for possible vote by the electorate at referendum; and

WHEREAS, the City Council wishes to appoint such Charter Review Committee and establish the procedures for such Charter Review Committee and the timelines for meeting and making any recommendations to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AS FOLLOWS:

**SECTION ONE:** That the City Council does hereby establish a Charter Review Committee (CRC) for the purpose of reviewing the Charter of the City of Pinellas Park and submitting to the City Council any proposals such Committee recommends the City Council

consider submitting to the electorate at referendum for possible amendments to the City Charter.

<u>SECTION TWO:</u> Such CRC shall consist of seven (7) voting members. The process of selecting such members shall be that the Mayor and each City Councilperson shall designate one individual to be a member of the CRC. Two (2) remaining members of the CRC shall be selected by vote of the City Council based upon applications received by the City. All members of the CRC shall be residents of the City of Pinellas Park during the term of the CRC. No member of the CRC shall be current or former employees or Officials of the City, or related to any current or former employees or Officials of the City, by blood or marriage.

SECTION THREE: Immediately upon the adoption of this Resolution, the City Manager shall cause notice to be given to the public, requesting applications from any interested residents wishing to be considered by the City Council to serve on the Charter Review Committee. Such notice shall be posted in City Hall, on the City's website, mailed as an insert in the City's utility bills, and in addition, the City Manager shall attempt to provide such notice to all condominium associations, mobile home parks or other subdivisions or multi-family dwellings whose residents do not receive individual water bills as a result of being served by master meters. All applications for appointment to the CRC must be received by the City by no later than February 28, 2019. **SECTION FOUR:** By no later than April 11, 2019, at a regular meeting of the City Council, the City Council shall, by Resolution, formally appoint all seven (7) members of the Charter Review Committee.

**SECTION FIVE:** The CRC shall hold its initial organizational meeting by no later than May 1, 2019. The CRC shall meet regularly and shall make and submit its final report, including any recommendations, to the City Council by no later than August 31, 2019.

SECTION SIX: At its first meeting, the Committee shall select its Chairperson and Vice Chairperson. Four (4) members of such Committee shall constitute a quorum to transact any business, and any decisions or recommendations of the CRC shall be made by majority vote of those present and voting. The City Clerk or representative shall serve to coordinate the meetings, record the Minutes and perform clerical services for the CRC. The Committee shall observe all laws pertaining to public meetings, the Sunshine Law, conflicts of interest and ethics.

SECTION SEVEN: At two of the meetings of the Charter Review Committee, advertised Public Hearings shall be conducted, with the Public Hearing portion of the meeting being conducted prior to discussion of any proposed amendments at such meeting by the members of the CRC, in order to give members of the public the opportunity to suggest any proposed amendments to the Charter. SECTION EIGHT: Any recommendations to the City Council for consideration as possible amendments to the Charter of the City of Pinellas Park shall be contained in the Final Report, which shall be submitted no later than August 31, 2019, and which shall be proposed and submitted in the form proposed by the CRC to be proposed to the electorate at referendum, including the title and the proposed language of the body of any such proposed amendments. The CRC shall submit no more than a maximum of ten (10) proposed amendments to the Charter as a recommendation to the City Council.

SECTION NINE: Upon receipt of the Report of the CRC, including any recommendations for proposed amendments to the Charter of the City of Pinellas Park, the City Council shall review the report and make a determination of what proposed amendments it wishes to submit to the Pinellas County Supervisor of Elections for a referendum conducted in conjunction with the March 10, 2020 General Election. The City Council can amend the wording of any of the questions or titles that it may wish to submit to the electorate at referendum.

2	SECTION	TEN:	This	resolution	shall	be i	n full	force	and
effect	immed:	iately	after	its adoption	n.				
ADOPTE	D THIS			_ DAY OF				, 2	019.
AYES	3:								
NAYS	3:								
ABSEN	II:								
ABSTAI	IN:								
APPROV	ED THIS	5		_ DAY OF				, 2	019.

Sandra L. Bradbury MAYOR

ATTEST:

Diane M. Corna, MMC CITY CLERK

#### Staff Report

File #: 18-719, Version: 1

Agenda Date: 1/10/2019

#### APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 (AX19-2) - Located at 6131 109th Terrace North

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 109th Terrace North. The City agrees that for a period of twenty-four (24) months from the date of execution of this Agreement, the City shall waive City land development fees applicable for future redevelopment of the Property, in an amount up to, and not to exceed, Two Thousand Dollars (\$2,000.00). The City's annual projected revenue is Six Hundred Twenty-two Dollars (\$622.00) and no City funds were expended.

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of residential property owned by Peter Ozols and Inguna Ozols, as Co-Trustees of the Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017.



## ANNEXATION AGREEMENT

THIS AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_ 2019, by and between the CITY OF PINELLAS PARK, FLORIDA, a municipal corporation, herein called the "CITY" and PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017, hereinafter called the "OWNER". ("OWNER" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.) "CITY" and "OWNER" are hereinafter collectively referred to as the "Parties" hereto. This Agreement shall be deemed to be entered into, dated and effective upon its execution by the Mayor and approved by the City Attorney of Pinellas Park, after City Council action approving of this Agreement.

WHEREAS, the OWNER fully warrants that he is the fee simple OWNER of the real property described in Exhibit "A" attached hereto (hereinafter referred to as "Property"), which is presently located in an unincorporated area of Pinellas County; and

WHEREAS, the Parties have determined that annexation of the Property would be beneficial to both Parties, and the Property currently (does X or does not ) meet the requirements for voluntary annexation into the CITY as required by Florida Statutes, Chapter 171; and

WHEREAS, the OWNER desires that the Property be annexed into the municipal boundaries of the CITY, and the CITY desires to annex the Property.

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, receipt of which is hereby acknowledged by both Parties, it is hereby agreed by and between the Parties as follows:

All of the above recitals are incorporated herein and made a part hereof. 1.

The OWNER shall forthwith execute and deliver to the CITY a Petition for Voluntary 2. Annexation in accordance with Florida Statutes, Chapter 171. Further, the OWNER shall, when requested to do so by the CITY, perform all such actions as may be necessary to execute and complete the Voluntary Annexation by the CITY of the Property. The CITY shall, after the completion of such actions, commence the appropriate voluntary annexation proceedings.

Prior to annexation of the said Property by the CITY, the OWNER shall be permitted to 3. commence and/or to proceed with the development of the said Property in strict accordance with the legal requirements of Pinellas County, Florida. However, upon annexation, all further or continuing development of the said Property (regardless of when the same is commenced) shall strictly comply with all applicable CITY ordinances, resolutions, and codes, including site plan review procedures for each individual structure. Nothing herein shall be construed to excuse or release OWNER from compliance with the applicable laws, rules, and regulations of any other governmental entities, including but not limited to legal requirements for obtaining environmental permits.

At the time of annexation, the CITY will convert the then-existing County zoning of R-6 4. and land use classification of RL to the CITY zoning of T-1 and land use classification of RL.

5. At the time of annexation of residential property into the City of Pinellas Park, the OWNER shall contact the CITY's Utility Billing Division, within fourteen (14) days, to establish customer solid waste and recycling collection services or, where applicable, shall expeditiously notify

-1-

\_\_\_\_ (Mayor's Initials)

J.O. (Trustees' Initials)

all renters who are responsible for establishing their own utility services of the necessity to contact the CITY's Utility Billing Division to establish customer solid waste and recycling collection services. Details regarding solid waste collection service days will be supplied to the contracting customer at the time service has been established with the CITY. Also, arrangements will be made at that time to have a recycling container delivered to the property at no charge to the customer. The recycling containers will remain the property of the City of Pinellas Park. There will be no deposit required for CITY utilities on owner-occupied properties.

6. Nothing in this Agreement or otherwise shall be construed as requiring the CITY to construct or install any water or sanitary sewer lines or other improvements of any kind upon the above-referenced Property. The OWNER shall install water or sanitary sewer lines without cost to or reimbursement from the City.

### The following constitute the special provisions herein:

7. For a period of twenty-four (24) months from the date of execution of this Agreement, the CITY agrees to waive up to, and not to exceed, Two Thousand Dollars (\$2,000.00) in CITY land development fees applicable for further development of the property.

### The following constitute miscellaneous provisions herein:

1. The OWNER further acknowledges that this Agreement shall be recorded in the Public Records of Pinellas County, Florida, and shall constitute a covenant running with the Property.

2. This Agreement shall be binding upon the Parties, their successors, assigns, and legal representatives; provided, however, that nothing herein shall be construed to prevent the sale or other transfer of the Property by OWNER or any of its successors in title subject to the provisions hereof.

3. This document embodies the whole agreement of the Parties. There are no promises, terms, conditions, or allegations by either Party other than those contained herein; and this document shall supersede all previous communications, representations, and/or agreements, whether written or verbal between the Parties hereto. This Agreement may be modified only in writing executed by the Parties and/or their successors in title, as the case may be.

(Mayor's Initials)

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ブの\_\_(Trustees' Initials)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

CITY OF PINELLAS PARK, FLORIDA

ATTEST:

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SANDRA L. BRADBURY, MAYOR

DIANE M. CORNA, MMC, CITY CLERK

The Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017

SIGNATURES:

PETER OZOLS, CO-TRUSTEE

Witness Printed I ame

INGUNA OZOLS, CO-TRUSTEE

2<sup>nd</sup> Witness Signature

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tness Signature

2<sup>nd</sup> Witness Printed Name

STATE OF FLORIDA COUNTY OF PINELLAS	The foregoing instrument was acknowledged before me this, 2019, by SANDRA L. BRADBURY, Mayor, and DIANE M. CORNA, MMC, City Clerk, of the CITY OF PINELLAS PARK, FLORIDA, a municipal corporation, on behalf of whom the instrument was executed.				
	Notary Public signature				
	(Name of Notary typed, printed of	or stamped)			
	4 9				
	Personally known or produced identification				
(SEAL ABOVE)	Type of identification produced				
ATTENTION NOTARY: Although the					
	information requested is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized	document.			
THIS CERTIFICATE MUST BE       Title or Type of Document <u>Annexation Agreement</u> ATTACHED TO THE DOCUMENT       Number of Pages <u>5</u> DESCRIBED AT RIGHT:       Signers Other Than Named Above <u>NONE</u>					

STATE OF FLORIDA COUNTY OF PINELLAS	The foregoing instrument was acknowledged before me this December 28 , 20 , 20 , by PETER OZOLS, TRUSTEE AND INGUNA OZOLS, CO-TRUSTEES, (Name of persons acknowledging and title of position)
	Amanda Lyn Cante Notary Public signature
AMANDA LYN CONTE Notary Public - State of Flor Commission # GG 15356 My Comm Expires Feo 17.2 Bonded through National Actary	ê 1922 –
(SEAL ABOVE)	Personally known or produced identification DL # C242- 400-65- 585-0 Type of identification produced (60-42-264-0
ATTENTION NOTARY: Although the	information requested is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.
THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:	Title or Type of Document <u>Annexation Agreement</u> Number of Pages <u>5</u> Date of Document Signers Other Than Named Above <u>NONE</u>

## APPROVED AS TO FORM AND CORRECTNESS:

# By: \_\_\_\_\_\_ JAMES W. DENHARDT, CITY ATTORNEY

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EXHIBIT "A" AX19-2

#### ANNEXATION AGREEMENT

#### PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017

LEGAL DESCRIPTION

PARCEL: 17-30-16-60834-000-1870

(Located at 6131 109th Terrace North)

LOT 187, NORTHFIELD MANOR SECTION A-6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 49, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. PARCEL# 17-30-16-60834-000-1870

A PARCEL CONTAINING 0.14 ACRES M.O.L.

C3

## PETITION FOR ANNEXATION TO THE CITY OF PINELLAS PARK, FLORIDA

The undersigned, being the sole OWNER ("OWNER" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires) of the following described real property located within Pinellas County, Florida, hereby consents and agrees to annexation of such property by the City of Pinellas Park, Florida, and further requests the City of Pinellas Park to forthwith undertake annexation proceedings to annex the said real property:

#### PARCEL: 17-30-16-60834-000-1870 (Located at 6131 109th Terrace North)

LOT 187, NORTHFIELD MANOR SECTION A-6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 49, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. PARCEL# 17-30-16-60834-000-1870

Containing 0.14 acres MOL

The names and addresses of the undersigned representing all of the legal owners of the abovedescribed property are as follows:

PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 6121 109th Terrace North Pinellas Park, FL 33782

> The Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017

SIGNATURES:

PETER OZOLS, CO-TRUSTEE

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2<sup>nd</sup> Witness Signature

2<sup>nd</sup> Witness Printed Name

- 1. PARCEL: 17-30-16-60834-000-1870
- OWNER: Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017 Peter Ozols and Inguna Ozols, Co-Trustees
- 3. STREET ADDRESS OF PROPERTY: 6131 109<sup>th</sup> Terrace North
- **4. SIZE OF PROPERTY:** Petition = 0.14 Ordinance = 0.14
- 5. COUNTY ZONING / LAND USE: R-6 / RL
- 6. CITY ZONING / LAND USE: T-1 / RL
- 7. EXISTING PROPERTY IMPROVEMENTS: A mobile home
- 8. EXISTING BUSINESS ON PROPERTY: None
- 9. EXISTING PROPERTY USE: Residential

## 10. ANNEXATION AGREEMENT PROVISIONS:

 For a period of twenty-four (24) months from the date of execution of this Agreement, the City agrees to waive up to and not to exceed, Two Thousand Dollars (\$2,000.00) in City land development fees applicable for further development of the property.

- 11. OTHER PERTINENT INFORMATION: Contiguous
- 12. PROPOSED PROPERTY USE: Same

## **13. PROPOSED PROPERTY IMPROVEMENTS:**

A potential new structure for a sauna and a new shed.

#### SUPPLEMENT TO ANNEXATION AGREEMENT

## Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017— AX19-2

## Located at: 6131 109th Terrace North

#### **REVIEW COMMENTS**

CITY MANAGER	REVIEWED
DEPUTY CITY MGR.	REVIEWED
PLANNING & DEV. SVCS. ADMINISTRATOR	REVIEWED
BLDG. DEVELOPMENT	NO OBJECTIONS
FINANCE	REVIEWED
FIRE DEPARTMENT	NO OBJECTIONS
NEIGHBORHOOD SERVICES DIRECTOR	NO OBJECTIONS
OMB ADMINISTRATOR	REVIEWED
PLANNING & DEVELOPMENT SERVICES DIVISION	REVIEWED
POLICE DEPARTMENT	NO OBJECTIONS
PUBLIC WORKS: CONSTRUCTION SERVICES CITY POTABLE WATER; CITY SANITARY SEWER; NO RECLAIMED WATER; CURBED ROAD; NO SIDEWALK; PINELLAS COUNTY ROW – DO NOT ANNEX ROW; HAS INSUFFICIENT WIDTH; UNDERSIZED BY 2.5' IN FRONT OF PARCEL	
STREETS & DRAINAGE TRAFFIC DIVISION UTILITIES DESIGN WATER & SEWER	REVIEWED REVIEWED REVIEWED REVIEWED
UTILITY BILLING DIVISION	

UTILITY BILLING DIVISION

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NO OBJECTIONS

# Annexation Revenue Analysis

Residential

Annexation No. AX19-2

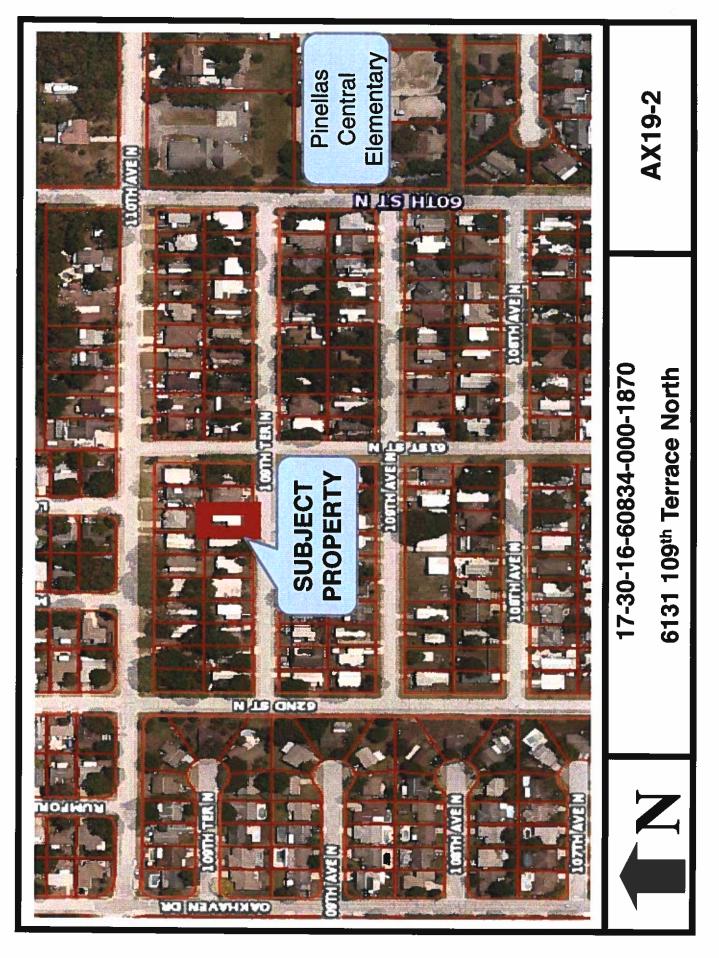
Date: December 26, 2018

## Owner's Name: Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017

## Property Address: 6131 109TH Terrace North

<u>Millage</u>	<u>Amount</u>		
	<u> </u>		
	\$21,679.0		
	\$0.0		
	\$21,679.0		
0.0034900	\$119.0		
	\$110.0		
Electric (based on \$175 avg. monthly bill) ESTIMATE			
Stormwater Fees (4.00 per month)			
Communication Services Tax ESTIMATE			
	\$35.00		
<u>y</u>	\$503.00		
	\$119.02		
	\$503.00		
	\$622.02		
	NA NA 0.0054900 cords.		

Current Est. Annual Revenues to Pinellas Park as Unincorpora	ted Property:			
PF Fire District Tax	0.0031976	\$69.32		
25% Water & Sewer Surcharge				
Anticipated Total Est. Annual Revenues to City as Unincorporat	\$219.32			
Anticipated New Money (est.) to City Received Thru Annexation	- Current Millogo			
		\$402.70		



## PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile

December 20, 2018

Ms. Amanda Conte Planning & Development Services City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-392 Annexation Agreement AX19-2, Ozois Trust

Dear Ms. Conte:

I have received and reviewed the above-referenced Annexation Agreement and Petition for Annexation to the City of Pinellas Park. The parties to the Annexation Agreement should be updated to appear as follows:

... the CITY OF PINELLAS PARK, FLORIDA, a municipal corporation, herein called the "CITY" and PETER OZOLS and INGUANA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUANA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017, hereinafter called the "OWNER."

The signature block for the Trustees should be updated as follows:

The Peter Ozols and Inguana Ozols Trust Agreement u/t/d June 30, 2017

PETER OZOLS, CO-TRUSTEE

#### INGUANA OZOLS, CO-TRUSTEE

PRINTED ON RECYCLED PAPER

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FLORIDA

PHONE FAX

(727) 369-0700 (727) 544-7448

Ms. Amanda Conte December 20, 2018 Page 2

In Exhibit A of the Agreement, please update the reference to the Owner to appear the same as it is listed under the parties of the Agreement. The official name of the Trust also needs to be updated in the Petition for Annexation, and the signature block for the Trustees should be updated to appear as shown above for the Annexation Agreement.

Once the above changes are incorporated in the Agreement, I would approve of the Agreement as to form and correctness. If you have any questions, please do not hesitate to contact our office.

C3

Very truky yours,

James W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Deputy City Manager Susan Walker, Community Development Administrator Ben Ziskal, Planning & Development Services Director

JWD/dh 18-392.12202018.LAC Annex Agrit 19-2 Ozola.wod This page is left blank intentionally



Staff Report

File #: 18-720, Version: 1

Agenda Date: 1/10/2019

<u>ORDINANCE NO. 4078.</u> ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6131 109TH TERRACE NORTH (PETER OZOLS AND INGUNA OZOLS, CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 AX19-2)

#### FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 109th Terrace North.

ACTION: (Pass - Deny) Ordinance No. 4078.



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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, ANNEXING INTO THE CITY OF PINELLAS PARK, FLORIDA, A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6131 109<sup>TH</sup> TERRACE NORTH, LEGALLY DESCRIBED AS ATTACHED HERETO IN EXHIBIT "A" AND MADE A PART HEREOF, LYING WITHIN SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; PROVIDING FOR AMENDMENT OF THE LEGAL DESCRIPTION OF THE CORPORATE BOUNDARIES OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR THE ASSIGNMENT OF CITY ZONING CLASSIFICATION; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES CONFLICTING HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

### (PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 AX19-2)

WHEREAS, the Owners of a certain parcel of land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park have petitioned City Council requesting that said land be annexed into the City of Pinellas Park, Florida; and

WHEREAS, all requirements of Florida Statutes, Chapter 171, pertaining to the voluntary annexation have been complied with.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That the land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park, generally located at 6131 109<sup>th</sup> Terrace North, and legally described as attached hereto in Exhibit "A" and made a part hereof, lying within Section 17, Township 30 South, Range 16 East, Pinellas County, Florida, is hereby annexed into the City of Pinellas Park.

SECTION TWO: That the legal description of the corporate boundaries of the City of Pinellas Park, Florida, is hereby amended to include the land herein annexed. The legal description of the City of Pinellas Park, Florida, contained in the City Charter, and all official City maps and other official documents shall be amended accordingly.

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ORDINANCE NO.

<u>SECTION THREE</u>: That the land herein annexed shall be assigned the City zoning classification of T-1 which is the closest compatible to the County R-6 zoning on the subject parcels at the time of annexation.

SECTION FOUR: That the City Zoning Map is hereby amended to conform to the provisions of this Ordinance.

SECTION FIVE: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be, and they are hereby, repealed insofar as the same affects this Ordinance.

<u>SECTION SIX</u>: That this Ordinance shall become effective immediately upon its final passage and adoption.

FIRST READING	DAY OF, 2019
PUBLISHED MAP & TITLE	DAY OF, 2019
PUBLISHED MAP ONLY	DAY OF, 2019
PUBLIC HEARING	DAY OF, 2019
PASSED THIS	DAY OF, 2019
AYES: NAYS: ABSENT: ABSTAIN:	, 2010
APPROVED THIS	DAY OF, 2019

ATTEST:

SANDRA L. BRADBURY, MAYOR

DIANE M. CORNA, MMC, CITY CLERK

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#### ANNEXATION ORDINANCE LEGAL

PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 PARCEL: 17-30-16-60834-000-1870 LOCATED AT: 6131 109<sup>TH</sup> TERRACE NORTH

LOT 187, NORTHFIELD MANOR SECTION A-6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 49, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. PARCEL# 17-30-16-60834-000-1870

A PARCEL CONTAINING 0.14 ACRES M.O.L.

ORDINANCE NO.

C4

## PETITION FOR ANNEXATION TO THE CITY OF PINELLAS PARK, FLORIDA

The undersigned, being the sole OWNER ("OWNER" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires) of the following described real property located within Pinellas County, Florida, hereby consents and agrees to annexation of such property by the City of Pinellas Park, Florida, and further requests the City of Pinellas Park to forthwith undertake annexation proceedings to annex the said real property:

#### PARCEL: 17-30-16-60834-000-1870 (Located at 6131 109<sup>th</sup> Terrace North)

LOT 187, NORTHFIELD MANOR SECTION A-6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 49, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. PARCEL# 17-30-16-60834-000-1870

Containing 0.14 acres MOL

The names and addresses of the undersigned representing all of the legal owners of the abovedescribed property are as follows:

PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 6121 109<sup>th</sup> Terrace North Pinellas Park, FL 33782

The Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017

SIGNATURES:

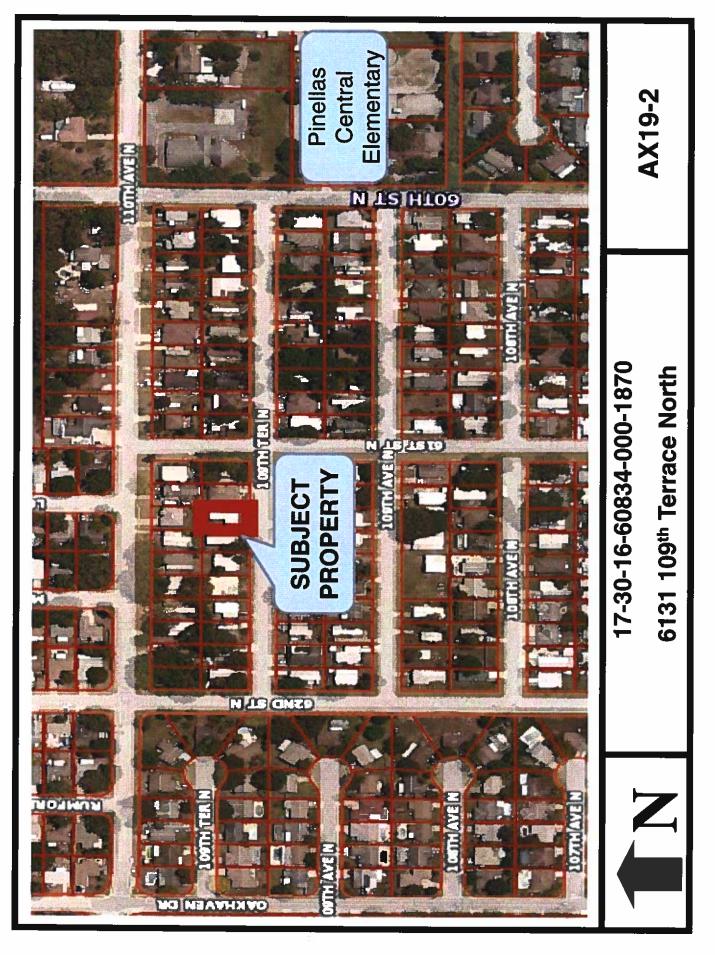
PETER OZOLS, CO-TRUSTEE

ame

INGUNA OZOL & CONTRUSTEE

INGUNA OZOLS, CO-TRUSTEE

2<sup>nd</sup> Witness Printed Name



## PINELLAS PARK

5141 78TH AVE. - P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facelmile

December 20, 2018

Ms. Amanda Conte Planning & Development Services City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-393 Annexation Ordinance AX19-2, Ozola Trust

Dear Ms. Conte:

I have received and reviewed the above-referenced Annexation Ordinance. Please update all references to the Peter and Inguana Ozols Trust to read as follows: "THE PETER OZOLS AND INGUANA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017."

With that change, and assuming the legal description in Exhibit A is correct, I would approve of the Ordinance as to form and correctness.

Very truly/yours,

James W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Deputy City Manager Susan Walker, Community Development Administrator Ben Ziskal, Planning & Development Services Director

JWD/dh 18-393.12202018.LAC.Annex.Ord 19-2 Ozob.wpd



FLORIDA

PHONE • (727) 389-0700 FAX • (727) 544-7448

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Staff Report

File #: 18-716, Version: 1

Agenda Date: 1/10/2019

#### <u>RESOLUTION NO. 19-02.</u> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AUTHORIZING A REFUND TO RESIDENTIAL RECYCLING CUSTOMERS EFFECTIVE FEBRUARY 1, 2019

#### FIRST AND FINAL READING

NOTE: The City began a curbside recycling program in October 1989 for residential customers. Due to the efforts of the community, the avoided disposal fee savings has resulted in a twelve-month credit of approximately \$70,166.00. This amount is to be refunded to residential customers as a credit of approximately \$4.00 per customer, which is to be applied to their utility account. This refund will be charged to account number 001-259911.

ACTION: (Adopt - Deny) Resolution No. 19-02. First and final reading.



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AUTHORIZING A REFUND TO RESIDENTIAL RECYCLING CUSTOMERS EFFECTIVE FEBRUARY 1, 2019.

WHEREAS, the City desires to encourage continued participation in the residential curbside recycling program; and

WHEREAS, the City has accumulated from October 1, 2017 through September 30, 2018 a recycling credit applicable to residential accounts; and

WHEREAS, the City desires to return this credit to the participants described above.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

**SECTION ONE:** That each residential account that is billed for recycling will receive a credit based on an equal share of the total of twelve (12) months accumulated credit to be applied to the utility bill.

**SECTION TWO:** That this Resolution shall be in full force and effective February 1, 2019 after its adoption and approval in the manner provided by laws.

ADOPTED	THIS	 DAY	OF	/		2019.
AYES:						
NAYS:						
ABSENT:						
ABSTAIN:						
APPROVEI	) THIS	 DAY	OF	,	,	2019.

Sandra L. Bradbury MAYOR

ATTEST:

Diane M. Corna, MMC CITY CLERK

#### RECYCLING CREDIT HISTORY 1990 - 2018

CREDIT PER/CUSTOMER		TOTAL CREDIT DOLLARS
1990 - \$4.50		\$59,897.66
1991 - \$5.50		\$84,142.94
1992 - \$6.00		\$92,603.22
1993 - \$5.90		\$92,458.11
1994 - \$6.00		\$92,881.08
1995 - \$5.75		\$82,474.88
1996 - \$5.25		\$78,493.73
1997 - \$5.00		\$71,492.15
1998 - \$4.00		\$65,067.01
1999 - \$5.00		\$77,689.13
2000 - \$5.00		\$72,705.00
2001 - \$5.00		\$71,170.00
2002 - \$5.00		\$71,118.20
2003 - \$5.00		\$73,285.00
2004 - \$5.00		\$73,417.53
2005 - \$5.00		\$74,770.00
2006 - \$5.00		\$72,055.52
2007 - \$5.00		\$72,931.13
2008 - \$5.00		\$72,873.79
2009 - \$4,00		\$63,924.70
2010 - \$4.00		\$67,798.00
2011 - \$4.00		\$66,956.00
2012 - \$4.00		\$65,531.27
2013 - \$4.00		\$67,436.00
2014 - \$4.00		\$63,060.01
2015 - \$4.00		\$64,231.88
2016 - \$4.00		\$62,765.64
2017 - \$4.00		\$70,060.00
2018 - \$4.00		\$70,166.00
	TOTAL	\$2,113,455.58

JAMES W DENHARDT

#### City of PINELLAS PARK

5141 78TH AVE. + P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



FLOF

PHÓNE FAX

· (727) 369-0700 · (727) 544-7448

December 20, 2018

Ms. Jan Keely Finance Division **City of Pinellas Park** P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-391 **Recycling Credit Resolution**

Dear Ms. Keely:

I have received and reviewed the above-referenced Resolution for a recycling credit. I would approve of the Resolution as to form and correctness.

Very truk /ours.

James W. Denhardt City Attorney

Doug Lewis, City Manager CC: Diane M. Corna, MMC, City Clerk Patrick Murphy, Deputy City Manager Sonny Kotala, Finance Administrator

JWD/dh 18-391.12202018.LJK.Recycling Credit Resolution.wpd



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#### Staff Report

File #: 18-704, Version: 1

Agenda Date: 1/10/2019

#### AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM LIHN T. PHAM & TUYET-LE THI DANG - 4220 70th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from Lihn T. Pham & Tuyet-Le Thi Dang to increase the right-of-way width to the required width for the installation of a potable water main, and for the future maintenance and operation of said equipment at 4220 70th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Lihn T. Pham & Tuyet-Le Thi Dang at 4220 70th Avenue North.



### **RIGHT OF WAY EASEMENT**

THIS INDENTURE, Made this \_\_\_\_\_\_ day of \_\_\_\_\_\_ A.D., 2018, between Lihn T. Pham & Tuyet-Le Thi Dang, Mailing Address 4220 70th Avenue North, Pinellas Park, Florida, 33781, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. (*"Party of the First Part"* and *"Party of the Second Part"* are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)

**WITNESSETH,** That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a **Right Of Way Easement** over, across and through that portion of Parcel ID# 27/30/16/10530/006/0080, Property Address, 4220 70th Avenue North, Pinellas Park, Florida, 33781, as further described below and depicted in Exhibit "A" (sketch of easement area) which is attached hereto and made a part hereof.

# A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THE NORTH 10.00' OF LOT 8, BLOCK 6, BOULEVARD PARK NO.1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 50, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

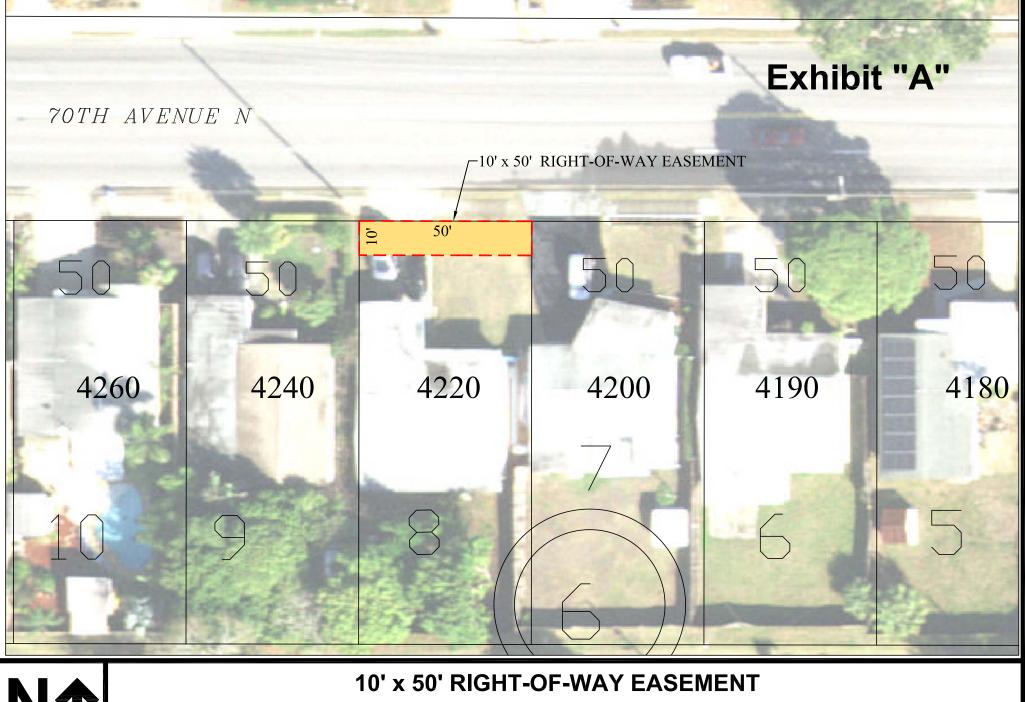
#### A PARCEL CONTAINING 0.01 ACRES M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

**OWNER(S)** 

(Witness#1.)	
(signature)	(signature)
(print name)	(print name)
(Witness#2.) (signature)	
(print name)	
(Witness#1.)	
(signature)	(signature)
(print name)	(print name)
(Witness#2.)	
(signature)	
(print name)	

State of Florida	The foregoing instrument was acknowledged before me this	, 2018 by				
County of Pinellas		_(Name of person acknowledging and title of position)				
		Notary Public signature				
		(Name of Notary typed, printed or stamped)				
	Personally known or produced identification					
	Type of identification produced					
ATTENTION NOTARY: Although the information	on requested below is OPTIONAL, it could prevent fraudulent attachme	nt of this certificate to an unauthorized document.				
THIS CERTIFICATE MUST BE	Title or Type of Document <b>RIGHT OF WAY EASEMEN</b>	IT				
ATTACHED TO THE DOCUMENT	Number of Pages Date of Document					
DESCRIBED AT RIGHT: Signers Other than Named Above <u>NONE</u>						





0' x 50' RIGHT-OF-WAY EASEMENT 4220 70TH AVENUE NORTH PINELLAS PARK, FL 33781

JAMES W DENHARDT

## PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W, Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile

December 4, 2018



## FLORIDA

PHONE • (727) 369-0700 FAX • (727) 544-7448



Mr. Aaron Petersen Construction Services Director City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-374 Right-of-Way Easement for 4220 70th Avenue North

Dear Mr. Petersen:

I have received and reviewed the above-referenced Right-of-Way Easement. I note that the following should appear in the top left corner of the notary jurat box:

State of \_\_\_\_\_ County of \_\_\_\_\_

With that change, I would approve of the Easement as to form and correctness.

Very truly yours,

Jameś W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Deputy City Manager Bart Diebold, Public Works Administrator

JWD/dh 18-374,12042018.LAP.ROW Easement for 4220 70th Ave N.wpd



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## Staff Report

File #: 18-706, Version: 1

Agenda Date: 1/10/2019

#### AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A PERPETUAL UTILITY EASEMENT FROM 6351 49TH STREET LLC - 6351 49th Street North

NOTE: The City of Pinellas Park has requested a utility easement from 6351 49th Street LLC to accommodate new utility equipment, and for the future maintenance and operation of said equipment at 6351 49th Street North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a utility easement from 6351 49th Street LLC at 6351 49th Street North.

## **UTILITY EASEMENT**

THIS INDENTURE, Made this	day of	A.D., 2018 between 6351 49th ST LLC,
Mailing Address 6391 49th Street North,	Pinellas Park, Florida,	33781, ("Grantor"), and the City of Pinellas Park, located at 5141
78th Avenue North, Pinellas Park, Florid	a, 33781, (" <b>Grantee</b> ").	("Grantor" and "Grantee" are used herein for singular or plural,
the singular shall include the plural, and	any gender shall inclu	de all genders, as context requires.)
WITNESSETH, That the Grantor here	by grants for and in co	onsideration of the sum of ten dollars (\$10.00), and other valuable
considerations, in hand paid by the Gra	antee, the receipt when	reof is hereby acknowledged, hereby grants and releases unto the
	1.1 1.1	

**Grantee** a **Utility Easement** over, across and through that portion of Parcel ID# 33/30/16/69948/100/3101, Property Address, 6351 49th Street North, Pinellas Park, Florida, 33781, Further described in the legal description and sketch attached hereto as Exhibit "A" and made a part hereof.

See Attached Legal Description and Sketch, Exhibit "A"

It is the intention of the Grantor that this easement shall run with the land described above. IN WITNESS WHEREOF, the Grantor has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

#### **GRANTOR:**

6351 49th ST LLC

#### **OWNER/AGENT**

(Witness#1.) _	 	
(signature)		

(print name)

(print name)

(signature)

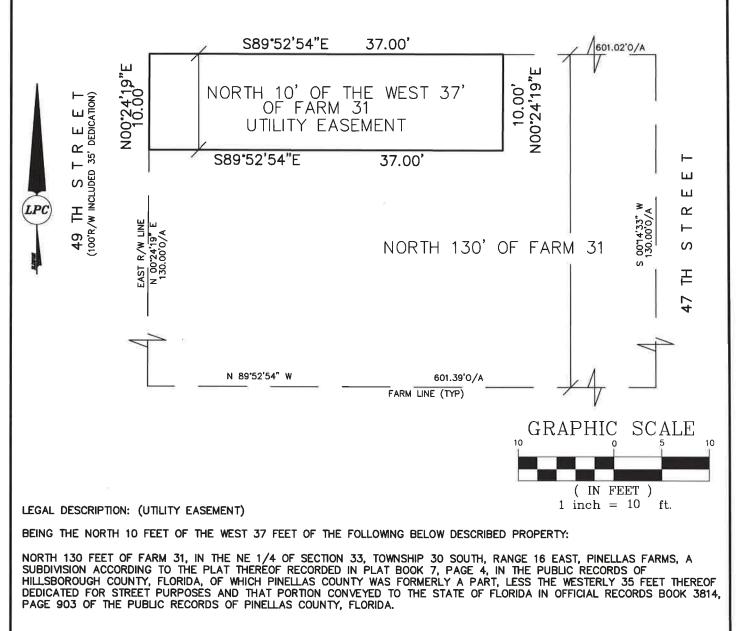
(Witness#2.)			
(signature)			

(print name)

State of Florida	The foregoing instrument was acknowledged before me this	, 2018, by
County of Pinellas		_(Name of person acknowledging and title of position)
		Notary Public signature
		(Name of Notary typed, printed or stamped)
	Personally known or produced identification _	
	Type of identification produced	
THIS CERTIFICATE MUST BE	Title or Type of Document Utility Easement	
ATTACHED TO THE DOCUMENT	Number of Pages Date of Document	
DESCRIBED AT RIGHT:	Signers Other than Named Above NONE	

## Exhibit "A"

SECTION 33, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA



#### SURVEYORS REPORT 1.) THIS IS A SKETCH AND DESCRIPTION ONLY, NOT A SURVEY. IT'S PRIMARY PURPOSE IS

DOCUMENT THE LOCATION OF THE EASMENT AS IT RELATES TO THE LEGAL DESCRIPTION.	LAND PRECISION CORPORATION
2.) THIS SKETCH COMPLIES WITH THE FLORIDA STANDARDS OF PRACTICE PURSUANT TO 5J-17	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
FLORIDA ADMINISTRATIVE CODE FOR THIS TYPE OF SURVEY AND IS NOT INTENDED TO MEET ANY ADDITIONAL OR NATIONAL STANDARDS.	June 1
3.) SKETCH IS SUBJECT TO A TITLE SEARCH FOR MATTERS OF RECORD EFFECTING THE	- and a second
PROPERTY.	
4.) THIS SKETCH DOES NOT DETERMINE OR IMPLY OWNERSHIP.	
5.) THE BEARING BASIS IS PER LEGAL. THE BEARING REFERENCE LINE IS THE NORTH LINE OF FARM 31 BEING S 89'52'54" E. NORTH ARROW IS BASED ON THE BEARING STRUCTURE.	
6.) COPYRIGHT & LAND PRECISION CORPORATION. ALL RIGHTS RESERVED. NO PART OF THIS	
DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR	
STORED, PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS PLAN WITHOUT AN ORIGINAL	ACAT CUNCT DONT DOLD
SIGNATURE AND IMPRESSION SEAL ARE NOT VALID.	2683 SUNSET POINT ROAD CLEARWATER; FL 33759 LB #6168
	727-796-2737
ABBREVIATION LEGEND	FAX 727-796-3326
0.R OFFICIAL RECORDS (Calc) - Calculated PC - Point Of Curve	SURVEYING - MAPPING - PLANNING
PG - PAGE PGULT OF MAX POL - Point On Line	
FIP - Found Iron Pipe R/W - RIGHI-OF-WAY Contorline	
$E_{\rm H} = Found Iron Pipe$ $C_{\rm H} = Curb Tie$ $\ell = Centerline$	JOB #17055-UF1 Z DATE: 11/15/18
N&D - Nail and Disk _ C/I - Curb Tie _ Centernine	JOB #17055-UE1 DATE: 11/15/18
N&D - Nail and Disk C/I - Curb lie Contentine POB - Point Of Beginnning F/T - Fence Tie PCP - Permanent Control Point (M) - Measured	JOB #17055-UE1 DATE: 11/15/18
N&D - Nail and Disk C/I - Curb The Contention POB - Point Of Beginnning F/T - Fence Tie PCP - Permanent Control Point (M) - Measured POC - Point Of Commencement (P) - Plat	JOB #17055-UE1 DATE: 11/15/18
N&D - Nail and Disk C/T - Curb Tie Contentine POB - Point Of Beginnning F/T - Fence Tie PCP - Permanent Control Point (M) - Measured POC - Point Of Commencement (P) - Plat FCM - Found Concrete Monument	JOB #17055-UE1 DATE: 11/15/18
N&D - Nail and Disk C/I - Curb The Contentine POB - Point Of Beginning F/T - Fence Tie PCP - Permanent Control Point (M) - Measured POC - Point Of Commencement (P) - Plat FCM - Found Concrete Monument PRM - Permanent Reference Monument BRL - Begring Reference Line	- Mal
N&D - Nail and Disk C/I - Curb The Contentine POB - Point Of Beginnning F/T - Fence Tie PCP - Permanent Control Point (M) - Measured POC - Point Of Commencement (P) - Plat FCM - Found Concrete Monument PRM - Permanent Reference Monument BRL - Bearing Reference Line FRL - Field Reference Line	JOB #17055-UE1 DATE: 11/15/18 VINCENT E. CORBITT, FLA. LICENSED SURVEYOR AND MAPPER No. 4608 (NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
N&D - Nail and Disk C/I - Curb The Contentine POB - Point Of Beginning F/T - Fence Tie PCP - Permanent Control Point (M) - Measured POC - Point Of Commencement (P) - Plat FCM - Found Concrete Monument PRM - Permanent Reference Monument BRL - Begring Reference Line	VINCENT E, CORBIT, FLA. LICENSED SURVEYOR AND MAPPER No. 4608

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# PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



FLOR

PHONE • (727) 369-0700 FAX • (727) 544-7448

Un DEC 2018

December 4, 2018

Mr. Aaron Petersen \*Construction Services Director City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-375 Utility Easement for 6351 49th Street North

Dear Mr. Petersen:

I have received and reviewed the above-referenced Utility Easement for the property located at 6351 49th Street North. Assuming that the legal description in Exhibit A is correct, I/would approve of the Easement as to form and correctness.

Very truly yours,

James W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Deputy City Manager Bart Diebold, Public Works Administrator

JWD/dh 18-375.12042018.LAP.Utility Easement for 6351 49th St N.wpd



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## Staff Report

File #: 18-710, Version: 1

Agenda Date: 1/10/2019

#### **AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO GIVE A PERPETUAL DRAINAGE EASEMENT TO PINELLAS COUNTY AT** - 59th Avenue North and 46th Street North.

NOTE: Pinellas County has requested a perpetual drainage easement at the pond to accommodate their new drainage infrastructure and for the future maintenance and operation of said infrastructure at the pond.

ACTION: (Approve - Deny) Authorization for the City of Pinellas Park to give a perpetual drainage easement to Pinellas County at the pond.



Project: Drainage Easement – City of Pinellas Park PID No: 001779 – P801 Legal Desc: SFN 1630 – 59<sup>th</sup> Ave. N. from W. Dead End to 44<sup>th</sup> Street North

Prepared by and return to: Real Property Division Attn: Jeffrey Harris 509 East Avenue South Clearwater, FL 33756

Property Appraiser Attention: *PW Operations* 

#### DRAINAGE EASEMENT

THIS INDENTURE, made this <u>day of</u>, 2019, by the City of Pinellas Park, whose mailing address is 5141 78th Avenue N., Pinellas Park, FL 33781, hereinafter referred to as "Grantor," to PINELLAS COUNTY, whose property address is 509 East Avenue South, Clearwater, Florida 33756, a political subdivision of the State of Florida, hereinafter referred to as "Grantee".

#### WITNESSETH

THAT THE GRANTOR, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Grantee, and the Grantee's successors and assigns, and enter(s) into a permanent Drainage Easement, over that portion of that certain property, which is owned by Grantor, located in Pinellas County, Florida, to wit:

> Lands described in legal description attached as Exhibit "A" hereto and made a part hereof, hereinafter referred to as the "Easement."

TO HAVE AND TO HOLD said Easement unto said Grantee forever, subject to the following conditions:

 Grantor hereby warrants and covenants that (a) Grantor is the owner of the fee simple title to the property in which the above described permanent Easement is located, and that
 (b) Grantor has full right and lawful authority to grant and convey this Easement to the Grantee.

2. The grant of this Easement may allow the Grantor quiet enjoyment of the Easement to the extent that such use does not interfere with rights granted herein. The grant of this Easement

does restrict the right of the Grantor in the use of the Easement area to the extent that no trees or structures, other than fencing, shall be allowed. Additionally, no excavation or activities that may endanger or interfere with the drainage system shall be allowed.

3. The rights granted herein specifically include: (a) the right to install, inspect, maintain, and repair all current and future Pinellas County drainage facilities under, over, and upon the Easement; (b) the right to clear the Easement of trees, limbs, undergrowth, and other physical objects which may endanger or interfere with the safe and efficient installation, operation or maintenance of the drainage system; and (c) the right, with notification, for the Grantee's employees and contractors to have ingress and egress across the Grantor's property to the Easement.

4. Except for those acts reasonably necessary to accomplish the purposes of this Easement, Grantee also covenants not to do any acts or things, which it could reasonably expect to cause damage to Grantor's premises. With respect to any person not a party to this Easement, this paragraph should not be construed as a waiver of any defense or limitation available to the Grantee or Grantor pursuant to Florida Statutes, Section 768.28, as now in effect or as may be amended from time to time.

#### SIGNATURE PAGE FOLLOWS:

IN WITNESS WHEREOF, the Grantor has hereunto set her hand the day and year first above written.

WITNESSES:

**GRANTOR:** 

Print Name:

Sandra L. Bradbury Mayor of Pinellas Park

Ву:\_\_\_\_\_

Print Name: \_\_\_\_\_

STATE OF FLORIDA COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by Sandra L. Bradbury. The individuals are personally known to me and/or have produced a Florida Driver's Licenses as identification.

NOTARY SEAL

NOTARY \_\_\_\_\_ Print Name: \_\_\_\_\_ Commission Number: \_\_\_\_\_

My Commission Expires:

PINELLAS COUNTY PUBLIC WORKS SURVEY AND MAPPING DIVISION 22211 U.S. HIGHWAY 19 N. CLEARWATER, FLORIDA 33765-2328



#### SECTION(S) 33, TOWNSHIP 30 SOUTH, RANGE 16 EAST DESCRIPTION

A portion of the Grantor's tract, as recorded in Official Record Book 7367, Page 1908, public records of Pinellas County, Florida in the Southeast 1/4 of Section 33, Township 30 South, Range 16 East, Pinellas County, Florida, being described as follows:

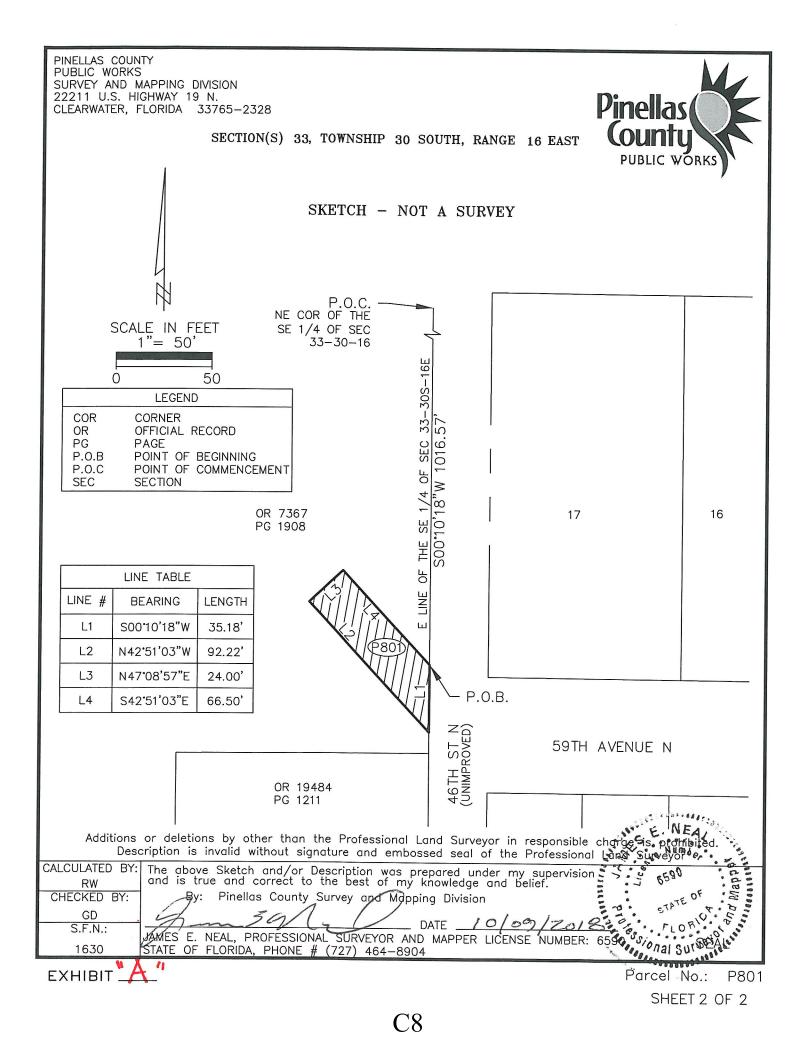
COMMENCE at the Northeast corner of the Southeast 1/4 of Section 33, Township 30 South, Range 16 East, Pinellas County, Florida, thence run S 00°10'18"W, along the East line of said Southeast 1/4 of Section 33, for a distance of 1016.57 feet to the POINT OF BEGINNING; thence continue along said East line, S 00°10'18"W, for a distance of 35.18 feet; thence N 42°51'03"W, for a distance of 92.22 feet; thence N 47°08'57"E, for a distance of 24.00 feet; thence S 42°51'03"E, for a distance of 66.50 feet to the POINT OF BEGINNING.

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Containing: 1905 square feet or 0.044 acres more or less.

Basis of Bearings: Bearings indicated are assumed based on the East line of the Southeast 1/4 of Section 33, Township 30 South, Range 16 East, Pinellas County, Florida, being <u>S 00°10'18"W</u>

ехнівіт 💄



# PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

December 17, 2018

Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



FLORIDA

PHONE • • FAX • •

(727) 369-0700
(727) 544-7448

Mr. Aaron Petersen Construction Services Director City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-384 Drainage Easement at 59th Avenue to 44th Street North

Dear Mr. Petersen:

I have received and reviewed the above-referenced Drainage Easement. Assuming that the legal description in Exhibit A is correct, I would approve of the Easement as to form and correctness.

Very truly yours,

James W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Asst. City Manager Bart Diebold, Public Works Administrator

JWD/dh 18-384.12172018.LAP.Drainage Easement at 59th Ave to 44th St.wpd



С8

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## Staff Report

File #: 18-711, Version: 1

Agenda Date: 1/10/2019

#### AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM RICHARD BRODTRICK - 4160 70th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from Richard Brodtrick to increase the right-of-way width to the required width and for the installation of a potable water main, and for the future maintenance and operation of said equipment at 4160 70th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Richard Brodtrick at 4160 70th Avenue North.



## **RIGHT OF WAY EASEMENT**

**THIS INDENTURE,** Made this \_\_\_\_\_\_ day of \_\_\_\_\_\_ A.D., 2019, between **Richard Brodtrick**, Mailing Address P.O. Box 380, Safety Harbor, Florida, 34695, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. (*"Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.*)

**WITNESSETH,** That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a **Right Of Way Easement** over, across and through that portion of Parcel ID# 27/30/16/10530/006/0040, Property Address, 4160 70th Avenue North, Pinellas Park, Florida, 33781, as further described below and depicted in Exhibit "A" (sketch of easement area) which is attached hereto and made a part hereof.

# A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THE NORTH 10.00' OF LOT 4, BLOCK 6, BOULEVARD PARK NO.1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 50, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

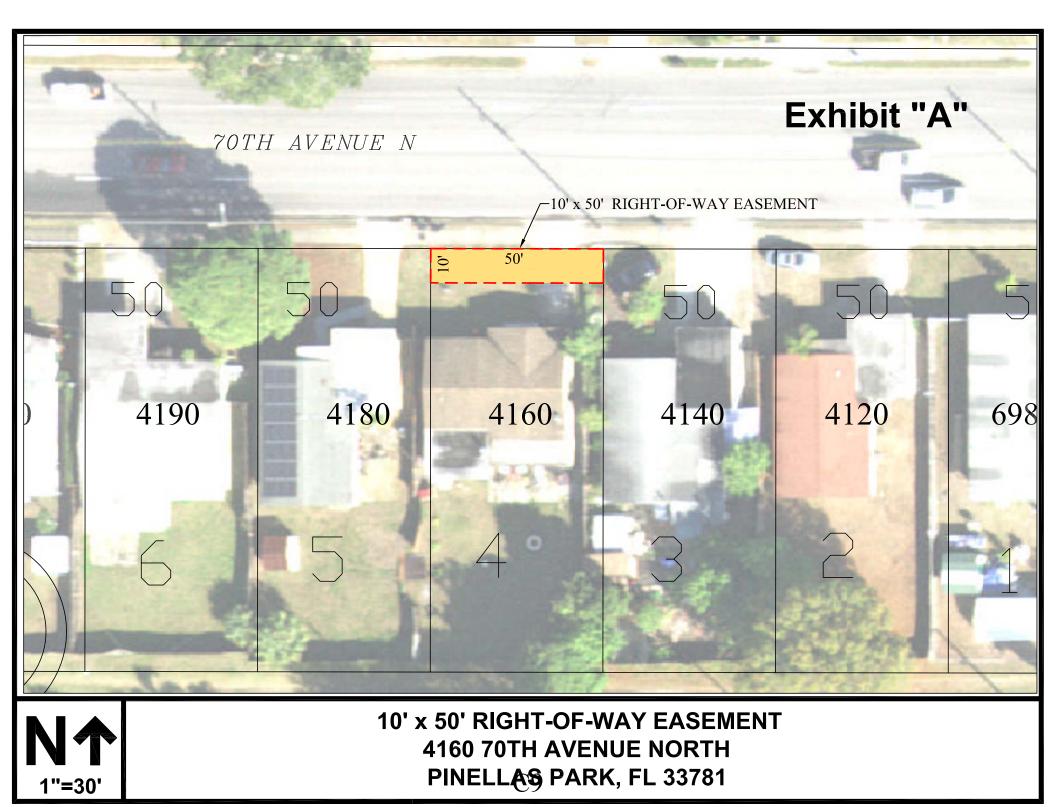
#### A PARCEL CONTAINING 0.01 ACRES M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

#### OWNER

(Wit.)	
	The foregoing instrument was acknowledged before me this, 2019 by
ATTENTION NOTARY: Although the inform THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:	Type of identification produced         nation requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.         Title or Type of Document       RIGHT OF WAY EASEMENT         Number of Pages       Date of Document         Signers Other than Named Above       NONE

(``9



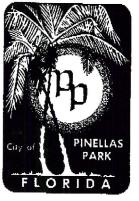
JAMES W DENHARDT

# PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100

PINELLAS PARK, FL 33780-1100 Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



# FLORIDA

PHONE • (727) 541-0700 FAX • (727) 544-7448 SUNCOM • 969-1011

December 18, 2018

Mr. Aaron Petersen Construction Services Director City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-385 Right of Way Easement at 4160 70th Avenue North

Dear Mr. Petersen:

I have received and reviewed the above-mentioned Right of Way Easement at 4160 70th Avenue North. Assuming that the legal description is correct, I would approve of the Easement as to form and correctness.

Very truly/yours.

James W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Asst. City Manager Bart Diebold, Public Works Administrator

JWD/law 18-385.590012182018.LAP.wpd



'Q

## Staff Report

File #: 18-712, Version: 1

Agenda Date: 1/10/2019

#### AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM GEORGE A. PARADISE - 5245 78th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from George A. Paradise for the installation of a sidewalk, and for the future maintenance and operation of said equipment at 5245 78th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from George A. Paradise at 5245 78th Avenue North.

## **RIGHT OF WAY EASEMENT**

**THIS INDENTURE,** Made this \_\_\_\_\_\_ day of \_\_\_\_\_\_ A.D., 2018, between **George A. Paradise**, Mailing Address 5245 78th Avenue North, Pinellas Park, Florida, 33781, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. (*"Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.*)

**WITNESSETH,** That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a **Right Of Way Easement** over, across and through that portion of Parcel ID# 28/30/16/86688/000/0490, Property Address, 5245 78th Avenue North, Pinellas Park, Florida, 33781, as further described below and depicted in Exhibit "A" (Sketch of easement area) which is attached hereto and made a part hereof.

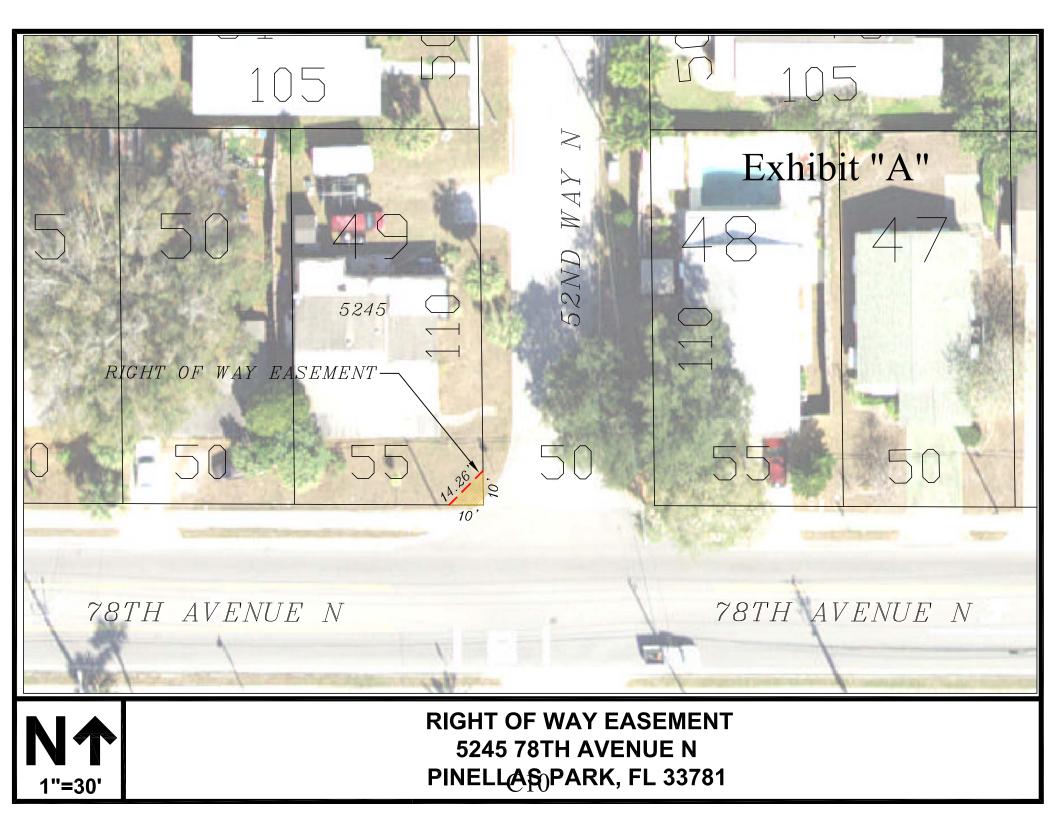
A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THAT PORTION OF LOT 49, SUNILAND SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 32, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF LOT 49, SUNILAND SUBDIVISION, FURTHER DESCRIBED ABOVE, SAID POINT BEING THE POINT OF BEGINNING, RUN NORTH 00°43'52" WEST 10.00'; THENCE SOUTH 45°15'11" WEST 14.26'; THENCE SOUTH 89°46'30" EAST 10.00' TO THE POINT OF BEGINNING.

#### A PARCEL CONTAINING 50 SQ. FT. M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

**OWNER** 

(Witness#1.)	
(signature)	(signature)
(print name)	(print name)
(Witness#2.)	
(signature)	
(print name)	
State of Florida	The foregoing instrument was acknowledged before me this, 2018 by
County of Pinellas	(Name of person acknowledging and title of position)
	Notary Public signature
	(Name of Notary typed, printed or stamped)
	Personally known or produced identification
	Type of identification produced
ATTENTION NOTARY: Although the inform	ation requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.
THIS CERTIFICATE MUST BE	Title or Type of Document RIGHT OF WAY EASEMENT
ATTACHED TO THE DOCUMENT	Number of Pages Date of Document
DESCRIBED AT RIGHT:	Signers Other than Named Above NONE
	C10



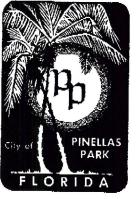
JAMES W DENHARDT

# PINELLAS PARK

5141 78TH AVE. - P.O. BOX 1100

PINELLAS PARK, FL 33780-1100 Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



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December 18, 2018

Mr. Aaron Petersen Construction Services Director City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-386 Right of Way Easement at 5245 78th Avenue North

Dear Mr. Petersen:

I have received and reviewed the above-mentioned Right of Way Easement for property located at 5245 78th Avenue North. Assuming that the legal description is correct, I would approve of the Easement as to form and correctness.

Very trails yours.

James W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Asst. City Manager Bart Diebold, Public Works Administrator

JWD/law 18-386.590012182018.LAP.wpd



C10



## Staff Report

#### File #: 18-714, Version: 1

Agenda Date: 1/10/2019

#### AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM AJKJ, LLC - 11486 68th Street North

NOTE: The City of Pinellas Park has requested a right-of-way easement from AJKJ, LLC to increase the right-of-way width to the required width and to allow a clear zone adjacent to the road at 11486 68th Street North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from AJKJ, LLC at 11486 68th Street North

## **RIGHT OF WAY EASEMENT**

**THIS INDENTURE,** Made this \_\_\_\_\_\_ day of \_\_\_\_\_\_ A.D., 2019, between **AJKJ, LLC** Mailing Address 6795 114th Avenue North, Largo, Florida, 33773, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. (*"Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.*)

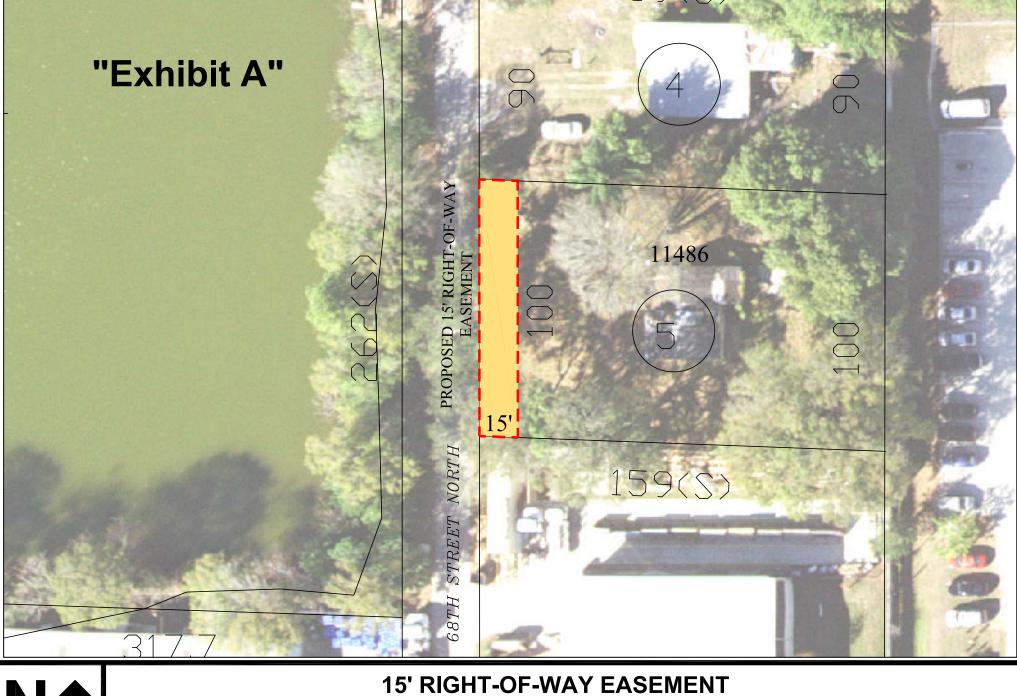
**WITNESSETH,** That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a **Right of Way Easement** over, across and through that portion of Parcel ID# 18/30/16/69768/100/1505, Property Address, 11486 68th Street North, Largo, Florida, 33773, as further described below and depicted in Exhibit "A" (sketch of easement area) which is attached hereto and made a part hereof.

A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THE WEST 15.00' OF THE FOLLOWING DESCRIBED PROPERTY: THE SOUTH 100.00' OF THE NORTH 190.00' OF THE WEST 1/4 OF FARM 15, PINELLAS FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE(S) 4&5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART. SAID RIGHT OF WAY EASEMENT IS A PORTION OF PARCEL# 18/30/16/69768/100/1505, IN THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 30 SOUTH, RANGE 16 EAST.

#### A PARCEL CONTAINING 0.03 ACRES M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

	OWNER
(Wit.)	AJKJ, LLC
(print name below signature)	
(Wit.)	Kamal S. Juneja, President
(print name below signature)	(Signature)
	(print name)
State of Florida	The foregoing instrument was acknowledged before me this, 2019 by
County of Pinellas	(Name of person acknowledging and title of position)
	Notary Public signature
	(Name of Notary typed, printed or stamped)
	Personally known or produced identification
	Type of identification produced
ATTENTION NOTARY: Although the informati	on requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.
THIS CERTIFICATE MUST BE	Title or Type of Document RIGHT OF WAY EASEMENT
ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:	Number of Pages     Date of Document       Signers Other than Named Above     NONE



**N†** 1''=40'

15' RIGHT-OF-WAY EASEMENT 11486 68TH STREET NORTH LARGO, FL 33773

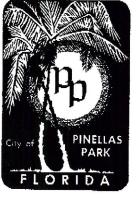
JAMES W DENHARDT

# PINELLAS PARK

5141 78TH AVE, • P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



# FLORIDA

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 • (727) 544-7448

 SUNCOM
 • 969-1011

December 18, 2018

Mr. Aaron Petersen Construction Services Director City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-387 Right of Way Easement at 11486 68th Street North

Dear Mr. Petersen:

I have received and reviewed the above-mentioned Right of Way Easement for property located at 11486 68th Street North. I note that the legal name of the entity as registered with the State of Florida Division of Corporations does not contain a period after LLC. All references in the document to the owner of the property should be updated to appear as "AJKJ, LLC" without a period after LLC.

Once that change is incorporated, and assuming that the legal description contained in the Easement is correct, I would approve of the Easement as to form and correctness.

Very truly yours,

James W. Denhardt City Attorney

cc: Doug Lewis, City Manager Diane M. Corna, MMC, City Clerk Patrick Murphy, Asst. City Manager Bart Diebold, Public Works Administrator

JWD/law 18-387,590012182018.LAP,wpd



C11



Staff Report

#### File #: 18-715, Version: 1

#### Agenda Date: 1/10/2019

#### AUTHORIZATION FOR MAYOR TO SIGN INTERLOCAL MAINTENANCE AGREEMENT WITH <u>PINELLAS COUNTY</u> - Plat Book 124, Pages 16-17 Perpetual Drainage Easement

NOTE: This authorizes the Mayor to sign an Interlocal Maintenance Agreement with Pinellas County to transfer the maintenance responsibility for the drainage easement dedicated to the City of Pinellas Park by plat. The County will perform specific maintenance to this easement area for a five year term. The proposed agreement has been reviewed by the City Attorney's office.

ACTION: (Approve - Deny) Authorization for the Mayor to sign an Interlocal Maintenance Agreement with Pinellas County.

#### DITCH MAINTENANCE AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF PINELLAS PARK

THIS DITCH MAINTENANCE AGREEMENT, hereinafter this "Agreement", is entered into this \_\_\_\_\_\_ date of \_\_\_\_\_\_, 2018, by and between Pinellas County, a political subdivision of the State of Florida, hereinafter the "COUNTY", and the City of Pinellas Park, a municipal corporation of the State of Florida, hereinafter the "CITY"; collectively the COUNTY and the CITY are referred to as the "Parties".

WHEREAS, this Agreement is made and entered between the Parties pursuant to Section 163.01, Florida Statutes, the "Florida Interlocal Cooperation Act of 1969";

WHEREAS, the CITY was granted a perpetual drainage easement (the "Easement") over a 115.81 foot long downstream section of ditch (the "Easement Area"), which directly discharges into Lake Allen, via plat recorded in Official Records Book 124, Pages 16 – 17 attached as Exhibit A; an illustration of the Easement Area prepared by the COUNTY is attached as Exhibit B;

WHEREAS, the COUNTY already maintains an upstream section of ditch adjoining the Easement Area pursuant to a separate easement granted via plat recorded in Official Records Book 117, Pages 3-5;

WHEREAS, the COUNTY received a written request from the CITY to take over maintenance of the Easement Area, specifically routine trimming, cleaning, and spraying;

WHEREAS, given the condition and size of the Easement Area, and given that the COUNTY is already maintaining an adjoining section of ditch, the COUNTY believes it can maintain the Easement Area with minimal additional COUNTY resources;

WHEREAS, combining the maintenance cycles of the Easement Area with the aforementioned adjoining section of ditch is environmentally beneficial and technically efficient; and

WHEREAS, the COUNTY desires to assist its partner CITY and the surrounding community.

NOW THEREFORE, in consideration of the mutual terms, covenants, representations, and conditions contained herein, the Parties agree as follows:

## C12

#### DITCH MAINTENANCE AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF PINELLAS PARK

- 1. Within thirty (30) days of this Agreement's effective date, the CITY shall pay the COUNTY \$10.00 (ten) dollars as consideration for performance of this Agreement.
- 2. To the extent consistent with the Easement and the CITY'S rights thereunder, the CITY grants the COUNTY access to the Easement Area for ditch maintenance. Nothing herein shall be construed as a transfer of the Easement, or any of the CITY's rights, duties, or liability thereunder, to the COUNTY.
- 3. The COUNTY shall maintain the Easement Area solely for drainage purposes consistent with the Easement, which may include trimming, mowing, edging, spraying, and other measures the COUNTY deems necessary. Maintenance shall be performed at the COUNTY's discretion; the COUNTY is not obligated to maintain the ditch at any particular intervals.
- 4. The term of this Agreement shall be five (5) years from the date of execution by both Parties. Prior to its effectiveness, this Agreement and subsequent amendments thereto must be filed with the Clerk of the Circuit Court pursuant to F.S. § 163.01.
- 4. Either party may terminate this Agreement with or without cause upon ten (10) days' notice to the other party.
- 5. All notices required by law and by this Agreement to be given by one (1) party to the other shall be in writing and shall be sent to the following respective addresses via USPS Certified Mail:

COUNTY:	Director, Public Works Pinellas County Public Works 22211 U.S. Hwy 19 North, Bldg #1 Clearwater, FL 33756
CITY	Director Public Works

CITY: Director, Public Works City of Pinellas Park 6051 78<sup>th</sup> Ave N. Pinellas Park, FL 3378

#### DITCH MAINTENANCE AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF PINELLAS PARK

- 6. This Agreement may only be amended through mutual written agreement of the Parties. This Agreement may be amended at any time.
- 7. This Agreement shall be binding upon the Parties, their successors, assigns and legal representatives.
- 8. This Agreement shall be governed, interpreted, and constructed according to the laws of the State of Florida.
- 9. If any part of this Agreement shall be determined to be invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall remain in full force and effect, provided that the part of this Agreement thus invalidated or declared unenforceable is not material to the extended operation of this Agreement.
- 10. The Parties acknowledge that the records relating to this Agreement and the carrying out of the obligations hereunder are subject to the provisions of Florida Statutes, Chapter 119.
- 11. The CITY accepts liability for the maintenance of the Easement Area and agrees, to the fullest extent permitted by law, to indemnify, defend, and hold harmless the COUNTY from all claims arising from any alleged failure to maintain the Easement Area. This provision is not intended to serve as a waiver of Sovereign Immunity or to authorize any third-party claims or litigation arising hereunder.
- 12. This document, including Exhibits hereto, embodies the whole agreement between the Parties. There are no promises, terms, conditions or allegations other than those contained herein, and this document shall supersede all previous communications, representations and/or agreements, whether written or verbal, between the Parties hereto.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

# DITCH MAINTENANCE AGREEMENT BETWEEN

#### PINELLAS COUNTY AND

#### THE CITY OF PINELLAS PARK

IN WITNESS WHEREOF, the undersigned have hereunto affixed their hands and seals as the day and

year first above written.

PINELLAS COUNTY, by and through its County Administrator

By: \_\_\_\_\_

Barry Burton, County Administrator

WITNESS:

By: \_\_\_\_\_

APPROVED AS TO FORM:

By:\_\_\_\_\_

Office of County Attorney

#### **DITCH MAINTENANCE AGREEMENT**

#### BETWEEN

#### PINELLAS COUNTY AND

#### THE CITY OF PINELLAS PARK

#### CITY OF PINELLAS PARK

#### CITY OF PINELLAS PARK, FLORIDA

By:\_\_\_\_

Doug Lewis, City Manager

By:\_\_\_\_\_

Sandra Bradbury, Mayor

Approved as to form and correctness:

Attest:

James W. Denhardt, City Attorney

City Clerk

# Exhibit A

SOMERSET LAKES BEING A REPLAT OF A PORTION OF LOT 11 IN THE SOUTHE AND A PORTION OF LOT 4 IN THE NORTHEAST

ACCORDING TO THE PLAT OF PINELLAS GROVES, INC. AS RECORDED IN P CITY OF PINE

## DESCRIPTION

A PORTION OF LOT 11 IN THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 15 EAST AND A PORTION OF LOT THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 30 SOUTH, RANGE 15 EAST ACCORDING TO PLAT OF PINELLAS GROVES, INC., A RECORDED IN PLAT BOOK 1, PAGE 55, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND A PORTION OF THE SOUTH 1/2 OF SECTION 12, AND A PORTION OF LOT 4 AND VACATED RIGHTS OF WAY IN THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 30 S RANGE 15 EAST, ACCORDING TO THE AFOREMENTIONED PLAT OF PINELLAS GROVES, INC., BEING MORE PARTICULARLY DESCRIBED FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SOMERSET LAKES UNIT 5, PHASE 5A AS RECORDED IN PLAT BOOK 117, PAGE 3, P RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG THE SOUTH BOUNDARY OF SAID PLAT, S.89'55'06"E., 333.34 FEET; THENCE LEAVING SAID PLAT BOUNDARY, S 00'06'31"W 546.17' FEET TO A NON- TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 460.00 FEET; THENCE WESTERLY ALONG SAID CURVE, 146.06 FEET THROUGH A CENTRAL ANGLE OF 18'11'36" (CHORD BEARING S.81'53'59"W., CHORD DISTANCE OF 145.45 FEET); THENCE NON-TANGENT N.15'27'32"W., 187.97 FEET, THENCE S.85'37'35"W., 139.17 FEET; THENCE N.00'04'54"E., 396.58 FEET TO THE POINT OF BEGINNING. CONTAINING 3.62 ACRES MORE/OR LESS.

#### DEDICATION

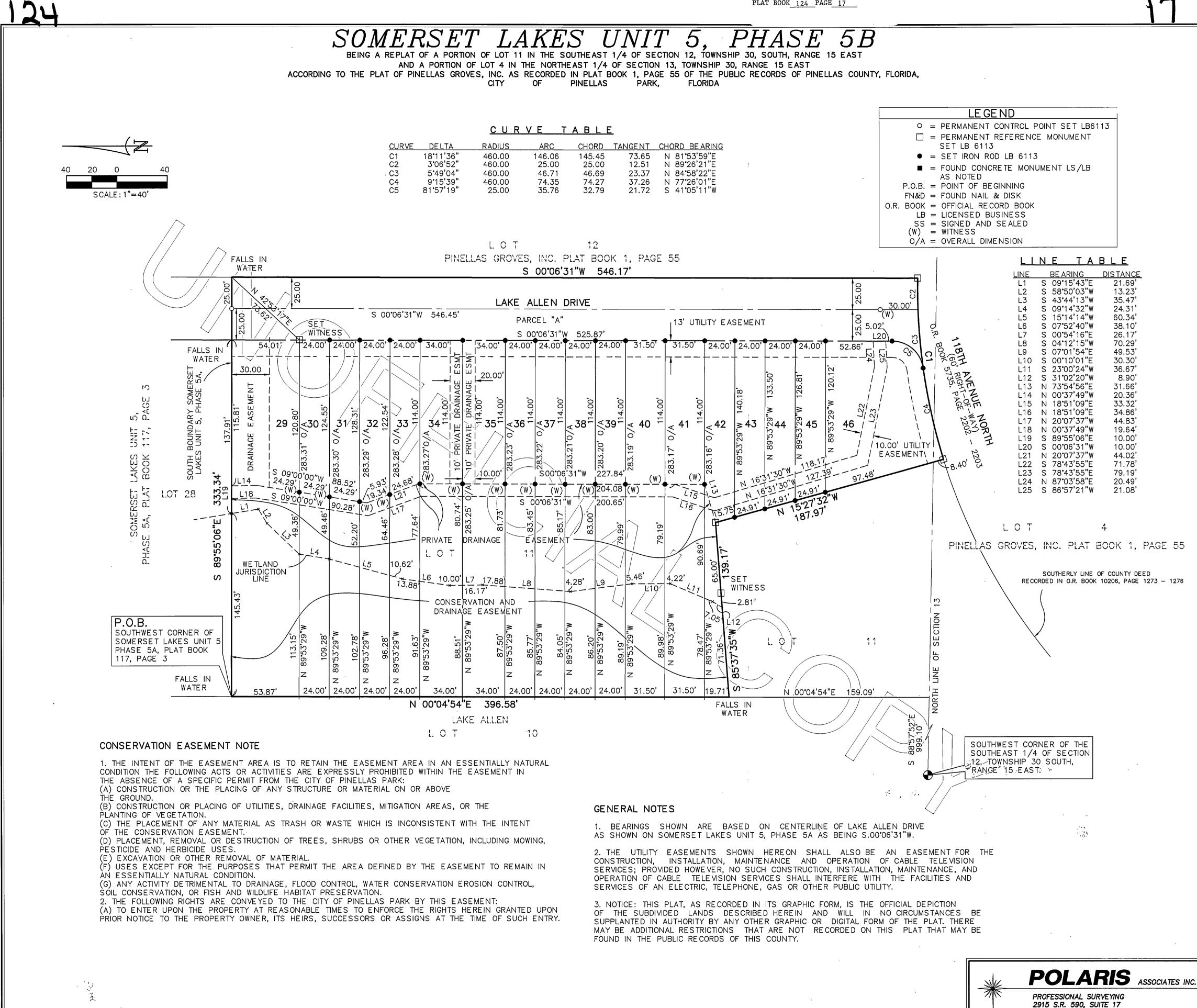
THE UNDERSIGNED HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HEREBY PLATTER "SOMERSET LAKES UNIT 5, PHASE 5B"; THAT THEY DEDICATE TO THE CITY OF PINELLAS PARK AND PINELLAS COUNTY THE RIGH USE THE UTILITY AND DRAINAGE EASEMENTS AS SHOWN FOR THE INSTALLATION AND MAINTENANCE OF DRAINAGE FACILITIES, S SEWERS, UTILITIES AND PURPOSES INCIDENTAL THERE TO AND PARCEL "A" AS A UTILITY EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF FACILITIES AND PUBLIC RIGHT OF WAY TO THE CITY OF PINELLAS PARK AND PINELLAS COUNTY.

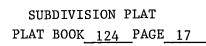
THE PARTIES JOINING THEREIN ARE: OWMERS: AS TO LOTS 41 - 46 MA III VIA A AA LOUISE HOVE bucker None MARCUS VERNON, PRESIDENT WITNESS NAME PRINTED WITNESS AURORA LAND HOLDINGS, INC. AND Nicole BEAULNE Jusie ECLIPSE LAND HOLDINGS, INC. WITNESS NAME PRINTED WITNESS ACKNOWLEDGMENT: STATE OF FLORIDA ≻ss COUNTY OF PINELLAS ) BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED MARCUS VERNON, PRESIDENT OF AURORA / / AS JIDENTIFICATION LAND HOLDINGS, INC. AND ECLIPSE LAND HOLDINGS, INC. AND HAS PRODUCED\_ P | A OR ARE <u>PERSONALLY KNOWN TO ME</u> TO BE THE INDIVIDUALS EXECUTING THE FOREGOING AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES SET OUT THEREIN. WITNESS MY HAND AND OFFICIAL SEAL THIS \_14th DAY OF JANUARY\_\_, 2002. Avere None Louise Hove Commission # DD 015211 NOTARY PUBLIC Expires April 14, 2005 Bonded Thru STATE OF FLORIDA AT LARGE Atlantic Bonding Co., Inc. LOUISE HOVE D) 015211 COMMISSION NO. PRINTED NAME OF NOTARY MY COMMISSION EXPIRES: 4/14/05 OWNERS: AS TO LOTS 29 - 40 Mat MICHAEL S. FARRELL PRESIDENT WITNESS NAME PRINTED FARRELL HOMES, INC. LOUISE HOUE accese Hone WITNESS NAME PRINTED ACKNOWLEDGMENT STATE OF FLORIDA SS COUNTY OF PINELLAS ) BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED MICHAEL S. FARRELL PRESIDENT OF FARRELL HOMES, INC. AND HAS PRODUCED\_\_\_\_\_\_ AS IDENTIFICATION OR ARE <u>PERSONALLY KNOWN TO ME</u> TO BE THE INDIVIDUALS EXECUTING THE FOREGOING AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES SET OUT THEREIN. WITNESS MY HAND AND OFFICIAL SEAL THIS 11th DAY OF JANUARY, 2002. NOTARY PUBLIC Hone Louise Hove mmission # DD 015211 Expires April 14, 2005 STATE OF FLORIDA AT LARGE LOUISE HOVE DDOISZII COMMISSION NO. PRINTED NAME OF NOTARY MY COMMISSION EXPIRES: 4/14/05 CERTIFICATE OF MORTGAGEE: THE UNDERSIGNED, AS MORTGAGEE UNDER CERTAIN MORTGAGES DATED 6/29/01 RECORDED IN O.R. BOOK 11454, PAGE 587 AND 12/19/01 RECORDED IN O.R. BOOK 11743, PAGE 1020 JOINS IN AND CONSENTS TO THE DEDICATION OF THE LANDS DESCRIBED HEREON, AND AGREES THAT IN THE EVENT OF FORE CLOSURE OF THIS MORIGAGE ALL DEDICATED ARE AS SHALL SURVIVE AND BE ENFORCE ABLE. LAURA L. SMCH SCOTT C. BOYLE, PRESIDENT WITNESS NAME PRINTED FIRST COMMUNITY BANK OF AMERICA LOUISE HOUE Hone

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	PI	AT BOOK <u>124</u>	PAGE 16		INST <b>#</b> 02-028 JAN-22-2002 4	8897 :11 PM		16
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T 1/4 OF SEC	TION 13, TOWNS	SHIP 30, RAI	NGE 15 EAST		Y. FLORIDA.			
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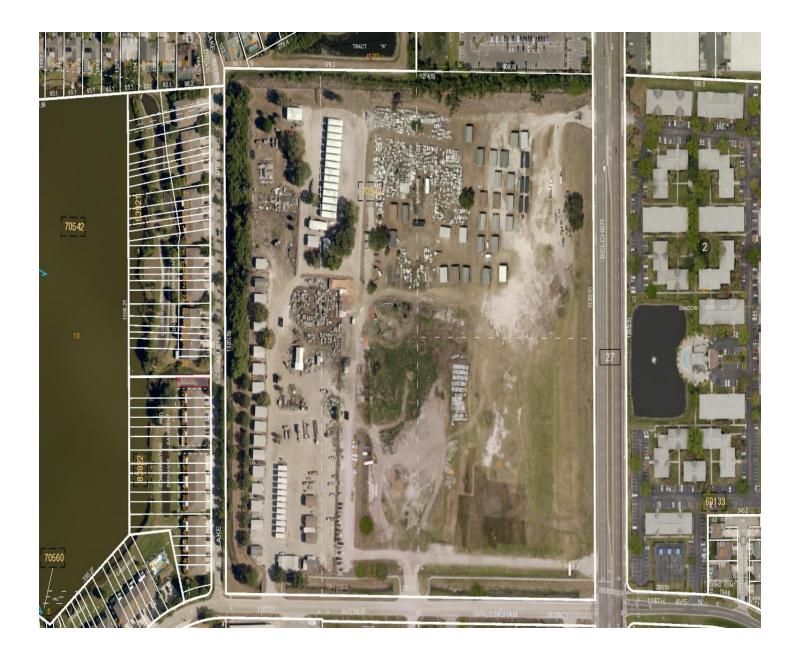




CLEARWATER, FLORIDA 33759

SHEET 2 OF 2

(727) 669-0522



# PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100 PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attorney Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North St. Petersburg, Florida 33713 (727) 327-3400 - Telephone (727) 323-0888 - Facsimile



FLORIDA

PHONE •

(727) 369-0700
(727) 544-7448

December 17, 2018

Mr. Aaron Petersen Construction Services Director City of Pinellas Park P. O. Box 1100 Pinellas Park, Florida 33780-1100

#### RE: City Document #18-383 Interlocal Ditch Maintenance Agreement with Pinellas County

Dear Mr. Petersen:

I have received and reviewed the above-referenced Agreement. I note that on the first page there appears to be a formatting issue between the third and fourth Whereas paragraphs. Additionally, the signature block for the City Attorney should be updated to read as follows:

Approved as to form and correctness:

By:

James W. Denhardt, City Attorney

Please be aware that the way the Agreement currently reads, the City maintains all liability for the maintenance of the Easement area and that the County is not obligated to maintain the ditch at any particular intervals. Therefore, if the City wishes to enter into this Agreement, it is important that the City continues to monitor its easement area to ensure it is being properly maintained.



Mr. Aaron Petersen December 17, 2018 Page 2

Once the above changes are incorporated into the Agreement, I would approve of the Agreement as to form and correctness.

Very tray yours,

herde mul

James W. Denhardt **City Attorney** 

Doug Lewis, City Manager CC: Diane M. Corna, MMC, City Clerk Patrick Murphy, Asst. City Manager Bart Diebold, Public Works Administrator

JWD/dh 18-363,12172018.LAP. Interlocal Ditch Minton Agent w Pin Cty.wpd This page is left blank intentionally



Staff Report

#### File #: 18-705, Version: 1

Agenda Date: 1/10/2019

#### THE 2018 LIBRARY ANNUAL REPORT

NOTE: The 2018 Library Annual Report is submitted to Council by the Library Advisory Board in accordance with Section 2-504 of the City Code of Ordinances. Members of the Library Board will be in attendance to present the report.

ACTION: (Approve - Deny) 2018 Library Annual Report.











# BARBARA S. PONCE PUBLIC LIBRARY

2018 ANNUAL REPORT



BARBARA S. PONCE Public Library OF PINELLAS PARK 7770 52ND ST. 33781

### **Presented to City Council:**

Mayor Sandra Bradbury Vice-Mayor Patricia "Patti" Johnson Councilman Rick Butler Councilman Jerry Mullins Councilman Keith V. Sabiel

#### **By Board Members:**

Patricia Bennett – Chair Milton W. Wendland – Vice Chair Jacqueline Barnes Katherine Egolf Shannon Harner William (Bill) Holmes Jeffrey Nguyen Kevin Quinn Elithia V. Stanfield

BARBARA S. PONCE Public Library OF PINELLAS PARK 7770 52ND ST. 33781

# BARBARA S. Ponce public Library

# THE STATE OF THE LIBRARY

Libraries continue to focus on resources and services that go **beyond the basics** of offering materials to borrow. People learn and share ideas and skills in a variety of ways, and libraries continue to adapt our offerings to remain useful, relevant and responsive to the diverse needs of our users. People have **expanded expectations** about the scope of library services, so the Library is reshaping its collection and program activities to meet new demands.

The Library manages these new roles by recruiting staff with a more diverse skill set and also by inviting other agencies and interest groups to partner with us to **share their expertise** to increase the number of community meetings, seminars, and workshops that we can offer. The Library also gives **access to community** groups and non-profits to hold meetings and other self-contained events, and the Library often finds itself stretching to find a suitable space for everyone.

The Library has not undergone any significant renovations in nearly two decades. In addition to needed refurbishments in restroom facilities and replacement of the library's aging AC units, the time has come to reassess our floor plan and to outfit all spaces to **better accommodate modern technologies** and non-traditional library activities. Pursuing some new layouts and updates will help the Library **attract more partners** and users, ensuring that the Library continues to be a well-used community resource well into the future.





# BARBARA S. Ponce public Library

# IMPROVING YOUTH SPACES

One significant project the Library is pursuing is adapting the Youth Services area to make the space flexible enough to accommodate the diverse needs of youth of all ages. The Library has purchased stackable chairs and nesting tables to allow reconfiguration of the space depending on the audience, though we lack quiet student study spaces, sensorysensitive options and basic buffer spaces between everyone. The Library is also resizing the collection and investigating different shelving hardware that would free up floor space to give us more with which to work, though this requires a financial investment.

While the Library has a children's activity room in the Youth Services area, it is simply not large enough for many activities. To accommodate the multiple strollers, toys, props, and of course, people, most children's programs are relocated out of the Youth Services area to the exterior meeting rooms. While this is a positive from a noise management perspective, it undermines the intention of bringing children and their parents into the heart of the Library to enjoy the collection, fun displays and spontaneous learning opportunities within the Library.

The Library offers a dedicated teen space, though it lacks the correct infrastructure to install adequate electrical outlets and offers no computer or other technology options – a definite weakness for appealing to today's teens. The space is also located some distance from the Youth Services staff, so natural interactions with staff and relationship-building can be limited. The Library would like to invest in a few structural changes to address these issues.





# BARBARA S. Ponce public Library

# CONTROLLING NOISE

Libraries are no longer just about books and individual reading; libraries now serve as gathering spaces that facilitate idea sharing and encourage open communication. Students work collaboratively together, children play board games, and people work together on computers. This change in atmosphere is not without some conflict, as there are still people who value the library for its traditional calm and quiet environment.

While an open library building facilitates better light and monitoring of the facility, it allows noise to travel freely as well. One of our biggest challenges is the friction between large groups of toddlers or after-school children socializing in the Youth Services and the adults focused on their computer work nearby. The Library is interested in pursuing additional glass partitions and noise blocking measures between the Youth Services area and the rest of the building. This would resolve our noise issue while still keeping an open feel to the Library.

# CONSOLIDATING SERVICE DESKS

Having one central adult service desk would free up additional space that could be allocated for program or public meeting space. This also lets the Library make better use of its personnel resources while users experience more streamlined service from cross-trained staff who work together from a single convenient service point. The service counters are showing 17 years' worth of wear, so there is already a need to refurbish them, and it is necessary time to reassess their placement and layout as well.





# BARBARA S. PONCE PUBLIC LIBRARY

	Stati	stical Highlights		11 E 13	
<b>General Statistics</b>	1	Library Cardho	Iders	42,395	
Library Visits	255,611	Pinellas Park Re	Pinellas Park Residents		
Computer Sessions	95,212	Unicorporated R	esidents	7,792	
Library Website Hits	101,983	Other PPLC-are	a Residents	7,832	
Catalog & Database Use	101,495	Non-Pinellas Re	sidents	117	
Volunteer Hours	4,362	(Computer Use	Only)	3,476	
The Collection		Select Circulati			
	04.010		on	170.051	
Books (print)	84,210	Books		172,051	
CD Items and DVDs	18,371	Videos		132,137	
Serials (print issues)	2,927 79	Audiobooks & M	USIC	18,015	
Databases		Magazines		3,501 1,497	
Digital Books & Audios	656,559		Inter-Library Loan		
Streaming Videos	38,568		E-Books Downloads		
		Audiobook Dowr	nioads	10,331	
Social Media Engageme	nt	Staff Assistanc	е	77,842	
Facebook Reach	49,639	Research Quest	Research Questions		
Book Blog Views	1,446	Directional Ques	Directional Questions		
Twitter Engagement	13,110	Technology Que	Directional Questions26,751Technology Questions13,039		
Evpondituroo	¢1 005 101	Programs	#Events	<b>#Participants</b>	
Expenditures Personnel Costs	\$1,895,101	Adult	873	5,515	
	\$1,227,309	Young Adult	109	1,015	
Technology Infrastructure	\$188,062	Children	395	10,050	
General Operations	\$170,199				
Bldg Maintenance New Books and AV	\$128,556	Devenues		\$439,012	
	\$117,199		Revenues		
Digital Content	\$22,497	PPLC Cooperativ	ve lunus	\$371,796	
Youth Furnishings	\$19,487	Fines and Fees	0.000	\$30,186	
Program Expenditures	\$13,250	Copy Machine F Taxable Sales	ees	\$23,368	
Print Subscriptions	\$8,558	Gift Funds		\$10,452	
		Gilt Funus		\$3,310	

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