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## COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue

**Wednesday, September 24, 2014**

**6:00 PM**

Call to Order  
Pledge of Allegiance  
Invocation  
Roll Call

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### REGULAR MEETING

1. **Presentations** - Presentations shall be limited to 5 minutes for non-city government related items.
  - a. **CPO Dave Mancusi**
2. **Changes to the Agenda** - Any agenda items to be added, moved, or deleted will be addressed at this time. Added items will be assigned agenda item numbers and moved items should remain with the same item numbers. Notation will be made that those items will be taken out of order. Consent items may be removed for discussion, changes, and/or anticipation of a non-unanimous vote and considered separately on the request of anyone on the Commission or by a majority vote of the City Commission upon request of an audience member.
3. **Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda, 21 minutes in total.
4. **Consent**
  - a. **Approval of minutes from the August 4 and August 11, 2014 City Commission Budget Workshop Meetings; the August 12, 2014 City Commission Special and Regular Meetings.**
  - b. **Authorization for the Interim City Manager to enter an agreement with Public Risk Management of Florida for**

**renewal of the City insurance policies covering the period from 10/01/2014 to 09/30/2015 in the amount of \$488,075.00.**

**5. Action Items**

- a. Authorization to approve special event application and street closure for Bayway Bridge 5K on Friday, October 17, 2014. Closures would be one block of Pass-a-Grille Way between Cabrillo Ave and 32nd Ave from 6:45 - 7:45 pm.**
- b. Application for Conditional Use - Parking Lot (Commercial, Property Location: 5195 Gulf Boulevard, Folio #: 06-32-16-08136-000-0270, Owner/Applicant: Nicklaus of Florida, Inc., Case No. 2014-0036**

**6. Ordinances**

- a. Ordinance 2014-08, Final Reading and Public Hearing, An ordinance of the City of St. Pete Beach, Florida adopting a final millage rate for the fiscal year ending September 30, 2015 and providing for an effective date.**
- b. Ordinance 2014-09, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Florida adopting a budget for the fiscal year ending September 30, 2015; providing appropriations and providing for an effective date.**

**7. Resolutions – None for this agenda**

**8. Items for Discussion – None for this agenda**

**9. Audience Comments 2** - Comments shall be limited to 3 minutes per person to issues not on the agenda, 21 minutes in total.

**10. City Clerk, City Manager, City Attorney and City Commission Reports**

**11. Adjournment**

**APPEAL**

If a person decides to appeal any decision made at this meeting, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the meeting is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

**AMERICAN DISABILITIES ACT**

In Accordance with the American's with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 367-2735 no later than (4) days prior to the meeting for assistance.

The public is cordially invited to attend. All agenda material is available for review at City Hall.

# **CITY COMMISSION MEETING - BUDGET WORKSHOP**

## **MINUTES**

**AUGUST 4, 2014**

**2:00 P.M.**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **PRESENT:**

Maria Lowe, Mayor  
Melinda Pletcher, Vice Mayor  
Terri Finnerty, Commissioner  
Rick Falkenstein, Commissioner  
Gregory Premer, Commissioner

### **ALSO PRESENT:**

Elaine Edmunds, Interim City Manager  
Rebecca C. Haynes, City Clerk

### **1. Items for Discussion**

#### **a. Review of Proposed FY2015 Budget**

Elaine Edmunds, Finance Director, shared Revenue Update with approximately \$15,651,000 coming into the General Fund in FY 2015.

#### **Highlights:**

- 10% increased insurance rates
- \$4.00/gallon gas reimbursement
- 2½% merit increase
- No cost of living increase
- .975 decrease in personnel
- After budgeting required pension amounts, \$44,000 balance was placed into police pension fund

#### **City Commission**

- a. Remaining donation funds may be transferred to contingencies

- b. Travel and training fund increased to \$10,000

City Clerk

- a. Establishing the Deputy City Clerk position in lieu of Recording Secretary position

City Attorney

- a. \$410,000 total fees budgeted
- b. Basic legal services budgeted at \$65,000

City Manager

- a. \$5,000 tuition reimbursement plan added
- b. Capital Transfer remains at \$1,825,000

Community Development

- a. Current staffing level remains
- b. Director position is vacant
- c. Ms. Edmunds to provide estimated consultant contract amount
- d. \$10,000 added for Planning and Engineering
- e. Cost Recovery Program Initiation

Building Services

- a. Code enforcement staff member contracted through PCSO

Administrative Services

- a. IT
  - \* Current staffing level remains
  - \* Upgrading audio/visual recording and telephone systems
- b. Finance
  - \* Added contract position of Financial Advisor
- c. Parking Enforcement
  - \* On-site staff reduced to one full-time; two part-time employees
  - \* New pay/cell phone operated parking stations installed
- d. Law Enforcement
  - \* Pinellas County Sheriff's Office contract increased by 2.54%
  - \* \$60,000 budgeted for extra deputies/special events
  - \* Police pension funds come in from State, paid directly to fund; new 7% assumption rate

**2. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 6:12 p.m.

Attest:

\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

\_\_\_\_\_  
Maria Lowe, Mayor

Minutes approved on: \_\_\_\_\_

# **CITY COMMISSION MEETING - BUDGET WORKSHOP**

## **MINUTES**

**AUGUST 11, 2014**

**2:00 P.M.**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **PRESENT:**

Maria Lowe, Mayor  
Melinda Pletcher, Vice Mayor  
Terri Finnerty, Commissioner  
Rick Falkenstein, Commissioner  
Gregory Premer, Commissioner

### **ALSO PRESENT:**

Elaine Edmunds, Interim City Manager/Administrative Services Director  
Steve Hallock, Public Services Director  
Jennifer McMahon, Recreation Director  
Jenine Thornley, Recording Secretary

### **1. Items for Discussion**

#### **a. Review of Proposed FY2015 Budget**

Elaine Edmunds, Interim City Manager, stated the Recreation Department personnel increased slightly with the addition of part-time staff to cover before and after-school care. The increase is offset by the additional revenue generated from the new program.

Jennifer McMahon, Recreation Director, presented highlights of the department's events and the new permitting process that requires annual applications and Commission approval.

Ms. Edmunds provided background information on the newly developed Vehicle Replacement Plan.

Ms. Edmunds, Steve Hallock, Public Services Director, and Jeff Larson, Financial Consultant, discussed the FY2015-2019 Capital Improvement Project Proposals with

the City Commission, as follows: General Fund, Fire Mini-Pumper Vehicle, Street Rehabilitation, Seawall Repairs, Pass-A-Grille Way Reconstruction, Stormwater Fund and Capital Projects. (Attached to the August 11, 2014 minutes are the following documents: Reconciliation to Budget Submittal, Fiscal Year 2015 Budget Submittals, General Fund; Fiscal Year 2015 Budget Summary, Capital Projects; and Reconciliation of Budget Submittal, Fiscal Year 2015 Budget Submittals, Stormwater Fund.)

Ms. Edmunds briefly discussed undergrounding utilities along Gulf Boulevard that are not included in the current CIP. In the Interlocal Agreement with Pinellas County there is a balance of approximately 5.6 million dollars that will be paid out over a period of time and the funds have to be used on Gulf Boulevard for beautification. The Interlocal Agreement was signed 7/10/2012 and expires 7/31/2019. Mr. Larson suggested putting this project into the budget while interest rates are low. Ms. Edmunds stated she would add under-grounding to the five-year CIP.

Commissioner Finnerty posed a question about obtaining an estimate for saving the existing trees in the Pass-A-Grille Way project. Mr. Hallock said there will be additional costs to save existing trees when doing a complete new reconstruction but will try to save the trees, unless instructed otherwise, and would obtain a number for the Commission. Mr. Hallock suggested planting new trees to replace the existing trees.

There was discussion amongst the Commission regarding the following: FDOT landscaping is all grant funded, and the majority of Bayway landscaping is grant funded as well. Blind Pass Road is another large project for next year and it does have SWFMD funding. Gulf Way sand wall, Upham Beach concession's deck replacement, Jetty platform and sidewalk repairs are slated for 2016. Egan Park - discussion about the new location of the boat ramp; light replacement was budgeted for 2015 and netting for 2016. Playground equipment replacement – Vina Del Mar Park, 2017; McKenney Park, 2018. McKenney Park is scheduled to have resurfacing in 2015. Hurley field, FRDAP grant for playground equipment scheduled for 2016. Discussion about the 10 million dollar bond which will have a 20-year note payment period and the Community Center note payment to be paid off in FY2018. The Community Center dock was recommended to be removed from the CIP, but after Commission discussion, the use of pay stations for the dock and the dock to be leased out will be reviewed by the Commission at a later date.

There was a discussion about renovating the prior police station building for City Hall and renovating the current City Hall for the library. The study is progressing and seems to be feasible but there are no numbers as of today's date. Phyllis Ruscella, Library Administrator, spoke positively about the possible renovation.

Tindale-Oliver & Associates submitted a proposal for approximately \$141,303 for a planning project for Pass-A-Grille in creating design standards and a master plan.

Pass-A-Grille, there was a discussion regarding ADA compliance and specifications that need to be met. The estimated cost for an engineer to perform a study is \$29,000 and \$200,000 for construction.

Ms. Edmunds stated there is a need for the Records Retention Document Imaging system for the Community Development Department records which would approximately be \$50,000 for 2015.

Waste Water Fund: Ms. Edmunds stated Pump Station 3 and Force Main 3 will be paid from loans. Mr. Hallock stated this was the last piece of waste water collection system and needs to be done. Also, there was general discussion regarding: budgeting for a replacement plan for the lift stations, setting aside \$750,000 for sewer and replacement of four pipes in crossovers.

Reclaimed Water Fund: this year \$97,000 will be available to be used toward capital projects because the debt service will be paid.

Ms. Edmunds gave a recap of what was added back to the General Fund budget:

|                                                           |           |
|-----------------------------------------------------------|-----------|
| Increase in extra legal                                   | \$150,000 |
| Addition to Planning Department, Professional Contractual | \$ 8,000  |
| 3 Firefighter paramedic positions                         | \$220,000 |
| Public Service, Administration Planning & Engineering     | \$ 17,000 |
| Parks Facility Maintenance                                | \$ 25,000 |
| ADA study/work                                            | \$229,000 |
| Tindale-Oliver                                            | \$141,303 |
| Records Retention Document Scanning                       | \$ 50,000 |
| Blind Pass Road                                           | \$200,000 |

Ms. Edmunds will present the Commission a summary for the budget meeting on August 12, 2014.

## **2. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 5:45 p.m.

Attest:

\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

\_\_\_\_\_  
Maria Lowe, Mayor

Minutes approved on: \_\_\_\_\_

**CITY COMMISSION SPECIAL MEETING**

**MINUTES**

**AUGUST 12, 2014**

**4:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**PRESENT:**

Maria Lowe, Mayor  
Melinda Pletcher, Vice Mayor  
Terri Finnerty, Commissioner  
Rick Falkenstein, Commissioner  
Gregory Premer, Commissioner

**ALSO PRESENT:**

Elaine Edmunds, Interim City Manager  
Rebecca C. Haynes, City Clerk

**1. Action Items**

a. City Attorney Interviews

- (1) Ms. Kelly Fernandez, Persson & Cohen
- (2) Mr. Ralf Brookes, Attorney
- (3) Mr. Andrew Dickman, Attorney

Ms. Fernandez, Mr. Brookes and Mr. Dickman responded to interview questions posed by the City Commission.

**Commissioner Premer moved to approve entering into negotiations with Mr. Andrew Dickman for the position of City Attorney. The motion was seconded by Commissioner Falkenstein.**

Mayor Lowe called for audience comments.

Deborah Schechner, Boca Ciega Isle Drive, spoke in favor of retaining the services of Mr. Dickman as City Attorney.

There being no further audience comments, Mayor Lowe called for the vote.

**The motion was unanimously passed by an individual roll call vote.**

Mayor Lowe called Mr. Andrew Dickman into the Commission Chambers and notified him that he was selected to enter into negotiations for the position of City Attorney with the City of St. Pete Beach.

Mr. Dickman expressed his appreciation to the Commission for the appointment.

**11. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 5:57 p.m.

Attest:

\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

\_\_\_\_\_  
Maria Lowe, Mayor

Minutes approved on: \_\_\_\_\_

# **CITY COMMISSION MEETING**

## **MINUTES**

**AUGUST 12, 2014**

**6:00 P.M.**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **PRESENT:**

Maria Lowe, Mayor  
Melinda Pletcher, Vice Mayor  
Terri Finnerty, Commissioner  
Rick Falkenstein, Commissioner  
Gregory Premer, Commissioner

### **ALSO PRESENT:**

Elaine Edmunds, Interim City Manager  
Susan Churuti, City Attorney  
Rebecca C. Haynes, City Clerk  
Jennifer McMahon, Recreation Director  
Bruce Cooper, Building Code Administrator  
Dan O'Connor, Administrative Services Supervisor

### **1. Presentations**

- a. Youth Council Video Award – Bill Jonson, FLC Board Member

Jennifer McMahon, Recreation Director, explained the launching of the Youth Council and noted that their main goal is beach clean-up awareness. Ms. McMahon presented a video of their first beach clean-up project.

Bill Jonson, FLC Board Member and Clearwater Council Member, introduced the Youth Council membership and presented their trophy & financial assistance award.

Youth Council membership includes: Gabriel Lowe, Grace Marchant, Shandi Lee Premer and Sara Lynn Premer.

- b. Pinellas County Sheriff's Office Update

Deputy Mancusi and Code Enforcement Officer Kohmann presented the quarterly Traffic Citations, Warnings and Arrests report and code enforcement violations.

## **2. Changes to the Agenda**

Interim City Manager Edmunds requested to pull Item 5(b) to modify the 'Hot Summer Night Run' course scheduled in Pass-A-Grille.

## **3. Audience Comments**

Connie Fox, Lido Drive, spoke about deeded beach access on the south side of the Plaza Beach Hotel and presented documents to the Commission regarding a title search and plat map.

John Michael, Bay Street, discussed the netting around the community pool, monitoring of pool attendees and a dog park at Upham Beach.

Harry Metz, Pass-A-Grille Way, spoke in support of additional firemen at the Pass-A-Grille fire station, thanked the Commission for moving forward with hiring a city attorney and requested information on the Plaza Beach Hotel variance.

Rosemary Manning, 1<sup>st</sup> Avenue, requested the status on the Gulf Boulevard median lighting.

## **4. Consent**

a. Approval of minutes for the July 8, 2014 Shade and Regular City Commission Meetings; the July 10, 2014 Special City Commission Meeting; the July 22, 2014 Regular City Commission Meeting; and the July 31, 2014 Special City Commission Meeting.

~~b. Authorization to approve special event application, allowance for dogs on the beach and street closure Paddle for Paw event. Closures would be 16th Avenue from 9am—3pm. Requested removal by Interim City Manager Edmunds~~

c. Authorization for the Interim City Manager to enter into an Interlocal Agreement with the Pinellas County Sheriff's Office to provide law enforcement services to the City of St. Pete Beach from October 1, 2014 thru September 30, 2015 in the amount of \$2,214,539.11.

Ms. Edmunds recommended approval of the Consent Items 4(a) and 4(c) as presented.

**Vice Mayor Pletcher moved to approve the Consent Items 4(a) and 4(c) as presented. The motion was seconded by Commissioner Premer.**

Mayor Lowe called for audience comments.

There being no audience comments, Mayor Lowe called for the vote.

**The motion was unanimously approved by an individual roll call vote.**

**5. Action Items**

a. Authorization for the City of St. Pete Beach to enter into an Interlocal Agreement for the creation of the Metropolitan Planning Organization (MPO).

Sara Ward, Interim Executive Director/MPO, detailed the history of the MPO which will now govern both the county-wide land use planning and the county-wide transportation planning. Ms. Ward is requesting approval of the revised Interlocal Agreement that incorporates the changes.

**Commissioner Finnerty moved to approve Item 5(a), approving the updated Interlocal Agreement reestablishing the Pinellas County Metropolitan Planning Organization. The motion was seconded by Commissioner Premier.**

Mayor Lowe called for audience comments.

There being no audience comments, Mayor Lowe called for the vote.

**The motion was unanimously approved by an individual roll call vote.**

b. Authorize the Interim City Manager to enter into a settlement agreement with former police officer Todd R. Brien.

Interim City Manager Edmunds reported that the settlement agreement provides for a settlement of \$195,000 to Mr. Todd Brien, of which \$55,000.00 will be paid directly by the City of St. Pete Beach.

Commissioner Finnerty requested clarification on Page 66, Section IV (B), removal of ~~Hillsborough County~~ and insert *Pinellas County*.

**Commissioner Finnerty moved to approve Item 5(b), to authorize the Interim City Manager to sign a settlement agreement with Todd R. Brien in the amount of \$190,000, as amended. Of this amount, \$135,000 will be paid by Public Risk Management and \$55,000 will be paid by the City of St. Pete Beach. The City shall also make the required payment of employer payroll taxes to the Internal Revenue Service. The motion was seconded by Commissioner Premier.**

Mayor Lowe called for audience comments.

Harry Metz, Pass-A-Grille Way, spoke in support of the settlement agreement, noting that he felt individual parties should be liable for the payment instead of the City.

There being no further audience comments, Mayor Lowe called for the vote.

**The motion was unanimously approved by an individual roll call vote.**

c. Authorization to approve special event application and street closure for the 2nd Annual Hot Summer Night Run scheduled for Thursday, October 2, 2014. Closures would be Gulf Boulevard from 16<sup>th</sup> Ave to 1<sup>st</sup> Ave and 8<sup>th</sup> and 9<sup>th</sup> Avenues from Gulf Boulevard to Pass-a-Grille Way.

Interim City Manager Edmunds reported that the run route was revised to begin on Gulf Way, north to 15<sup>th</sup> Avenue turn-around, south to 1<sup>st</sup> Avenue to a second turn-around point, north on Gulf Way to 8<sup>th</sup> Avenue, east to Pass-A-Grille Way, north to 9<sup>th</sup> Avenue and finishing at the intersection of Gulf Way. This modification will allow most residents access to their homes throughout the race event.

**Vice Mayor Pletcher moved to approve Item 5(c), to authorize the approval of the Hot Summer Night Run event application and street closures for October 2, 2014. The motion was seconded by Commissioner Premer.**

Mayor Lowe called for audience comments.

There being no audience comments, Mayor Lowe called for the vote.

**The motion was unanimously approved by an individual roll call vote.**

d. Authorization for the Interim City Manager to implement a parking ticket amnesty program allowing motorists who demonstrate spending at least \$30 at a retail business or restaurant in St. Pete Beach to have their first expired parking meter ticket voided.

Ms. Edmunds explained an amnesty program that would allow first time offenders of metered parking spaces or pay stations to have their ticket voided. The offender is required to present a receipt from a St. Pete Beach business in the amount of \$30 or more. A coupon or voucher will be attached to the parking ticket explaining the program.

**Commissioner Premer moved to approve Item 5(d), to authorize the Interim City Manager to implement a parking ticket amnesty program allowing motorists who demonstrate spending at least \$30 or more at a retail business or restaurant in St. Pete Beach to have their first expired parking meter or pay station ticket voided. The motion was seconded by Finnerty.**

Mayor Lowe called for audience comments.

John Michaels, Bay Street, suggested modifications to the amnesty parking program.

There being no further audience comments, Mayor Lowe called for the vote.

**The motion was unanimously approved by an individual roll call vote.**

## **6. Ordinances**

a. Ordinance 2014-07, First Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Florida providing for amendment of subsections (a), (c), (n) and (o) of Section 82-137 of Division 1 of Article III of Chapter 82 of the Code of Ordinances, pertaining to stopping, standing and parking of vehicles; providing for amendment of the city parking maps, providing for severability, providing for the repeal of all ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.

Dan O'Connor, Administrative Services Supervisor, reported on the adverse impact the neighborhoods surrounding hotel(s) and restaurant(s) were experiencing with limited vehicle parking. It was the consensus of the Commission to amend Section 3 to allow parking meters along one side and no parking along the other side of 49<sup>th</sup> Avenue.

**Vice Mayor Pletcher moved to approve Item 6(a), Ordinance 2014-07, an ordinance of the City of St. Pete Beach, Florida providing for an amendment of Subsections (a), (c), (n) and (o) of Section 82-137 of Division 1 of Article III of Chapter 82 of the Code of Ordinances, pertaining to stopping, standing and parking of vehicles; providing for amendment of the city parking maps; providing for severability; providing for the repeal of all ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date, as amended. The motion was seconded by Commissioner Premer.**

Mayor Lowe called for audience comments.

John Michael, Bay Street, spoke in favor of added parking spaces in the community.

There being no further audience comments, Mayor Lowe called for the vote.

**The motion was unanimously approved by an individual roll call vote.**

## **7. Resolutions**

a. Resolution 2014-09, authorizing the City Commission to amend the City of St. Pete Beach Defined Contribution ICMA 401 Plan 106763 to allow employee loans.

Interim City Manager Edmunds reported that the proposed resolution will allow employees in the Defined Benefit Plan to borrow against their retirement contributions.

**Commissioner Finnerty moved to approve Item 7(a), Resolution 2014-09, a resolution of the City of St. Pete Beach, Pinellas County, Florida, amending the City of St. Pete Beach Defined Contribution ICMA 401 Plan 106763 to allow employee loans and providing for an effective date. The motion was seconded by Commissioner Premer.**

Mayor Lowe called for audience comments.

There being no audience comments, Mayor Lowe called for the vote.

**The motion was unanimously approved by an individual roll call vote.**

b. Resolution 2014-10, approving the Fiscal Year 2014-15 Non-Ad Valorem Assessment Rolls for stormwater management services and authorizing the Interim City Manager to certify the stormwater service assessment rolls to the Tax Collector prior to September 15, 2014.

Ms. Edmunds noted the proposed resolution is an annual ministerial action allowing for collection of non-ad valorem assessment that is dedicated to stormwater management services.

**Vice Mayor Pletcher moved to approve Item 7(b), Resolution 2014-10, a resolution of the City of St. Pete Beach, Florida, approving the Fiscal Year 2014-15 Non-Ad Valorem Assessment Rolls for stormwater management services; directing certification of the assessment rolls to the Pinellas County Tax Collector; and providing for an effective date. The motion was seconded by Commissioner Falkenstein.**

Mayor Lowe called for audience comments.

There being no audience comments, Mayor Lowe called for the vote.

**The motion was unanimously approved by an individual roll call vote.**

## **8. Items for Discussion**

### **a. Regulations for Parking in Commercial Areas**

Bruce Cooper, Building Code Administrator, explained the parking ordinance as currently written regarding off-site parking, commercial parking and shared parking.

b. Discuss Request for Modification of Temporary Use Permit for Property Located at 3855 Gulf Boulevard.

Ms. Beth Morean, 3855 Gulf Boulevard, requested a modification to the Temporary Use Permit issued July 15, 2014.

It was the consensus of the Commission to modify Temporary Use Permit (TUP) #2014-0021 as follows:

1. Remove
2. The lot will be open from ~~10:00~~ 5:00 a.m. to 10:00 p.m.
3. N/A
4. N/A
5. ~~Install~~ Maintain 4 foot vertical fence

- 6. N/A
- 7. N/A

Staff will return to the August 26<sup>th</sup> meeting for approval of the amended TUP.

c. Dogs on the Beach

Mayor Lowe reported that she received complaints regarding dogs on the beach in Pass-A-Grille.

It was the consensus of the Commission to bring back the item to a future meeting, thereby allowing Vice Mayor Pletcher time to discuss the issue with constituents and return with feedback.

**9. Audience Comments**

Doug Izzo, Chamber of Commerce, reported on the Greenlight Pinellas plan, Pinellas County Economic Development Committee and red tide information.

John Michael, Bay Street, spoke in favor of a dog beach at Upham Beach.

**10. City Clerk, City Manager, City Attorney and City Commission Reports**

City Clerk Haynes reported on recruiting a new volunteer to assist at the main reception area in City Hall; the status of the interview process for Deputy City Clerk, transcribing meeting minutes and completing public records requests; updating emergency records storage procedures and documents; reviewing the current elections chapter the City Code; and contracting for the records management services for FY 2014.

Interim City Manager Edmunds reported that she is working with the recruiting firm for the city manager position to schedule a community "Meet & Greet" and the interview process for the finalists; Dave Healey, Planning Consultant, will present a Comprehensive Plan workshop on September 16<sup>th</sup> at 1:00 p.m.; a Family Fun Day is scheduled from 12:00 p.m. to 3:00 p.m. on August 27<sup>th</sup> and a Community Yard Sale on September 27<sup>th</sup> at the Community Center.

Commissioner Falkenstein requested to schedule a beach update regarding erosion control for the September 24<sup>th</sup> Commission meeting.

Mayor Lowe commented on the Comprehensive Plan workshop and a meeting to discuss the Charter provisions for the City Clerk position.

City Attorney Churuti reported that Mike Davis received the life-time achievement award at a recent Florida City Attorneys Association conference and that Mr. Davis will attend the September 10<sup>th</sup> Commission Meeting representing Bryant Miller Olive.

Vice Mayor Pletcher reported on-going concerns associated with Paradise Grille and sign enforcement regulations.

Commissioner Premier reported that hotels within District 3 are experiencing an increase in business, commented on lack of parking and noted that Gulf Beaches Elementary School is open for the school year.

Commissioner Falkenstein reported on the opening of a new restaurant, Shells, on Gulf Boulevard; reminded residents to lock their homes and vehicles for safety; and commented that he will attend the Florida League of Cities conference in Hollywood, FL.

Commissioner Finnerty reported on a serious bicycle accident on Blind Pass Road and read correspondence to the Fire Department commending them for a 'random act of kindness'. Commissioner Finnerty commented on the open house ceremony at Gulf Beaches Elementary School where she was recently asked to serve on the School Advisory Board. Ms. Finnerty expressed her appreciation to Mr. Cooper for the removal of bench signs on 82<sup>nd</sup> Avenue; commented on meeting with a resident in reference to Egan Park, and provided an update on bus shelters and crosswalks. The Commissioner thanked Bay Care Health System and St. Joseph's Hospital for conducting a donation drive for St. Pete Beach Support Our Troops.

Mayor Lowe reported on the numerous meetings recently held and thanked everyone for their participation; the Pinellas County Mayors' Council meetings with their EMS briefing; beach re-nourishment and easement procedures by the Silver Sands Condominiums and a meeting with Tampa Bay Planning Council regarding the transportation corridor between Tampa and Jacksonville.

Interim City Manager Edmunds requested to schedule a meeting to finalize budget discussions. The workshop was set for 9:00 a.m., Monday, August 25, 2014.

## **11. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 10:48 p.m.

Attest:

\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

\_\_\_\_\_  
Maria Lowe, Mayor

Minutes approved on: \_\_\_\_\_

**St. Pete Beach City Commission  
Agenda Report**

**Issue Considered:** Authorization for the Interim City Manager to enter an agreement with Public Risk Management of Florida for renewal of the City insurance policies covering the period from 10/01/2014 to 09/30/2015 in the amount of \$488,075.00.

**Date:** September 24, 2014

**Prepared By:** Dan O'Connor, Administrative Services Supervisor

**Through:** Elaine Edmunds, Interim City Manager

**Summary of Issue:** This is an annual request for authorization to enter into an agreement with Public Risk Management of Florida for renewal of the City insurance policies and preferred membership in the Public Risk Management of Florida insurance pool. The total proposed fiscal year 2015 insurance premiums are \$488,075.00 for the below listed lines of coverage.

|                                    |                       |
|------------------------------------|-----------------------|
| 1. Property and Crime Coverage -   | \$178,692.00          |
| 2. Liability -                     | \$135,392.00          |
| 3. Workers Compensation -          | \$195,923.00          |
| 4. Boiler and Machinery -          | \$ 2,472.00           |
| 5. PRM Preferred Member Discount - | <u>(\$ 24,404.00)</u> |
| Grand Total -                      | <u>\$488,075.00</u>   |

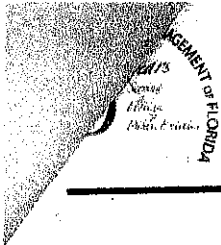
The City has been a preferred member of the Public Risk Management of Florida insurance pool of over 50 governmental entities for over a decade. In 2012 staff did seek competitive bids from alternative carriers and found PRM to be the lowest cost provider of insurance lines provided to governmental entities.

**Requested Motion:** "I move that the City Manager be authorized to enter into an agreement with Public Risk Management for liability, property, boiler and machinery, and workers compensation insurance in the amount of \$488,075.00."

**Attachments:** Public Risk Management of Florida binding authority

**Reviewed by  
City Manager:**

EE



## Proposal Pricing & Binding Authority

After careful consideration of the referenced proposal, we accept your insurance program as indicated with an "X" below:

|                                                                       | 2013/2014        | 2014/2015        | Change       |
|-----------------------------------------------------------------------|------------------|------------------|--------------|
| <input type="checkbox"/> PRM PROPERTY AND CRIME                       | \$181,536        | \$178,692        | -1.6%        |
| <input type="checkbox"/> PRM GL/AL/E&O/LEL                            | \$125,550        | \$135,392        | +7.8%        |
| <input type="checkbox"/> PRM WORKERS' COMPENSATION                    | \$201,982        | \$195,923        | -3.0%        |
| <input type="checkbox"/> PRM BOILER & MACHINERY                       | \$2,431          | \$2,472          | +1.7%        |
| Preferred Member Participation Credit                                 | -\$33,463        | -\$24,404        |              |
| <b>GRAND TOTAL</b>                                                    | <b>\$478,036</b> | <b>\$488,075</b> | <b>+2.1%</b> |
| <b>OPTIONAL/ANCILLARY COVERAGE</b>                                    |                  |                  |              |
| <input type="checkbox"/> Inverse Condemnation - \$100,000 Per Occ/Agg | \$12,375         | \$12,375         | 0.0%         |
| <input type="checkbox"/> Non-Monetary Damage - \$10,000 Per Occ/Agg   | \$1,800          | \$1,800          | 0.0%         |
| <input type="checkbox"/> Pollution Liability                          | \$4,675          | \$4,629          | -.9%         |

This warrants that you have no knowledge of any claim, or incident that may result in a claim, that has not been reported to the insurance carrier.

It is understood and agreed that referenced proposal provides only a summary of the insurance program options offered. The actual policies will contain the complete terms, conditions, deductibles, exclusions, etcetera. Please review policy language for a full understanding of purchased program.

Member Signature

Date

**St. Pete Beach City Commission  
Agenda Report**

**Issue Considered:** Authorization to approve special event application and street closure for Bayway Bridge 5K on Friday, October 17, 2014. Closures would be one block of Pass-a-Grille Way between Cabrillo Ave and 32<sup>nd</sup> Ave from 6:45-7:45pm.

**Date:** September 24, 2014

**Prepared By:** Jennifer McMahon, Recreation Director

**Summary of Issue:** To celebrate the opening of the Bayway Bridge, this 5K is planned to start after the ribbon cutting ceremony on the bridge. The request is to close one block of Pass-a-Grille Way from Cabrillo Ave and 32<sup>nd</sup> Ave. The run takes the participants down 32<sup>nd</sup> through the beach access and then up the beach to The Alden Suites.

**Requested Motion:** “I move to authorize the approval of the Bayway Bridge Bash 5K event application and street closure for Friday, October 17, 2014.”

**Attachments:** Event information and application

**Reviewed by  
City Manager** EE



# City of St. Pete Beach Recreation Department

## Event Application

### Applicant

Name of Applicant: Susan Daniels Title (if applicable): Race Director

Name of Organization (if applicable): \_\_\_\_\_

Tax Exempt? ☐ Yes ☒ No Non-Profit? ☐ Yes ☒ NO If yes on either, please provide documentation

Mailing Address: P.O. Box 11042 St. Pete, FL 33733

Cell Phone: 727-744-9153 Email: Turtlerockevents@gmail.com

### Event Information

Event Title: Bayway Bridge Bash Event/Organization Web Address: www.baywaybridgebash.com

Event Location(s): Pinellas Bayway Bridge to Alden Hotel

#### Event Date(s) & Time(s)

| Date         | Day of the Week | Start Time  | End Time    |
|--------------|-----------------|-------------|-------------|
| <u>10/17</u> | <u>Friday</u>   | <u>7 PM</u> | <u>8 PM</u> |
| _____        | _____           | _____       | _____       |
| _____        | _____           | _____       | _____       |
| _____        | _____           | _____       | _____       |

Set Up Date(s): 10/17 Time(s) 4 PM to 6:30 PM

Cleanup Date(s): 10/17 Time(s) 9 PM to 10 PM

Description of Event: 5K Run/Walk to join our community to celebrate the official opening of the bridge. The run/walk will go from Bayway Bridge to the Alden Hotel

Will this be an Annual Event? ☐ Yes ☒ No If yes, next year's date(s): \_\_\_\_\_

### Event Logistics

Estimated Attendance 1500  
(includes event crew, participants, and spectators) This Year Last Year (if Applicable)

List all event activities: 5K Run/Walk Post Race Event at Alden Hotel

List all food and beverage vendors (Event Promoter is responsible for obtaining copies of all licenses and insurance forms from each vendor)

All items donated

Will alcohol be served or sold? ☒ Served ☐ Sold ☐ No Alcohol

List all other vendors (may need to provide copy of certificate of insurance) \_\_\_\_\_

Event Equipment (include dimensions, seating, staging, tents, platforms, booths, scaffolding, truck, etc. on site map) Alden property has all needs - inflatable structure will be for the finish line on beach - cones  
All the above require a temporary structure permit. Cost for each is \$25.

Entertainment (Detail type, bands, DJs, dancers, clowns, etc) Guitar Player (one man)

List times of music and/or amplified sound (list PA systems, microphone, speakers, amps) 7pm - 10pm

Electricity Needed ☐ Yes ☒ No Source: \_\_\_\_\_

Will portable restrooms be used? ☒ Yes ☐ No If yes (include on site plan): One ADA compliant toilet for every 10 per location

Will Dumpsters be used? ☐ Yes ☒ No If yes (include on site plan) Alden property  
How Many? \_\_\_\_\_ Size: \_\_\_\_\_ Installation Date: \_\_\_\_\_ Removal Date: \_\_\_\_\_

Please list any admission charges, donations, parking, registration or other fees and how much? \_\_\_\_\_  
5K Entry \$35 (\$40 day of race)

Does Event require any Road or Sidewalk Closures? ☒ Yes ☐ No

If yes, you must include **all the details** in the **site plan** including streets and times

| Road                   | Start Intersection  | End Intersection           | Date         | Times                  |
|------------------------|---------------------|----------------------------|--------------|------------------------|
| <u>Gulf Blvd / 699</u> | <u>Cabrillo Ave</u> | <u>32<sup>nd</sup> Ave</u> | <u>10/17</u> | <u>6:45pm - 7:45pm</u> |
| _____                  | _____               | _____                      | _____        | _____                  |
| _____                  | _____               | _____                      | _____        | _____                  |

As the Applicant, I hereby accept and understand the responsibility to oversee all contractors, vendors, or parties affiliated with the event and to insure compliance with the special event guide, the event rules guidelines, requirements for tents and all policies, rules, regulations, and code provisions of the City of St. Pete Beach. I understand that any violations may result in immediate cancellation and revocation of the Event permits. I further certify that all the facts contained in this request are accurate.

For events on Public property, I agree to obtain and furnish the City of St. Pete Beach with a certificate of general liability insurance in the amount of at least one million dollars (\$1,000,000) or greater as deemed satisfactory by the city. The insurance must name the City of St. Pete Beach as an additional insured.

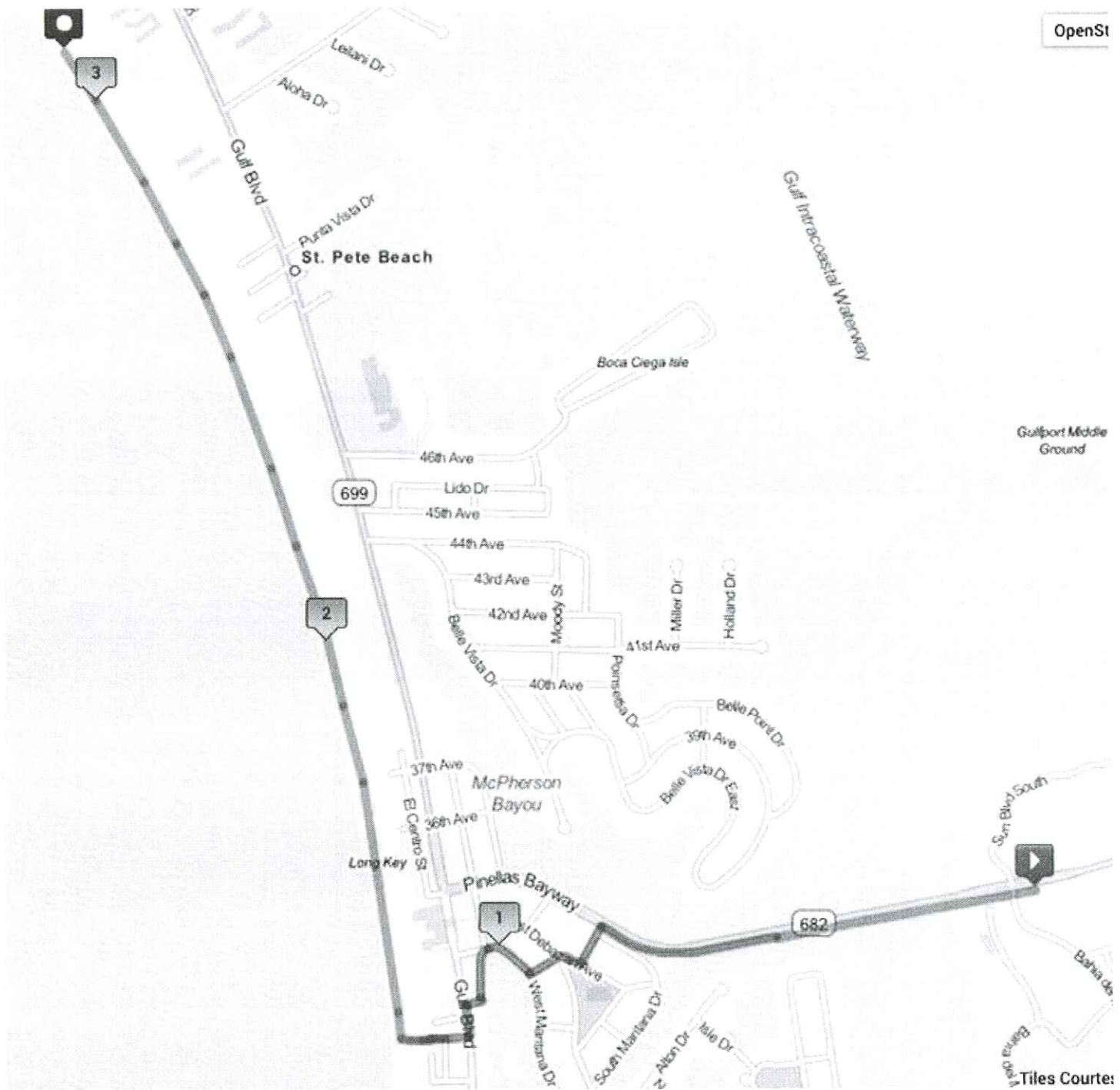
I understand incomplete application or any outstanding financial obligations with any department within the City of St. Pete Beach may result in a denial of my request.

Susan Daniels  
Print Name

[Signature]  
Signature

Corporation Name (if applicable)

September 12, 2014  
Date



**St. Pete Beach City Commission  
Agenda Report**

**Issue Considered:** Application for Conditional Use - Parking Lot (Commercial)  
Property Location: 5195 Gulf Boulevard  
Folio #: 06-32-16-08136-000-0270  
Owner/Applicant: Nicklaus of Florida, Inc.  
Case No. 2014-0036

**Date:** September 24, 2014

**Prepared By:** Dave Healey, Calvin Giordano & Assoc.

**Through:** Elaine Edmunds, Interim City Manager *EE*

**Summary of Issue:** This application was timely submitted and advertised for public hearing on September 24, 2014.

In the course of review by staff, it was determined that the application needed to be supplemented and amended, as outlined in the accompanying letter dated September 15, 2014.

It is recommended the Commission continue the public hearing; that the application be amended and supplemented as set forth in the September 15 letter, to be re-noticed and re-advertised as amended, for public hearing on October 28, 2014.

**Requested Motion::** "I move to continue the public hearing subject to an amended application to be re-advertised and noticed for public hearing on October 28, 2014."

**Attachments:** Letter to Nicklaus of Florida, Inc. dated September 15, 2014  
Letter to Nicklaus of Florida, Inc. dated September 12, 2014  
Conditional Use Application Package



Calvin, Giordano & Associates, Inc.  
EXCEPTIONAL SOLUTIONS

September 15, 2014

Nicklaus of Florida, Inc.  
C/O H. Gregg Nicklaus  
5300 Gulf Boulevard  
St. Pete Beach, FL 33706

Re: Application for Conditional Use - Parking Lot (Commercial)  
Property Location: 5195 Gulf Boulevard  
Folio #: 06-32-16-08136-000-0270  
Owner/Applicant: Nicklaus of Florida, Inc.

Dear Mr. Nicklaus:

This is to confirm our conference call with you and Attorney Deborah Martohue this morning in review and follow-up to my letter of September 12, 2014.

Based on our discussion, it is my understanding that we are in agreement that you will amend and supplement your application to document its eligibility to be considered as a "parking lot (commercial)", to apply for the requisite variance(s) to the standards applicable to a commercial lot, to address Sec. 4.11 and 4.12 as may be applicable, and to recognize any SWFWMD requirements as a condition of any approval.

As a function of amending and supplementing the current application, the public hearing scheduled for September 24<sup>th</sup> will be continued and re-advertised/re-noticed.

Thank you for your cooperation in addressing my initial review comments and request.

Sincerely,

David P. Healey, FAICP  
Director, Tampa Bay Region  
For City of St. Pete Beach  
Community Development Department

cc: Deborah Martohue, Esq.  
Michael Davis, Esq.

Andrew Dickman, Esq.  
Elaine Edmunds, Interim City Manager

Building Code Services  
Coastal Engineering  
Code Enforcement  
Construction Engineering & Inspection  
Construction Services  
Contract Government  
Data Technologies & Development  
Emergency Management Services  
Engineering  
Governmental Services  
Indoor Air Quality  
Landscape Architecture & Environmental Services  
Municipal Engineering  
Planning  
Public Administration  
Redevelopment & Urban Design  
Renewable Energy  
Resort Development  
Surveying & Mapping  
Transportation Planning & Traffic Engineering  
Utility & Community Maintenance Services  
Water Resources Management

Feather Sound Corporate Center  
13535 Feather Sound Dr.  
Suite 135  
Clearwater, FL 33762  
Phone: 727.394.3825

Headquarters:  
1800 Eller Drive, Suite 600  
Fort Lauderdale, FL 33316  
Phone: 954.921.7781  
Fax: 954.921.8807

[www.cgasolutions.com](http://www.cgasolutions.com)



September 12, 2014

Nicklaus of Florida, Inc.  
C/O H. Gregg Nicklaus  
5300 Gulf Boulevard  
St. Pete Beach, FL 33706

Re: Application for Conditional Use - Parking Lot (Commercial)  
Property Location: 5195 Gulf Boulevard  
Folio #: 06-32-16-08136-000-0270  
Owner/Applicant: Nicklaus of Florida, Inc.

Dear Mr. Nicklaus:

I have completed the initial staff review of the above-referenced application for Conditional Use and request that the application be amended and supplemented as follows:

1. To properly identify the proposed parking lot as an "off-premise" lot as opposed to a "commercial" lot, consistent with the definitions therefor;
2. In connection with the classification of the proposed parking lot as an "off-premise" lot, please verify that the current use with which the employee lot is associated meets the minimum parking requirements for such use;
3. To address the provisions of Sec. 4.11 and 4.12 as are applicable for a conditional use in the community redevelopment district; and
4. To obtain from the Southwest Florida Water Management District (SWFWMD) verification that the site is exempt from on-site stormwater management requirements; or in the alternative, revise the accompanying site plan to accommodate same.

Upon receipt of the requested amendments/additions to the application, it will be reviewed and processed in as timely a manner as possible.

Thank you for your cooperation in this matter.

Sincerely,

David P. Healey, FAICP  
Director, Tampa Bay Region  
For City of St. Pete Beach  
Community Development Department

cc: Deborah Martohue, Esq.  
Michael Davis, Esq.

Andrew Dickman, Esq.  
Elaine Edmunds, Interim City Manager

Building Code Services  
Coastal Engineering  
Code Enforcement  
Construction Engineering & Inspection  
Construction Services  
Contract Government  
Data Technologies & Development  
Emergency Management Services  
Engineering  
Governmental Services  
Indoor Air Quality  
Landscape Architecture & Environmental Services  
Municipal Engineering  
Planning  
Public Administration  
Redevelopment & Urban Design  
Renewable Energy  
Resort Development  
Surveying & Mapping  
Transportation Planning & Traffic Engineering  
Utility & Community Maintenance Services  
Water Resources Management

Feather Sound Corporate Center  
13535 Feather Sound Dr.  
Suite 135  
Clearwater, FL 33762  
Phone: 727.394.3825

Headquarters:  
1800 Eller Drive, Suite 600  
Fort Lauderdale, FL 33316  
Phone: 954.921.7781  
Fax: 954.921.8807

## CONDITIONAL USE APPLICATION

Case Number:

2014-0036

### PROPERTY FOR PROPOSED VARIANCE

SEE ATTACHED EXHIBIT A

Legal Description:

06-32-16-08136-000-0270

Parcel ID

5195 Gulf Boulevard

Address

Current Zoning:

AC-Activity  
Center

FLUM

Designation:

CRD-GBRD-

Activity Center

Character District

1.08 Acres,

mol

Existing Use:

Vacant Lot

Proposed Use:

Commercial Parking. Section 38.4(H)

### APPLICANT/AGENT:

Deborah L. Martohue, Esq., AICP

Name:

3030 N. Rocky Point Dr. W., Ste 150

Address:

Tampa

FL

City:

33607

State:

727-321-5263

Zip:

Phone:

Email: dmartohue@martohuelaw.com

### PROPERTY OWNER:

Nicklaus of Florida, Inc.

Name:

C/O H. Gregg Nicklaus

5300 Gulf Blvd

Address:

St. Pete Beach

FL

City:

33706

State:

727-363-5186

Zip:

Phone:

Email: gnicklaus@tampabay.rr.com

**DETAILS OF THE REQUEST: Cite code sections for which conditional use is requested:** (Add additional sheets if necessary)

Nicklaus of Florida, Inc. is the owner of the vacant lot located at 5195 Gulf Boulevard.

The request is for a Conditional Use to permit a commercial parking lot.

**Attach the following supporting documentation to this application:**

- Recent survey of the property
- A site plan, drawn to scale, illustrating the proposed conditional use

**This completed application, together with all required supporting documents and fees, shall be submitted by 12:00 noon on the stated filing date for the City Commission. Failure to do so will delay your application to a later date. If any materials are missing or any part of this application is left blank, staff may refuse the application until such time as it is completed by the applicant. \_\_\_\_\_ (applicant's initials)**

**Application Checklist:**

| Check here if document is attached | Required Document                                                                                |
|------------------------------------|--------------------------------------------------------------------------------------------------|
| X                                  | Recent Survey of the property illustrating all boundaries, easements, and physical improvements. |
| X                                  | Site Plan drawn to scale showing proposed deviations of the code.                                |

In order for an application for a conditional use to be approved or approved with conditions, the City Commission must make a positive finding with regard to each of the provisions below. The applicant has the burden of proof demonstrating that the application for the conditional use complies with each of the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan and any adopted special area plan.

The proposed Conditional Use is Consistent with Objectives 2.4 and 2.7 of the Gulf Boulevard Redevelopment District which provide for redevelopment uses consistent with the following:

**Objective 2.4: A variety of parking solutions for motorized and non-motorized vehicles shall be pursued to support redevelopment while maintaining ease of access and adequate parking throughout the Gulf Boulevard Redevelopment District.**

**Objective 2.7: Development of on-site and off-site public parking . . . shall be pursued in proximity to public beach access points, pedestrian crosswalks and major retail and entertainment areas.**

The proposed conditional commercial parking lot use is located within the high intensity commercial Activity Center character district which is a major retail district on the east side of Gulf Blvd that supports the hotel districts on the west side of Gulf Blvd consistent with Objective 2.4. The need for parking on St. Pete Beach is well documented and is consistent with the goals and objectives of the CRD. Further, the location of the proposed parking lot is proximate to the newly installed pedestrian crosswalk on Gulf Blvd, which is also consistent with Objective 2.7 and improves pedestrian safety.

In addition, Section 38.4 of the St. Pete Beach City Code Land Development Code allows property in the Activity Center to be used for commercial parking as a conditional use.

2. Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential commercial and/or service facilities available within the existing area. More specifically:

- a. Whether the overall appearance and function of the area will be significantly affected consideration shall be given to the existence of other uses in the area, based on the number, size, and location of the uses and the intensity and scale of the proposed and existing uses in the area;

The parcel is located in the Activity Center, a designated commercial zoning district within the Gulf Boulevard Redevelopment District. Its adjacent property owners include: North - a 24 hour commercial operation known as Bat's Taxi; NE – vacant residential lot owned by Applicant; East – waterway; SE - one (1) residential home; South – a restaurant (1200 Chophouse) and a nail salon; West – 4-lane divided major commercial arterial roadway (Gulf Blvd) and two (2) restaurants (Madfish & Crabby Bills). See attached aerial exhibit identifying surrounding existing uses in detail. The plan is to mitigate impact to the one adjacent residential parcel to the SE through a landscape and fencing plan that includes extending the six foot (6') board on board fence along the south property boundary. In addition, the Applicant proposes street trees along Punta Vista, 51<sup>st</sup> Street and Gulf Blvd as well as perimeter landscaping in accordance with Division 22 of the LDC. Reclaimed water irrigation will also be installed to maintain the health and aesthetic appearance of the landscaping long-term. Scale and style of buildings is N/A. Secured controlled access at designated ingress/egress points and security lighting will also improve and protect the character of the surrounding area from nuisance behavior.

- b. Whether the application will preserve any city, state, or federally designated historic, scenic, archaeological, or cultural resources (check with Community Development to determine historic resource status);

The subject property is not a city, state, or federally designated historic, scenic, archaeological, or cultural resource. The applicant recently acquired the property in December 2013 after years of the property being vacant and in disrepair. The proposed, particularly buffering and landscaping, will result in significant aesthetic benefits to the appearance of Gulf Blvd and the entrance to the Punta Vista neighborhood.

- c. Whether the application will be compatible with adjacent development, if any, based on characteristics such as size, building style and scale, or whether such incompatibilities are mitigated through such means as screening, landscaping, setbacks, and other design features;

The only structures being proposed are: 1) the addition of electronic gates to control access and use the lot; and 2) addition of a six foot (6') high board on board fence along the South property boundary to extend the existing six foot (6') high fence in the SE corner and provide additional screening and buffering to the existing residential home.

In addition, the Applicant is proposing a variety of aesthetic upgrades to the lot namely:

1. Landscape for buffers, perimeter plantings, internal parking islands and street trees (See attached Landscape rendering exhibit including plant specifications);

2. Improved pervious non-compacting parking surface (non-asphalt #250 Sand) to stabilize the surface and mitigate silt, dust and to prevent stormwater run-off;
3. Add security lighting at the entry and exits that will not interfere or detrimentally affect the neighbors' use of their land as the light will be directed away from the residential lot to the southeast and the residential area to the northeast.

The proposed commercial parking lot with conditions is similar to the employee and guest parking lot owned by the Grand Plaza accessed off 50<sup>th</sup> Ave approximately 1-1/2 blocks southwest of the subject property which the Commission has previously identified as a model for parking lots along Gulf Blvd.

See attached aerial exhibit identifying existing uses within the vicinity of the Property as well as the letter of intent and justification statement including proffered conditions.

- d. Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues;

The vacant lot is situated in the Activity Center, which is a commercial zoning district with significant allowable high intensity commercial and mixed use. The lot abuts one (1) residential home to the southeast that already has an existing six foot (6') wood fence between the house and the proposed parking lot. There is also an intervening vacant residentially zoned lot also owned by the Applicant between a home to the northeast and the proposed parking lot. This home to the northeast also has a six foot (6') high concrete block wall that combined with the vacant residential lot provides additional buffering to the landscape proposed that will mitigate any adverse impacts. The proposed landscape buffer, perimeter & internal landscaping as well as the stabilized pervious parking surface material will mitigate any dust, noise and fumes. The ingress and egress traffic plan shown on the Site Plan attached to this application eliminates traffic flow into the residential neighborhood east on Punta Vista Drive. The proffered limitation of use to first and second shift employees of the Sirata Beach Resort LLC with no overnight parking allowed will eliminate any adverse noise and traffic impact to the adjacent properties. No truck delivery, loading or unloading is proposed and thus minimizes the impact to the adjacent neighborhood that an otherwise high intensity commercial uses permitted by right in the Activity Center would have. Securing the parking lot to defined users as proffered in Applicant's proposed conditions will eliminate the potential for any increased litter as opposed to use as a fee-based commercial parking lot open to the public which is an allowable conditional use in the Activity Center zoning district. The orientation of the parking along with the proposed landscape buffers and existing fence to the southeast and concrete block wall to the northeast will eliminate any glare from vehicular headlights. In addition, security lighting will be provided but directed away from residential areas.

- e. Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street

parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety (a traffic study may be required);

This property was formerly a 28 unit motel with multifamily/transient lodging facility as well as a +/- 3750 square foot commercial building. The proposed number of parking spaces is 103. There are three potential ingress/egress access points indicated as points "A", "B" and "C" on the Site Plan.. In an effort to minimize impacts on the adjacent Punta Vista neighborhood, ingress is proposed from Punta Vista Drive similar to access to the Grand Plaza parking lot off 50<sup>th</sup> Ave. However, in order to address egress car stacking concerns of the Punta Vista neighborhood off of Punta Vista Drive, the Applicant proposes egress onto Gulf Blvd, the main transportation arterial corridor on St. Pete Beach, utilizing the existing curb cut. The LOS on Gulf Boulevard is C with an average daily trip count of 22,500 according to the FDOT data obtained from the City. The proposed daily vehicular trips if limited in accordance with the proffered conditions would be approximately 240 average daily trips representing +/-1% of the total average daily trips on Gulf Blvd. Accordingly, the traffic impact would be de minimis, particularly in comparison the high intensity commercial uses permitted by right in Division 38.2 of the LDC. Thus, the infrastructure is more than adequate to service the needs of the Applicant without putting an undue burden on transportation or traffic patterns in the area. In addition, the Applicant has met with PSTA and the City's Public Works Director to move the existing PSTA bus stop at the corner of Punta Vista Drive & Gulf Blvd approximately 75 feet south on Gulf Boulevard to improve safety and visibility at the intersection of Punta Vista Drive and Gulf Boulevard. Neither the City nor PSTA has any objection to the relocation of this bus stop. Lastly, proximity of the parking lot to the newly installed pedestrian crosswalk just north of Punta Vista Drive provides improved pedestrian safety.

- f. Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely (please provide current and proposed number of parking and loading spaces);

The proposed number of parking spaces is 103. There will be no loading or unloading of trucks. See attached Site Plan that provides ingress from Punta Vista Drive and egress onto Gulf Boulevard to avoid any vehicular stacking issues on Punta Vista Drive when exiting onto Gulf Boulevard.

- g. Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;

There are no adverse impacts to public health, safety or welfare. Rather, the benefits are the creation of a secure well-maintained, aesthetically pleasing landscaped parcel and that should also result in a reduction of cars improperly parking on adjacent streets. The Applicant plans to use this for first and second sift employees only with no overnight parking allowed. See attached list of proposed conditions for approval proffered as part of this Conditional Use application.

- h. Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision of such improvements and mitigation; and,

The Nicklaus family has lived and operated businesses on St. Pete Beach for over 50 years. Nicklaus of Florida, Inc., is a Sub S corporation with significant real estate holdings in Florida, North Carolina and Texas. Further, the Applicant has installed the majority of the proposed landscaping in August 2014 prior to the hearing on the Conditional Use to not only show good faith and their commitment to the Community, but also to show the financial and technical capacity to install the improvements proposed. The Applicant has attached the required Certificate of Liability Insurance.

- i. Whether the proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.

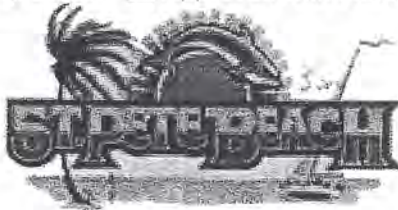
Division 38 Activity Center district allows a commercial parking lot as a conditional use. Further, the proposed application complies with Division 22 landscaping requirements. Lastly, the foregoing application demonstrates that the request satisfies the Conditional Use criteria set forth in this application and Division 4.4 of the LDC. The proposed use will not have any impact on public facilities such as parks & recreation, schools, water and sewer; and de minimis impacts on fire, EMS and transportation services since it is proposed to be an unmanned secure parking lot facility. Thus, the proposed use will not have any adverse impact on the public health, safety and welfare on the surrounding properties or the Community at large.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_ Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

For office use only:

Hearing Date: \_\_\_\_\_ Fees: \_\_\_\_\_

Board Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied ☐ Continued



### Owner's Authorization for Agent

Community Development Department  
City of St. Pete Beach, Florida

I/WE \_\_\_\_\_  
Nicklaus of Florida, Inc.  
(print name of property owner)

hereby authorize \_\_\_\_\_  
Deborah L. Martohue, Esq, AICP  
(print name of agent)

to represent me/us in an application for \_\_\_\_\_  
Conditional Use  
(type of application: variance, conditional use, zoning, etc.)

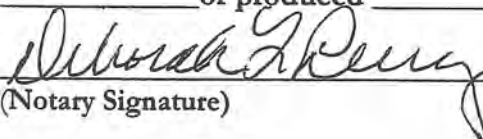
  
\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Owner

  
\_\_\_\_\_  
Print Name of Owner  
Nicklaus of Florida, Inc  
By: H. Gregg Nicklaus, President

\_\_\_\_\_  
Print Name of Owner

The forgoing instrument was acknowledged before me this 18<sup>th</sup> day of August 2014, by  
H. Gregg Nicklaus, President of Nicklaus of Florida, Inc. who is personally known X  
or produced \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
(Notary Signature)

8/18/14  
\_\_\_\_\_  
(Date)

My Commission Expires \_\_\_\_\_





Community Development  
Department  
155 Corey Avenue  
St. Pete Beach, Florida 33706  
727.363.9265  
cddirector@stpetebeach.org

## CONDITIONAL USE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

SAPN I understand that the City will not accept or process an incomplete application.

SAPN I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a conditional use. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a conditional use.

SAPN On all conditional uses, a majority vote is required. Action on this application by the City Commission may be continued to a later meeting.

SAPN I understand that if a conditional use is approved by the City Commission, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval from the City Commission becomes voided.

SAPN I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

SAPN I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application.

After acknowledgement of these conditions, complete the application form on the following pages

[Signature]  
Signature of Applicant

8/18/14  
Date

1. BOUNDARY AND TOPOGRAPHIC SURVEY OF

Parcel I:

Lot 1, LESS the Northeasterly (Northwesterly per Title Commitment) 10 feet thereof, PUNTA VISTA BENNETT BEACH, according to the plat thereof, as recorded in Plat Book 21, Page 45, of the Public Records of Pinellas County, Florida;

Lot B, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B, BENNETT BEACH, according to the plat thereof recorded in Plat Book 22, page 8, of the Public Records of Pinellas County, Florida, LESS that part lying within 40 feet of Survey Line of State Road 699, Section 15100, as described in Order of Taking recorded in Official Records Book 1533, page 187 (Clerk's Instrument No. 684-B), of the Public Records of Pinellas County, Florida;

That part of Government Lot 2, in Section 6, Township 32 South, Range 18 East, Pinellas County, Florida described as follows:

BEGINNING at the Northwesterly corner of Lot B, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B, BENNETT BEACH, according to the plat thereof recorded in Plat Book 22, page 8, of the Public Records of Pinellas County, Florida; run N16°58'30"W along the Easterly line of State Road No. 233, a distance of 83 feet; thence N56°53'00"E, 121.20 feet along the Southeastery line of 52nd Avenue, according to the Plat of PUNTA VISTA BENNETT BEACH, recorded in Plat Book 21, page 45, of the Public Records of Pinellas County, Florida; thence Southeastery along the canal to the Northeasterly corner of the aforementioned Lot B; thence S56°53'00"W, 126 feet to the POINT OF BEGINNING; LESS that part lying within 40 feet of Survey Line of State Road 699, Section 15100, as described in Order of Taking, recorded in Official Records Book 1533, Page 187 (Clerk's Instrument No. 684B), of the Public Records of Pinellas County, Florida, also LESS that part taken for road purposes as described in Order of Taking recorded in Official Records Book 1533, Page 187 (Clerk's Instrument No. 684B) of the Public Records of Pinellas County, Florida;

Tract A of PUNTA VISTA SECOND ADDITION, according to the plat thereof recorded in Plat Book 24, page 66, of the Public Records of Pinellas County, Florida;

Lot A REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B, BENNETT BEACH, according to the plat thereof recorded in Plat Book 22, page 8, of the Public Records of Pinellas County, Florida; LESS that part lying within 40 feet of Survey Line of State Road 699, Section 15100, as described in Order of Taking, recorded in Official Records Book 1533, page 187 (Clerk's Instrument No. 684B), of the Public Records of Pinellas County, Florida;

Tract B of PUNTA VISTA SECOND ADDITION, according to the plat thereof recorded in Plat Book 24, page 66, of the Public Records of Pinellas County, Florida;

Parcel II:

Lot 27, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B BENNETT BEACH, according to the map or plat thereof as recorded in Plat Book 22, page 8, of the Public Records of Pinellas County, Florida;

The Northwesterly 15 feet of Lot 10, UNIT D, BENNETT BEACH, according to the plat thereof recorded in Plat Book 16, page 112, of the Public Records of Pinellas County, Florida.

LESS AND EXCEPT the following described parcel:

The Southeast 4 feet of the Northwest 15 feet of Lot 10, UNIT D, BENNETT BEACH, according to the plat thereof recorded in Plat Book 16, page 112, of the Public Records of Pinellas County, Florida, being adjacent to and abutting that certain strip of land 6 feet in width and 101 feet more or less in length marked "Easement", as shown on UNIT E, BENNETT BEACH, according to the plat thereof recorded in Plat Book 22, page 32, of the Public Records of Pinellas County, Florida.

Parcel III:

Lot 28, REPLAT OF LOTS 25, 26, 27, 28, 29 & 30, UNIT B BENNETT BEACH, according to the Plat Book 22, page 8, of the public records of Pinellas County, Florida; LESS that part lying within 40 feet of the Survey Line of State road 899, Section 15100 and that certain triangular tract in the most Southerly corner of said Lot 28, for road right-of-way, all as described in Order of Taking recorded in Official Records Book 1533, Page 187 (Clerk's Instrument No. 684B) of the Public Records of Pinellas County, Florida;

That certain strip of land 6 feet in width and 101 feet more or less in length marked "Easement", as shown on UNIT E, BENNETT BEACH, according to the plat thereof as recorded in Plat Book 22, page 32, of the Public Records of Pinellas County, Florida;

The Southeast 4 feet of the Northwest 15 feet of Lot 10, UNIT D, BENNETT BEACH, according to the plat thereof recorded in Plat Book 16, Page 112, of the Public Records of Pinellas County, Florida, being adjacent to and abutting that certain strip of land 6 feet in width and 101 feet more or less in length marked "Easement", as shown on UNIT E, BENNETT BEACH, according to the plat thereof recorded in Plat Book 22, page 32, of the Public Records of Pinellas County, Florida.

EXHIBIT A





3030 N. Rocky Point Drive W., Suite 150  
Tampa, Florida 33607  
Telephone: 727.321.5263  
Facsimile: 813.350.7801  
[dmartohue@martohuelaw.com](mailto:dmartohue@martohuelaw.com)  
[www.martohuelaw.com](http://www.martohuelaw.com)

August 19, 2014

HAND DELIVERY

Mr. Dan Graves  
Interim Community Development Director  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, FL 33706

RE: Application for Conditional Use – Parking Lot (Commercial)  
Property Location: 5195 Gulf Boulevard  
Folio#: 06-32-16-08136-000-0270  
Owner/Applicant: Nicklaus of Florida, Inc.



Dear Mr. Graves:

This law firm represents Nicklaus of Florida, Inc. with respect to the captioned application. Please accept this letter as a letter of intent and justification statement supplementing the official Conditional Use application. Enclosed please find the required Boundary Survey, Application fee and twelve (12) copies each of the following that collectively constitute the "Application" for the record:

1. This Letter of Intent & Justication Statement;
2. Conditional Use Application;
3. Site Plan;
4. Aerial Exhibit showing existing adjacent & surrounding uses;
5. Landscape renderings with plant specification list;
6. Proposed pervious non-compacting parking surface #250 Sand specifications; and
7. Certificate of Liability Insurance.

Introduction

The subject property is approximately 1.08 acres and is located at 5195 Gulf Boulevard (Property"). The Property is currently a vacant lot with an Activity Center future land use designation and Activity Center zoning designation pursuant to the Community Redevelopment Plan ("CRP") portion of the City's Comprehensive Plan. As of the date of this Application, the CRP remains in litigation. The current litigation that has been ongoing

since 2007 is the impetus behind this Conditional Use Application. The litigation over the adopted CRP which governs the Property has left the redevelopment of the Property and the core commercial areas of the City in limbo until the litigation is finally resolved. The City itself acknowledges the current uncertainty of the CRP by its policy to add a disclaimer to any building permit within the CRP that indemnifies the City and holds it harmless from claims by any person who elects to redevelop their property while the litigation remains pending. In short, build at your own risk, which is not an economically viable option for any significant development on this Property or any other within the designated CRP area.

### **Use & Zoning History**

The prior use of the Property according to City records was a 28 unit motel known as the Bay N. Gulf Motel. In addition the motel, there was a 3-story 3750 +/-square foot commercial building located at the intersection of Gulf Blvd and 51<sup>st</sup> Ave as shown on the boundary Survey provided to the City as part of the Application. The most recent prior use has been a vacant lot in disrepair held in absentee ownership. The Applicant acquired the Property in December 2013 and obtained a temporary use permit to operate a parking lot for Sirata employees pending consideration of a Conditional Use application.

### **Conditional Use Request**

As an interim use, the Applicant is seeking approval of a Conditional Use to permit a Parking Lot (Commercial) as defined in Division 2 of the City's Land Development Code ("LDC") and permitted as a conditional use in the Activity Center zoning district pursuant to Division 38.4(H), LDC, subject to the proffered conditions attached hereto as Exhibit A. A permitted Conditional Use is presumed to be a compatible use within the designated District as well as consistent with the Comprehensive Plan.

The commercial parking lot has approximately 103 parking spaces proposed depending on the final configuration of the ingress/egress by the City Commission. Three potential ingress/egress points are indicated on the Site Plan. In order to mitigate dust, silt and to prevent stormwater run-off as well as demonstrate the Applicant's intended interim use of the Property as a parking lot, the Applicant proposes not to pave the lot, but rather, use a stabilizing non-compacting pervious surface known as #250 Sand. (Specifications attached).. The Application also includes significant canopy street trees, internal island plantings and perimeter plantings consistent with Division 22 of the LDC.

Since the Activity Center district permits a parking lot (commercial) as an allowable use, the presumption is in favor of the Applicant that the proposed use is consistent with the Comprehensive Plan and compatible with the surrounding properties. The requested Conditional Use is consistent with the goals, objectives, and policies of the CRP. Specifically, the proposed Conditional Use is Consistent with Objectives 2.4 and 2.7 of the Gulf Boulevard Redevelopment District which provide for redevelopment uses consistent with the following:

**Objective 2.4: A variety of parking solutions for motorized and non-motorized vehicles shall be pursued to support redevelopment while maintaining ease of access and adequate parking throughout the Gulf Boulevard Redevelopment District.**

**Objective 2.7: Development of on-site and off-site public parking . . . shall be pursued in proximity to public beach access points, pedestrian crosswalks and major retail and entertainment areas.**

The proposed commercial parking lot use is located within the high intensity commercial Activity Center character district which is a major retail district on the east side of Gulf Boulevard that supports the hotel districts on the west side of Gulf Boulevard consistent with Objective 2.4. The need for parking on St. Pete Beach is well documented and is consistent with the goals and objectives of the CRP. Further, the location of the proposed parking lot is proximate to the newly installed pedestrian crosswalk on Gulf Boulevard just north of Punta Vista Drive, which is also consistent with Objective 2.7 and improves pedestrian safety.

To improve compatibility and show good faith, the Applicant installed reclaimed water irrigation and significant street canopy trees and perimeter plantings on the Property in July/August 2014 to improve the aesthetics of a long-time vacant property while this Application was pending submittal, review, notice and action.

Typically, an approved Conditional Use runs with the land in perpetuity. However, in good faith, the Applicant desires to respond to neighbor concerns and concerns expressed by the Commission about the long term use of the Property as a parking lot by proffering a condition of approval limiting the Conditional Use to five (5) years from the date of approval. In consideration of the financial investment associated with making the improvements proffered in the Conditions for the interim parking lot use, the Applicant believes a five (5) year approval timeframe is reasonable. Such time limitation also demonstrates the Applicant's ultimate desire to redevelop the Property in accordance with the Community's Vision for the Activity Center character district. The Applicant hopes that this 5-year timeframe will allow adequate time in the worst case scenario to resolve the litigation and if necessary, adopt a new plan, conduct marketing studies and redevelop the property.

It is important to separate and not connect the proposed commercial parking lot to the Sirata Beach Resort because if you connect it as off premises parking lot for the Sirata Becah Resort, then the use would need to continue for the time that the Sirata exists which is not the expressed desire of the Applicant, neighbors or the City.

Further, it is critical to understand that the Sirata Beach Resort is owned and operated by Sirata Beach Resort, LLC an entirely different entity with a different purpose than the owners of 5195 Gulf Boulevard which is Nicklaus of Florida, Inc., a sub S real estate holding company with extensive real estate holdings in Florida, North Carolina and Texas. Nicklaus of Florida, Inc., purchased the Property with the intent to redevelop it as a commercial use

consistent with the intent and purpose of the Activity Center district. Nicklaus of Florida does not have any employees; however, in good faith and in order to address the expressed concerns of the neighbors that do not want transient fee-based beach parking located on this Property, Nicklaus of Florida is willing to enter into an agreement with Sirata Beach Resort LLC to allow employee parking on the Property on an interim basis. The Applicant is proffering a condition of approval to limit the commercial parking to secured employee parking to substantially reduce traffic trip impact on Punta Vista Drive and Gulf Boulevard as well as limit, if not eliminate, the potential for litter and other nuisances associated with a fee-based commercial beach parking lot.

The enclosed Application details how the proposed Conditional Use and proffered conditions satisfy the required criteria set forth in Division 4.4, LDC.

### **Surrounding Zoning, Existing & Permitted Uses**

The Property is located in the Activity Center district which is designated in the CRP as the primary commercial core of the City located on the east side of Gulf Boulevard from just south of 44<sup>th</sup> Ave to just north of 55<sup>th</sup> Avenue. Gulf Boulevard is the primary commercial transportation corridor running north-south from the Pinellas Bayway to 75<sup>th</sup> Avenue. Several residential streets running east-west, including 44<sup>th</sup> Ave, 46<sup>th</sup> Ave, Punta Vista Drive and 55<sup>th</sup> Ave terminate at Gulf Boulevard. Located at all of these terminus intersections are properties zoned Activity Center and used for high intensity commercial uses.

See the enclosed Aerial Exhibit which identifies those high intensity existing commercial uses within the immediate vicinity of the Property. Immediately to the north across Punta Vista Drive is a 24 hour /7 day a week taxi operation known as Bats Taxi. To the northeast is an adjacent vacant residential lot owned by the Applicant which is not part of the subject Application, but will act as an additional sixty foot (60') wide buffer to the existing residential house. This residential house also has a six foot (6') concrete block wall separating it from the vacant lot and Property which acts as additional bufferring from the proposed parking lot. To the east is water. To the southeast is one (1) residential house with an six foot (6') board on board fence separating it from the Property. Immediately to the south is Nina's Nails and 1200 Chophouse restuarant. Immediately to the west is Gulf Boulevard, a 4-lane divided major arterial transportation and commercial corridor. On the west side of Gulf Boulevard is a myriad of commercial uses including Madfish and Crabby Bills restaurants.

Uses permitted by right with the Activity Center include, but are not limited to, such high traffic generators as:

- (a) Grocery stores, markets, pharmacies, with or without drive-thru service;
- (b) Automotive rental agencies;
- (c) Automotive service stations;
- (d) Car wash facilities;

- (e) Clinics;
- (f) Doctors' offices and medical clinics; and
- (g) Eating and drinking establishments with outdoor seating.

The above-listed permitted uses are consistent with the existing uses located along both the east and west side of Gulf Blvd within the immediate vicinity of the Property. (See enclosed Aerial Exhibit).

### **Compatibility of the Proposed Zoning Request**

Based upon the above-stated Objectives within the CRP and the permitted uses and existing uses located within the Activity Center district, the proposed commercial parking lot is consistent and compatible with the other uses permitted and existing within this District. Further, the proposed ingress/egress shown on the Site Plan plan reduces vehicular traffic and car stacking on Punta Vista Drive by providing for egress onto Gulf Boulevard at the existing curb cut indicated as egress point "B" on the Site Plan. Ingress would be at about the midpoint of the north boundary of the Property on Punta Vista Drive indicated as Access point "A" on the Site Plan. A third ingress/egress option is located on 51<sup>st</sup> Ave and labeled Alternative "C" on the Site Plan.

To improve the aesthetic appearance of the vacant lot and proposed commercial parking lot, perimeter plantings, canopy trees, reclaimed irrigation to ensure longevity and health of the plantings and decorative rock have been installed on the Property. In addition to the perimeter plantings and decorative rock proposed along Punta Vista Drive and Gulf Boulevard, the Applicant, in working with the neighbor to the southeast, proposes to add additional buffer plantings at the southeast corner of the Property as well as extend the existing six foot (6') board on board fence west on the south boundary line as shown on the Landscape renderings. The Applicant also proposes internal landscaped islands to define parking rows and aisles. In recognition of the fact that the commercial parking lot is proposed as a five (5) year interim use, the Applicant proposes shrubbery in lieu of canopy trees on the internal landscaped islands to avoid having to remove mature established trees at the time of ultimate redevelopment of the Property. To the northeast, the existing sixty foot (60') wide vacant residential lot also owned by the Applicant, (but not part of this Application), will act as a buffer in conjunction with the existing six foot (6') concrete block wall to the residential home to the northeast. These proposed buffers and design of the parking lot will eliminate any glare of headlights spilling over into residential areas.

Further, the Applicant proposes: 1) secured gates at the ingress and egress point with security lighting; and 2) limiting use to first and second shift employees with no overnight parking allowed. These security precautions will abate and mitigate vandalism and unwanted nuisance behavior on the Property to protect the health, safety and welfare of the residential homes in the Punta Vista neighborhood and the Community at large. Even though the parking lot will be secured, the Applicant will also secure the existing docks with secured gates/ and or fencing to prohibit public access to the existing docks on the east side of the

Property. In addition, in good faith, to improve safety and visibility at the intersection of Punta Vista Drive and Gulf Boulevard, the Applicant has had discussions with PSTA and the City's Public Works Director to relocate the existing PSTA bus stop approximately seventy-five feet (75') south on the east side of Gulf Boulevard. The City and PSTA has no objections to the relocation of this bus stop.

Lastly, limiting the use and prohibiting overnight parking, in contrast to the 24 hour/ 7 days per week BATS Taxi operation directly to the north, will eliminate overnight noise, glare, fumes, dust and traffic impacts from the Property enhancing the compatibility of the proposed use.

### **Conclusion**

The value of the improvements proffered and/or that have been made to the Property for its interim conditional use as a commercial parking lot is approximately \$75,000.00. In consideration of the financial investment in the Property as well as the Applicant's ultimate goal to redevelop the Property consistent with the permitted uses within the Activity Center district, the Applicant believes that limiting the Conditional Use to five (5) years is reasonable. This timeframe allows the Applicant to spread out its financial investment over a reasonable period of time while also giving assurances to the Community and neighbors that the commercial parking lot will not be a long term or perpetual use. This 5-year timeframe allows the City to bring the litigation to a final conclusion and the Applicant time thereafter to conduct appropriate marketing studies to redevelop the Property at its highest and best use.

Based on the foregoing, the Applicant's requested Commercial Parking lot conditional use subject to the proffered conditions is consistent with the Objectives of the CRP and satisfies the Conditional Use criteria set forth in the LDC. Accordingly, the Applicant respectfully requests a staff recommendation of approval. If you have any questions or need additional information, please call me at 727-321-5263 or email me at [dmartohue@martohuelaw.com](mailto:dmartohue@martohuelaw.com).

Best regards,



Deborah L. Martohue, Esq. AICP

Enclosures

Cc: Dave Healey (digitally signed and emailed)  
Client [digitally signed and emailed]

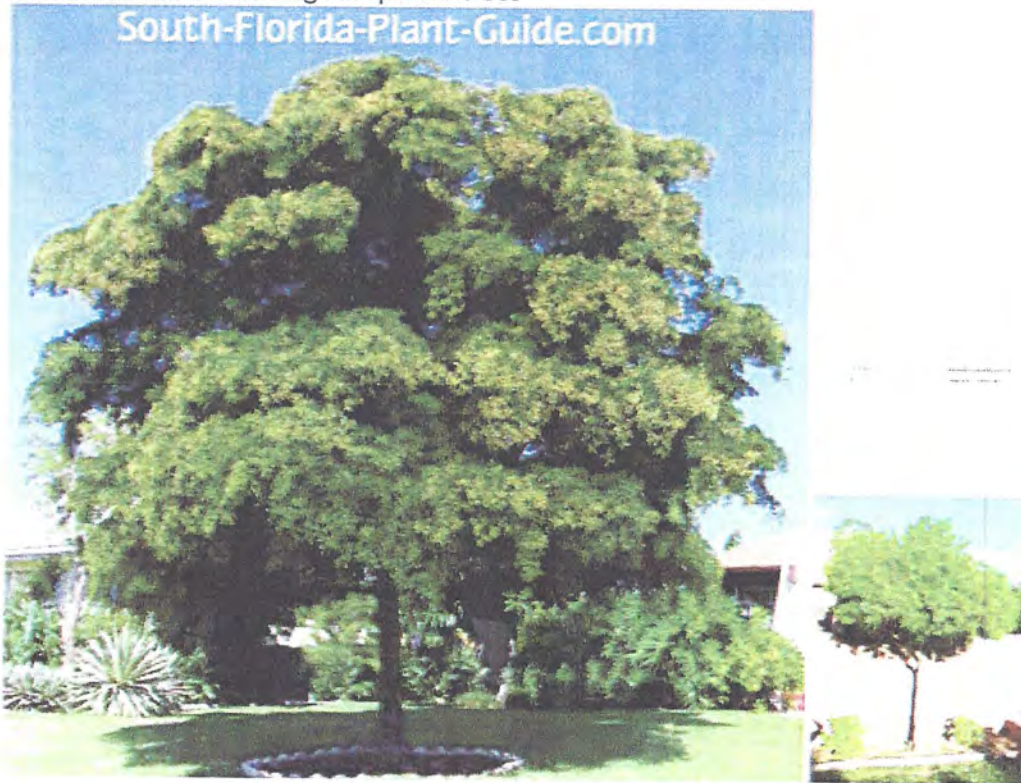
**NICKLAUS OF FLORIDA**  
**PROFFERED CONDITIONS OF APPROVAL**

1. Applicant/Operator will maintain liability insurance in the amount of no less than \$1,000,000 per incident. Said insurance shall be maintained until the permit expires.
2. Vehicular ingress only shall be from Punta Vista Drive in substantially the same location as shown on the approved Site Plan. Vehicular egress only shall be onto Gulf Boulevard at the existing curb cut at substantially the same location as shown on the approved Site Plan.
3. No structures shall be placed or constructed on the property with the exception of the secured ingress/egress access gates and six foot (6') fence along the south boundary line in substantially the same location as shown on the approved Site Plan and related Landscape Renderings.
4. The Applicant/Operator shall apply for the fence permit within thirty (30) days of issuance of the Conditional Use permit and constructed within sixty (60) days of issuance of said permit. No chain link fence shall be allowed on the property.
5. The commercial parking lot shall not be paved, but shall be stabilized and maintained with a pervious non-compacting material known as #250 Sand in order to protect the aesthetics of the City as well as reduce dust, silt and prevent stormwater run-off.
6. The perimeter of the property shall be landscaped in accordance with Division 22 of the Land Development Code and irrigated with reclaimed water.
7. The Applicant/Operator shall install ingress/egress security access gates similar to the existing access gates installed at the Sirata Beach Resort property located at 5300 Gulf Blvd within sixty (60) days of issuance of the Conditional Use permit.
8. The Applicant/Operator has up to ninety (90) days from the date of issuance of the Conditional Use permit to install #250 Sand pervious stabilization material and internal landscape islands consistent with the approved Site Plan.
9. Use of the parking lot shall be limited to first and second shift employees of the Sirata Beach Resort, LLC seven (7) days per week, 365 days per year, with no overnight parking allowed.
10. The Applicant/Operator shall be permitted to continue its temporary use of the parking lot in accordance with the limitations set forth in Condition #9 upon approval of the Conditional Use by the City Commission and prior to issuance of the Conditional Use permit.
11. This Conditional Use expires five (5) years from the date of issuance of the Conditional Use permit.



NICKLAUS OF FLORIDA, INC.  
CONDITIONAL USE APPLICATION  
PLANT SPECIFICATION LIST

1. Perimeter hedge: 240 Silver buttons / 24 inch min height
2. Perimeter trees (along Gulf Blvd and Punta vista) - 30 shade trees (20) Mexican Oleanders / (10) Shady lady/Black Olive (each with 8 ft wood min/2 inch stock) see pictures below. Spaced approx. 20 ft. apart
3. Perimeter Mulch to be added in significant quantities
4. Rock gardens along with approx. 15-20 Areca palms sporadically blended in.
5. Continued Use of existing acceptable trees

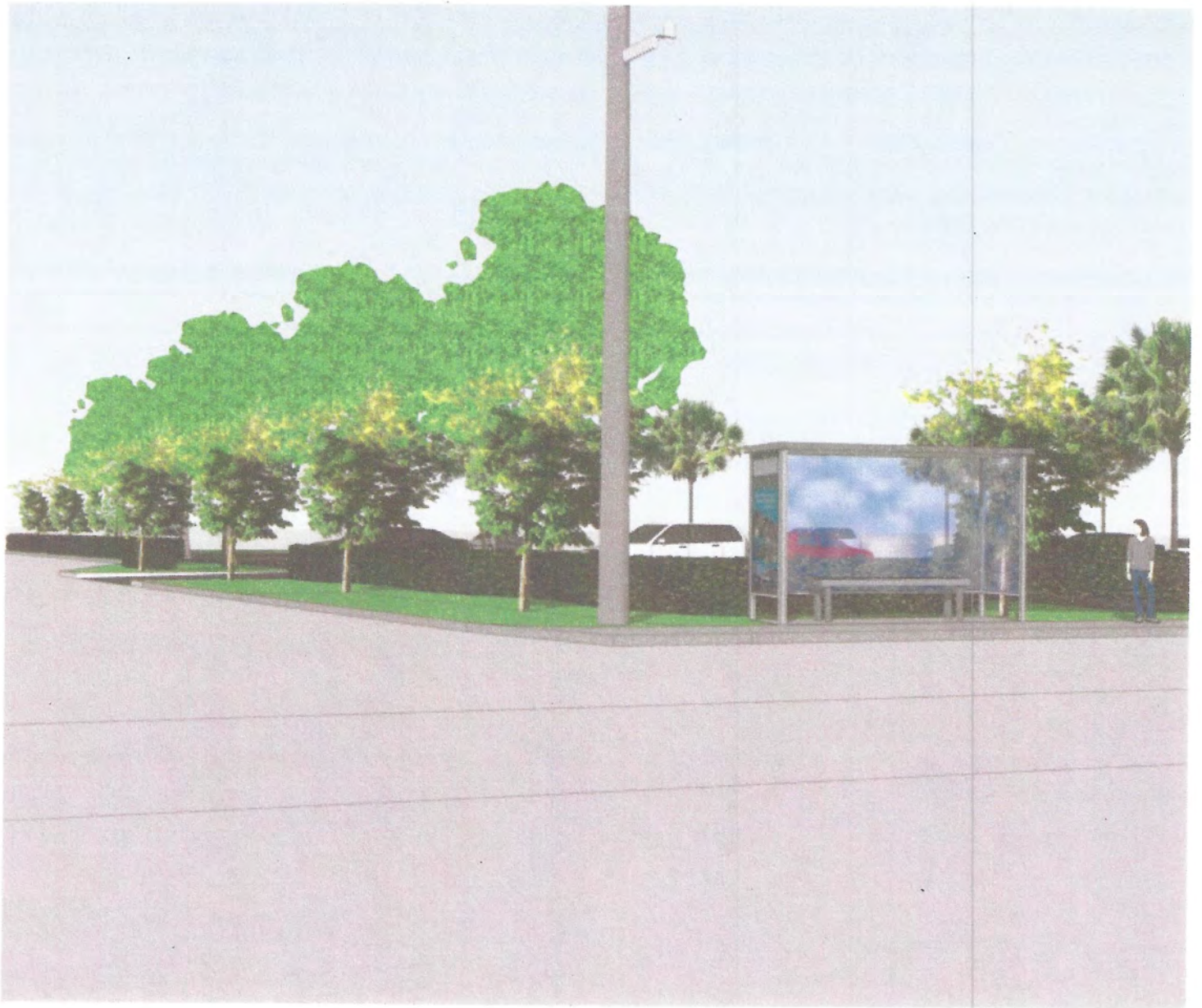














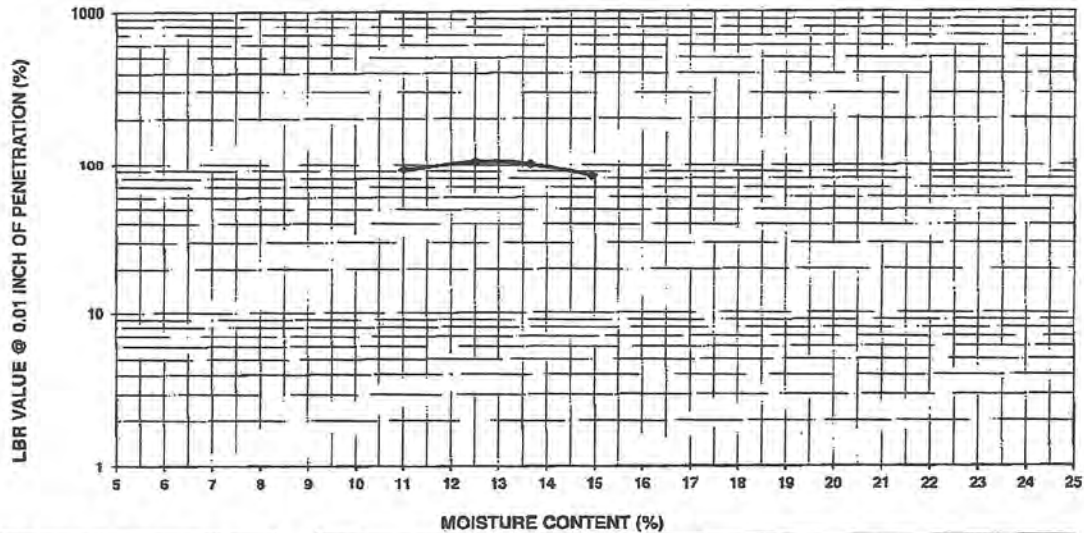




## LIMEROCK BEARING RATIO TEST (FM 5-515)

Project Name: Various Testing  
Project Location: SMR Aggregates Pit 17-091  
Client Name: SMR Aggregates, Inc.  
Distribution: Client

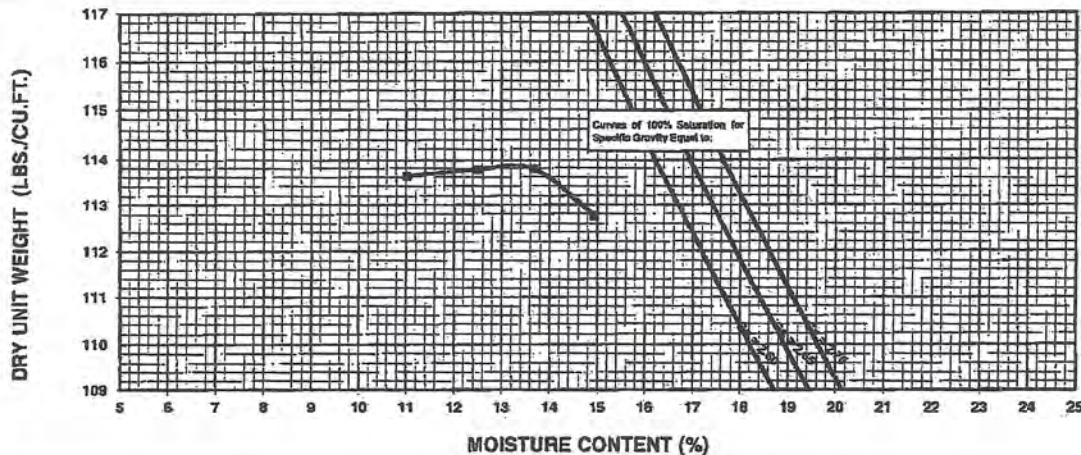
File No.: 11-7084  
Report Date: 4/18/2014



LBR Value (%): **105**

Passing 3.5 in. sieve (%): **100**

Passing No. 4 sieve (%): **92**



Maximum Dry Density (lb/ft<sup>3</sup>): **114**

Optimum Moisture Content (%): **13**

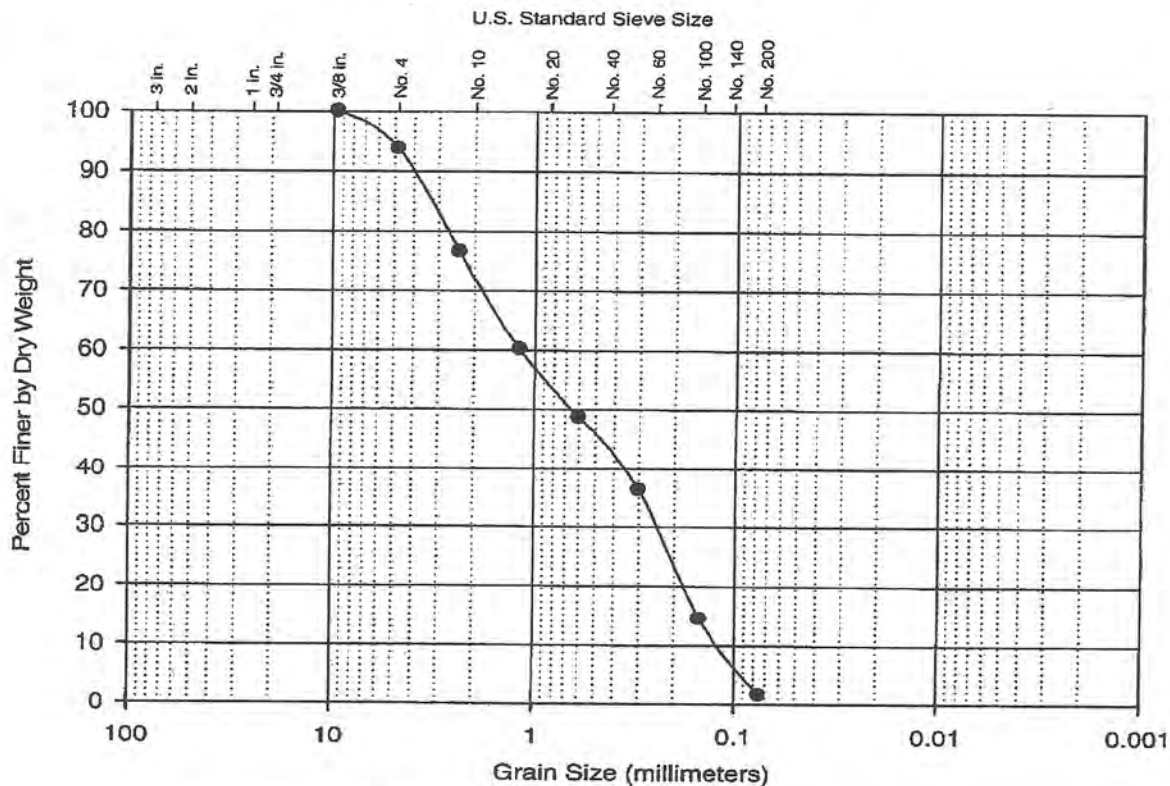
Date Delivered: 4/14/2014 Date Molded: 4/16/2014 Lab Sample No.: 5106  
Delivered By: Client Date Tested: 4/18/2014 Tested By: Chris Oberhoff  
Sample Description: 250 sand  
Sample Location: SMR pit 17-091, Phase X South  
Proposed Use: Bedding for architectural pavers (LBR test performed without surcharge)

Our letters and reports are for the exclusive use of the client to whom they are addressed and shall not be reproduced except in full without the approval of the testing laboratory. The use of our name must receive our written approval. Our letters and reports apply only to the sample tested and/or inspected, and are not indicative of the quantities of apparently identical or similar products.

Florida Certificate of Authorization No. 00005850

Gary H. Schmidt, P.E.  
Florida License No. 12305

## GRAIN SIZE DISTRIBUTION CURVE



| Gravel |      | Sand   |        |      | Silt | Clay |
|--------|------|--------|--------|------|------|------|
| Coarse | Fine | Coarse | Medium | Fine |      |      |

### SAMPLE DATA:

Date Received: 4/14/14

Soil Description: 250 sand

### \* SIEVE ANALYSIS:

| Sieve Size | Percent Finer |
|------------|---------------|
| 3/8 in.    | 100           |
| No. 4      | 94            |
| No. 8      | 76            |
| No. 16     | 60            |
| No. 30     | 49            |
| No. 50     | 36            |
| No. 100    | 15            |
| No. 200    | 1.6           |

\* percent passing No. 200 sieve in accordance with AASHTO T-11

|                                                                                                   |                                 |               |  |
|---------------------------------------------------------------------------------------------------|---------------------------------|---------------|--|
| <b>Ardaman &amp; Associates, Inc.</b><br>Geotechnical, Environmental and<br>Materials Consultants |                                 |               |  |
| <b>SMR Aggregates</b><br><b>Various Testing</b>                                                   |                                 |               |  |
| DRAWN BY: MA                                                                                      | CHECKED BY: <i>[Signature]</i>  | DATE: 4/18/14 |  |
| FILE NO: 11-7084                                                                                  | APPROVED BY: <i>[Signature]</i> | PLATE: 1      |  |



16530

**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)  
7/22/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| <b>PRODUCER</b><br>Commercial Lines - (813) 639-3000<br>Wells Fargo Insurance Services USA, Inc.<br>2502 N. Rocky Point Drive, Suite 400<br>Tampa, FL 33607 | <b>CONTACT NAME:</b> Oriana Kasten<br><b>PHONE (A/C, No, Ext):</b> 813-636-5337<br><b>FAX (A/C, No):</b> 877-302-4027<br><b>E-MAIL ADDRESS:</b> oriana.kasten@wellsfargo.com                                                                                                                                                                                                                                                     |                               |  |        |             |                               |       |             |  |  |             |  |  |             |  |  |             |  |  |             |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--|--------|-------------|-------------------------------|-------|-------------|--|--|-------------|--|--|-------------|--|--|-------------|--|--|-------------|--|--|
| <b>INSURED</b><br>Nicklaus of Florida, Inc<br>5300 Gulf Blvd<br><br>St. Pete Beach, FL 33706                                                                | <table border="1"><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A :</td><td>Liberty Insurance Corporation</td><td>42404</td></tr><tr><td>INSURER B :</td><td></td><td></td></tr><tr><td>INSURER C :</td><td></td><td></td></tr><tr><td>INSURER D :</td><td></td><td></td></tr><tr><td>INSURER E :</td><td></td><td></td></tr><tr><td>INSURER F :</td><td></td><td></td></tr></table> | INSURER(S) AFFORDING COVERAGE |  | NAIC # | INSURER A : | Liberty Insurance Corporation | 42404 | INSURER B : |  |  | INSURER C : |  |  | INSURER D : |  |  | INSURER E : |  |  | INSURER F : |  |  |
| INSURER(S) AFFORDING COVERAGE                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                  | NAIC #                        |  |        |             |                               |       |             |  |  |             |  |  |             |  |  |             |  |  |             |  |  |
| INSURER A :                                                                                                                                                 | Liberty Insurance Corporation                                                                                                                                                                                                                                                                                                                                                                                                    | 42404                         |  |        |             |                               |       |             |  |  |             |  |  |             |  |  |             |  |  |             |  |  |
| INSURER B :                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                  |                               |  |        |             |                               |       |             |  |  |             |  |  |             |  |  |             |  |  |             |  |  |
| INSURER C :                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                  |                               |  |        |             |                               |       |             |  |  |             |  |  |             |  |  |             |  |  |             |  |  |
| INSURER D :                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                  |                               |  |        |             |                               |       |             |  |  |             |  |  |             |  |  |             |  |  |             |  |  |
| INSURER E :                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                  |                               |  |        |             |                               |       |             |  |  |             |  |  |             |  |  |             |  |  |             |  |  |
| INSURER F :                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                  |                               |  |        |             |                               |       |             |  |  |             |  |  |             |  |  |             |  |  |             |  |  |

**COVERAGES****CERTIFICATE NUMBER:** 7990123**REVISION NUMBER:** See below

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR                                  | TYPE OF INSURANCE                                                                                                                                                                                                                                                                                                         | ADDL INSD | SUBR WVD | POLICY NUMBER   | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|-----------------|-------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------|-------------------------------------------|------------|------------------------------|----------|--------------------------------|--------------|-------------------|--------------|------------------------|--------------|--|----|
| A                                         | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC<br>OTHER: |           |          | TBKZ91443024013 | 9/01/2013               | 9/01/2014               | <table border="1"><tr><td>EACH OCCURRENCE</td><td>\$ 1,000,000</td></tr><tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td>\$ 300,000</td></tr><tr><td>MED EXP (Any one person)</td><td>\$ 5,000</td></tr><tr><td>PERSONAL &amp; ADV INJURY</td><td>\$ 1,000,000</td></tr><tr><td>GENERAL AGGREGATE</td><td>\$ 2,000,000</td></tr><tr><td>PRODUCTS - COMP/OP AGG</td><td>\$ 2,000,000</td></tr><tr><td></td><td>\$</td></tr></table> | EACH OCCURRENCE                     | \$ 1,000,000 | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ 300,000 | MED EXP (Any one person)     | \$ 5,000 | PERSONAL & ADV INJURY          | \$ 1,000,000 | GENERAL AGGREGATE | \$ 2,000,000 | PRODUCTS - COMP/OP AGG | \$ 2,000,000 |  | \$ |
| EACH OCCURRENCE                           | \$ 1,000,000                                                                                                                                                                                                                                                                                                              |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ 300,000                                                                                                                                                                                                                                                                                                                |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| MED EXP (Any one person)                  | \$ 5,000                                                                                                                                                                                                                                                                                                                  |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| PERSONAL & ADV INJURY                     | \$ 1,000,000                                                                                                                                                                                                                                                                                                              |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| GENERAL AGGREGATE                         | \$ 2,000,000                                                                                                                                                                                                                                                                                                              |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| PRODUCTS - COMP/OP AGG                    | \$ 2,000,000                                                                                                                                                                                                                                                                                                              |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
|                                           | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
|                                           | <b>AUTOMOBILE LIABILITY</b><br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input type="checkbox"/> HIRED AUTOS<br><input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS                                                                              |           |          |                 |                         |                         | <table border="1"><tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td>\$</td></tr><tr><td>BODILY INJURY (Per person)</td><td>\$</td></tr><tr><td>BODILY INJURY (Per accident)</td><td>\$</td></tr><tr><td>PROPERTY DAMAGE (Per accident)</td><td>\$</td></tr><tr><td></td><td>\$</td></tr></table>                                                                                                                                          | COMBINED SINGLE LIMIT (Ea accident) | \$           | BODILY INJURY (Per person)                | \$         | BODILY INJURY (Per accident) | \$       | PROPERTY DAMAGE (Per accident) | \$           |                   | \$           |                        |              |  |    |
| COMBINED SINGLE LIMIT (Ea accident)       | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| BODILY INJURY (Per person)                | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| BODILY INJURY (Per accident)              | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| PROPERTY DAMAGE (Per accident)            | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
|                                           | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
|                                           | <b>UMBRELLA LIAB</b><br><b>EXCESS LIAB</b><br><input type="checkbox"/> OCCUR<br><input type="checkbox"/> CLAIMS-MADE<br><b>DED</b> <b>RETENTION \$</b>                                                                                                                                                                    |           |          |                 |                         |                         | <table border="1"><tr><td>EACH OCCURRENCE</td><td>\$</td></tr><tr><td>AGGREGATE</td><td>\$</td></tr><tr><td></td><td>\$</td></tr></table>                                                                                                                                                                                                                                                                                                   | EACH OCCURRENCE                     | \$           | AGGREGATE                                 | \$         |                              | \$       |                                |              |                   |              |                        |              |  |    |
| EACH OCCURRENCE                           | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| AGGREGATE                                 | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
|                                           | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
|                                           | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                                                             |           |          |                 |                         |                         | <table border="1"><tr><td>PER STATUTE</td><td>OTH-ER</td></tr><tr><td>E.L. EACH ACCIDENT</td><td>\$</td></tr><tr><td>E.L. DISEASE - EA EMPLOYEE</td><td>\$</td></tr><tr><td>E.L. DISEASE - POLICY LIMIT</td><td>\$</td></tr></table>                                                                                                                                                                                                        | PER STATUTE                         | OTH-ER       | E.L. EACH ACCIDENT                        | \$         | E.L. DISEASE - EA EMPLOYEE   | \$       | E.L. DISEASE - POLICY LIMIT    | \$           |                   |              |                        |              |  |    |
| PER STATUTE                               | OTH-ER                                                                                                                                                                                                                                                                                                                    |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| E.L. EACH ACCIDENT                        | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| E.L. DISEASE - EA EMPLOYEE                | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |
| E.L. DISEASE - POLICY LIMIT               | \$                                                                                                                                                                                                                                                                                                                        |           |          |                 |                         |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |              |                                           |            |                              |          |                                |              |                   |              |                        |              |  |    |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: 5195 Gulf Blvd, St Pete Beach, FL 33706.

**CERTIFICATE HOLDER****CANCELLATION**Nicklaus of Florida, Inc.  
5300 Gulf Blvd  
St Pete Beach, FL 33706

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**St. Pete Beach City Commission  
Agenda Report**

**Issue Considered:** Final Reading Ordinance 2014-08 setting the millage Rate for Fiscal Year 2015

**Date:** September 24, 2014

**Prepared By:** Elaine Edmunds, Interim City Manager *EE*

**Summary of Issue:** The proposed 3.1500 operating millage (\$3.15 per \$1,000 of taxable valuation) is .2931 mills higher than the current year millage rate and .4677 higher than the rolled-back rate. The proposed millage rate will generate approximately \$6,692,675 in ad valorem taxes which is \$998,047 higher than the previous year's tax revenue.

The above millage rate will fund the proposed expenditures for fiscal year 2015 with no additional monies going toward reserves. This millage is 17.44% higher than the rolled-back of 2.6823 and will result in an overall increase of tax revenue to the City.

**Requested Motion:** "I move that Ordinance No. 2014-08 an ordinance of the City of St. Pete Beach, Florida; establishing the ad valorem tax levy of 3.1500 mills for the general fund for the fiscal year beginning October 1, 2014 and ending September 30, 2015; providing for an effective date be approved on final reading." (Read entire ordinance)

**Attachment:** Ordinance 2014-08

**Reviewed by  
City Manager:**

ORDINANCE NO. 2014-08

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA; ADOPTING A FINAL MILLAGE RATE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015: PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETE BEACH, FLORIDA, DOES ORDAIN:

Section 1. That a millage levy of 3.1500 general and operative levy is hereby fixed and adopted for the fiscal year of the City ending on September 30, 2015 and shall be placed upon the total taxable assessed valuation of property of any kind liable for and subject to taxation by the City of St. Pete Beach, Florida, including real and personal property, lying within the City of St. Pete Beach, Florida.

Section 2. Said monies as raised by the levy of 3.1500 mills, estimated at \$6,692,675 shall be used for the general operation of the City of St. Pete Beach including, but not limited to, salaries, insurance and energy costs and transfers for capital projects for the afore-mentioned fiscal period.

Section 3. The fiscal year 2015 operating millage rate of 3.1500 mills is higher than the rolled-back rate of 2.6823 mills by 17.44%.

Section 4. That a certified copy of this ordinance shall be forwarded to the Property Appraiser of Pinellas County, Florida, together with a request that the aforementioned levies be made by her office on behalf of the City of St. Pete Beach for the Fiscal Year 2014-2015.

Section 5. This ordinance shall become effective immediately upon its final passage.

\_\_\_\_\_  
Maria Lowe, Mayor

FIRST READING: \_\_\_\_\_  
PUBLISHED \_\_\_\_\_  
FINAL READING: \_\_\_\_\_  
PUBLIC HEARING: \_\_\_\_\_

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Rebecca Haynes, City Clerk

**St. Pete Beach City Commission  
Agenda Report**

**Issue Considered:** Final Reading – Ordinance 2014-09 Budget Ordinance for FY 2015

**Date:** September 24, 2014

**Prepared By:** Elaine Edmunds, Interim City Manager *EE*

**Summary of Issue:** The FY 2014/15 Budget total for all funds is \$40,805,870. The following is a brief summary by fund.

**General Fund** Overall General Fund expenditures are expected to increase from \$14,787,814 to \$16,036,773 or approximately 8.45%. This figure includes a transfer to the Capital Projects Fund of \$1,904,000. The operating millage rate of 3.1500 mills is .2931 mills higher than the current year's millage rate and .4677 higher than the rolled-back rate. Therefore there is an increase in property tax revenue of approximately \$998,047.

**Wastewater Fund** The budget does not include a rate increase in FY 2015.

**Reclaimed Water** The budget does not include a rate increase in FY 2015.

**Stormwater Fund** A Stormwater Fund was been established for FY 2011 with a second tier instituted in FY 2012. The revenue for this fund will come from two separate non-ad valorem assessments on all properties in the City. The budget reflects no increase in the amount of the assessment.

**Capital Improvement Program (CIP)** - The CIP includes a variety of improvement projects throughout the City plus loan payments on the community center, fire truck and projected loan payments for additional monies borrowed for current projects. The total amount budgeted for FY 2014 is \$15,406,725.

**Requested Motion:** "I move that Ordinance No. 2014-09, an ordinance of the City of St. Pete Beach, Pinellas County, Florida; adopting a budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015; providing appropriations; and providing an effective date be approved on final reading."

**Attachment:** Ordinance No 2014-09

**Reviewed by  
City Manager:**

ORDINANCE NO. 2014-09

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA; ADOPTING A BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015; PROVIDING APPROPRIATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.241 Florida Statute requires each municipality to adopt a budget and make appropriations for each fiscal year; and

WHEREAS, Code Section 2.218(b) provides that the appropriation ordinance shall state in clear and precise terms that the budget is adopted by reference and is made a part of the ordinance and that the amounts therein are appropriated for the purposes and for the accounts indicated; and

WHEREAS, the City Manager has submitted a proposed annual budget to the City Commission as required by Section 4.04(e) of the City Charter; and

WHEREAS, the City Commission deems the proposed expenditures necessary and proper for the operation of the City Government and to provide for the health, safety, and welfare of its citizens.

THE CITY OF ST. PETE BEACH, FLORIDA, DOES ORDAIN:

Section 1. The annual budget for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, as attached hereto as Exhibit "A" ("the Budget") is adopted by reference and is made a part of this ordinance and the amounts thereon are appropriated for the purposes and for the accounts thereon indicated. The Budget adopts and appropriates the sums of money appropriated for expenditures within each fund as indicated below and as further described in as Exhibit A for the Fiscal Year ending on September 30, 2015:

|                     |               |
|---------------------|---------------|
| General Fund        | \$16,036,773  |
| Wastewater Fund     | \$ 7,043,589  |
| Reclaimed Water     | \$ 1,159,683  |
| Stormwater Fund     | \$ 1,159,100  |
| Capital Improvement | \$ 15,406,725 |

Section 2. That for the period of October 1, 2014 through September 30, 2015 all monies of the City shall be expended as appropriated herein and in accordance with the City Charter and ordinances of the City.

Section 3. This ordinance shall become effective immediately upon its final passage.

\_\_\_\_\_  
Maria Lowe, Mayor

FIRST READING: \_\_\_\_\_  
PUBLISHED \_\_\_\_\_  
FINAL READING: \_\_\_\_\_  
PUBLIC HEARING: \_\_\_\_\_

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Rebecca Haynes, City Clerk