

City of Clearwater

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



Meeting Minutes

Tuesday, August 14, 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 – Pastor James Williams from Mount Olive AME Church

3. Pledge of Allegiance – Councilmember Hamilton

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 Diversity Leadership Council Poster Contest - Tabitha Green
- 4.2 United States Coast Guard Appreciation Month Proclamation, August 2018 – Stations Executive Petty Officer BMC Dale Veverka, USCG Sand Key and Flotilla Commander Mike Lloyd, USCG Auxiliary
- 4.3 End of Session Presentation - Peter Dunbar and Martha Edenfield, Dean Mead Law Firm

5. Approval of Minutes

- 5.1 Approve the minutes of the August 2, 2018 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Allbritton moved to approve the minutes of the August 2, 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 the funding of city medical insurance and a contract between the City and Cigna Healthcare for administrative services under a self-insured funding arrangement for the period January 1, 2019 through December 31, 2019, at a total not-to-exceed \$20 million, to be funded by city budgeted funds, payroll deductions of employee and retiree premiums. (consent)
- 7.2** Approve an agreement between the City of Clearwater and Public Sector Personnel Consultants, Inc., from Tempe, Arizona, to conduct a classification and compensation study for all city positions, except sworn police and fire positions, at a not to exceed cost of \$150,000 and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve a contract with the Pinellas County Sheriff's Office, Largo, Florida, in the amount of \$517,091 plus contingency of \$22,909, for forensic crime scene processing, latent prints, property and evidence storage, and Pinellas Juvenile Assessment Center services, during the one-year contract period commencing October 1, 2018 through September 30, 2019 and authorize the appropriate officials to execute same. (consent)
- 7.4** Renew Grant and Financial Assistance Agreement between the Florida Department of Law Enforcement and the city of Clearwater, necessary to facilitate a current mutual aid agreement between the two entities, effective upon execution through June 30, 2019, and authorize the appropriate officials to execute same. (consent)
- 7.5** Authorize the Police Department to implement a police officer Take Home Vehicle Program at the discretion of the Chief of Police and authorize the appropriate officials to execute same. (consent)
- 7.6** Approve a work order to Atkins North America, of Tampa, FL, in the amount of \$309,044; a Cooperative funding agreement between Southwest Florida Water Management District (SWFWMD), the City of Clearwater in the amount of \$1,160,000, and Pinellas County, as a third party in the agreement, in the amount of \$500,000 for Lower Spring Branch Conveyance Improvements (N915); and authorize the appropriate officials to execute same. (consent)
- 7.7** Award a construction contract in the amount of \$1,300,908.75 and approve change order one decreasing the contract by \$186,788.75 for a total value of \$1,114,120.00 to B.L. Smith Electric, Inc., of Dundee, Florida, for the Marshall Street Water Reclamation Facility

(WRF) Motor Control Center No. 9 (MCC9) Electrical Systems Upgrades (16-0033-UT); approve supplemental work order one to Engineer of Record (EOR) McKim and Creed, Inc. in the amount of \$19,992.00; and authorize the appropriate officials to execute same. (consent).

- 7.8** Award a construction contract to Keystone Excavators, Inc. of Oldsmar, Florida, in the amount of \$3,982,830.50 for Hillcrest Avenue Bypass Culvert (13-0042-EN), and authorize the appropriate officials to execute same. (consent)
- 7.9** Approve Amendment 2 to Clearwater Beach Route Funding Agreement between Pinellas Suncoast Transit Authority (PSTA) and the City in the amount of \$218,512 and authorize the appropriate officials to execute same. (consent)
- 7.10** Approve a proposal from Construction Manager at Risk Wharton-Smith Inc., of Sanford, Florida, in the amount of \$252,889.00 for the Northeast Water Reclamation Facility (WRF) Effluent Sand Filter Repairs project (18-0019-UT) and authorize the appropriate officials to execute same. (consent)
- 7.11** Approve a proposal from Construction Manager at Risk (CMR) Keystone Excavators Inc., of Oldsmar, Florida, in the amount of \$200,638.84 for the construction of Clearwater Beach Roundabout Modifications (18-0031-EN) and authorize the appropriate officials to execute same. (consent)
- 7.12** Approve acceptance of the Assistance to Firefighters Grant (AFG) for video teleconferencing (VTC) systems at each Fire Station and Fire Training Building in the amount of \$304,257, matching funds of \$30,425 (10%) and authorize the appropriate officials to execute same. (consent)
- 7.13** Pursuant to Chapter 2 Article VI, Division 4, Section 2.622, approve the list of vehicles or equipment, authorize disposal through sale to the highest bidder and authorize the appropriate officials to execute same. (consent)
- 7.14** Amend City Council Policy 5-1, Application Fee Waivers. (consent)
- 7.15** Request authority to settle certain municipal code enforcement liens imposed against real property located at 3172 Wessex Way, Clearwater, FL 33716. (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 the request from the owner of property addressed 355 South Gulfview Boulevard to vacate a portion of South Gulfview Boulevard Right-of-Way that abuts their property and pass Ordinance 9167-18 on first reading. (VAC2018-05)

The property owner has requested the City vacate the east 1/2 of South Gulfview Boulevard right-of-way that abuts their property for the owners use in development of the new Beach Walk Inn Hotel. The use of this vacated space will be consistent with Beach by Design Development criteria and the Hotel Density Reserve Development Agreement dated July 28, 2017 and recorded in Official Records Book 19727, Pages 2465-2503. The Community Development Board reviewed and approved the project as Case FLD2017-07012 in February 2018.

During construction of this new project, the owner will relocate, at his/her expense, all private and public utilities and shall obtain approval and acceptance of the various utility owners prior to completion. This project shall commence vertical construction within two years of the effective date of this ordinance, or this vacation will be rendered null and void, subject to the tolling of said time period in the event the proposed Development is subject to pending litigation.

Applicant Representative Marilyn Healy reviewed the request and provided Council with copies of a presentation, supporting the applicant's request.

In response to questions, Ms. Healy said general food service will be provided in the designated outdoor café area. The applicant has not determined if alcohol will be served. Planning and Development Assistant Director Gina Clayton said if alcohol is served, the applicant will be required to enclose the outdoor seating area. The area may be enclosed with landscaping. She said the applicant may place outdoor seating in the right-of-way as part of the outdoor café; the applicant will be required to build what is identified on the site plan. Ms. Healy said if the applicant wishes to serve alcohol, he must comply with city code.

Architect Peter Peteranecz said the City has asked to construct the building and approach Beachwalk. Staff requested that the building and hotel services to engage Beachwalk. The intent is to have shrubs and bushes as a physical barrier between Beachwalk and the outdoor seating area. The rendering presented tonight depicts a portable bar to serve

drinks; if alcohol service is anticipated, licensing will be required.

The City Attorney said Council is not approving a site plan; the issue before Council is whether or not to vacate a portion of Gulfview Boulevard. The building structure is located on the property to be vacated.

Three individuals spoke in opposition.

Ms. Healy said the requested right-of-way dedication is in compliance with Beach by Design, which states that the proposed outdoor seating is the right type of use for the excess property from the City. The Community Development Board approved the site plan. She said the property to the south will be doing the same thing.

In response to a question, the City Attorney said the Community Development Board and staff have oversight for the site plan. A concern was expressed with alcohol sales from the proposed portable bar as depicted in the rendering presented this evening. The City Attorney said the applicant will be required to follow city ordinance.

Vice Mayor Caudell moved to approve the request from the owner of property addressed 355 South Gulfview Boulevard to vacate a portion of South Gulfview Boulevard Right-of-Way that abuts their property. The motion was duly seconded and carried unanimously.

Ordinance 9167-18 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 9167-18 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 ordinances amending previously adopted ordinances 9120-18, 9121-18, and 9122-18, which annexed and established the initial Future Land Use Map and Zoning Atlas designations for 601 Moss Avenue; 807 Glen Oak Avenue East; 3006 and 3007 Lake Vista Drive; 3030 and 3065 Hoyt Avenue; 3035 Grandview Avenue; 3058, 3070 and 3076 Merrill Avenue; and 3120 and 3124 Wolfe Road; and pass Ordinances 9155-18, 9156-18, and 9157-18 on first reading.

Ordinances 9155-18, 9156-18, and 9157-18 replace Ordinances 9120-18, 9121-18, and 9122-18, which were originally adopted on second reading by City Council on April 4, 2018. Typographical errors in the legal descriptions for certain properties in Exhibit A of the Ordinances were identified after adoption; therefore, corrective ordinances are required.

The Planning and Development Department previously determined that the annexation of these properties is consistent with the provisions of Clearwater Community Development Code Section 4-604.E and with Florida Statutes Chapter 171.044.

Councilmember Hamilton move to approve ordinances amending previously adopted ordinances 9120-18, 9121-18, and 9122-18, which annexed and established the initial Future Land Use Map and Zoning Atlas designations for 601 Moss Avenue; 807 Glen Oak Avenue East; 3006 and 3007 Lake Vista Drive; 3030 and 3065 Hoyt Avenue; 3035 Grandview Avenue; 3058, 3070 and 3076 Merrill Avenue; and 3120 and 3124 Wolfe Road. The motion was duly seconded and carried unanimously.

Ordinance 9155-18 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9155-18 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 9156-18 was presented and read by title only. Vice Mayor Caudell moved to pass Ordinance 9156-18 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 9157-18 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 9157-18 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

- 8.3** Approve ordinances amending previously adopted ordinances 9134-18, 9135-18, and 9136-18, which annexed and established the initial Future Land Use Map and Zoning Atlas designations for 1500 Country Lane West and 1505 Country Lane East; and pass Ordinances 9158-18, 9159-18, and 9160-18 on first reading.

Ordinances 9158-18, 9159-18, and 9160-18 replace Ordinances 9134-18, 9135-18, and 9136-18, which were originally adopted on second reading by City Council on May 3, 2018. Typographical errors in the legal descriptions for certain properties in Exhibit A of the Ordinances were identified after adoption; therefore, corrective ordinances are required.

The Planning and Development Department previously determined that the annexation of these properties is consistent with the provisions of Clearwater Community Development Code Section 4-604.E and with Florida Statutes Chapter 171.044.

Councilmember Hamilton moved to approve ordinances amending previously adopted ordinances 9134-18, 9135-18, and 9136-18, which annexed and established the initial Future Land Use Map and Zoning Atlas designations for 1500 Country Lane West and 1505 Country Lane East. The motion was duly seconded and carried unanimously.

Ordinance 9158-18 was presented and read by title only.

Councilmember Allbritton moved to pass Ordinance 9158-18 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 9159-18 was presented and read by title only. Vice Mayor Caudell moved to pass Ordinance 9159-18 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 9160-18 was presented and read by title only.

Councilmember Cundiff moved to pass Ordinance 9160-18 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

- 8.4** Provide direction on the proposed Development Agreement between North Clearwater Beach Development, LLC (the property owner) and the City of Clearwater, providing for the allocation of 10 units from the Hotel Density Reserve under Beach by Design and confirm a second public hearing in City Council Chambers before City Council on September 6, 2018 at 6:00 p.m., or as soon thereafter as may be heard. (HDA2018-04001; 657 Bay Esplanade).

Site History:

The City Council approved a Development Agreement along with a concept plan and elevations on March 2, 2017 as part of application HDA2016-09001. That approval was valid until March 9, 2018 by which time site plan approval was supposed to have been obtained pursuant to Development Agreement Section 6.1.3.2. Unfortunately, the applicant allowed the extension deadline to pass without submitting for building permit and the approval of the Development Agreement expired.

Development Proposal:

The current proposal is to demolish all structures on the site and build a single seven-floor hotel with 27 hotel rooms (78 units per acre). The 27 proposed units include 17 units otherwise permitted by the Resort Facilities High Future Land Use classification and an additional 10 units from the Hotel Density Reserve through *Beach by Design*. The building will be 75 feet (from Base Flood Elevation) to roof with the parking on the first floor. The proposal includes a tropical modern architecture, which is consistent with and complements the tropical vernacular envisioned in *Beach by Design*.

The site will be accessed via two driveways with one two-way driveway located at the northeast corner of the property and the second driveway (an ingress-only) located at the northwest corner. The primary entrance and lobby of the building will be located along Bay Esplanade on the second floor. The first (ground) floor of the building will contain all 32 required parking spaces as well as a solid waste component. The second through fourth floors contain five hotel units each with the remaining three floors containing four rooms each. The fifth floor also includes an open veranda. The roof level (available for guests only) includes a pool, dog run, fitness room, restroom, a small bar and a variety of seating and lounging areas.

The existing dock is proposed to remain and will function as an accessory use to the proposed hotel and will be available only for hotel guests.

Consistency with the Community Development Code (CDC):**Minimum Lot Area and Width:**

The subject property is 15,175 square feet in area and approximately 130 feet wide. The proposed lot area and width may be approved as part of a Level Two (FLD) application, subject to meeting the applicable flexibility criteria of the Community Development Code.

Minimum Setbacks:

The conceptual site plan depicts setbacks to building of 16 feet along the front (north) along Bay Esplanade and five feet along all other remaining sides of the site. The conceptual site plan depicts setbacks to pavement of 10 feet along the front (north) along Bay Esplanade and zero feet along all other remaining sides of the site. The proposed setbacks may be approved as part of a site plan application, subject to meeting the applicable flexibility criteria of the Community Development Code.

Maximum Height:

Section A.1.c of the Old Florida District within *Beach by Design* specifically addresses height. The proposal provides for a building 75 feet in height as measured from BFE where a height of up to 75 feet is permitted for overnight accommodations. The proposed height is also permitted by the CDC subject to meeting the applicable flexibility criteria of the CDC and as approved as part of a Level II Flexible Development application and as otherwise limited by *Beach by Design*.

The height of the proposed building is consistent with the guidelines of *Beach by Design*.

Minimum Off-Street Parking:

The 27-room overnight accommodation use requires a minimum of 32 off-street parking spaces. A parking garage located on the first levels of the building will provide a minimum of 32 spaces. This is consistent with the applicable Sections of the CDC.

Landscaping:

While a formal landscape plan is not required to be submitted for review at this time, the conceptual landscape areas depicted on the site plan show that adequate spaces for foundation landscaping will be provided along the street frontage as required by Section A.6 of the Old Florida District within *Beach by Design*. Since no perimeter landscape buffers are otherwise required in the Tourist (T) District, the proposed landscape areas meet or exceed what is required. It is noted, however, that flexibility may be requested/necessary as part of a Comprehensive Landscape Program which would be reviewed at time of formal site plan approval.

Consistency with *Beach by Design*:*Old Florida District*

Section A.1 specifies that overnight accommodations may be permitted up to a height of 75 feet (except for those properties located along Somerset Street). The property is not located along Somerset Street and a height of 75 feet is proposed.

Section A.2 specifies that a 15-foot front setback is required as are 10 foot side and rear setbacks. All setbacks are specifically to building. Section A.4 provides that a maximum reduction of five feet from any required setback (to building) may be possible if the decreased setback results in an improved site plan, landscaping areas in excess of the minimum required and/or improved design and appearance, unimpaired access to mechanical features of a building is maintained and applicable required setbacks are increased. The proposal includes a front setback of 16 feet and five foot setback on all other sides (to building).

Section A.3 provides requirements for setbacks and setbacks for building exceeding 35 feet in height. Any development exceeding 35 feet in height shall be required to incorporate a building setback on at least one side of the building (at a point of 35 feet). In the case of the subject property, the setback is required along the north side of the building along Bay Esplanade. This section also specifies that a setback/setback ratio, for this property is one foot for every 2.5 feet in building height above 35 feet. Based on the height of the building (75 feet), the required setback is 16 feet. The total required setback/setback distance for this project as submitted from the front (north) property line is 31 feet. The applicant has provided a 16 foot setback (to building) and a 15 foot setback at 35 feet for a total setback/setback distance of 31 feet as required.

Section A.6 requires a 10 foot landscape buffer is along all street frontages where the proposal includes a landscape buffer area of 10 feet along Bay Esplanade.

Design Guidelines:

A review of the provided architectural elevations and massing study was conducted and the proposed building does appear to be generally consistent with the applicable Design Guidelines established in *Beach by Design*. It is noted, however, that a more formal review of these Guidelines will need to be conducted as part of the final site plan approval process.

Hotel Density Reserve:

The project has been reviewed for compliance with those criteria established within *Beach by Design* concerning the allocation of hotel rooms from the Reserve. The project appears to be generally consistent with those criteria, including that the development comply with the Metropolitan Planning Organization's (MPO) countywide approach to the application of traffic concurrency management for transportation facilities. The submitted Traffic Impact Study concludes that traffic operations at nearby intersections and on adjacent roadways would continue at acceptable levels of service.

Standards for Development Agreements:

The proposal is in compliance with the standards for development agreements, is consistent with the Comprehensive Plan and furthers the vision of beach redevelopment set forth in *Beach by Design*. The proposed Development Agreement will be in effect for a period not to exceed ten years, meets the criteria for the allocation of rooms from the Hotel Density Reserve under *Beach by Design* and includes the following main provisions:

- Provides for the allocation of 10 units from the Hotel Density Reserve;
- Requires the developer to obtain building permits and certificates of occupancy in accordance with Community Development Code (CDC) Section 4-407;
- Requires the return of any hotel unit obtained from the Hotel Density Reserve that is not constructed;
- Prohibits the conversion of any hotel unit allocated from the Hotel Density Reserve to a residential use and requires the recording of a covenant restricting use of such hotel units to overnight accommodation usage;
- Provides evidence that the development complies with the Metropolitan Planning Organization's (MPO) countywide approach to the application of concurrency management for transportation facilities, and includes a transportation analysis conducted for the development;
- Provides that all units in a hotel receiving units from the Reserve shall be made available to the public as overnight transient hotel guests at all times through the required hotel reservation system;
- That no hotel room in a hotel allocated units from the Reserve will have a full kitchen;
- That a reservation system shall be required as an integral part of the hotel use and there shall be a lobby/front desk area that must be operated as a typical lobby/front desk area for a hotel would be operated; and
- Requires a legally enforceable mandatory evacuation/closure covenant that the hotel will be closed as soon as practicable after a hurricane watch that includes Clearwater Beach is posted by the National Hurricane Center.

Changes to Development Agreements:

Pursuant to Section 4-606.I., CDC, a Development Agreement may be amended by mutual consent of the parties, provided the notice and public hearing requirements of Section 4-206 are followed. Revisions to conceptual site plans and/or architectural elevations attached as exhibits to this Development Agreement shall be governed by the provisions of Section 4-406,

CDC. Minor revisions to such plans may be approved by the Community Development Coordinator. Other revisions not specified as minor shall require an amendment to this Development Agreement.

Applicant Representative Housh Ghovaei reviewed the request.

Staff was directed to schedule a council discussion to change the required parking space requirement for hotel units with more than one bedroom.

Councilmember Hamilton moved to confirm a second public hearing in City Council Chambers before City Council on September 6, 2018 at 6:00 p.m., or as soon thereafter as may be heard. The motion was duly seconded and carried unanimously.

- 8.5** Continue Second Reading to September 6, 2018: 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 second reading. (LUP2017-09004)

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).

This future land use amendment and companion rezoning (REZ2017-09005) were passed on first reading by City Council on June 7, 2018. Ordinance 9143-18 was amended on first reading to remove a parcel description from the ordinance title that was inadvertently advertised as the parcel in question already had the correct Central Business District (CBD) future land use designation applied. This will ensure that the ordinance reflects the correct number of parcels and the correct acreage being amended.

The Planning and Development Department previously determined that the proposed amendment is consistent with the provisions of Clearwater Community Development Code, Clearwater Comprehensive Plan, and the Countywide Plan Rules.

As required by Florida Statutes, the proposed Future Land Use Map amendment was submitted to the Florida Department of Economic Opportunity (DEO) and other required State agencies and Pinellas County for review and comment. The Planning and Development Department received responses from DEO, Florida Department of Transportation, Florida Department of Environmental Protection, Pinellas County, Tampa Bay Regional Planning Council, and the Southwest Florida Water Management District stating they had no comments on and/or objections to the proposed amendments. Therefore, no changes to the proposed Future Land Use Map amendment were required.

No action taken.

- 8.6** Continue Second Reading to September 6, 2018: 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 second 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 (LUP2017-09004, Ordinance 9143-18).

This rezoning and companion future land use amendment (LUP2017-09004) were passed on first reading by City Council on June 7, 2018. Ordinance 9144-18 was amended on first reading to update the number of parcels from 968 to 969 in order to add one parcel that was already designated with the correct future land use designation but needed the proposed Downtown (D) District zoning to be designated.

The Planning and Development Department previously determined that the proposed amendment is consistent with the provisions of Clearwater Community Development Code, Clearwater Comprehensive Plan, and the Countywide Plan Rules.

No action taken.

9. Second Readings - Public Hearing

- 9.1** Adopt Ordinance 9145-18 on second reading, amending the future land use element of the Comprehensive Plan by changing the land use designations of 47 properties which are generally located north of Nicholson Street, west of the Pinellas Trail, east of Clearwater Harbor, and within 285 feet north of Cedar Street, consisting of 10.848 acres more or less, all within the City of Clearwater, from Residential Urban (RU), Institutional (I), and Commercial General (CG), to Central Business District (CBD).

**Ordinance 9145-18 was presented and read by title only.
Councilmember Allbritton moved to adopt Ordinance 9145-18 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

- 9.2** Adopt Ordinance 9146-18 on second reading, amending the Zoning Atlas of the city by rezoning 47 properties which are generally located north of Nicholson Street, west of the Pinellas Trail, east of Clearwater Harbor, and within 285 feet north of Cedar Street, consisting of 10.848 acres more or less, all within the City of Clearwater, from Low Medium Density Residential (LMDR), Commercial (C), and Institutional (I), districts to the Downtown (D) district.

Ordinance 9146-18 was presented and read by title only. Vice Mayor Caudell moved to adopt Ordinance 9146-18 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

- 9.3** Adopt Ordinance 9179-18 on second reading, approving amendments to the charter providing for a mayor-council form of government and eliminating the council-manager for; approving the ballot question; authorizing the City Clerk to arrange for a special city referendum election in conjunction with the regular federal, state and county election on November 6, 2018.

Five individuals spoke in opposition.

Two individuals spoke in support.

The Council recessed from 8:02 p.m. to 8:10 p.m.

Discussion ensued with comments supporting the proposed change in government. Concerns were expressed that the few individuals seeking to change the charter had four years to follow the prescribed process but chose not to do so and that the Strong Mayor Task Force lacked diverse participation.

Ordinance 9179-18 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 9179-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Vice Mayor Caudell, Councilmember Cundiff and Councilmember Allbritton

Nays: 2 - Mayor Cretekos and Councilmember Hamilton

Motion carried.

10. City Manager Reports – None.

11. City Attorney Reports – None.

12. Other Council Action

12.1 Stand Your Ground - Mayor Cretekos

Resolution 18-13 was presented and read by title only.

Councilmember Allbritton moved to adopt Resolution 18-13. 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

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

Councilmember Cundiff said there are wonderful churches in town doing great things, not just for parishioners, but for the community. Churches on the east side of town have provided food and clothing for folks on that side of town. The Pastor from Mt. Olive AME Church gave him a tour on how they train people in need of work in specific job areas. He said he has worked with RCS who has a food pantry and a safe house and is also providing job training, health management, and providing mental health support.

Councilmember Hamilton asked where staff was with the new city hall.

14. Closing Comments by Mayor

Mayor Cretekos reviewed recent and upcoming events.

15. Adjourn

The meeting adjourned at 8:34 p.m.

Attest

Mayor
City of Clearwater

City Clerk