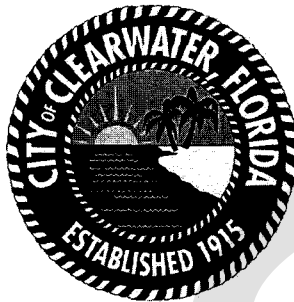


City of Clearwater

*City Hall
112 S. Osceola Avenue
Clearwater, FL 33756*



Meeting Minutes

Thursday, June 7, 2018

6:00 PM

Council Chambers

City Council

Roll Call

Present: 5 - Mayor George N. Cretekos, Vice Mayor Doreen Caudell, Councilmember Hoyt Hamilton, Councilmember Bob Cundiff and Councilmember David Allbritton

Also Present: William B. Horne II – City Manager, Jill Silverboard – Deputy City Manager, Micah Maxwell – Assistant City Manager, Pamela K. Akin - City Attorney, Rosemarie Call - City Clerk and Nicole Sprague – Official Records and Legislative Services Coordinator

To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.

Unapproved

1. Call to Order – Mayor Cretekos

The meeting was called to order at 6:00 p.m. at City Hall.

2. Invocation – Councilmember Cundiff

3. Pledge of Allegiance – Councilmember Allbritton

4. Special recognitions and Presentations (Proclamations, service awards, or other special recognitions. Presentations by governmental agencies or groups providing formal updates to Council will be limited to ten minutes.) – Given.

- 4.1 World Elder Abuse Awareness Day Proclamation, June 15, 2018 - Area Agency on Aging of Pasco - Pinellas
- 4.2 Wound Care Awareness Week Proclamation, June 4-8, 2018 - Michele Hiley, Wound Healing & Hyperbaric Center at Morton Plant Hospital
- 4.3 Clearwater Sugar Sand Festival - Lisa Chandler, Event Director

Ms. Chandler provided a brief summary of this year's campaign and thanked the Council and staff for their continued support.

5. Approval of Minutes

- 5.1 Approve the minutes of the May 17, 2018 City Council Meeting as submitted in written

summation by the City Clerk.

Vice Mayor Caudell moved to approve the minutes of the May 17, 2018 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

6. Citizens to be heard re items not on the agenda – None.

7. Consent Agenda – Approved as submitted.

- 7.1 Authorize award of Request for Proposals 17-18, Fireworks Displays, to Pyrotecnico Fireworks Inc. of New Castle, PA, in the annual amount of \$95,000 for special event fireworks displays, for a one-year term with two, one-year renewal terms at the City's option, and authorize the appropriate officials to execute same. (consent)**
- 7.2 Appoint Dirk Curls to the Board of Trustees, Clearwater Police Supplementary Pension Plan, in accordance with Florida Statute 185.05. (consent)**
- 7.3 Approve an Engineer of Record (EOR) Work Order to McKim and Creed, Inc. in the amount of \$123,400 for the Northeast WRF Basin Inflow and Infiltration Permanent Flow Monitoring project (18-0024-UT) and authorize the appropriate officials to execute same. (consent)**
- 7.4 Award a construction contract to Steve's Excavating and Paving for construction of Harbor Oaks Subdivision Brick Crosswalks (17-0058-EN) in the amount of \$273,592.55 for Base and Alternate Bids combined, which are the lowest responsible bids received in accordance with plans and specifications, and authorize the appropriate officials to execute same. (consent)**
- 7.5 Appoint Dan Carpenter to a four-year term as a Trustee of the Clearwater Firefighters' Supplemental Trust Fund in accordance with Sec. 175.061 of the Florida State Statutes. (consent)**
- 7.6 Approve a contract increase and updated License and Services Agreements with Microsoft, Inc. of Redmond WA, for a five-year term, from July 1, 2018 through June 30, 2023, in the not to exceed amount of \$1,875,000 for cloud office management software licensing, software maintenance, cloud storage, cloud services and professional services, and authorize the appropriate officials to execute same. (consent)**
- 7.7 Approve a contract to Accela, Inc. or San Ramon, CA, (ST113654) in the amount of \$172,374.42 for software maintenance and professional services and authorize the**

appropriate officials to execute same. (consent)

- 7.8** Authorize a contract with Granicus, Inc. of Washington, DC for a three-year term, June 1, 2018 through May 30, 2021, in the amount of \$339,048.00 for software subscription maintenance and professional services and authorize the appropriate officials to execute same. (consent)
- 7.9** Appoint Maria Camacho as the residential home building industry representative, with a term to expire June 30, 2020, and Peter Scalia as the advocate for low income housing representative, with a term to expire May 31, 2019, to the Neighborhood and Affordable Housing Advisory Board. (consent)

Vice Mayor Caudell moved to approve the Consent Agenda as submitted and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- 8.1** Approve a Future Land Use Map Amendment from the Residential Urban (RU), Residential Medium (RM), Residential High (RH), Residential/Office General (R/OG), Institutional (I), Commercial General (CG), and Recreation/Open Space (R/OS) categories to the Central Business District (CBD) category for 968 parcels located in the Prospect Lake and Downtown Gateway Character Districts of the Clearwater Downtown Redevelopment Plan, and pass Ordinance 9143-18 on first reading. (LUP2017-09004)

In 2004, the City updated the Clearwater Downtown Redevelopment Plan (Downtown Plan) to incorporate the "Gateway Expansion Area" [expanded Community Redevelopment Area (CRA)] into the East Gateway, Town Lake Residential, and Town Lake Business Park Character Districts. However, due to certain requirements for Special Area Plans at the time, the City decided not to pursue amendments to the future land use designations or zoning districts for many of the properties in the expanded CRA, so they remained a mix of categories although they were governed by the Downtown Plan. More recently, the City has completed another update to the Downtown Plan, adopted by City Council March 1, 2018 (Ordinance 9103-18). This update addressed the need to unify areas of the now Downtown Gateway and Prospect Lake Character Districts with the rest of Downtown by amending the properties' land use and zoning to Central Business District (CBD) future land use and Downtown (D) District zoning.

This Future Land Use Map amendment involves 968 parcels totaling 172.488 acres which are generally located south of Drew Street, east of Prospect

Avenue, north of Court Street, and west of Highland Avenue. The properties are comprised of a mix of uses, including single and multi-family residential, office and commercial, among others, and 33 of the parcels are vacant. The area is largely built out and has an older housing stock, although some intermittent redevelopment has occurred, including the Country Club Townhomes on Drew Street. Commercial uses are found mostly along the Cleveland Street and Gulf to Bay Boulevard corridors.

The request is to amend the Future Land Use Map designations of this area from Residential Urban (RU), Residential Medium (RM), Residential High (RH), Residential/Office General (R/OG), Institutional (I), Commercial General (CG), and Recreation/Open Space (R/OS) to Central Business District (CBD). The City is initiating this amendment to establish a uniform land use designation across the Downtown Gateway and Prospect Lake Character Districts consistent with the Downtown Plan. A companion rezoning application proposes to amend the properties' zoning to the Downtown (D) District (REZ2017-09005, Ordinance 9144-18).

The proposed Central Business District (CBD) category allows a mix of uses; however, new Downtown Zoning District and Development Standards will dictate where specific uses can be located. The densities and intensities are established within the adopted Downtown Plan. The density in the proposed amendment area is 35 dwelling units per acre in the Downtown Gateway Character District and 50 dwelling units per acre in the Prospect Lake Character District. Additionally, the intensity, or floor area ratio (FAR) also varies from 1.5 for properties in the Prospect Lake Character District and those primarily along the Cleveland Street and Gulf to Bay Boulevard corridors to 0.55 for the remaining properties located in the Downtown Gateway District.

The Planning and Development Department determined that the proposed Future Land Use Map amendment is consistent with the provisions of the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Countywide Plan Rules.
- The proposed amendment is compatible with the surrounding property and character of the neighborhood.
- Sufficient public facilities are available to serve the property.
- The proposed amendment will not have an adverse impact on the natural environment.
- The proposed amendment will not have an adverse impact on the use of property in the immediate area.

In accordance with the Countywide Plan Rules, this land use plan amendment is subject to the approval of Forward Pinellas, in its role as the Pinellas Planning Council, and the Board of County Commissioners acting as the Countywide Planning Authority. The application is a large-scale amendment so review and approval by the Florida Department of Economic Opportunity and other state agencies is required.

The Community Development Board reviewed this application at its May 15, 2018 public hearing and made a unanimous recommendation of approval to the Council.

Councilmember Cundiff moved to approve a Future Land Use Map Amendment from the Residential Urban (RU), Residential Medium (RM), Residential High (RH), Residential/Office General (R/OG), Institutional (I), Commercial General (CG), and Recreation/Open Space (R/OS) categories to the Central Business District (CBD) category for 968 parcels located in the Prospect Lake and Downtown Gateway Character Districts of the Clearwater Downtown Redevelopment Plan. The motion was duly seconded and carried unanimously.

Ordinance 9143-18 was presented and read by title only.

Councilmember Allbritton moved to amend Ordinance 9143-18 as follows:

On page 1 of the ordinance, the title is amended to read as follows to remove a location description of a parcel not needing to be amended to the Central Business District (CBD) Future Land Use designation and to update the acreage of land:

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY, BY CHANGING THE LAND USE DESIGNATIONS OF ~~969968~~ PROPERTIES IN THE COMMUNITY REDEVELOPMENT AREA AS EXPANDED IN 2003 AND GENERALLY LOCATED SOUTH OF DREW STREET, EAST OF PROSPECT AVENUE, NORTH OF COURT STREET, AND WEST OF HIGHLAND AVENUE, ~~IN ADDITION TO ONE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF CHESTNUT STREET AND MYRTLE AVENUE AND ON THE NORTHWEST CORNER OF PROSPECT AVENUE AND TURNER STREET,~~ WHICH ARE MORE SPECIFICALLY IDENTIFIED IN ATTACHED "EXHIBIT A," CONSISTING OF ~~475.148-172.488~~ ACRES MORE OR LESS, ALL WITHIN THE CITY OF CLEARWATER, FROM RESIDENTIAL URBAN (RU), RESIDENTIAL MEDIUM (RM), RESIDENTIAL HIGH (RH), RESIDENTIAL/OFFICE GENERAL (R/OG), RECREATION/OPEN SPACE (R/OS), INSTITUTIONAL (I), AND COMMERCIAL GENERAL (CG) TO CENTRAL BUSINESS DISTRICT (CBD) AS DEPICTED IN ATTACHED "EXHIBITS B-1 AND B-2;" AND PROVIDING AN EFFECTIVE DATE.

Page 10 of Exhibit A is amended as follows to remove a parcel that was not included in the advertisement:

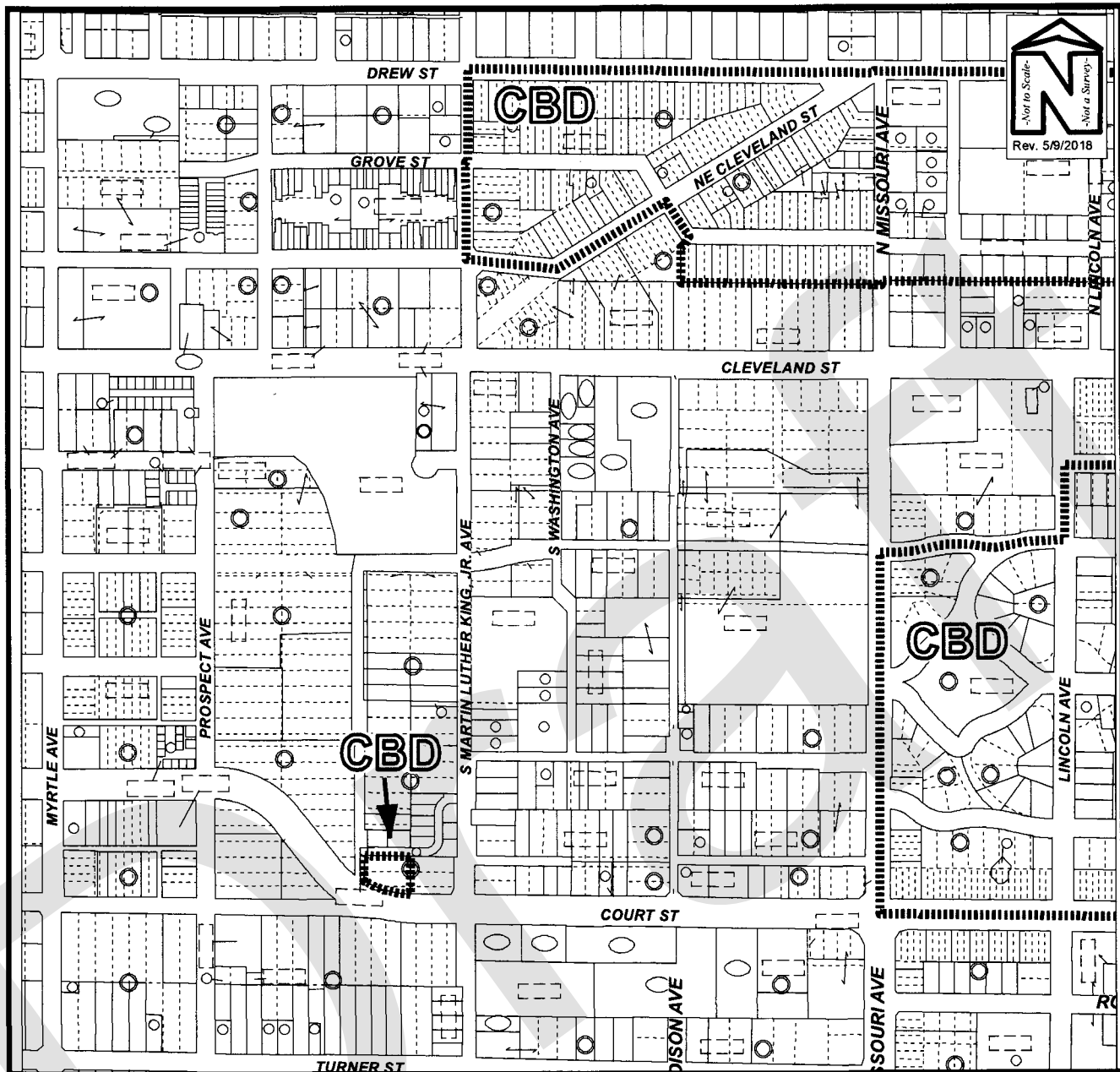
Draft

Page 19 of Exhibit A is amended as follows to remove a parcel that currently has the correct Central Business District (CBD) Future Land Use category:

Draft

Revise Exhibit B-1 as follows to remove a parcel located on the northeast corner of Court Street and Ewing Avenue that was not included in the legal notice and to update the acreage:

Draft

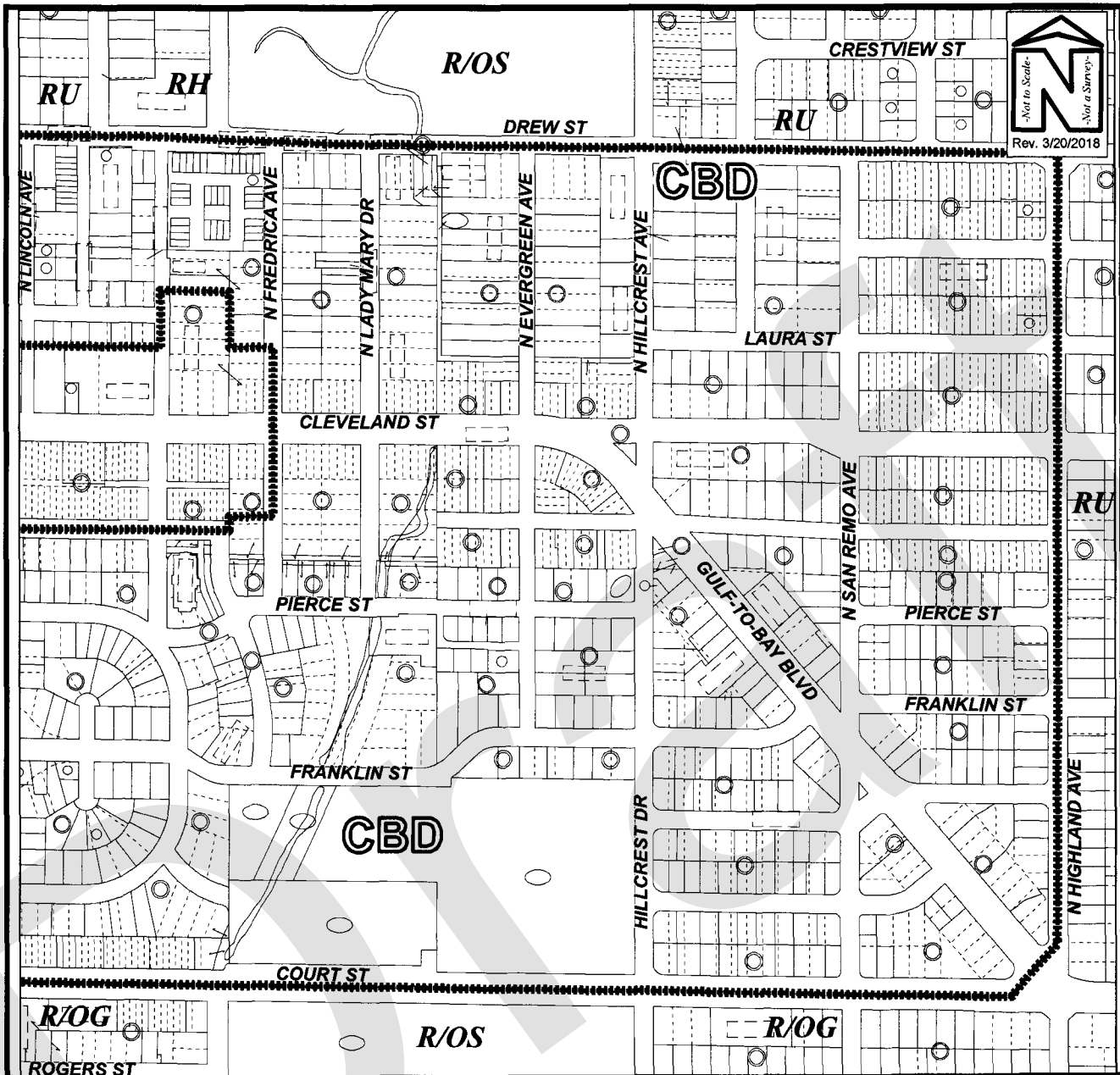


PROPOSED FUTURE LAND USE MAP 1 of 2

Owner(s): Multiple Owners	Case:	LUP2017-09004 REZ2017-09005
Site: Multiple Addresses	Property Size (Acres):	175.148 172.488
Land Use	Zoning	PIN: See attached
From: R/OG, RM, CG RU, RH, I, R/OS	LMDR, MDR, MHDR, HDR, C, O, I, OS/R, D	
To: CBD	D	Atlas Page: 287A, 287B, 288A

Revise Exhibit B-2 as follows to show updated acreage after the removal of two parcels as proposed in amended Exhibit A on Exhibit B-1:

Draft



PROPOSED FUTURE LAND USE MAP 2 of 2

Owner(s): Multiple Owners	Case:	LUP2017-09004 REZ2017-09005
Site: Multiple Addresses	Property Size (Acres):	175.148 172.488
Land Use	Zoning	PIN: See attached
From: R/OG, RM, CG RU, RH, I, R/OS	LMDR, MDR, MHDR, HDR, C, O, I, OS/R, D	
To: CBD	D	Atlas Page: 287A, 287B, 288A

The motion was duly seconded and carried unanimously.

Councilmember Hamilton moved to pass Ordinance 9143-18, as amended, on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Caudell, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 8.2 Approve a Future Land Use Map Amendment from the Residential Urban (RU), Institutional (I), and Commercial General (CG) categories to the Central Business District (CBD) category for 47 parcels located in the Old Bay Character District expansion area of the Clearwater Downtown Redevelopment Plan, and pass Ordinance 9145-18 on first reading. (LUP2017-09005)**

The North Marina Area Master Plan (Master Plan), accepted by City Council in January 2016, recommended the northern boundary of the Clearwater Downtown Redevelopment Plan area be extended northward to incorporate those parcels not already designated Downtown (D) District on the Zoning Atlas but addressed in the Master Plan. This boundary expansion was included in the updated Clearwater Downtown Redevelopment Plan, adopted by City Council March 1, 2018 (Ordinance 9103-18).

This Future Land Use Map amendment involves 47 parcels totaling 10.848 acres which are located generally north of Nicholson Street, west of the Pinellas Trail, east of Clearwater Harbor, and within 285 feet north of Cedar Street. The parcels are comprised primarily of single family homes, with some multi-family residential and office uses, as well as a school (North Ward) that is currently closed. There are 17 vacant parcels within the amendment area which are all less than 10,000 square feet. New development has not occurred within the amendment area; however, the Garden Trail Apartments and the Habitat for Humanity homes have recently been constructed just to the south of the amendment area. It is likely that most development or redevelopment in the amendment area will be smaller-scale infill development, although the development potential could allow for larger developments.

The request is to amend the Future Land Use Map designations of this area from Residential Urban (RU), Institutional (I), and Commercial General (CG) to Central Business District (CBD). The City is initiating this amendment to establish a uniform land use designation across the expanded Old Bay Character District, consistent with the Master Plan and Clearwater Downtown Redevelopment Plan. A companion rezoning application proposes to amend the properties' zoning to the Downtown (D) District (REZ2017-09006, Ordinance 9146-18).

The proposed Central Business District (CBD) category allows a mix of uses; however, new Downtown Zoning District and Development Standards will dictate where specific uses can be located. The densities and intensities are established within the adopted Clearwater Downtown Redevelopment Plan. The density in the proposed amendment area is 35 dwelling units per acre. Additionally, the intensity, or floor area ratio (FAR) also varies from 1.5 for properties fronting on North Fort Harrison Avenue and westward to 0.5 for the remaining properties eastward.

The Planning and Development Department determined that the proposed Future Land Use Map amendment is consistent with the provisions of the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Countywide Plan Rules.
- The proposed amendment is compatible with the surrounding property and character of the neighborhood.
- Sufficient public facilities are available to serve the property.
- The proposed amendment will not have an adverse impact on the natural environment.
- The proposed amendment will not have an adverse impact on the use of property in the immediate area.

In accordance with the Countywide Plan Rules, this land use plan amendment is subject to the approval of Forward Pinellas, in its role as the Pinellas Planning Council, and the Board of County Commissioners acting as the Countywide Planning Authority. The application is a large-scale amendment so review and approval by the Florida Department of Economic Opportunity and other state agencies is required.

The Community Development Board reviewed this application at its May 15, 2018 public hearing and made a unanimous recommendation of approval to the Council.

In response to questions, Planning and Development Assistant Director Gina Clayton said the downtown plan's policy are broad regarding future use of the North Ward School site. The hotel density that was established is only allowed on the marina parcel. She said allowing hotels elsewhere in the district would require an amendment to the downtown plan, which would have to go through the Forward Pinellas and CPA approval process again. She said through the public process used for the North Marina Master Plan, there was community support for limiting hotels in this area to the marina property because the goal is to activate that area. Staff is currently drafting the Downtown design standards which will establish height limitations and Council would establish the density. Ms.

Clayton said the proposed standards would be presented to Forward Pinellas for approval. She said restaurants and brew pubs would be allowed at the North Ward site.

A concern was expressed that the proposed amendments limit hotels to a specific site, not allowing the North Ward site to be developed as a hotel.

In response to a question, Ms. Clayton said the Institutional designation is for the school. There is a lot of vacant land in the area which consists of single family, multi-family and office uses. The City may zone and rezone property it does not own; the City is the applicant in this instance.

Councilmember Cundiff moved to Approve a Future Land Use Map Amendment from the Residential Urban (RU), Institutional (I), and Commercial General (CG) categories to the Central Business District (CBD) category for 47 parcels located in the Old Bay Character District expansion area of the Clearwater Downtown Redevelopment Plan. The motion was duly seconded and carried with the following vote:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Vice Mayor Caudell

Ordinance 9145-18 was presented and read by title only.

Councilmember Hamilton moved to pass Ordinance 9145-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Vice Mayor Caudell

Motion carried.

9. Quasi-Judicial Public Hearings

- 9.1** Approve a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Office (O), Commercial (C), Institutional (I) and Open Space/Recreation (OS/R) Districts to the Downtown (D) District for 969 parcels located in the Prospect Lake and Downtown Gateway Character Districts of the Clearwater

Downtown Redevelopment Plan, and pass Ordinance 9144-18 on first reading.
(REZ2017-09005)

In 2004, the City updated the Clearwater Downtown Redevelopment Plan (Downtown Plan) to incorporate the "Gateway Expansion Area" [expanded Community Redevelopment Area (CRA)] into the East Gateway, Town Lake Residential, and Town Lake Business Park Character Districts. However, due to certain requirements for Special Area Plans at the time, the City decided not to pursue amendments to the future land use designations or zoning districts for many of the properties in the expanded CRA, so they remained a mix of categories although they were governed by the Downtown Plan. More recently, the City has completed another update to the Downtown Plan, adopted by City Council March 1, 2018 (Ordinance 9103-18). This update addressed the need to unify areas of the now Downtown Gateway and Prospect Lake Character Districts with the rest of Downtown by amending the properties' land use and zoning to Central Business District (CBD) future land use and Downtown (D) District zoning.

This Zoning Atlas amendment involves 969 parcels totaling 174.788 acres which are generally located south of Drew Street, east of Prospect Avenue, north of Court Street, and west of Highland Avenue, including one parcel located at the southeast corner of Myrtle Avenue and Chestnut Street that has a portion not zoned as Downtown (D). The request is to change the properties' Zoning Atlas designations from the Low Medium Density Residential (LMDR), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Office (O), Commercial (C), Institutional (I) and Open Space/Recreation (OS/R) Districts to the Downtown (D) District. The City is initiating this amendment to establish a uniform zoning district across the Downtown Gateway and Prospect Lake Character Districts consistent with the Downtown Plan, as well as the companion land use amendment to the Central Business District (CBD) District (case LUP2017-09004, Ordinance 9143-18).

The proposed Downtown (D) District allows a mix of uses; however, new Downtown Zoning District and Development Standards will dictate where specific uses can be located. The densities and intensities are established within the adopted Clearwater Downtown Redevelopment Plan. The density in the proposed amendment area is 35 dwelling units per acre in the Downtown Gateway Character District and 50 dwelling units per acre in the Prospect Lake Character District. Additionally, the intensity, or floor area ratio (FAR) also varies from 1.5 for properties in the Prospect Lake Character District and those primarily along the Cleveland Street and Gulf to Bay Boulevard corridors to 0.55 for the remaining properties located in the Downtown Gateway District.

The Planning and Development Department determined that the proposed Zoning Atlas amendment is consistent with the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Community Development Code.

- The proposed amendment is compatible with the surrounding property and character of the neighborhood.
- The available uses in the Downtown (D) District are compatible with the surrounding area.
- The proposed amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner.
- The proposed Downtown (D) District boundaries are appropriately drawn in regard to location and classification of streets, ownership lines, existing improvements, and the natural environment.

The Community Development Board reviewed this application at its May 15, 2018 public hearing and made a unanimous recommendation of approval to the Council.

In response to questions, Planning and Development Assistant Director Gina Clayton said Medium High Density Residential (MHDR) is a zoning district that allows primarily multi-family development at a higher density based on underlying land use. This zoning designation is an interim district between Medium Density Residential and High, allowing additional uses and height. The new character district D will consolidate all of the zoning categories in this area; anyone who owns property in the Downtown Plan area will go the Downtown District. Ms. Clayton said the Downtown District will still allow multi-family development. Council established higher densities and intensities through the Downtown Plan, which is providing additional density to this area (35 units per acre). Staff is working on the Downtown Zoning District standards and will be presenting them to Council in the near future. Staff does not intend to allow mixed use in the hearts of these residential areas, such as the Downtown Gateway or streets in solid residential areas. She said mixed use would be allowed along main corridors. The Downtown Plan included density provisions for bed and breakfast facilities or uses; staff is currently drafting the zoning standards.

Councilmember Allbritton moved to approve a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Office (O), Commercial (C), Institutional (I) and Open Space/Recreation (OS/R) Districts to the Downtown (D) District for 969 parcels located in the Prospect Lake and Downtown Gateway Character Districts of the Clearwater Downtown Redevelopment Plan. The motion was duly

seconded and carried with the following vote:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Vice Mayor Caudell

Ordinance 9144-18 was presented and read by title only.

Councilmember Cundiff moved to pass Ordinance 9144-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Vice Mayor Caudell

It was stated that staff provided a motion to amend.

Councilmember Hamilton moved to reconsider Ordinance 9144-18. The motion was duly seconded and carried unanimously.

Vice Mayor Caudell moved to amend Ordinance 9144-18 as follows:

On page 1 of the ordinance, the title is amended to read as follows:

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, AMENDING THE ZONING ATLAS OF THE CITY BY REZONING 968969 PROPERTIES IN THE COMMUNITY REDEVELOPMENT AREA AS EXPANDED IN 2003 AND GENERALLY LOCATED SOUTH OF DREW STREET, EAST OF PROSPECT AVENUE, NORTH OF COURT STREET, AND WEST OF HIGHLAND AVENUE, IN ADDITION TO ONE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF CHESTNUT STREET AND MYRTLE AVENUE AND ON THE NORTHWEST CORNER OF PROSPECT AVENUE AND TURNER STREET, WHICH ARE MORE SPECIFICALLY IDENTIFIED IN ATTACHED EXHIBIT A, CONSISTING OF 174.788 ACRES MORE OR LESS, ALL WITHIN THE CITY OF CLEARWATER, FROM THE COMMERCIAL (C), LOW MEDIUM DENSITY RESIDENTIAL (LMDR), MEDIUM DENSITY RESIDENTIAL (MDR), MEDIUM HIGH DENSITY RESIDENTIAL (MHDR), HIGH DENSITY RESIDENTIAL (HDR), OPEN SPACE/ RECREATION (OS/R), OFFICE (O) AND INSTITUTIONAL (I) DISTRICTS TO THE DOWNTOWN

(D) DISTRICT AS DEPICTED IN ATTACHED "EXHIBITS B-1 AND B-2;" AND PROVIDING AN EFFECTIVE DATE.

The motion was duly seconded and carried unanimously.

Councilmember Hamilton moved to pass Ordinance 9144-18, as amended, on first reading. The motion was duly seconded and carried with the following vote:

Ayes: 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Vice Mayor Caudell

- 9.2 Approve a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR), Institutional (I) and Commercial (C) Districts to the Downtown (D) District for 47 parcels located in the Old Bay Character District expansion area of the Clearwater Downtown Redevelopment Plan, and pass Ordinance 9146-18 on first reading. (REZ2017-09006)**

The North Marina Area Master Plan (Master Plan), accepted by City Council in January 2016, recommended the northern boundary of the Clearwater Downtown Redevelopment Plan area be extended northward to incorporate those parcels not already designated Downtown (D) District on the Zoning Atlas but addressed in the Master Plan. This boundary expansion was included in the updated Clearwater Downtown Redevelopment Plan, adopted by City Council March 1, 2018 (Ordinance 9103-18).

This Zoning Atlas amendment involves 47 parcels totaling 10.848 acres which are located in the northern expansion area of the Old Bay Character District, generally north of Nicholson Street, west of the Pinellas Trail, east of Clearwater Harbor, and within 285 feet north of Cedar Street. The request is to change the properties' Zoning Atlas designations from the Low Medium Density Residential (LMDR), Institutional (I) and Commercial (C) Districts to the Downtown (D) District. The City is initiating this amendment to establish a uniform zoning district across the expanded Old Bay Character District, consistent with the Master Plan and Clearwater Downtown Redevelopment Plan, as well as the companion land use amendment to the Central Business District (CBD) District (LUP2017-09005, Ordinance 9145-18).

The proposed Downtown (D) District allows a mix of uses; however, the new Downtown Zoning District and Development Standards will dictate where specific uses can be located. The densities and intensities are established within the adopted Clearwater Downtown Redevelopment Plan. The density in the proposed amendment area is 35 dwelling units per acre. Additionally, the intensity, or floor area ratio (FAR) also varies from 1.5 for properties fronting on North Fort Harrison Avenue and westward to 0.5 for the remaining properties eastward.

The Planning and Development Department determined that the proposed Zoning Atlas amendment is consistent with the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Community Development Code.
- The proposed amendment is compatible with the surrounding property and character of the neighborhood.
- The available uses in the Downtown (D) District are compatible with the surrounding area.
- The proposed amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner.
- The proposed Downtown (D) District boundaries are appropriately drawn in regard to location and classification of streets, ownership lines, existing improvements, and the natural environment.

The Community Development Board reviewed this application at its May 15, 2018 public hearing and made a unanimous recommendation of approval to the Council.

In response to questions, Planning and Development Assistant Director Gina Clayton said Council directed staff to extend the boundary northward when changes to the Downtown Plan were presented. The properties along the water are zoned Low Medium Density Residential and are allowed a height of 30 ft. The Plan allows the same height and increased density, allowing a property owner to add an accessory dwelling unit.

A concern was expressed that the proposed land use was not vetted through a software program utilized by Forward Pinellas.

Deputy City Manager Jill Silverboard said the amendments before Council do not restrict development; the amendments allow increased intensity and density in many instances. The one use limitation is in the North Marina District, which arose through the public engagement process. Staff believes many of the proposed development standards that are included in these amendments are compatible with transit oriented development, particularly in the Downtown and Downtown core.

Councilmember Hamilton moved to approve a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR),

Institutional (I) and Commercial (C) Districts to the Downtown (D) District for 47 parcels located in the Old Bay Character District expansion area of the Clearwater Downtown Redevelopment Plan. The motion was duly seconded and carried with the following vote:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Vice Mayor Caudell

Ordinance 9146-18 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 9146-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Vice Mayor Caudell
Motion carried.

10. Second Readings - Public Hearing

10.1 Adopt Ordinance 9152-18 on second reading, annexing certain real properties whose post office addresses are 3072 Glen Oak Avenue, 3024 Lake Vista Drive, 3047 and 3052 Merrill Avenue, 511 Moss Avenue, and 3132 San Jose Street, all in Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said additions.

Ordinance 9152-18 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9152-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Caudell, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

10.2 Adopt Ordinance 9153-18 on second reading, amending the future land use element of the Comprehensive Plan to designate the land use for certain real properties whose post office addresses are 3072 Glen Oak Avenue, 3024 Lake Vista Drive, 3047 and 3052 Merrill Avenue and 511 Moss Avenue, all in Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL), and the land use for certain real property whose post office address is 3132 San Jose Street, Clearwater, Florida, 33759, upon annexation into the City of Clearwater, as Residential Urban (RU)

Ordinance 9153-18 was presented and read by title only. Councilmember Allbritton moved to adopt Ordinance 9153-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Caudell, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

10.3 Adopt Ordinance 9154-18 on second reading, amending the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 3072 Glen Oak Avenue, 3024 Lake Vista Drive, 3047 and 3052 Merrill Avenue, 511 Moss Avenue, and 3132 San Jose Street, all in Clearwater, Florida 33759, as Low Medium Density Residential (LMDR).

Ordinance 9154-18 was presented and read by title only. Vice Mayor Caudell moved to adopt Ordinance 9154-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Caudell, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

11. City Manager Reports

11.1 Amend the City's fiscal year 2017/18 Operating and Capital Improvement Budgets at mid year and pass Ordinances 9162-18 and 9163-18 on first reading.

The fiscal year 2017/18 Operating and Capital Improvement Budgets were adopted in September 2017 by Ordinances 9076-17 and 9077-17. Section 2.521 of the City's Code of Ordinances requires the City Manager to prepare a quarterly report detailing income, expenditure estimates, collections, the explanation of significant variances, as well as the financial status of all capital improvement projects.

Councilmember Cundiff moved to amend the City's fiscal year 2017/18 Operating and Capital Improvement Budgets at mid-year. The motion was duly seconded and carried unanimously.

Ordinance 9162-18 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9162-18 on first

reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Caudell, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Ordinance 9163-18 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9162-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Caudell, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

11.2 Approve a Term Sheet between the City of Clearwater (City) and the Philadelphia Phillies (Team) for the Carpenter Field Training Complex and Spectrum Field Stadium (Clearwater Complex), authorize staff to submit a TDC Capital Projects grant application to Pinellas County and apply for certification of retained spring training facility funding from the State of Florida Department of Economic Opportunity (DEO), and authorize the appropriate officials to execute same.

The City and the Philadelphia Phillies have had a long-standing partnership to provide Major League Baseball training and development for 72 years. The current Sports Facility Use Agreement (Spectrum Field) as well as the Baseball Training Facility Lease Agreement (Carpenter Complex) are set to expire December 31, 2023.

Staff has been in discussions with the team on a lease extension as well as multiple major capital improvements to both complexes to provide the necessary facilities to support the ongoing changes to MLB baseball. The first step in this process will be to approve the Term Sheet, followed by a new Facility Use Agreement and Development Agreement.

The primary purpose of the Term Sheet is to document the proposed improvements and funding for the Clearwater Complex and application for state and county funding. The Term Sheet shall be conditioned on the ability of the City and the Team to agree upon final definitive terms and conditions and to enter into a new Spring Training Facility Use Agreement.

The main components of the Term sheet are as follows:

Upgrades to the Carpenter Facility:

1. Renovations to the existing clubhouse
2. Addition of second story contiguous office space and coach's locker room area
3. Minor league food service facilities and dining area
4. Player support facilities

5. Player/staff dormitory facilities to accommodate 160 players

Upgrades to the Spectrum Field:

1. Repair and replacement items as identified in Delta Engineering Capital Improvement (Reserve Study) report dated August 7, 2015
2. Renovation and expansion of office space
3. Renovate and expanded fitness/training space
4. Expanded food service and dining area
5. Climate controlled club level
6. Climate controlled connection of third level
7. Renovations of the left field concourse

Funding for the project shall come from the following sources:

- | | |
|-----------------------|-------------------------------------|
| 1. State of Florida | \$13.7 million |
| 2. Pinellas County | \$40 million |
| 3. City of Clearwater | \$16 million (Penny for Pinellas 4) |
| 4. Team | <u>\$10 million*</u> |
| Total | \$79.7 million |

*The Team shall contribute a minimum of \$10 million to the project and shall bear the cost of any and all cost overruns.

- All other terms and conditions will continue (the current business structure) of both agreements (Spectrum and Carpenter). They will both be codified with new agreements at a future time.
- The City of Clearwater will be liable for all County and State funding received for the project should the City deliberately terminate the facility usage agreement.
- As part of this Term Sheet, the Team will retain all net revenues generated on and from the Clearwater Complex for:
 1. Two thirds of any net revenue derived from sale of the right to name the stadium.
 2. Tickets (less the City receiving \$1.00 per spring training ticket), premium seating, concessions, signage, merchandise, broadcasting, sponsorships.
 3. Restaurant/sports bar, souvenir/sporting goods and other synergistic uses.,
 4. Fantasy camps.
 5. Any other events held at the Clearwater Complex that are not Partnership Events.
 6. Any net revenues generated by events at the Clearwater Complex from parking at the Clearwater Complex and Joe DiMaggio Sports Complex.
- The term of the agreement is for 20 years with one five-year extension option.
- The City will receive annual payments of \$180,000 from the Team for exclusive use of the Clearwater Complex.

- The City shall pay 100% of the utility costs for the Clearwater Complex with the exception of 25% the Team pays for the cost of utilities at Spectrum Field.
- The Team shall provide maintenance of the ballfields while the City shall maintain the remainder of the Clearwater Complex including capital repairs and replacement.
- If for some reason the City does not secure State and County funding for use in the project by December 31, 2018 the Team may terminate the project and the City will be responsible to reimburse the Team for all expenditures made in respect to the Project, which expenditures are estimated to be \$2.5 million through September 30, 2018.

In response to questions, the City Manager said, after speaking with the Phillies, staff intends to complete the work outlined in the term sheet by October, well before the December 31 deadline listed in the term sheet. The Phillies understand some flexibility may be needed. Deputy City Manager Jill Silverboard said the Phillies have initiated design of the project and understand that the City, as the property owner, needs to be part of the process. As part of the budget process, staff will request council direction regarding the appropriation of \$16 million for this project. She said there are no funds in Penny for Pinellas 4 for this project since it may proceed before the initial year of that levy. Parks and Recreation Planning/Project Manager Jim Halios said staff discussed the project with the Tourist Development Council (TDC) and will proceed with the funding application process if Council approves the term sheet. Staff will move forward with the state funding request if the TDC approves the application.

Vice Mayor Caudell moved to approve a Term Sheet between the City of Clearwater (City) and the Philadelphia Phillies (Team) for the Carpenter Field Training Complex and Spectrum Field Stadium (Clearwater Complex), authorize staff to submit a TDC Capital Projects grant application to Pinellas County and apply for certification of retained spring training facility funding from the State of Florida Department of Economic Opportunity (DEO), and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

12. City Attorney Reports – None.

13. Closing comments by Councilmembers (limited to 3 minutes)

14. Closing Comments by Mayor

Mayor Cretekos reviewed recent and upcoming events.

15. Adjourn

The meeting adjourned at 7:19 p.m.

Attest

Mayor
City of Clearwater

City Clerk