



CITY COUNCIL MEETING ZEPHYRHILLS, FLORIDA

**Monday, February 27, 2023
6:00 PM**

The City of Zephyrhills will maintain a quorum at the dais and host a GoToMeeting to allow the public to attend remotely.

**Please join the GoToMeeting
from your computer, tablet or smartphone:**

<https://meet.goto.com/820360917>

or dial in using your phone:

+1 (872) 240-3412 - Access Code: 820-360-917

(Please mute your phone unless you wish to speak on a specific item)

**Zephyrhills
City Hall**

**Council
Chambers**

Call to Order – Council President Jodi Wilkeson
Roll Call – City Clerk Lori Hillman
Invocation – Dave Huff, East West Missions
Pledge of Allegiance – Council President Jodi Wilkeson

1. MAYOR

- 1.1 Ellis Harrold Proclamation
 1. 2023 Ellis Harrold
- 1.2 Sarah Vande Berg Tennis and Wellness Center Presentation - Progress and Main Title Sponsor
 1. SVB 2022-23 Events and Tournaments Update
 2. SVB Venue Naming Presentation

2. CONSENT ITEMS

- 2.1 Approval of February 16, 2023 Mayor's Caucus Minutes

1. M02-16-2023 Special Meeting Mayor's Caucus
- 2.2 Approval of February 13, 2023 Regular Meeting Minutes
 1. M02-13-2023
- 2.3 Approval of September 26, 2022 Regular Meeting Minutes
 1. M09-26-2022
- 2.4 Approval of September 13, 2022 Regular Meeting Minutes
 1. M09-13-2022
- 2.5 September 13, 2022 Joint Workshop Minutes
 1. M09-13-2022 Joint Workshop
- 2.6 Request Approval of RCM Utilities Task Order - Lift Station #42 Rehabilitation
 1. RCM LS 42 Rehab
- 2.7 Amendment 1 to FDEP State Revolving Fund (SRF) Loan Reclaim Water Extension - No. WW51055 - Resolution No. 779-21
 1. Zephyrhills WW510550 A1 ext
- 2.8 Approval of Piggyback Agreement 41-23-06 with Vortex Services and HGAC for Gravity Pipe Lining
 1. Vortex-HGAC 2-23 __ Executed
- 2.9 Approval of Vortex Services Gravity Pipe Lining Quote
 1. RV2 Proposal 2319020-1 FL - Zephyrhills CIPP

3. BUSINESS ITEMS/PUBLIC HEARING

- 3.1 12 Month Moratorium on Indoor and Outdoor Storage Facilities
 Second Reading **ORDINANCE NO. 1455-23 - "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA ESTABLISHING A 12 MONTH MORATORIUM ON RECEIVING AND PROCESSING PLANS / PERMIT APPLICATIONS FOR RECREATIONAL VEHICLE STORAGE, MATERIAL LAYDOWN AREAS AND INDOOR STORAGE FACILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**
 1. Ordinance 1455-23 Outdoor Storage Moratorium

4. PLANNING DIRECTOR'S REPORT

- 4.1 Trump Place Boat & RV - Conditional Use for Recreational Vehicle Storage
 1. Staff Report_RCE(2) (2)
 2. RCE Location map
 3. Trump Place Concept H - No Map Rev (1)

5. CITY MANAGER'S REPORT

- 5.1 Main Street Sip & Stroll Wet Zone
 1. Sip & Stroll Special Event Permit (1)
 2. Main Street Market New Map
 3. Sip & Stroll Map

6. CITY ATTORNEY'S REPORT

6.1 Pretty Pond Self-Storage Conditional Use

First Reading **RESOLUTION NO. 810-23 - "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS RELATED TO HEIGHT; APPROVING A CONDITIONAL USE TO EXCEED THE HEIGHT LIMITATIONS OF THE C-2 (COMMUNITY COMMERCIAL) ZONING DISTRICT ON PARCEL NO. 34-25-21-0190-00000-0010; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE".**

1. Resolution 810-23 Pretty Pond Self-Storage Conditional Use
2. USE 10-22 Staff Report for Pretty Pond Self-Storage
3. USE 10-22 Attachment Package for Pretty Pond Self -Storage (1)
4. Pretty Pond Conditional Use Presentation PC final FEB 13 2023

7. CITIZEN COMMENTS

- 7.1 Joannie Murphy - Sky Dive City - Workshop Request between City Council, City Manager and Airport Manager

MAYOR ANNOUNCEMENTS

CITY MANAGER ANNOUNCEMENTS

CITY ATTORNEY ANNOUNCEMENTS

CITY COUNCIL COMMENTS

8. NOTED ITEMS

8.1 South Avenue Extension Survey

1. 41-23-05 D.C. Johnson Assoc. - South Ave. Extension Survey

8.2 Depository Deposit Listing

1. City of Zephyrhills Bank Depository

ADJOURN

*** PLEASE NOTE: This is a Public Meeting. Should any interested party seek to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. F.S. 286.0105. If you are a person with a disability which requires reasonable accommodation in order to participate in this meeting, please contact the City Clerk at 813/780-0000 at least 48 hours prior to the public hearing. A.D.A. and F.S. 286.26.**



PROCLAMATION

WHEREAS, February is traditionally celebrated as Black History Month and was established to recognize the accomplishments of African Americans; and

WHEREAS, Ellis Harrold was a 34-year employee of the City of Zephyrhills and the first African American to be hired by the city in 1962; and

WHEREAS, Mr. Harrold is a native of Dawson, Georgia, and moved to Zephyrhills with Doris, his wife of 65 years, in 1957. Together they raised seven children and one grandson, and have 25 grandchildren, 42 great-grandchildren and 14 great-great grandchildren; and

WHEREAS, both Ellis and Doris were known to “raise a village” in support of children residing in “The Quarters” offering guidance and love and providing candy, soda and “flips” to neighborhood children; and

WHEREAS, Ellis Harrold broke barriers that existed at the time and opened doors for other African Americans to work for the City of Zephyrhills; and

WHEREAS, Ellis Harrold retired in 1996 as a driver in the Sanitation Department, serving as an example to other city employees.

NOW, THEREFORE, I, Gene Whitfield, Mayor of the City of Zephyrhills, along with the members of the City Council and fellow residents of the community, proclaim February 27, 2023 as a day of recognition for the accomplishments Ellis Harrold made to the city and community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Zephyrhills, Pasco County, Florida on this the 27th day of February, 2023.

Gene Whitfield, Mayor

Attest: _____
Lori L. Hillman, City Clerk

SVB TENNIS AND WELLNESS CENTER



2021 OUTSTANDING FACILITY

a place the community calls home, where athletes are formed, and excellence is served....

2022 - 2023 EVENTS AND TOURNAMENTS UPDATE

PASCAL COLLARD



BayCare Hospital
Wesley Chapel

SVBTENNISCENTER.COM

MAJOR MILESTONES:

- **OPENING OF "THE WELL AT SVB", a 92 bed student living facility, built by investors brought by the SVB Managing Team**
- **AWARDED THE ORGANIZATION OF THE SENIOR GAMES OF FLORIDA FOR TENNIS, PICKLEBALL AND PADEL FOR THE UPCOMING 3 YEARS. IN DECEMBER 2022, 561 SENIORS TOTAL PLAYED ONE OF THE ABOVE MENTIONED SPORTS ON SVB'S PREMISES**
- **RAFAEL NADAL TENNIS ACADEMY HOSTED ITS FIRST ANNUAL TENNIS CAMPS AT SVB: CLOSE TO 100 JUNIORS AND ADULTS PARTICIPATED (ONLY ONE OTHER LOCATION IN FLORIDA)**



SVB ALSO ORGANIZED:

- MULTIPLE SUCCEFUL, WELL ATTENDED LOCAL, AND REGIONAL USTA TENNIS TOURNAMENTS (up to 150 junior players on a week-end)
- MULTIPLE PRIZE-MONEY UTR TENNIS TOURNAMENTS
- MULTIPLE PICKLEBALL EVENTS (ex.: GLOW IN THE DARK)

SVB RECEIVED THE VISIT OF:

- WORLD RENOWN COACH, NICK BOLLETTIERI
- WORLD'S EX#4 GOLFER, MATT KUCHAR AND HIS SON WHO PARCTICED AT THE SVB ACADEMY
- HAYABUSA - SKYDIVING WORLD CHAMPIONS
- WORLD'S #4 PICKLEBALL PLAYER, COLLIN JOHNS

ACHIEVEMENTS:

- SVB'S TENNIS ACADEMY PLAYERS WINNING LOCAL, REGIONAL AND PLACING IN THE TOP IN NATIONAL TENNIS TOURNAMENTS
- 4 FULL ACADEMY PLAYERS PLACED IN PRESTIGIOUS UNIVERSITIES THANKS TO THEIR ACADEMIC AND TENNIS LEVEL



THE FUTURE IS BRIGHT AT SVB

2023 EVENT LINE UP - MAJOR EVENTS



USTA
PRO CIRCUIT

\$25,000 WOMEN PRO TENNIS CIRCUIT EVENT

SVB'S 1ST PROFESSIONAL TENNIS
TOURNAMENT with MAIN DRAW
32 SINGLE PLAYERS, 16 DOUBLES
TEAMS, AND 32 QUALIFIERS

LOCATION:
~~BOCA RATON~~
SVB - ZEPHYRHILLS ✓



PRO PADEL LEAGUE WORLD'S 1ST PRO LEAGUE

CONCEPT BASED ON NFL, NHL...
7 TEAMS AND THEIR OWNERS COMPETE FOR
THE SUPREME TITLE
NATIONALLY RETRANSMITTED ON
CABLE NEWS (up to 75 million viewers)

LOCATION:
~~MIAMI~~
SVB - ZEPHYRHILLS ✓



OPENING CEREMONY AND SENIOR GAMES TOURNAMENT

OUR HARD WORK (FROM LAST YEAR)
PAID OFF, AND SVB WAS AWARDED
THE OPENING CEREMONY OF THE
FLORIDA SENIOR GAMES

LOCATION:
~~WIREGRASS RACNCH~~
SVB - ZEPHYRHILLS ✓

THE FUTURE IS BRIGHT AT SVB

2023 EVENT LINE UP - ADDITIONAL EVENTS



INTERNATIONAL
PADEL
FEDERATION

**\$10,000 PRO PADEL
TOURNAMENT BY FIP**

**SVB'S PROFESSIONAL PADEL
TOURNAMENT with PLAYERS FROM
AROUND THE WORLD COMPETING IN
SINGLES, DOUBLES AND MIXED-DOUBLES**



**NIKE
SPORTS
CAMP**

**SVB's 1ST
NIKE SPORTS CAMPS**

**2 WEEKS OF SUMMER CAMPS
ORGANIZED BY NIKE
TENNIS, PICKLEBALL**



THE **WELL**
at SVBTM

**2023 SUMMER CAMPS
including BOARDING**

**INTERNATIONAL FULL TIME SUMMER
CAMPS with BOARDING at SVB's
THE WELL.**

**SVB IS HOME TO MORE THAN 40
NATIONALITIES ... DURING SUMMER
CAMP THAT MIGHT INCREASE!**

POTENTIAL NEW ADDITIONS AND PROJECTS AT SVB

REQUIRING PRIVATE INVESTMENT AND/OR GRANTS



- **MULTISPORT TURF**
- **SWIM CLUB AND POOL ACCESS FOR RESIDENTS**
- **PURCHASE OF A 15 PASSENGER VAN TO OFFER SHUTTLE SERVICES TO ZEPHYRHILLS CHILDREN TO PLAY AT SVB**



Thank You



PASCAL COLLARD

WWW.SVBTENNISCENTER.COM



FLORIDA'S
**SPORTS
COAST**

VENUE NAMING RIGHTS

THE SARAH VANDE BERG TENNIS AND WELLNESS CENTER





2021 - USTA's OUTSTANDING Facility of the Year
2022 - Large Business of the Year Award - Zephyrhills



SVB, MORE THAN A SPORTS CENTER
*... a place the **community calls home**, where
athletes are formed, and excellence is served*



SVB – ZHILLS' COMMUNITY HUB

The Sarah Vande Berg Tennis and Wellness Center is a world class athletic and wellness hub nestled in the heart of Zephyrhills.

The 7,400 square-foot clubhouse on a 10 acre campus, and its 30,000 square-foot student living offers a unique, state-of-the-art, boutique-style playing and living, and offers endless opportunities to attract short or long term visitors.

FLORIDA'S SPORTS COAST can help contribute to positively impact the social fabric of the community by advocacy for increased health and wellness offerings in the city of Zephyrhills and Pasco County.

FLORIDA'S SPORTS COAST will be exposed to a multitude of opportunities for brand awareness through an extensive and diverse marketing platform.





SVB SPORTS AND WELLNESS

01 SPORTS

- 11 tennis courts,
- 8 pickleball courts,
- 4 padel courts,
- 4 beach-volleyball/tennis courts

03 RESTAURANT

- On-site full service restaurant with nutritional meals
- Breakfast, lunch and dinner
- Brunch on sundays

02 WELLNESS

- Fitness center with Technogym
- Sports and relaxing massage
- Cryotherapy
- Salt Room
- IV Therapy

04 SVB TENNIS ACADEMY

- Full boarding program from ages 13yrs+ including tennis, school and housing
- In-person, home- or hybrid schooling options available





NOW OPEN

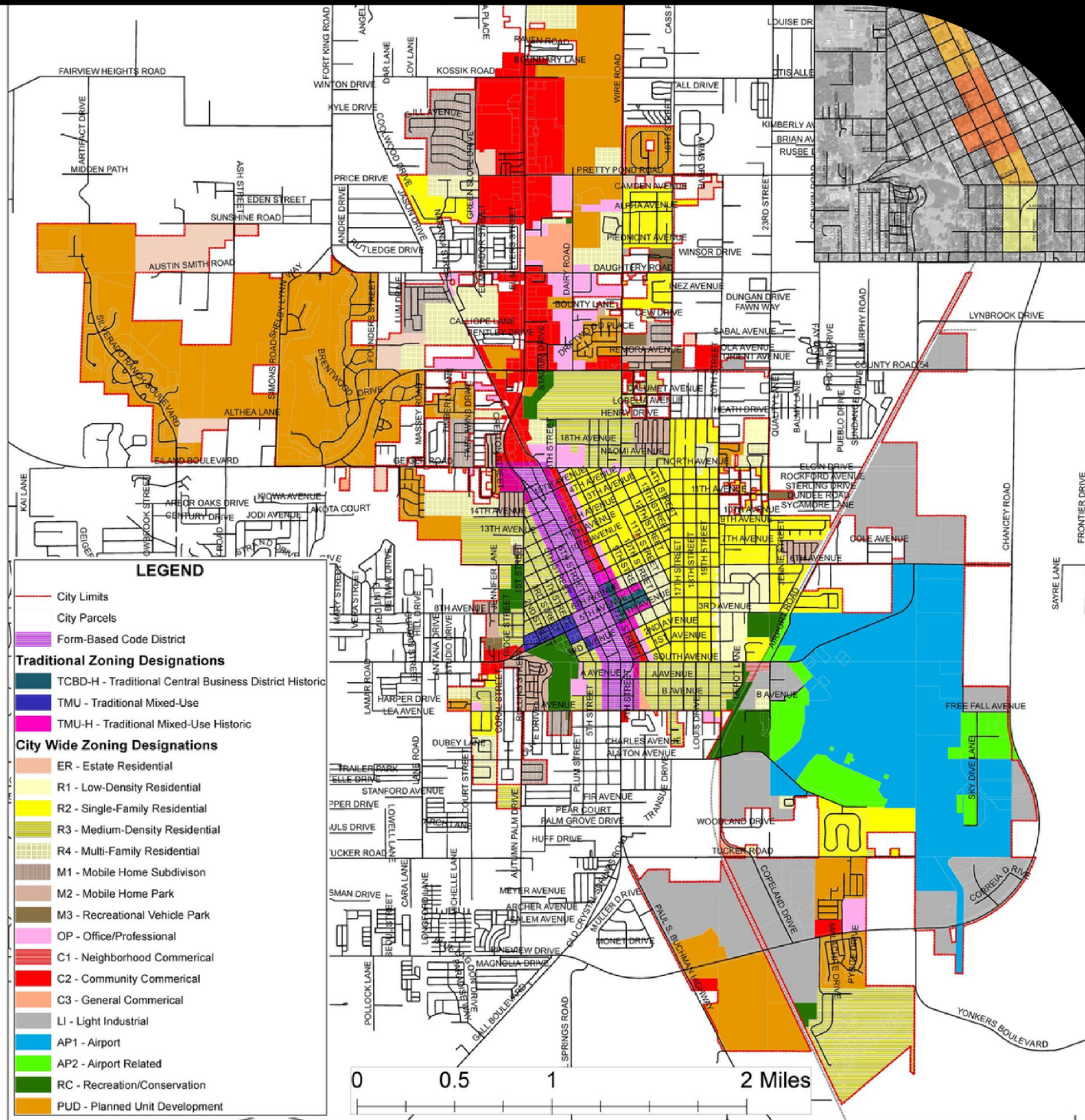
THE WELL @ SVB

STUDENT LIVING – 92 BEDS

1 – and 2 – bedroom apartments
Modern, new apartment
complex on the SVB campus.

Additional revenue source for





THE FUTURE IS BRIGHT AT SVB

- **28,435** NEW HOMES IN THE NEXT 10 YEARS (10 MILES RADIUS)
- **900+** HOMES WALKING DISTANCE FROM SVB
- **2.1** CHILDREN/HOUSEHOLD
- **SVB OWNS AN ADDITIONAL 30 ACRES FOR FURTHER DEVELOPMENT OF SPORTS (SOCCER, LACROSSE, FOOTBALL)**

FUTURE FUNDED PROJECTS



Multisport 30,000 sqft indoor facility

New, multisport indoor facility has received local, regional and state approval for funding. Construction will start in early 2024.

4 additional exterior hard-court tennis courts

4 additional outdoor, hard-court tennis courts have received funding and the appropriation was allocated. Construction will start simultaneously with the indoor facility.



FLORIDA'S **SPORTS COAST** EXPOSURE

SVB will highlight **FLORIDA'S SPORTS COAST** within the Tampa Bay Region, as well as nationally and internationally, by promoting Florida's Sports Coast through digital marketing, advertisement and events.

We are a core facility for athletics and wellness, and will capture our audience with exposure from: tournaments, leagues, athletic and social events, destination camps, and by welcoming national and international participants, accompanying parents, coaches and spectators.



EXISTING **FLORIDA'S SPORTS COAST** PRESENCE AT SVB

PHYSICAL PRESENCE

- logo on 10 tennis courts
- logo on David Waronker Center Court
- magazine presence on the entryway table, and various areas within the Center

DIGITAL PRESENCE

- weekly highlights and mentions of FSC's #FLSPORTSCOAST on FB and IG
- logo and link inclusion to SVB monthly E-Newsletter
- logo on SVB Tennis Center and SVB Academy websites

PRINT MEDIA PRESENCE

- inclusion in all media: brochures, flyers, membership communications, etc...



ADDITIONAL PRESENCE AT SVB

PHYSICAL PRESENCE

- **Florida's Sports Coast name on main building**
- Florida's Sports Coast name on interior walls or structures
- co-branding employee uniforms and player's practice and tournament T-shirts (new season attire to be received for co-branding to start)
- signage on SVB bus wrapping (shuttle from Wesley Chapel to ZHills, pick-up and drop-off at Tampa airport, travel to local, and regional tournaments)



*Pricing: see signage fee attached

NAMING RIGHTS VISUAL EXAMPLE



NAMING RIGHTS VISUAL EXAMPLE



NAMING RIGHTS VISUAL EXAMPLE





WHY INVEST IN NAMING RIGHTS?



INCREASED VISIBILITY

Keep your brand top-of-mind through on-site signage, promotional opportunities, event announcements, and digital exposure

35,000+

Estimated visitors to the Center annually

INCREASED PURCHASE INTENT

Repeat business by establishing valuable relationships with loyal customers (tournaments, social and sports events)

78%

Returning clients for tournaments and events

INCREASED EFFICIENCY

74%

Make and emotional connection and a lasting impression with your target audience





EVENT HIGHLIGHTS FOR SEASON 2023

EXISTING COLLABORATION



**\$25,000 USTA TENNIS
CIRCUIT OPEN**

**PRO CIRCUIT \$25,000 TENNIS
TOURNAMENT**



**1ST INTERNATIONAL
PADEL LEAGUE**



SENIOR GAMES



CONTACT US



+610-999-7630



GABRIELLA.COLLARD@SVBTENNISCENTER.COM



WWW.SVBTENNISCENTER.COM



**6585 SIMONS ROAD
ZEPHYRHILLS, FL 33541**



THANK YOU

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SPECIAL COUNCIL MEETING
MAYOR'S CAUCUS

A Special Council Meeting was held on February 16, 2023 at 5:00 p.m. in the Council Chambers of City Hall.

Council Vice President Smith called the meeting to order. Roll call was taken. Present were members Lance Smith, Kenneth Burgess and Alan Knight. Jodi Wilkeson, Charles Proctor, Mayor Gene Whitfield, City Manager William Poe and City Attorney Matthew Maggard were absent.

Staff present: City Clerk Lori Hillman.

1. MAYOR

1.1 Council Vice President Smith presented Candidate Petitions for Council Seat 2:

<u>Mayor</u>	Certified Signatures
W. Alan Knight	25
Steve Spina	25

Kenneth Burgess moved to accept the candidate petition certifications for Council Seat 2. Seconded by Alan Knight. Motion passed unanimously.

1.2 Council Vice President Smith presented Candidate Petitions for Mayor:

<u>Council Seat 2</u>	Certified Signatures
Nick Deford	25
Melonie Bahr Monson	25
Martin Harm	25

Alan Knight moved to accept the candidate petition certifications for Mayor. Seconded by Kenneth Burgess. Motion passed unanimously.

Council Vice President Smith advised City Council currently holds a meeting within forty-eight (48) hours after results are received from the Super of Election’s Office to declare the results of the election. If Referendum Proposition No. 5 is approved by the electorate of the City, City Council will declare the results of the election at the next regularly scheduled Council meeting.

Meeting adjourned 5:03 p.m.
Submitted by Lori Hillman

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on February 13, 2023 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting (646) 749-3122 - Access Code: 456-802-789.

Councilmember Kenneth Burgess called the meeting to order at 6:01 p.m. Roll call was taken. Present were members Alan Knight, Charles Proctor, Kenneth Burgess and Mayor Whitfield. Jodi Wilkeson and Lance Smith were absent. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Building Official Bill Burgess, Public Information Officer Kevin Weiss, IT Director Mike Panak, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire and City Clerk Lori Hillman.

Alan Knight asked for a moment of silence in honor of Doris Harrold and Irene Dobson.

Pastor Jon Clanton with Grace Assembly of God and Chaplain for Zephyrhills Correctional Institute delivered the invocation. The Pledge of Allegiance followed.

1. MAYOR

1.1 Irene Dobson Proclamation

Mayor Whitfield introduced Steve Spina who read aloud a proclamation in honor of Irene Dobson. Mayor Whitfield presented the proclamation to Ms. Dobson's daughters Ceila Paul and Betsy Dobson.

1.2 The 2023 Living in Zephyrhills Photography Competition Winners

Public Information Officer Kevin Weiss announced the winners of the Zephyrhills Photography Competition: Third Place-Rooster (\$100.00) Dorothy McClelland; Second Place-Explore Mural (\$200.00) Brenda Kopaska; and First Place-Ice Cream Boy (\$300.00) Rhonda Ragsdale.

2. CONSENT ITEMS

2.1 Approval of January 23, 2023 Regular Meeting Minutes

2.2 Angela Lease with B & H – Free Fall Avenue Lease – 29-23-01

2.3 Approval of Planning Commission Board Member

2.4 Declaration of Surplus Vehicles – Donation to Fort Valley, Georgia Police Department

2.5 Professional Services Contract City Wide Project #37-22-12 – BGE, Inc.

Spoke from the floor: Rosie Paulsen – 4730 Timber Way – Zephyrhills, FL 33542

Ms. Paulsen said she is on the agenda tonight to become a member of the Planning Commission Board and wanted to put a face with her name. She said she is involved with the Chamber of Commerce and her husband is the official Santa for the City of Zephyrhills. She served on the Commission on the Status of Women at the state level and on the Job and Economic Opportunity Council at the county level. She thanked Council for the honor to serve on the Planning Commission Board.

Alan Knight moved to approve the Consent Items. Seconded by Charles Proctor. Motion passed unanimously.

3. BUSINESS ITEMS/PLANNING DIRECTOR'S REPORT

3.1 USE 0010-22 Pretty Pond Self-Storage Conditional Use for Height Petition Planning Report

Senior Planner Rodney Corriveau narrated a PowerPoint presentation of a conditional use for a 3-Story, 700 unit, self-storage facility located at the corner of Pretty Pond Road and Gall Blvd. in the recently platted "Market at Zephyrhills." The storage facility exceeds 15 feet or one-story and requires a conditional use. He presented a location map highlighting the 4.10 acre lot size within the 8.42 acre project area. The maximum floor area ratio (FAR) is 1.0 with a proposed FAR of .5 in the C-2 Commercial District. He presented a proposed 3-story storage facility site plan, stating the building height is 44 feet inclusive of the decorative parapet. The building sets back 350' from Gall Blvd. and from an architectural standpoint and in staff's

opinion, the setback is in a prime location from the right-of-way and property line. Per the City's Land Development Code, Part 11.10.00 - Conditional Use, the proposed project will not adversely affect the neighborhood, is consistent with the surrounding area's character, has adequate screening and buffering, meets the requirements of the C-2 zoning district, represents a lower traffic impact than originally intended with less trips per day and has adequate drainage with a stormwater retention pond. Per the City's Land Development Code, Part 7.01.01.04 - Height Regulations, additional setbacks have been met, the project is not within the protected clear zones of the Zephyrhills Municipal Airport and is accessible by Pasco County Fire Rescue. The Site Plan Review Committee and Planning Commission recommended approval with increased landscaping abutting the pond to the south and additional landscaping abutting the access road to the west. He said a storage facility has minimal impact on water. The developer is speaking with a medical office, casual dining and small scale retail businesses to occupy the outparcels at the "Market at Zephyrhills."

Spoke from the floor: Ron Roberts – Flagship Companies Group - 2406 Cypress Glen Drive – Wesley Chapel, FL

Mr. Roberts highlighted similar Extra Space Storage facilities located in Wesley Chapel near the Grove, Trinity on SR-54, U.S. 98 in North Lakeland, Shepherd Road in South Lakeland and one under construction in Hudson on SR-52.

Charles Proctor directed staff to work with the City Attorney to draft a conditional use Resolution. Seconded by Alan Knight. Motion passed unanimously.

3.2 Water Supply Facilities Work Plan

Planning Director Todd Vande Berg said the 2022-2040 Water Supply Facilities Work Plan is another step the Planning Department, Utilities Department, Planning Consultant Tammy Vrana, Government Liaison with SWFWMD Amber Smith, and Utilities Consultant, Jones Edmunds, are working together comprehensively to address water issues. A joint meeting between the City of Zephyrhills and Pasco County has been scheduled in March 2023 to collectively discuss key issues and work toward improvements as both entities are in the process of updating their Comprehensive Plan.

Spoke from the floor: Tammy Vrana – Vrana Consulting – 260 Tucker Street – Safety Harbor, FL 34695

Ms. Vrana narrated a PowerPoint presentation of the 2022-2040 Water Supply Facilities Work Plan and the related Comprehensive Plan Amendment. She said the requested action tonight is for Council to review and consider the drafts provided and make refinements deemed necessary in preparation for a Transmittal Public Hearing for submittal to the State of Florida for approval. The Water Supply Facilities Work Plan was prepared by the City's Utilities Consultant, Jones Edmunds, in response to the updated Regional Water Supply Plan for the Zephyrhills Utility Service Area for the period 2022-2040. The Work Plan includes data and analysis regarding water supply and water demand, facilities performance and natural resource impacts for drawing water from the environment to households and businesses, with a plan to meet the needs of the community by promoting and/or requiring water conservation and modifying the water use permit (WUP) through SWFWMD. Graphs were displayed of the water supply and demand in 2022; water supply and demand projections to include approved development, developments under review, and all known developments to include redevelopment, infill and small parcel development. In an effort to implement the data and analysis and recommendations of the Water Supply Facilities Work Plan, proposed changes were made to the Comprehensive Plan's goals, objectives and policies. Proposed changes to **Future Land Use Element: (LU-1-1-1)** to clarify the protection of the potable groundwater and reinforce the promotion of water conservation. A new policy was created (LU-1-1-3) that reads, "The City Council may reserve public facility capacity for a particular land area or a specific land use provided the reservation is in accordance with a specific development or redevelopment strategy identified in the Comprehensive Plan. This could include strategies for job creation, workforce housing development, and tax base diversification." She said this policy came from

the idea that initiatives are in place for development in the industrial area, community redevelopment area and the form based code area and this policy allows Council the ability to reserve capacity for these areas. Policies LU-1-10-1 and LU-1-10-2 were consolidated to elaborate any change to the Utility Service Area and Future Service Area requires an amendment to the Comprehensive Plan and Utility Service Agreement with Pasco County. Policy LU-1-10-43 is relative to annexation decision making by City Council, stating it can be demonstrated that the principles and standards for water conservation, energy conservation and reduction of greenhouse gas emissions established by the City can be equaled or exceeded within the area to be annexed. Proposed changes to **Public Facilities Element:** OBJ PUB-1-1 reads, "Secure sufficient potable water supplies, provide adequate water treatment capacity, and implement water conservation rules, policies, and programs to meet the demands of existing and future potable water customers." POLICY PUB-1-1-1 addresses reducing the City's level of service standard from 126 gallons per capita per day for water supply to 114 gallons per capita per day or lower. She said the City is currently at 87 gallons per capita per day for both residential and commercial. POLICY PUB 1-1-5 addressed a weather storage option that is not viable for Zephyrhills and was removed. POLICY PUB-1-2-1 streamlines a policy to plan for facilities over time and remains at 300 gallons per day. Proposed changes to **Capital Improvements Element:** POLICY C1-2-1-1 was amended to mirror the same level of service standards covered in the Public Facilities Element. POLICY C1-2-1-2 addresses adequate facilities and adequate portable water supply. The Florida Water Star Certification Program (floridawaterstar.com) was introduced which is a water efficiency certification program with a 38% to 40% water savings for owner managed landscapes, new development and retrofits. Water budgets, resources, technical manuals, tools and incentives are provided and can be required by local code. The next steps will be to solicit public comments, hold a Transmittal Public Hearing for submittal to the State of Florida, hold an Adoption Public Hearing and submit to the State of Florida for finding of compliance.

Councilman Burgess said the work plan was presented timely as Council will be faced with making critical decisions relating to water and residential development.

City Manager William Poe said staff met with SWFWMD to discuss alternative water options such as abandoned wells and acquiring systems with additional capacity. The City is working on a Utility Service Agreement for developers to pay 50% of their fees upfront to reserve water capacity that will serve as water capacity justification for SWFWMD. He said the Florida Water Star is another opportunity for the City to encourage water conservation through the City's code.

Planning Director Todd Vande Berg said as Tammy Vrana mentioned, the next step will be meetings to discuss the City's growth and land use policies. The City has discussed a park on the north end of the City for the past 10 to 15 years. He suggested a park at the intersection of Pretty Pond and Wire Roads in lieu of high density residential.

Alan Knight moved to proceed with the Water Supply Facilities Work Plan and the related Comprehensive Plan Amendment Transmittal Public Hearing. Seconded by Charles Proctor. Motion passed unanimously.

4. CITY MANAGER'S REPORT

4.1 Award of Bid No. 11-22-11 to Amici Engineering Contractors for the Northside Lift Station and Force Main Project

City Manager William Poe said Bid No. 11-22-11 was advertised in the Tampa Bay Times and on BidNet Direct on October 30, 2022, generating forty-six (46) reviews with six (6) responses. The project was budgeted in FY23 at \$4.5M with the proposed bid coming in at \$4,753,591.50 inclusive of \$226,361.50 for contingency. Staff and the contractor will discuss value engineering for cost savings. The construction services (inspections, etc.) is estimated between \$100,000 to \$150,000 which increases the total project amount to \$4.9M, approximately. Funding in place includes \$3M in American Rescue Plan Act (ARPA) and \$1.5M in Federal Appropriations (Congressman Bilirakis) with overages funded by the \$1M Effluent Pumping Station project budgeted this year and rescheduled to FY24. Staff recommended approval.

Alan Knight moved to approve Business Item 4.1. Seconded by Charles Proctor. Motion passed unanimously.

4.2 South Avenue Extension – National Guard Entrance Road

First Reading **RESOLUTION NO. 809-23 – “A RESOLUTION OF THE CITY OF ZEPHYRHILLS, FLORIDA, AUTHORIZING EXECUTION OF A STATE FUNDED FRANT AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND CITY OF ZEPHYRHILLS FOR DESIGN, CONSTRUCTION AND CONSTRUCTION ENGINEERING INSPECTION (DEI) ACTIVITIES FOR THE SOUTH AVENUE EXTENSION – NATIONAL GUARD ENTRANCE ROAD (FINANCIAL PROJECT NO. 450716 1 54 01).**

City Attorney Matthew Maggard read Resolution No. 809-23 by title. City Manager William Poe said the Florida Department of Transportation (FDOT) requires the City to approve a resolution authorizing the City to execute the grant agreement between parties for the design, construction, and construction engineering inspection services for the extension of South Avenue. The City received \$1,940,000 from the State of Florida in appropriations funding for the design, construction, and construction engineering inspection services for the extension of South Avenue. Staff recommended approval. He said the National Guard has until 2026 to expend their funding.

Alan Knight moved to approve Resolution No. 809-23 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

4.3 FDOT Funding Agreement (FPN 450716 1 54 01) South Avenue Extension – National Guard Entrance Road – Grant No. 24-23-01

City Manager William Poe said the South Avenue Extension – National Guard Entrance Road is \$1,940,000 and consists of a quarter mile extension with intersection improvements to provide access for the future National Guard site as well as potable water distribution, wastewater collection systems and stormwater improvements. Staff recommended approval.

Charles Proctor moved to approve Business Item 4.3. Seconded by Alan Knight. Motion passed unanimously.

4.4 FDEP Funding Agreement (LPA0407) Kossik & Fort King Roads Sewer Main/Water Main Extension – 24-23-02

City Manager William Poe said the City received \$3.5M in appropriations funding from the State of Florida to construct sewer and water mains from US-301 to Fort King Road along Kossik Road. Staff recommended approval.

Alan Knight moved to approved Business Item 4.4. Seconded by Charles Proctor. Motion passed unanimously.

4.5 Approval of Agreement #41-23-04 – Emergency Communications Consolidation – Pasco County

City Manager William Poe said the current emergency communications through the City of Zephyrhills Police Department’s Public Service Answering Points (PSAP) handles 9-1-1 calls from landline telephones. In 2020, the Pasco County PSAP reported 82% of all 9-1-1 calls were wireless with 62% of calls for the City of Zephyrhills being wireless transfers. An increase in the wireless calls causes a rise in call transfers. PSAP and the Emergency Communications Center are often the core of effective collaboration. Anticipated communication capabilities among the partner agencies will be augmented through shared Computer Aided Dispatch (CAD) and Records Management Systems (RMS), positively impacting public safety administration and operations. In Addition, all telecommunication employees and police dispatch will be offered positions with Pasco County and afforded career opportunities unavailable under the current system, if they chose. Those employees who transfer to Pasco County will receive equal or greater salaries with similar benefits and retain their seniority. The City will retain six (6) entry-level positions and one (1) supervisor for 24/7 operation and constituent service delivery at the Police Department. One primary PSAP will be operated and managed through an inter-local agreement between agencies. A Consolidated Communications Board has been established with

membership extended to all involved municipalities and county agencies. The Zephyrhills Police Department Chief will have a seat on the board. The fiscal impact in the amount of \$121,744 has been budgeted and is based on the current salary, benefits and training for two (2) communications operators. The reoccurring personnel costs may increase based on employee salaries and criteria outlined in the original and amended agreements. Staff recommended approval as the agreement offers a means to provide enhanced, effective and efficient public safety services.

Alan Knight moved to approved Business Item 4.5. Seconded by Charles Proctor. Motion passed unanimously.

Spoke from the floor: Police Chief Derek Brewer – City of Zephyrhills

Police Chief Brewer said staff has been working on consolidated dispatch for a long time and the interlocal agreement is part of the process. He said he will not be hiring any new communication operators as duties will change and in the event positions need to be filled, they will be filled at a lower wage. He said he has been running short-handed with seven (7) dispatchers and a supervisor. Normal staffing is nine (9) dispatchers and a supervisor. He said this is the direction law enforcement and public safety have headed as too many critical incidents have been mismanaged due to a lack of communication between first responders. Consolidated Dispatch should provide efficiencies.

City Manager William Poe said there will be a personal touch lost through Dispatch Consolidation due to our dispatcher's current relationship with citizens and their keen knowledge of the City's jurisdiction. Dispatch Consolidation will provide officer safety and seamless communication between officers with access to the records management system.

Councilman Burgess said a new CAD system is needed and it makes sense to consolidate, the timing is right. He said the biggest concern was employees and a plan has been implemented.

Alan Knight moved to approve Agreement No. 41-23-04 - Emergency Communications Consolidation. Seconded by Charles Proctor. Motion passed unanimously.

5. CITY ATTORNEY'S REPORT

5.1 12 Month Moratorium on Indoor and Outdoor Storage Facilities

First Reading **ORDINANCE NO. 1455-23 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA ESTABLISHING A 12 MONTH MORATORIUM ON RECEIVING AND PROCESSING PLANS / PERMIT APPLICATIONS FOR RECREATIONAL VEHICLE STORAGE, MATERIAL LAYDOWN AREAS AND INDOOR STORAGE FACILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard read Ordinance No. 1455-23 by title. Planning Director Todd Vande Berg said staff has a vision for the Industrial Corridor and Airport to encourage manufacturing, industry, commerce, jobs and the creation of ad valorem revenues. The City has received a significant number of indoor/outdoor storage facility petitions and staff came to the conclusion to initiate a 12 month moratorium to research and assess other governmental agencies as the next step. He listed projects on the books that will not be affected by the moratorium for the record: US-301 and Pretty Pond Indoor Storage Facility at the Market at Zephyrhills, US-301 and Daughtery Road Indoor Storage Facility, two (2) Park Place Industrial Park Outdoor Storage facilities, small outdoor laydown area on Chancey Road, the former Agape Baptist Church rezoning with industrial flex space and indoor storage, and a facility on the southeast corner of Chancey Road and SR-39.

Charles Proctor moved to approve Ordinance 1455-23 on the First Reading. Seconded by Alan Knight. Motion passed unanimously.

6. CITIZEN COMMENTS

N/A

MAYOR ANNOUNCEMENTS – Mayor Whitfield recognized former City Councilman Clyde Bracknell for 29 years of distinguished service, the longest serving City Councilman in the history of Zephyrhills.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe displayed pictures of four (4) trees on the north side of 5th Avenue between 7th Street and US-301 that are creating trip hazards along the sidewalk, lifting a curb and damaging asphalt. Public Works Director Shane LeBlanc recommended the trees be removed and replaced with trees that are conducive.

CITY ATTORNEY ANNOUNCEMENTS - N/A

CITY COUNCIL COMMENTS – Councilman Knight deferred to Mayor Whitfield to announce Irene Dobson’s funeral arrangements. Mayor Whitfield said visitation will be at St. Johns Missionary Baptist Church in Dade City from 5:00 p.m. to 7:00 p.m. on Wednesday, February 15, 2023 with funeral services on Thursday, February 16, 2023 at 10:30 a.m. with burial at Florida National Cemetery in Bushnell.

Councilman Proctor thanked staff for listening to Council and said the implementation of a moratorium.

Councilman Burgess thanked former City Councilman Clyde Bracknell for staying through the meeting and thanked Government Liaison Amber Smith with SWFWMD for attending.

7. NOTED ITEMS

7.1 37-22-16 GAI Consultants, Inc. Professional Services Agreement

7.2 RCM Task Order for Manhole Rehabilitation

7.3 Depository Deposit Listing

Meeting adjourned: 7:39 p.m.
Submitted by Lori L. Hillman

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on September 26, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (872) 240-3412 - Access Code: 591-143-285.

Council President Wilkeson called the meeting to order. Roll call was taken. Present were members Alan Knight, Charles Proctor, Jodi Wilkeson, Lance Smith, Kenneth Burgess and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Building Official Bill Burgess, Finance Director Ted Beason, Utility Director John Bostic, Airport Manager Nathan Coleman, Public Information Officer Kevin Weiss, IT Director Mike Panak, Historic Preservation Specialist and Community Planner Audrey McGuire, K9 Officer Emile Limoges, Finance Supervisor Jessica Carter, Water Treatment Plant Operator Eric Martin and City Clerk Lori Hillman.

Pastor Bob Hope with the Pasadena Baptist Church delivered the invocation. The pledge of Allegiance followed.

1. MAYOR

1.1 Mental Health Proclamation

City Clerk Lori Hillman read aloud the Mental Health Proclamation which was presented to Kimberly Miller, Deanna Baltimore, Brandon Bristow and Vicki Wiggins by Mayor Gene Whitfield.

2. CONSENT ITEMS

2.1 Collective Bargaining Agreement No. 41-22-29 for Sergeants (2021-2024)

2.2 Collective Bargaining Agreement No. 41-22-30 for Police Officers, Detectives, and SROs (2021-2024)

2.3 Approval of Amendment 1 to DEO Grant Agreement HL135 (24-21-07), SVB Tennis Center

2.4 Award Bid for Outdoor Tennis Courts to GPWG Constructors

2.5 Reassignment of Angela Land Lease to Elite Enterprises 29-22-01

Alan Knight moved to approve the Consent Items. Seconded by Lance Smith. Motion passed unanimously.

3. BUSINESS ITEMS/PUBLIC HEARING

3.1 Second Reading ORDINANCE NO.: 1441-22 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, LEVYING THE MILLAGE RATE FOR FISCAL YEAR 2022-2023 FOR THE CITY OF ZEPHYRHILLS.”

City Attorney Matthew Maggard read Ordinance No. 1441-22 by title. A public hearing was held and there were no comments from the floor. Finance Director Ted Beason said the rolled back rate for the City of Zephyrhills is 5.8763 mills. The millage rate is being set at 6.25 which is lower than last year’s rate of 6.35 mills. The 6.25 millage rate is considered a 6.36% increase according to Florida Statute 200.065.

Lance Smith moved to approve Business Item 3.1 on the Second Reading. Seconded by Charles Proctor. Motion passed unanimously on the Second Reading.

3.2 Second Reading ORDINANCE NO.: 1442-22 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, ADOPTING A BUDGET FOR THE 2022-2023 FISCAL YEAR.”

City Attorney Matthew Maggard read Ordinance No. 1442-22 by title. A public hearing was held and there were no comments from the floor. City Manager William Poe stated the additional appropriations received by the state for the Sarah Vande Berg Indoor Tennis Facility were \$659,743.00 which increased the budget amount that was presented on September 13, 2022.

Alan Knight moved to approve Business Item 3.2 on the Second Reading. Seconded by Lance Smith. Motion passed unanimously.

4. PLANNING DIRECTOR'S REPORT

4.1 Conditional Use – Park Place Boat & RV Storage

Historic Preservation Specialist and Community Planner Audrey McGuire presented a request for Conditional Use submitted by Park Place Boat & RV Storage for 80,700 square feet of recreational vehicle storage located on 7.42 acres in the Light Industrial (LI) district of Park Place Industrial Park. Recreational vehicle storage is required to be considered as a Conditional Use. There are eight (8) standards staff reviews to determine a conditional use. Staff assessed little to no impact to existing quality of life or property values in the area as the property is located in the industrial area, adjacent to the airport, consistent with existing land use patterns, use is minimal to traffic impact and parking onsite will be recreational vehicle parking only. The site will be secured with fencing, gates and lighting to ensure a safe environment. The site has suitable drainage access and off street parking and loading areas. The proposed Conditional Use is required to go through the site development plan review process for adherence to the City's Land Development Code, SWFWMD and DEP requirements. The site will have to meet screening and buffering standards and will be required to have a Type B landscape buffer which is one tree per 50', a shrub row, and an opaque fence or screen. Applicant is proposing a 6' fence to match the existing fence. The lot is not considered a non-conforming lot meaning it meets all five areas of criteria for the zoning district in which it is located and can be developed in accordance with the City's standards and there are no special variances. Proposed signs and/or lighting will not affect surrounding areas or traffic and staff will review the lighting plans at the Site Plan Review stage to ensure lighting is not spilling onto adjacent properties or otherwise impacting air traffic at the airport. This project will not adversely affect public health, safety or welfare. Recreational vehicle storage is not a large user of City services or infrastructure and is not anticipated to produce a lot of noise, light or odors. Staff, the Site Plan Review Committee, and the Planning Commission recommended Council's approval.

Council President Wilkeson directed staff to make sure there is a plan in place for a reminder to pop up in one year to assess the shrubbery to ensure compliance.

Councilman Smith moved to approve Business Item 4.1. Seconded by Kenneth Burgess. Motion passed unanimously.

5. CITY MANAGER'S REPORT

Council President Wilkeson requested an Emergency Item be added to the agenda in preparation for Hurricane Ian as Business Item 5.4

Alan Knight moved to add Emergency Item 5.4 to the agenda. Seconded by Charles Proctor. Motion passed unanimously.

5.1 Water Use Permit Update

City Manager William Poe narrated a PowerPoint presentation highlighting the City's current water use permit capacity of 3.308 million gallons a day based on a population of 37,318. He said the City's wells, per FDEP, can pump 4.58 gallons a day. He said in his opinion, there is a conflict between what the City's wells have the capacity to pump and what SWFWMD will allow the City to pump and the City is working to correct the conflict. The City's gallons per capita daily is between 82 and 87 which equates to 181 gallons per day per dwelling unit with each unit projected at 2.1 people per household. A list of approved developments was provided with the number of units, people per household and number of years to build out. A list of pending developments was presented with the number of people per household, and number of years to build out. The build out population for approved developments is 2,165 which equates to 8,570 additional people with a five (5) to ten (10) year build out.

Council President Wilkeson said the City spent money to have a report prepared by Jones Edmunds with ground water modeling taking about three months. She asked, with the ground water modeling and the newly modified statistics, does the City need to go to SWFWMD to say this is where the City is headed to get their blessing?

Utilities Director John Bostic responded to Council President Wilkeson's question and said no because the City doesn't have the commitments. The City has projects ready to go but developers have not signed an agreement guaranteeing they will build within a certain amount of time. A big portion is prepayment of impact fees to show their commitment is solid. If developers are going to start building within five (5) years, the City needs water within two (2) to five (5) years. SWFWMD has a water supply work plan for the entire area and the City has to justify their need. He said supplying water within the City's jurisdiction for the next five (5) years is not a concern. The projects located in Pasco County that are requesting to be annexed into the City is unaccounted for water. He has requested Pasco County supply water but has not received a response to date.

City Manager William Poe said the City is working to create a story, show a demand, and initiate a utility service agreement, signed by developers ensuring their financial commitment to pay 50% of their fees upfront, as justification for SWFWMD for additional capacity. There are a couple projects outside the City in Pasco County's jurisdiction requesting services and the City will provide services when Pasco County transfers sufficient WUP capacity to the City. He presented a slide outlining the projected water demand: 1). Retire the existing WUP near development, 2). Use existing interconnect with Dade City, and 3) Absorb other providers in the area i.e., Pasco County. A timeline was presented for groundwater modeling (3 months), permitting (12 months), well construction (18 months) and well testing completion (24 months).

5.2 Sarah Vande Berg Tennis and Well Center Proposed Rates

SVB Owner/Manager Gabriella Collard presented proposed rates with simplified membership offerings. Monthly membership fees were lowered with few increases for Council's approval per the Sarah Vande Berg Tennis Center Management Agreement.

Lance Smith moved to approve the SVB rates as presented. Seconded by Charles Proctor. Motion passed unanimously.

5.3 Zephyrhills Police Department Agreement 25-22-05 with Axon for new Records Management System (RMS)

City Manager William Poe said the Zephyrhills Police Department is requesting a new Records Management System (RMS) for the accurate collection and efficient reporting of law enforcement information. The department has been operating with the existing system for twenty (20) years. The software is antiquated and does not meet the National Crime Reporting Standards. As the department continues to move forward toward consolidated dispatch, it is vital that law enforcement partners share information for situational awareness and interoperability. While RMS is only one facet of the consolidation, Axon RMS is the operating system adopted by the Pasco Sheriff's office and operating with the same software is essential in eliminating information gaps between agencies to provide seamless data sharing. The agreement includes data migration, implementation and renewal of body cameras and tasers. Staff recommended Council's approval of the five year agreement with Axon RMS.

5.4 EMERGENCY ITEM. First Reading **RESOLUTION NO. 802-22 – “AN EMERGENCY RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS DECLARING A STATE OF EMERGENCY – HURRICANE IAN.”**

City Attorney Matthew Maggard read Resolution No. 802-22 by title. This resolution allows the City to go outside the City's typical procurement policies to seek compensation and reimbursement from FEMA. The resolution takes effect at 12:01 a.m. September 27, 2022 for seven (7) days which is the maximum permitted by law. A Special Meeting can be held to extend the time period, if needed.

Alan Knight moved to approve Resolution No. 802-22 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

6. CITIZEN COMMENTS

Spoke from the floor: Kim Earle – 37741 Phelps Road – Zephyrhills, FL

Ms. Earle said swales were dug to the west of her property running north to south. She said to satisfy her request, a 4' deep spot in the back of her property was supposed to be filled with beach sand before digging the swale and that was not done and the Riprap contains rebar. In closing, she said the permit states the contractor was supposed to put in the drainage first and there are no pipes on the hill.

Building Official Bill Burgess – City of Zephyrhills - 5335 8th Street – Zephyrhills, FL
Mr. Burgess said the City has not been contacted and said he would check into the matter first thing in the morning.

Spoke from the floor: Eileen Ann Westermann – 5522 17th Street – Zephyrhills, FL
Ms. Westermann said she attended a southeastern guide dogs class last week and discussed Kim's situation with the area director, Loretta Wholecamp. Unbeknownst to Eileen, Loretta and her husband Mike are retired from SWFWMD. She said Mike Wholecamp was an engineer with SWFWMD's wastewater team and volunteered to download the permits, review the plans, and perform a site review of Trotter's Crossing. Mr. Wholecamp said the developer did not adhere to the wastewater permit that required culvert pipes and pipes in the retention pond for releases and contacted SWFWMD. She said if the berm breaks over the next couple of days, the water will wash out Phelps Road and threaten the safety of residents. She said last night the NHC was predicting landfall of Ian near Fort Myers and at 11:00 a.m. this morning, the land fall was revised to Hernando County. She said Zephyrhills will be on the east side of the storm and will experience storm winds and rain.

Building Official Bill Burgess said typically the contractor works with their engineer to approve the various stages of site development. The project is under the control of the contractor and engineer that designed the site which is why they carry liability insurance. At the end of the project, the engineer submits a letter to the City stating the project was built in conformance with the design.

MAYOR ANNOUNCEMENTS – Mayor Whitfield said in the interest of brevity, he did not have anything to report.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe announced the ribbon cutting for the Sarah Vande Berg Housing has been cancelled and will be rescheduled. The City will be open Tuesday, September 27th and make a decision to close pending the hurricane track. Shelters will be open Tuesday, September 27th at 10:00 a.m. Centennial and Pasco Middle schools are the closest shelters for Zephyrhills' residents with a sand bag location at Station 29 on Dairy Road. There is a mandatory evacuation of Zone A for all residents living in an RV and/or manufactured home.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Burgess voiced his intention of driving on Kossik Road December 31, 2022 with Planning Director Todd Vande Berg. He said the road is currently a nice, long grassy dog run with no activity. He said Council needs to hold developers to their agreements moving forward.

Council Vice President Smith said Council needs to put teeth in developer's agreements for enforcement and make it severe. He said staff needs to visit ways to fine developers who are habitually causing issues to neighboring properties.

Councilman Proctor thanked Police Chief Brewer for all his hard work and expressed his unhappiness with Ms. Earle's situation.

Council President Wikeson said if Mr. Cornelison's agreement with the development doesn't include the level of inspection and tracking that Mr. Burgess implied, then the only person that is responsible is the developer. She said standing water on a development site is the responsibility of the contractor and it's a basic tenant of responsible development. She commended Mr. Beason and Jessica Carter on the publication of the final FY 2022-2023 budget.

Councilman Knight congratulated Police Chief Brewer. He said the City cannot take the hurricane lightly and said the national news are reporting the worst storm to hit Florida in 100 years. He encouraged everyone to take care of themselves and help their neighbors.

7. NOTED ITEMS

7.1 Participate in the 2022/2023 SNAP Program (Street Narcotics Apprehensive Program) – 41-22-32

7.2 Depository Deposit Listing

Meeting adjourned: 7:29 p.m.
Submitted by Lori L. Hillman

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on September 13, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (872) 240-3212 - Access Code: 562-934-221.

Council President Wilkeson called the meeting to order. Roll call was taken. Present were members Alan Knight, Charles Proctor, Jodi Wilkeson, Lance Smith, Kenneth Burgess and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Building Official Bill Burgess, Finance Director Ted Beason, Utility Director John Bostic, Airport Manager Nathan Coleman, Public Information Officer Kevin Weiss, IT Director Mike Panak, CRA Director Gail Hamilton, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire, GIS Technician and Community Planner Kevin Kelley, Finance Supervisor Jessica Carter, Water Treatment Plant Operator Eric Martin and City Clerk Lori Hillman.

Alan Knight asked for a moment of silence in memory of Elaine Benjamin, Adele Lane, and Clay Durrett. Alan Knight delivered the innovation. The Pledge of Allegiance followed.

1. MAYOR

1.1 DAR Proclamation

City Clerk Lori Hillman read aloud a proclamation honoring the Daughters of the American Revolution. Regents of the Echebucassa Chapter FSSDAR; Vice Regent Marie Wunderlich, and Chapter Members Lisa Summer and Jodi Wilkeson were present to accept the proclamation from Mayor Whitfield.

1.2 Tank of the Year 2021 Runner-Up

City Manager William Poe displayed a picture of the City's logo that was painted on the Reclaimed Water Tank. The artist entered the artwork into a contest and was chosen as the runner up for the 2021 Tank of the Year.

Utility Director John Bostic said the Reclaimed Water Tank needed to be refurbished and suggested the idea of painting the City logo on top for airplanes to view when flying into the airport. The contractor was Razorback, the artist was Eric Penn who travels the country, and the paint supplier was Temac coating.

2. CONSENT ITEMS

2.1 Approval of August 22, 2022 Regular Meeting Minutes

2.2 Award Itinerant Apron Construction Agreement 25-22-05 to C.W. Roberts

2.3 Request Council's Approval on Amendment No. 2 to the SRF Loan Agreement No. WW510531, Advanced Wastewater Treatment Project

2.4 AID Construction Services Task Order for Itinerant Apron

Alan Knight moved to approve the Consent Items. Seconded by Charles Proctor. Motion passed unanimously.

3. BUSINESS ITEMS/PUBLIC HEARING

3.1 First Reading **ORDINANCE NO.: 1441-22- "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, LEVYING THE MILLAGE RATE FOR FISCAL YEAR 2022-2023 FOR THE CITY OF ZEPHYRHILLS."**

City Attorney Matthew Maggard read Ordinance No. 1441-22 by title. A public hearing was held and there were no comments from the floor. Finance Director Ted Beason stated the millage rate was set at 6.25 mills which is lower than last year's rate of 6.35 with a rolled back rate of 5.8763 mills. The 6.25 millage rate is considered to be a 6.36% increase as computed pursuant to Florida Statute 200.065.

Lance Smith moved to approve Ordinance No. 1441-22 on the First Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

3.2 First Reading ORDINANCE NO.: 1442-22 – “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, ADOPTING A BUDGET FOR THE 2022-2023 FISCAL YEAR.”

City Attorney Matthew Maggard read Ordinance No. 1442-22 by title. A public hearing was held and there were no comments from the floor. City Manager William Poe presented changes to the July 18, 2022 Draft Budget:

- Added \$10,000 to IT Department to implement NeoGov for HR – online applications and new hire onboarding program;
- Added \$30,000 to Building Department for glass wall dividers to separate the Building Department and Planning Department;
- Added \$50,000 to IT Department to migrate Laserfiche files to Tyler Content Manager Enterprise module;
- Added \$50,000 to Utility Billing for a space needs assessment and possible implementation of revised layout;
- Added \$70,000 to Special Revenue Fund for Police Dispatch Consolidation project;
- Added \$134,248 for increase in 2022-2023 Property & Casualty Insurance Premiums;
- Reallocated \$150,000 from City Yard Building Design to City Yard Fuel Tank Upgrades.

The changes listed above did not change the bottom line of the budget; although, the \$2.75M received for the Indoor Tennis Facility from the Joint Legislative Budget Commission through the State of Florida and Local Spending Initiative will increase numbers in next year's fiscal budget.

Kenneth Burgess moved to approve Ordinance No. 1441-22 on the First Reading. Seconded by Lance Smith. Motion passed unanimously.

4. PLANNING DIRECTOR'S REPORT

4.1 Zephyr Storage, LLC Planning Report

Planning Director Todd Vande Berg said the City received a petition submitted by Zephyr Storage, LLC for 3.34 acres of property located off US-301, south of Daughtery Road for an indoor storage facility. The property has two access points, one on Daughtery Road and one on Gall Blvd. The first land use action of annexation will result in the partial removal of an existing Pasco County enclave. The petition meets all annexation requirements found in Florida Statutes Chapter 171.044, is contiguous to the City's boundary limits, is reasonably compact and located within the City / Pasco County Joint Planning Area (JPA). The second land use action proposed is a Small-Scale Future Land Use Map Amendment from County ROR (Retail Office Residential) to City MU (Mixed Use) which would be consistent and compatible with the development trends found in this area. The third land use action proposes rezoning from County C2 (General Commercial) to City C2 (Community Commercial). Staff finds that the proposed zoning is consistent and compatible with the zoning trends in the area. A preliminary traffic study found a future indoor storage facility will generate 18 trips per hour during peak hours with no anticipated impacts to Gall Blvd. or Daughtery Road. Staff is not anticipating water impacts with future development. The property is located within the basin of special concern and will need to be engineered accordingly for retention. There will be no impact to school facilities. The height will be addressed through a Conditional Use that will be brought before Council for review and approval. The Planning Commission voted unanimously to approve the annexation, future land use and zoning with five conditions for approval. The applicant's representative was present to answer questions.

Lance Smith moved to approve Business Item 4.1. Seconded by Alan Knight. Motion passed unanimously.

5. UTILITY DIRECTOR'S REPORT

5.1 Killebrew Change Order No. 1 to Fort King Water Line

Utility Director John Bostic said unknown underground fiber optic cables were found in the limited right-of-way space during construction. An additional 40 days was required to excavate carefully to remove the cables, install the water line and reinstall cables. He requested Council's approval of Change Order No. 1 in the amount of \$162,000. Funding is available in the budget. He clarified a utility locate survey was performed during the construction phase not during the design phase of the project.

Lance Smith moved to approve Business Item 5.1. Seconded by Charles Proctor. Motion passed unanimously.

6. CITY MANAGER'S REPORT

6.1 North Star Place Marketing & Branding Presentation

City Manager William Poe introduced North Star Place Marketing and Branding.

Anita Carter North Star Place Marketing & Branding Presentation

Ms. Carter was joined by colleagues Sam Preston and Taylor Midvey. She said this is a very important moment in time for the City of Zephyrhills with growth accelerating all around. The City needs to define and own their story to attract businesses and people looking for what the City has to offer. A brand helps reflect the City's Mission Statement and the Comprehensive Plan to embrace the City's history. Branding works for a community by making it distinct and ownable. Marketing is about product, place, price and promotion. Community branding is bottling up the passion of our people, staff and community and experiencing a new sense of purpose and direction.

7. CITY ATTORNEY'S REPORT

7.1 First Reading **RESOLUTION NO. 797-22 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, REPEALING RESOLUTION 739-17 REGARDING THE BUILDING RENTAL POLICY AND SETTING FORTH A BUILDING RENTAL POLICY FOR ALICE HALL COMMUNITY CENTER.”**

City Attorney Matthew Maggard read Resolution No. 797-22 by title. City Manager William Poe said this resolution updates the hours of rental for Alice Hall with a \$250.00 refundable deposit.

Lance Smith moved to approve Resolution No. 797-22 on the First Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

7.2 First Reading **RESOLUTION NO. 798-22 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, SETS FORTH A BUILDING RENTAL POLICY FOR THE TRAIN DEPOT.”**

City Attorney Matthew Maggard read Resolution No. 798-22 by title. City Manager William Poe said this resolution creates the hours of rental for the Train Depot with a \$250.00 refundable deposit.

Lance Smith moved to approve Resolution No. 798-22 on the First Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

7.3 First Reading **RESOLUTION NO. 799-22 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS, FLORIDA, INVESTMENT POLICY AND PROVIDING FOR AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard read Resolution No. 799-22 by title. Finance Director Ted Beason said City Council determines the City's investments and he would like to open the pool to complete funding investments administered by local government.

Lance Smith moved to approve Resolution No. 799-22 on the First Reading. Seconded by Alan Knight. Motion passed unanimously.

7.4 First Reading **RESOLUTION NO. 800-22 – “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS, FLORIDA, FISCAL MANAGEMENT POLICY AND PROCEDURE MANUAL AND PROVIDING FOR AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard read Resolution No. 800-22 by title. Finance Director Ted Beason requested Council raise the \$1,000 capital asset threshold to \$5,000. Staff has discussed this change with the City’s auditors who are in agreement with the proposed change.

Alan Knight moved to approve Resolution No. 800-22 on the First Reading. Seconded by Charles Proctor.

8. **CITIZEN COMMENTS**

8.1 Kim Earle – 37741 Phelps Road (Trotter’s Crossing)

Ms. Earle said she has been attending Council meetings quite often and referred to the flooding events that occurred on July 3rd and again on August 27th and August 28th. She said the event on August 27th was much more horrific than the first event in July. She said SWFWMD told her everything was fine but it obviously wasn’t because it happened again and her property is full of sand. She said she received a call on August 29th from one of Joe Guttuso’s workers who said they were going on her property to try and fix the problem and Ms. Earle told them she didn’t want people on her property when she wasn’t home. She narrated a PowerPoint presentation depicting the rain event that occurred on August 27th and said she will seek legal action to resolve the situation.

Council President Wilkeson asked the City Attorney if there was anything legally the City could do to assist Ms. Earle with the flooding she is experiencing.

City Attorney Matthew Maggard said when stormwater leaves one property and goes onto a neighboring property, it is SWFWMD’s jurisdiction. From a legal perspective other than getting SWFWMD involved to enforce their permits and issuing stop work orders, there is not much the City can do.

Council concurred the City needs to hold the developers accountable.

Spoke from the floor: Joe Guttuso, Director of Land Development for American Homes Development (Trotter’s Crossing) – 2927 Pointview Drive – Tampa, FL

Mr. Guttuso presented a plan of action and said at the present time, they made the pond on top larger and made the temporary berms higher and thicker with double silt fencing. He said the fill on site will filter faster when the water hits the ponds. He said they were using sand fill instead of clay fill.

Civil Engineer Craig Cornelison said he designed the site but is not responsible for day to day operations. He said he was on site today and the contractor has strengthened the berm and the water flowing down is being directed into the pond. He said he believes what happened is the top berm didn’t hold the water that was coming in off Leon Wilson’s property. When complete, the water will flow into the retention pond which is designed to hold 100 years with a pond on the east and west sides. Currently, the contractor is attempting to hold back all the water from the north from discharging which is compounding the problem, the contractor is holding too much.

Councilman Burgess said the bottom line is the project can’t impact other people’s residences and the situation has to be mitigated.

Signed up to Speak from the floor: Francisco E. Alexander, Jr. – 7297 Blade Drive - Zephyrhills, FL in Silverado Ranch

Mr. Alexander said he is the HOA president of Silverado Ranch and has reached out to the CDD and to the City of Zephyrhills Police Department. He said Silverado ranch pays taxes and part of those taxes go to the police and the City of Zephyrhills. He said the CDD says it is a public road, but ZPD says it is a private road. Silverado Ranch has problems with high school kids in the community breaking the pool gate open. He said he spoke to one police officer who

told him Silverado Ranch could enter into an agreement with ZPD and another officer told him the City doesn't enter into agreements. He addressed the heavy traffic going through Silverado Ranch with an intersection at Eiland Blvd. and said there have been at least ten (1) accidents in the last year.

Council President Wilkeson directed Police Chief Brewer address the challenges with Mr. Alexander.

MAYOR ANNOUNCEMENTS – Mayor Whitfield read aloud a letter of accommodation from Charles Henchey for Sanitation Superintendent Bobby Black and requested the letter be entered into Mr. Black's personnel file.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe reminded everyone of the Music and Motorcycles Event September 17, 2022, 4:00 p.m. – 9:00 p.m. and distributed a list of CRA/Public Works/Airport/Utilities projects.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Knight – N/A

Councilman Proctor said he hopes Ms. Earle's issue are resolved.

Council Vice President Smith acknowledged Warren Earle on his 95th Birthday.

Councilman Burgess wished Mr. Earle a happy birthday and said he is as sharp as a tack and keeps Council on their toes.

Council President Wilkeson wished Mr. Earle a happy birthday.

9. NOTED ITEMS

9.1 Interlocal Agreement Penny for Pasco

9.2 KED Agreement No. 41-22-31 One Year Renewal

9.3 Depository Deposit Listing

Meeting adjourned: 7:30 p.m.

Submitted by Lori L. Hillman

JOINT WORKSHOP

A Planning Commission/Council Joint Workshop was held on September 13, 2022 at 7:00 p.m. (immediately following the City Council Meeting) in the Council Chambers of City Hall and via GoToMeeting +1 (872) 240-3212 - Access Code: 562-934-221.

Council President Wilkeson called the meeting to order at 7:50 p.m. Roll call was taken. Present were members Alan Knight, Charles Proctor, Jodi Wilkeson, Lance Smith, Kenneth Burgess and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present. Members of the Planning Commission in attendance Kevin Bahr, Thomas Vanater, Beth Aker, Christian Ryman, Randy Stovall, Tracy Sullivan, David Armstrong and Christa Remington.

Staff present: Planning Director Todd Vande Berg, Building Official Bill Burgess, Finance Director Ted Beason, Utility Director John Bostic, Public Information Officer Kevin Weiss, IT Director Mike Panak, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire, GIS Technician and Community Planner Kevin Kelley, Water Treatment Plant Operator Eric Martin and City Clerk Lori Hillman.

1. WORKSHOP ITEMS

1.1 Current Density Trends

Planning Director Todd Vande Berg recognized Pasco County School Board Planner Chris Williams who was in attendance. He narrated a PowerPoint presentation of high priority items inclusive of housing elements (density, lot size and setbacks), water capacity, Water Use Permit (WUP), traffic solutions and the housing market study as key topics in the analysis to update the City's Comprehensive Plan. He said this will be a collaborative effort between the City and Pasco County to pursue development in the Joint Planning Area (JPA) with the City providing incentives for development in the CRA and Form Based Code districts. He referenced a map with existing properties zoned R4 for apartments that are mostly developed with two projects currently under review and one piece of property with 65 to 70 acres remaining appropriate for apartments. He said one of the proposed actions is to amend the R3 zoning to increase the density range from a maximum 10.5 to 12 to include townhomes and stop the bait and switch. He said density can be deceiving and depends on the grades, topography and where the project is located within the basin of special concern.

Mr. Vande Berg said staff are currently discussing strategies with the City's Planning Consultant, Tammy Vrana, to include the process of updating the housing element, density bonus credits, overhauling the entire land development code and creating policies to guide and direct the City through implementation measures moving forward. The other key item is transportation updates. Staff has coordinated with the City's traffic consultants, Kimley Horn, to look at mobility fees, a transportation system charge to recoup the proportionate cost of transportation demand generated by all new development. This year the City is funding sidewalks maybe next year, City staff begin design and engineering on the top ten intersections to make improvements. He said everything discussed needs to be fully vetted but believes the City will end up with a policy that addresses density bonuses and affordable housing.

Historic Preservation Specialist and Community Planner Audrey McGuire said the ultimate maximum units per acre are set within the City's future land use (FLU) classifications. If the FLU classifications currently at 20 are reduced to 14 or 16 units per acre, there has to be a gap between the two caps to provide for density bonuses. She said generally, staff does not go over the maximum density set by the FLU classification because it would exceed what was established through the Comprehensive Plan. She said when someone proposes to annex into the City, staff looks at a host of items such as are they contiguous to the City limits and what development surrounds the proposed annexation to determine zoning and density. Current projects are not reaching that 20 unit per acre maximum. There have been two projects within the City that have reached the maximum that came before Council for approval through a Conditional Use. If the density is lowered to 14 units per acre and a developer comes in requesting 14 units per acre without the need for a conditional use, the City would not be able to ask for improvements through regular zoning.

City Attorney Matthew Maggard said if the consensus of the Planning Commission and Council are split, his recommendation is to continue with the conditional use process with the ability to control the density on a few properties remaining and address the 14 units per acre through the Comprehensive Plan amendment.

Conversation and discussions ensued around maximum density per acre specifically, reducing the density to 14 units per acre from 20 units per acre with density bonuses and affordable housing elements. The current density is in conflict with height requirements. Water issues, infrastructure and 40' and 50' lot sizes need to be addressed.

City Manager William Poe said the City has been assured that the water issue will be addressed and the City will receive the capacity needed by showing the need. Staff are working with Jones Edmunds to justify the need and several different options to acquire the capacity.

Spoke from the floor: Mike Prilliman

Mr. Prilliman reiterated it would take six months to amend the Comprehensive Plan. HE said it sounds like developers don't want 20 units per acre, only want 16 units per acre. He said to change the horses mid-stream could be a legal issue.

1.2 Potable Water

Not Discussed.

Meeting adjourned: 9:50 p.m.
Submitted by Lori L. Hillman

CONSENT ITEMS 2.6

Request Approval of RCM Utilities Task Order - Lift Station #42 Rehabilitation

Issue:

Request approval for Lift Station #42 Rehabilitation by RCM Utilities

Background:

This is the Utilities Department continuing with its Lift Station Rehabilitation Plan.

Attachment(s):

1. RCM LS 42 Rehab

Fiscal Impact:

Cost of project \$74,465.46. Currently budgeted in the FY 23 budget.

Staff Recommendation:

Staff recommends Council's approval to allow the rehabilitation of Lift Station #42 to RCM Utilities, for \$74,465.46.



Construction & Maintenance

February 9, 2022

To: City of Zephyrhills
RE: Lift Station 42 Rehabilitation

- Purpose
 - o Task authorization for construction services as requested from Joey Theel to provide lift station rehabilitation services for #42.
- Compensation and Contract
 - o A budget for the work as stated totaling \$74,465.46 has been submitted on the Annual City of Zephyrhills Water and Wastewater Miscellaneous Construction/Maintenance Services Contract (RFP 35-19-01)
- Scope
 - o Please refer to Estimate #3556

Owner:

City of Zephyrhills

By: _____
Jodi Wilkeson, Council President

Contractor:

RCM Utilities, LLC

By: Christopher R. Creech
Christopher R. Creech

Date: February 27, 2023

RCM UTILITIES, LLC
100 W. MILLS AVE
EUSTIS, FL 32726
352-561-2990
billing@rcmutilities.com
www.rcmutilities.com



Estimate

ADDRESS

City of Zephyrhills
5335 8th St
Zephyrhills, FL 33542

ESTIMATE # 3556

DATE 02/09/2023

EXPIRATION DATE 03/09/2023

JOB NAME

Lift Station 42 REHAB

DESCRIPTION

AMOUNT

RCM Utilities to supply all materials, equipment and labor for the following scope of supply:

74,465.46

- Perform (1) 4" linestop procedure and install an in ground plug valve.
- Supply, install and maintain a duplex diesel bypass pumping system.
- Demolish and remove all existing base elbows, piping and valving.
- Install (1) new SEWPERCOAT pure fused calcium aluminate wet well liner.
- Install New:
(2) new 4" Hydromatic discharge base elbows with 316 stainless steel base plates. 4" SDR 11 HDPE discharge risers with stainless cross bracing as needed.

New ductile Iron flanged check / plug valves and piping in the valve box. All valve box piping to be painted with (1) coat of coal tar epoxy.

Accessories: new upper guide rail brackets, 2" guide rails, float hanger, all accessories to be 316 stainless steel.

NOTES

- RCM Utilities warrants all supplied materials and workmanship to be free of defects for a period of one year after installation.

TOTAL

\$74,465.46

Accepted By

Accepted Date

**Water & Wastewater Misc Construction/Maintenance Services
Labor/Equipment Rates Form**

Customer: City of Zephyrhills

Project: Lift Station #42

LABOR RATES	RATES		ENTER	SUBTOTAL	ENTER	SUBTOTAL	LINE ITEM TOTAL
	WORKING HOURS	AFTER HOURS	# WORKING HOURS	# WORKING HOURS	# AFTER HOURS	# AFTER HOURS	
Supervisor	\$ 50.00	\$ 75.00	50	\$ 2,500.00		\$ -	\$ 2,500.00
Foreman	\$ 75.00	\$ 113.00	70	\$ 5,250.00		\$ -	\$ 5,250.00
Helper - Labor Only	\$ 35.00	\$ 53.00		\$ -		\$ -	
Helper with Truck/Trailer	\$ 50.00	\$ 75.00	140	\$ 7,000.00		\$ -	\$ 7,000.00
Backflow Technician	\$ 40.00	\$ 60.00		\$ -		\$ -	
LABOR RATES TOTAL							\$ 14,750.00

Please provide when after hours would apply (anytime outside of Mon - Fri 7am - 5pm)

EQUIPMENT RATES	SET UP FEE	HOURLY	# OF HOURS/ GALLONS or BAGS	DAILY	# OF DAYS	WEEKLY	# OF WEEKS	MONTHLY	# OF MONTHS	LINE ITEM TOTAL
Mini Excavator with Operator	\$ 150.00	\$ 80.00		\$ 800.00	4.00	\$ 2,400.00		\$ 9,600.00		\$ 3,350.00
Back Hoe with Operator	\$ 250.00	\$ 125.00		\$ 1,250.00		\$ 6,250.00		\$ 25,000.00		
Vac Truck - 2 Man Crew	\$ 250.00	\$ 280.00		\$ 2,800.00		\$ 14,000.00		\$ 56,000.00		
CCTV Camera Trailer with Operator	\$ 250.00	\$ 175.00		\$ 1,750.00		\$ 8,750.00		\$ 35,000.00		
Tractor with Bucket with Operator	\$ 250.00	\$ 125.00		\$ 1,250.00		\$ 6,250.00		\$ 25,000.00		
4" Sewage Bypass Pump with Hoses	\$ 250.00	\$ 40.00		\$ 250.00	10.00	\$ 650.00		\$ 2,600.00		\$ 2,750.00
Bypass Pump Fuel Additional	\$ 4.50	Per Gallon								
13000 Watt Generator	\$ 250.00	\$ 40.00		\$ 170.00		\$ 850.00		\$ 3,400.00		
Infiltrator MH Leak Stop Plus Labor	\$ 150.00	\$ 250.00		\$ 150.00		\$ 750.00		\$ 3,000.00		
Metal Fabrication/Welding Lead Man	\$ 150.00	\$ 75.00		\$ 750.00		\$ 3,750.00		\$ 15,000.00		
Metal Fabrication/Welder	\$ 150.00	\$ 65.00		\$ 650.00		\$ 3,250.00		\$ 13,000.00		
Sand Blast Trailer Rig with Crew	\$ 250.00	\$ 295.00		\$ 2,950.00		\$ 14,750.00		\$ 59,000.00		
Sand Blasting Sand	\$ 5.00	Per Bag								
Compactor with Operator	\$ 150.00	\$ 100.00	10.00	\$ 1,000.00		\$ 5,000.00		\$ 20,000.00		\$ 1,150.00
Air Compressor Road Bore	\$ 250.00	\$ 125.00		\$ 1,250.00		\$ 6,250.00		\$ 25,000.00		
EQUIPMENT RATES TOTAL										\$ 7,250.00

MATERIAL RATES	% Mark UP	COST	MARK-UP	LINE ITEM TOTAL
Materials Purchased for Specific Job	25%	32090.37	\$ 8,022.59	\$ 40,112.96
Materials from Stock	25%	5082	\$ 1,270.50	\$ 6,352.50
Subcontract Labor	20%	5000	\$ 1,000.00	\$ 6,000.00
MATERIAL RATES TOTAL				\$ 52,465.46

PERFORMANCE & PAYMENT BOND	(Yes/No)	No	2%	
SUBTOTAL				\$ 74,465.46
GRAND TOTAL				\$ 74,465.46

Company Name: RCM Utilities, LLC

Authorized Representative/ Title: Christopher R. Creech, Mgr.

Signature: Christopher R. Creech

Date: 02/09/2023

CONSENT ITEMS 2.7

Amendment 1 to FDEP State Revolving Fund (SRF) Loan Reclaim Water Extension - No. WW51055 - Resolution No. 779-21

Issue:

FDEP - SRF Amendment 1 for first payment time extension

Background:

Since the reimbursement request was sent to FDEP less than a month ago, we have not received any funds, so there is nothing to repay. The original first payment was due on February 15th and now will be August 15th.

Attachment(s):

1. Zephyrhills WW510550 A1 ext

Fiscal Impact:

No change to fiscal impact in the FY.

Staff Recommendation:

Staff recommends approval of the FDEP - SRF Amendment 1.

**AMENDMENT 1 TO LOAN AGREEMENT WW510550
CITY OF ZEPHYRHILLS**

This amendment is executed by the FLORIDA WATER POLLUTION CONTROL FINANCING CORPORATION (the “Corporation”) and the CITY OF ZEPHYRHILLS, FLORIDA, (the “Local Borrower”) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department, the Corporation, and the Local Borrower shall be referred to as “Parties” or individually as a “Party”.

WITNESSETH:

WHEREAS, the Corporation and the Local Borrower entered into a Clean Water State Revolving Fund Loan Agreement, Number WW510550; and

WHEREAS, loan repayment activities need rescheduling to give the Local Borrower additional time to complete construction.

WHEREAS, certain provisions of the Agreement need revision.

NOW, THEREFORE, the parties hereto agree as follows:

1. Unless repayment is further deferred by amendment of the Agreement, Semiannual Loan Payments as set forth in Section 10.05 shall be received by the Trustee beginning on August 15, 2023, and semiannually thereafter on February 15 and August 15 of each year until all amounts due under the Agreement have been fully paid.

2. The items scheduled under Section 10.07 of the Agreement are rescheduled as follows:

(2) Completion of Project construction is scheduled for February 15, 2023.

(3) Establish the Loan Debt Service Account and begin Monthly Loan Deposits no later than February 15, 2023.

(4) A clear site title certification shall be submitted no later than February 15, 2023.

(5) The first Semiannual Loan Payment in the amount of \$31,226 shall be due August 15, 2023.

3. All other terms and provisions of the Loan Agreement shall remain in effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 1 to Loan Agreement WW510550 may be executed in three or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Corporation has caused this amendment to the Loan Agreement to be executed on its behalf by its Chief Executive Officer and the Local Borrower has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Chief Executive Officer of the Corporation.

for
FLORIDA WATER POLLUTION CONTROL FINANCING CORPORATION

Chief Executive Officer

Date

Reviewed and approved by the Corporate Secretary

for
CITY OF ZEPHYRHILLS

Jodi Wilkeson Council President

Attest:

Approved as to form and legal sufficiency:

Lori L. Hillman City Clerk

Matthew E. Maggard City Attorney

SEAL

APPROVED AND ACCEPTED BY THE STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION.

Secretary or Designee

CONSENT ITEMS 2.8

Approval of Piggyback Agreement 41-23-06 with Vortex Services and HGAC for Gravity Pipe Lining

Issue:

Request approval of Piggyback agreement with Vortex Services and HGAC

Background:

The requested piggyback agreement with Vortex Services is to continue the citywide gravity pipe lining projects. This pipe lining will greatly reduce or eliminate any Inflow and Infiltration (I&I) issues we may have in our gravity sewer pipes. This will lead to less unnecessary wear and tear on all of our pipes, pumps, motors, lift stations, and WWTP.

Attachment(s):

1. Vortex-HGAC 2-23 __ Executed

Fiscal Impact:

Pipe lining is in our FY23 approved budget. We expect to spend approximately \$400,000-\$500,000 annually for the next foreseeable future.

Staff Recommendation:

Staff recommends Council approval for the piggyback agreement with Vortex Services.

AGREEMENT TO PIGGYBACK A CONTRACT FOR SERVICES BID BY ANOTHER
GOVERNMENTAL ENTITY

WHEREAS, **Vortex Services, LLC.**, 5910 Hartford St., Tampa, FL 33619, a Florida (Contractor) entered into an agreement effective June 8, 2022, with **H-GAC**, a political subdivision of the State of Texas, for **Trenchless Pipeline Rehabilitation Services** (Agreement), procured pursuant to F. S. §287.057, Contract Number TP07-18.

WHEREAS, the City of Zephyrhills, 5335 8th St. Zephyrhills, FL 33542, a Florida municipal corporation (City) has the legal authority under its purchasing policies adopted by the Zephyrhills City Council to "piggyback" onto a contract procured pursuant to F. S. §287.057 by another governmental entity when seeking to utilize the same or similar services provided for in the said contract; and

WHEREAS, the City desires to "piggyback" onto the referenced Agreement between the Contractor and H-GAC for utilization of the same or similar services.

NOW THEREFORE, having found it to be in the public interest,

1. The Contractor affirms and ratifies the terms and conditions of the above referenced Agreement to perform the services set forth therein for the City in accordance with the terms of said Agreement until the work is completed.
2. The City agrees to utilize the services of the Contractor in a manner and upon the terms and conditions as set forth in the Agreement until the work is completed.
3. The City and Contractor agree to follow the current Agreement, which expires on June 30, 2023, Midnight CT.
4. **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 813-780-0000, EXT. 3543 OR CITYCLERK@CI.ZEPHYRHILLS.FL.US OR CITY CLERK – CITY OF ZEPHYRHILLS - 5335 EIGHTH STREET – ZEPHYRHILLS, FLORIDA 33542.**

Contractor Legal Representative

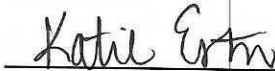
 2/21/2023

Signature Date

Ryan Graham

Print Name

WITNESS

 2/21/2023

Signature Date

City of Zephyrhills

Jodi Wilkeson Date
City Council President

ATTEST

Lori L. Hillman Date
City Clerk

CONSENT ITEMS 2.9

Approval of Vortex Services Gravity Pipe Lining Quote

Issue:

Approval of Quote for Vortex Services for gravity pipe lining.

Background:

This is the continuation of gravity pipe lining throughout the City to prevent Inflow and infiltration (I&I) into our sewer system which causes undue wear and tear on our collections system and WWTP.

Attachment(s):

1. RV2 Proposal 2319020-1 FL - Zephyrhills CIPP

Fiscal Impact:

A proposal of \$399,984.00 is currently in the FY23 approved budget.

Staff Recommendation:

Recommendation of staff to the City Council is to approve the quote and have the Council President sign.



To:	City Of Zephyrhills	Contact:	
Address:	39825 Alson Ave	Phone:	813.714.5480
		Email:	
Project Name:	FL - Zephyrhills - Zephyrhills CIPP	Bid Number:	2319020-2
Project Location:		Bid Date:	2/20/2023

Bid Proposal is based on HGAC Contract #TP07-18

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
A1	Sewer Main Television Inspection (8" Through 15" Diameter)	7,900.00	LF	\$4.00	\$31,600.00
A51	6" - 12" Post TV Inspection After Rehabilitation	7,900.00	LF	\$4.00	\$31,600.00
A70	Other Remote Obstruction Removal (max. 5 Lf) (*TBD)	0.00	EACH	\$225.00	\$0.00
A9	Sewer Main Cleaning - Normal (8" Through 15" Diameter)	7,900.00	LF	\$4.00	\$31,600.00
C2	8" X 6.0mm STEAM WATER CURE	7,900.00	LF	\$34.96	\$276,184.00
C29	Internal Reconnects On Cured-in-place Pipe (*TBD, Will Bill As Needed), Budgeted 150 Each	100.00	EACH	\$225.00	\$22,500.00
O11	Barricades, Signs, and Traffic Handling (per setup)	0.00	EACH	\$3,500.00	\$0.00
O13	Flagmen	0.00	HR	\$40.00	\$0.00
P35	Travel And Mobilization - Florida	1.00	EACH	\$6,500.00	\$6,500.00

Total Bid Price: \$399,984.00

Notes:

- Owner will provide a local area and pay disposal fees to dispose the debris that is pulled from the cleaning process after it is decanted. Disposal site must be less than 10 miles away from job site.
- Owner will provide access to each and every manhole and or structure. This may include but not limited locating, exposing, and raising buried MH's prior to our crew mobilizing.
- Since several these runs are located in easements, the Owner may have to provide site access improvements including (but not limited to) clearing of any trees, shrubs, fence, sheds, vegetation etc. to provide an unobstructed access for our work. This also includes coordinating site access permissions with the property owners and the City. We are able to complete our work if our trucks can be staged within 150' from both the upstream and downstream manholes.
- If necessary, Owner will provide Permits & Fees. Vortex will provide our standard insurance coverage. OCP or railroad insurance & or longshoreman insurance is not included.
- Mechanical Cleaning / Tuberculation removal not included in bid proposal.
- If bond is needed please add 1.5%.
- Our Bid Proposal is valid for 30 days from the bid date.
- Site Restoration will be performed by Others.
- This is a unit priced contract and the actual billing will be based on installed quantities. If the installed quantities vary greater than 10% of the bid quantities, Vortex reserves the right to adjust our unit price accordingly.
- CIPP Samples can be provided at no additional cost. If 3rd party CIPP testing is required, it can be provided at \$450 per each test. There was no CIPP specification mentioning samples and testing for this bid.
- Once our CIPP liner is installed, we will provide a post cctv video to show the final CIPP product. One light jetter pass will be included before running the camera down the final CIPP liner. No additional or aggressive cleaning will be performed since it could damage our CIPP PE coating.
- Standard wages are included. Therefore, Prevailing wages and or Union Wage Rates are not included in this bid proposal.
- Our bid proposal as submitted reflects the current material pricing established on or before the bid date listed within our proposal. In the event of unforeseen price increases of our raw materials, Vortex reserves the right to adjust our unit rate or overall bid proposal accordingly to account for such price increases.
- Payment terms: Net 30 days. Interest will be added to balances outstanding after 30 days
- 7% Material Sales Tax is included in our bid proposal. If the owner is exempt, we will need them to provide an exemption certificate prior to contract execution. Service Tax is not included. If required, it will be invoiced separately.
- Vortex's bid proposal shall be incorporated into the subcontract agreements. Vortex will initiate this project upon an agreement or receipt of a subcontract or purchase order. Copies of payment and performance bonds must be provided to Vortex.

ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Vortex Services LLC

Authorized Signature: _____

Estimator: Brandon Gerber
(813) 326-8928 Bgerber@vortexcompanies.com

BUSINESS ITEMS/PUBLIC HEARING 3.1

12 Month Moratorium on Indoor and Outdoor Storage Facilities

Second Reading **ORDINANCE NO. 1455-23 - "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA ESTABLISHING A 12 MONTH MORATORIUM ON RECEIVING AND PROCESSING PLANS / PERMIT APPLICATIONS FOR RECREATIONAL VEHICLE STORAGE, MATERIAL LAYDOWN AREAS AND INDOOR STORAGE FACILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

Issue:

Staff initiated a moratorium on studying / assessing the impacts of indoor / outdoor storage and laydown areas and if additional codes / standards are necessary.

Background:

The City has an existing industrial corridor that is "tied" to the Airport, CSX railroad and truck bypass (Chancey Road). The vision / goal is to encourage manufacturing / industry, commerce, jobs and the creation of ad valorem revenues for the City. The City has been receiving a significant number of plans for indoor storage facilities and outdoor storage. Outdoor storage areas with no physical improvements create little to no jobs and advalorem to the City. The industrial corridor is a priority for the City and an important asset to maintain a balanced land use and economic vitality for the City. Staff recommends a one year moratorium to research other governments and determined if additional codes should be considered.

Attachment(s):

1. Ordinance 1455-23 Outdoor Storage Moratorium

Fiscal Impact:

Staff Recommendation:

Approval

ORDINANCE NO. 1455-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA ESTABLISHING A 12 MONTH MORATORIUM ON RECEIVING AND PROCESSING PLANS / PERMIT APPLICATIONS FOR RECREATIONAL VEHICLE STORAGE, MATERIAL LAYDOWN AREAS AND INDOOR STORAGE FACILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as provided in section 2(b), Article VIII of the Constitution of the State of Florida, and section 166.021(1), Florida Statutes, the City of Zephyrhills, Florida (the “City”), a municipal corporation, enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, as provided in section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

WHEREAS, the City has an industrial corridor with land available for industry and the creation of local jobs. Economic impact is provided when industry with buildings are constructed to provide ad valorem revenue to the City of Zephyrhills and generally require a smaller amount of City services; and

WHEREAS, the City is receiving applications for a variety of storage uses with no permanent structures; thereby creating limited ad valorem / jobs and reducing the potential economic impacts on said undeveloped properties in the City. The City’s Comprehensive Plan Economic Development Element encourages manufacturing / industry and job creation; and

WHEREAS, the City is also receiving applications for indoor storage facilities that also create little / few jobs and the City has realized other governmental entities establishing standards to require indoor storage facilities required to be included as part of a mixed used development / offset from public right-of-ways; and

WHEREAS, the City Council desires to establish a moratorium for a period of 12 months so that a study can be completed to determine the effects these types of uses would have on adjacent land uses in the City; the fiscal impacts and if additional standards are warranted;

WHEREAS, the City Council of the City of Zephyrhills, Florida hereby finds that the temporary moratorium imposed by this ordinance is being imposed for a reasonable duration intended to give the City the time reasonably necessary to investigate the impacts / development standards necessary for recreational vehicle storage, material laydown areas and indoor storage facilities, and if necessary, to promulgate reasonable regulations relating to such uses; and

WHEREAS, the City Council of the City of Zephyrhills, Florida hereby finds that this ordinance is in the best interest of the public health, safety, and welfare; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Zephyrhills, Florida, as follows:

Section 1. Authority.

This Ordinance is enacted pursuant to Chapter 163, Florida Statutes, and under the home rule powers of the City.

Section 2. Legislative Findings of Fact.

The foregoing whereas clauses are hereby adopted as legislative findings of the City Council of the City of Zephyrhills and are ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 3. Temporary Moratorium

Beginning on the effective date of this ordinance and continuing through February 27, 2024, or sooner if provided pursuant to Section 5 of this ordinance, a moratorium is hereby imposed on the submittal of plans / permits for recreational vehicle storage, material laydown areas and indoor storage facilities.

Section 4. Exemptions

The following are hereby exempt from this Ordinance: (1) developments which have been issued a Conditional Use by City Council for recreational vehicle storage, material laydown areas, or indoor storage facilities prior to the effective date of this ordinance; and (2) developments which have held a pre-application meeting with city staff prior to the effective date of this ordinance; (3) developments which have submitted site development plans prior to the effective date of this ordinance; and (4) developments which are approved as part of a Planned Unit Development (PUD) Master Plan prior to the effective date of this ordinance.

Section 5. Expiration of the Temporary Moratorium.

The temporary moratorium imposed by Section 3 of this ordinance expires as of the earliest of the follow occurrences:

- a. February 27, 2024; or
- b. A date before February 27, 2024, if provided by Ordinance of the City Council of the City of Zephyrhills, Florida.

Section 6. Repealer.

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

Section 7. Penalties.

Any and all violation of the Ordinance shall constitute a separate Class VI offense as set forth in the Uniform Fine and Citation Schedule as adopted by the Sixth Judicial Circuit, and shall be prosecuted as provided in Section 162.21, Florida Statutes. Each violation and each day constituting a violation shall be fined and prosecuted as a separate offense.

Section 8. Severability.

It is declared to be the intent of the City Council of the City of Zephyrhills, Florida, that if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall be construed as not having continued the said section, subsection, sentence, clause, or provision and shall not be affected by such holding.

Section 9. Inclusion into the Code.

It is the intent of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Zephyrhills code, and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 10. Effective Date.

This Ordinance shall become effective upon passage on the second reading and signing by the Mayor.

The foregoing Ordinance No. 1455-23 was read and passed on the first reading in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 13^h day of February, 2023.

Attest: _____
Lori L. Hillman, City Clerk Jodi Wilkeson, Council President

The foregoing Ordinance No. 1455-23 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 27th day of February, 2023.

Attest: _____
Lori L. Hillman, City Clerk Jodi Wilkeson, Council President

The foregoing Ordinance No. 1455-23 was approved by me this 27th day of February, 2023.

Gene Whitfield, Mayor

Approved as to legal form and legal content

Matthew E. Maggard, City Attorney

PLANNING DIRECTOR'S REPORT 4.1

Trump Place Boat & RV - Conditional Use for Recreational Vehicle Storage

Issue:

Request to reconsider Conditional Use for Recreational Vehicle Storage.

Background:

Request to reconsider a conditional use submitted by RCE Investment Group, LLC for a recreational vehicle storage facility on approximately 2.57 acres of real property generally located on the east side of Trump Place, north of Correia Drive in the Park Place Industrial Park. The applicants are proposing open recreational vehicle storage with 8,700 square feet of covered storage space. The Land Development Code requires that recreational vehicle storage uses in LI zoning be considered as a conditional use.

Attachment(s):

1. Staff Report_RCE(2) (2)
2. RCE Location map
3. Trump Place Concept H - No Map Rev (1)

Fiscal Impact:

N/A

Staff Recommendation:

Staff recommends approval.



Staff Report

To: City Council
From: Audrey McGuire, AICP
Re: USE-0009-22_Trump Place Boat & RV Storage
Date: February 27, 2023

I. BACKGROUND INFORMATION

Request for conditional use submitted by RCE Investment Group, LLC for a recreational vehicle storage facility on approximately 2.57 acres of real property generally located on the east side of Trump Place, north of Correia Drive in the Park Place Industrial Park. The Land Development Code currently requires that recreational vehicle storage uses in LI zoning be considered as a conditional use.

The applicants have resubmitted with 8,700 square feet of structure proposed on the site and are asking City Council to reconsider the Conditional Use request.

SUBJECT PROPERTY – *See Attachment 1*

Location: 19-26-22-0010-00000-0090 2.57 acres MOL No address assigned

Applicant(s): RCE Investment Group, LLC (Trump Place Boat & RV Storage)
29619 Morningmist Drive
Wesley Chapel, FL 33543

II. DATA & ANALYSIS

STANDARDS OF A CONDITIONAL USE

Part 11.10.00 of the Land Development Code establishes standards which are required to be met in order for a Conditional Use to be granted. The standards are outlined below with a statement of compliance to the standards specific to this project.

1. **The proposed conditional use will not adversely affect or contribute to the deterioration or quality of life or property values in the immediate neighborhood.**
 - a. The project is located within the Park Place Industrial Park containing light industry and storage uses. The proposed use of Recreational Vehicle Storage will not negatively impact or contribute to deterioration of quality of life/property values within the industrial park or surrounding area as it is similar to other uses existing in the same area and is not generally a large producer of traffic, light, or odors which could impact other properties.

2. **The proposed conditional use is consistent with the character and existing land use patterns in the surrounding area.**
 - a. The project is consistent with the character and existing land use patterns in the surrounding area. It will be developed for Recreational Vehicle Storage with a minimum of 8,700 square feet (12 spaces) covered. Surrounding area properties include:
 - North: Zephyrhills Municipal Airport; vacant/undeveloped industrial lands
 - South: Light Industrial Uses consisting of storage, warehousing, light manufacturing
 - East: Vacant/undeveloped industrial and agricultural lands
 - West: Light industrial uses including recreational vehicle storage; Zephyrhills Municipal Airport
 - b. See Character Analysis below for additional information specific to Park Place Industrial Park.
3. **The proposed conditional use will not create or excessively increase traffic or parking congestion or otherwise affect public safety.**
 - a. Recreational Vehicle Storage facilities are low-traffic generators and will therefore not create or excessively increase traffic or parking congestion, or otherwise affect public safety. The subject property is located on a cul-de-sac and adequacy of access will be reviewed/approved at time of site development.
4. **The site upon which the proposed conditional use is to be located has suitable drainage, access, ingress and egress, off-street parking and loading areas.**
 - a. The subject property has adequate access to Chancey Road via Trump Place.
 - b. The subject property is not located within a basin of special concern but is adjacent to a wetland area. The applicants are providing for floodplain mitigation and additional stormwater retention, as shown on the concept plan. The proposed project will be required to adhere to the standards of Part 4.01.00, LDC, *Protection of Environmentally Sensitive Lands*. Site development plans (including stormwater retention and drainage) shall be designed in accordance with the city's standards and SWFWMD/FDEP stormwater criteria; and permits obtained from SWFWMD and FDEP as applicable.
 - c. Adequate parking for recreational vehicle storage is designed. There are not established standards for off-street passenger vehicle parking for recreational vehicle storage areas.
5. **The site upon which the conditional use is to be located has or may have screening or buffering to prevent interference with the enjoyment of surrounding areas.**
 - a. The subject property will be fenced and will be required to meet minimum landscape screening/buffering requirements established by the LDC for the LI Zoning District (1 tree per 50 linear feet and a continuous shrub row).
6. **The proposed site meets the applicable requirements of the zoning district in which it is located.**
 - a. The subject property currently exceeds the minimum size/area requirements of the LI zoning district. The subject property is not considered to be a non-conforming lot and may be developed in accordance with LDC and building code standards. The proposed use of Recreational Vehicle Storage, if allowed by conditional use, will be developed in accordance with zoning district standards.
7. **Any existing or proposed signs or lighting will not adversely affect surrounding areas or vehicular traffic.**
 - a. The subject property is currently vacant/undeveloped and there is no existing signage or lighting.

- b. Security lighting will be provided. All lighting will be reviewed at the time of site development plan review and shall not interfere with the approach zones of the nearby Zephyrhills Municipal Airport, or spill onto adjacent properties.
 - c. Signage will be reviewed for conformance with Article XIII of the LDC by the Building Department prior to permitting.
8. **The proposed conditional use will not adversely affect the health, safety or welfare of the surrounding community area.**
- a. Recreational vehicle storage is a land-intensive use. The applicants are proposing 8,700 square feet of open-sided, covered vehicle storage space. Impacts to public infrastructure, including utilities and sanitation, is anticipated to be minimal and will not interfere with or adversely affect public health, safety or welfare.

COMPATIBILITY ANALYSIS

The proposed use of Recreational Vehicle Storage is compatible with zoning district and surrounding area uses. Other uses in the area include recreational vehicle storage, warehousing, industrial flex space and light industrial uses. Recreational Vehicle Storage will not interfere with surrounding property uses or values.

CHARACTER ANALYSIS

The applicants are proposing approximately 7.8% of the subject property to be covered with 8,700 square feet of open-sided, covered metal structure. This is consistent with the character of the surrounding area which includes steel/metal buildings and open-sided metal structures. Percentage of lot covered by building/structure within the Park Place Industrial Park ranges from approximately 3.7% to 25.8% (with future planned phases).

CONSISTENCY ANALYSIS

The proposed use of Recreational Vehicle Storage is consistent with the Land Development Code and Comprehensive Plan.

1. Subsection 2.01.03.18 of the Land Development Code describes the LI Zoning district as being established to “identify areas of the city appropriate for the location of light manufacturing, materials processing, storage of bulk commodities, distribution facilities, and similar processes which usually require extensive site area to avoid adverse environmental risks to adjacent land and conflict with other urban activities...”
 - a. The proposed use of Recreational Vehicle Storage is a land-intensive use and is consistent with the definition of the LI Zoning District.
2. Table 2.02.01, *Allowable Uses in Zoning Districts* permits Recreational Vehicle Storage to be considered as a conditional use in the LI Zoning district.
 - a. The proposed use of Recreational Vehicle Storage meets the standards for issuance of a conditional use and, if approved, would be consistent with zoning district requirements to establish the use.
3. The Future Land Use Element of the City’s 2025 Comprehensive Plan identifies storage uses as a primary use under the IN (Industrial) land use category. It further goes on to describe the industrial land use and light industrial activities which “...range from ones that are very land intensive but require few public services or facilities, such as open storage and warehousing, to others that require less land but need a full range of public services and facilities, such as light manufacturing.” (Page LU-3).
 - a. The proposed use of Recreational Vehicle storage is consistent with the IN Future Land Use classification as it is a land-intensive activity requiring few public services/facilities and can be defined as storage use.

III. PRIOR ACTION

SITE PLAN REVIEW COMMITTEE

The Site Plan Review Committee recommended approval at its October 18, 2022 meeting.

PLANNING COMMISSION

The Planning Commission recommended approval at its November 15, 2022 meeting. No additional conditions were recommended.

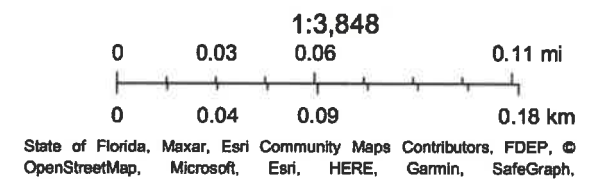
CITY COUNCIL

At the December 12, 2022 meeting, City Council heard the planning report and denied the application from moving forward on the basis that there were not any buildings/structures.

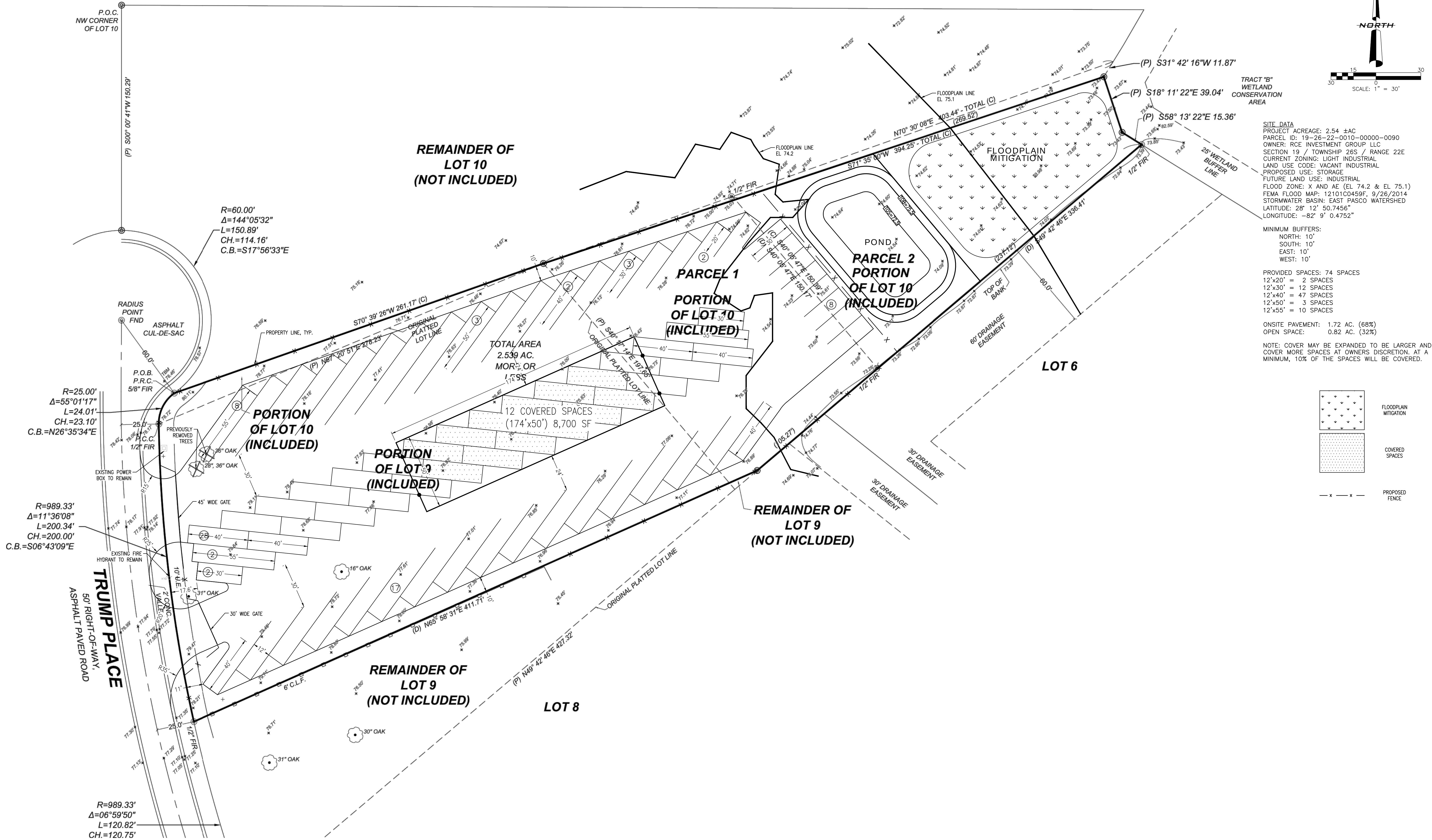
RCE Investment (Trump Place Boat & RV Storage)



12/1/2022



File: R:\Projects\Trump Place Storage_Zephyrhills\Plans\Trump Place BASC H; Plotted: 2/10/2023 1:48 PM by FLODELIZA DIMAKILING; Saved: 2/10/2023 1:38 PM by FLOR



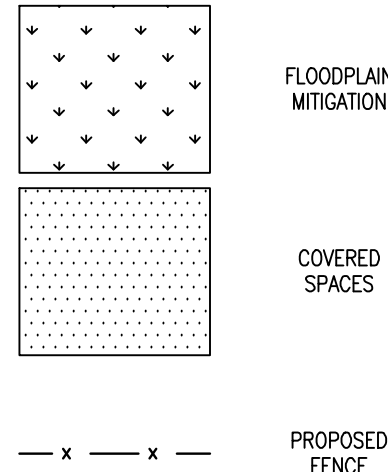
SITE DATA
PROJECT ACREAGE: 2.54 ± AC
PARCEL ID: 19-26-22-0010-00000-0090
OWNER: RCE INVESTMENT GROUP LLC
SECTION 19 / TOWNSHIP 26S / RANGE 22E
CURRENT ZONING: LIGHT INDUSTRIAL
LAND USE CODE: VACANT INDUSTRIAL
PROPOSED USE: STORAGE
FUTURE LAND USE: INDUSTRIAL
FLOOD ZONE: X AND AE (EL 74.2 & EL 75.1)
FEMA FLOOD MAP: 12101C0459F, 9/26/2014
STORMWATER BASIN: EAST PASCO WATERSHED
LATITUDE: 28° 12' 50.7456"
LONGITUDE: -82° 9' 0.4752"

MINIMUM BUFFERS:
NORTH: 10'
SOUTH: 10'
EAST: 10'
WEST: 10'

PROVIDED SPACES: 74 SPACES
12'x20' = 2 SPACES
12'x30' = 12 SPACES
12'x40' = 47 SPACES
12'x50' = 3 SPACES
12'x55' = 10 SPACES

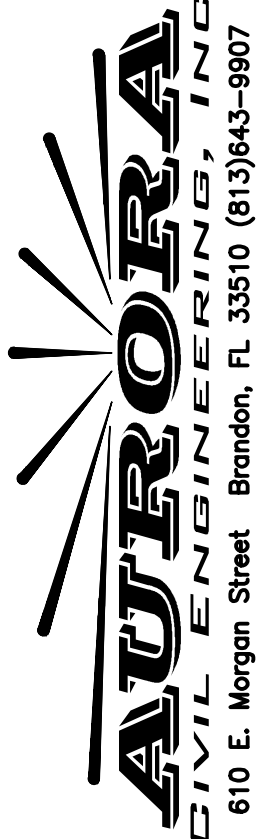
ONSITE PAVEMENT: 1.72 AC. (68%)
OPEN SPACE: 0.82 AC. (32%)

NOTE: COVER MAY BE EXPANDED TO BE LARGER AND COVER MORE SPACES AT OWNERS DISCRETION. AT A MINIMUM, 10% OF THE SPACES WILL BE COVERED.



SITE PLAN

TRUMP PLACE STORAGE



CITY MANAGER'S REPORT 5.1

Main Street Sip & Stroll Wet Zone

Issue:

Main Street Sip & Stroll Wet Zone

Background:

Special Event alcohol application submitted by Main Street Zephyrhills, Inc for a Sip & Stroll event on Saturday, March 10th, 2023 from 5:00 PM to 8:00 PM.

Main Street is requesting to create a temporary wet zone along 5th Avenue between 7th and 9th Streets, including 8th Street from 4th to 6th Avenue and Clock Plaza.

Alcohol will be sold and/or distributed by businesses along 5th Avenue.

The applicants did have a meeting with Public Works and the Police Department to discuss the event; no issues were raised.

Attachment(s):

1. Sip & Stroll Special Event Permit (1)
2. Main Street Market New Map
3. Sip & Stroll Map

Fiscal Impact:

N/A

Staff Recommendation:

Staff recommends approval conditional upon receipt of a DBPR Temporary Alcohol Permit and updated certificate of insurance (to include host liquor liability) prior to the event.

SPECIAL EVENT PERMIT

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



TERMS & CONDITIONS

1. Applications must be filed with the City of Zephyrhills Planning Department no less than 60 days and no more than 12 months prior to an event. Permits for recurring events may be applied for and approved annually.
2. The grant of a permit shall constitute the issuance of a limited license, and shall not create a property right, or entitle the applicant to violate any general city rules, or regulations applicable to the use of public property adopted by ordinance.
3. The applicant shall be responsible for the payment of fees, deposits, or reimbursement of costs where a request is made to use City services, equipment, or property for a special event. In addition, the applicant shall be responsible for all costs incurred should inspection services be required in order ensure compliance with City ordinances. **Any costs of repairs to or restoration of public facilities caused by the event shall be charged to the applicant.**
4. It is the applicant's responsibility to contact the City of Zephyrhills Police Department immediately upon the occurrence of any criminal activity or medical incidents where fire rescue is called or treatment is given. In addition, the applicant shall document all incidents in the Post-Event-Report to be provided to the City of Zephyrhills a minimum of 1 week after the event.
5. All forms contained in this packet are required to be completed. Please refer to the checklist contained in this packet for additional documents required for submittal. Incomplete applications will not be accepted.

*Event Contact Person

ERIN BEASLEY

*Phone

813-780-1414

*Email

director@mainstreetzephyrhills.

*Organization Name

MAIN STREET ZEPHYRHILLS

*Date Incorporated

8/6/94

*Employer ID # (EIN)

59-3192201

☒ ACTIVE

☐ INACTIVE

*Event Name

Sip & Stroll Art Walk & Night Parade

*Event Date

3/10/23

*Event Times

5-8 PM

Entry Fee

0

Co-Sponsor

*Type of Event

☒ Run / Walk

☐ Parade

☐ Festival

☒ Other

*Has this event taken place in Zephyrhills before?

☐ Yes – Annual Event

☐ Yes – Once

☒ No

*Requested City Facility – Mark All that Apply (\$\$ symbol indicates associated fees).

☐ Zephyr Park

☐ Downtown 5th Ave.

☐ Krusen Park

☐ Airport Venue \$\$

☐ Alice Hall @ Zephyr Park \$\$

☒ Clock Plaza on 5th Ave.

☐ Skate Park

☐ Veteran's Memorial Park

☐ Wickstrom Stage @ Zephyr Park

☐ Gunner Paw Park

☐ Shepard Park

*Estimated Attendance

100

Estimated Number of Vendors

32

Number of Parade or Run/Walk Entries (if applicable)

n/a

ALCOHOLIC BEVERAGE CONSUMPTION PERMIT

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



TERMS & CONDITIONS

1. Applications for Consumption of Alcoholic Beverages in conjunction with Special Events must be approved by City Council. Applications must be filed with the City Manager not less than 2 months prior to an event.
2. Events including the consumption of alcoholic beverages must attach proof of liability insurance in the amount of \$2,000,000 (Two Million Dollars) naming the City of Zephyrhills as an additional insured (Certificate Holder).
3. No applicant shall be issued more than 3 (three) permits per year, and no permitted events may exceed two days in duration.

Required Supportive Materials

1. Diagram / map depicting specific, clearly identifiable, designated and secure areas within the event venue where beverage sales and consumption are to occur.
2. Documentation of appropriate applications for State Alcoholic Beverage licensing for the event.

*Event Name

Sip & Stroll Art Walk & Night Market

*Event Date(s)

3/10/23

*Event Time(s)

5-8 PM

*Please provide a general description of how the use of alcohol will be incorporated into the proposed event. *Attach extra sheets if necessary.*

Main Street will provide free wine & plastic wine glass for participating in the Art Walk to local merchants on 5TH Ave. to be entered into a drawing for prize. Must be 21 & over

*Provide a description of how security and beverage law compliance will be provided, including hours of sale and consumption during the event. *Attach extra sheets if necessary.*

Wine will be poured by staff at Main Street tent at clock plaza. 5-8 PM

*Provide a description of the types(s) of beverages(s) and beverage containers to be used in conjunction with the event. *Attach extra sheets if necessary.*

red and white wine
plastic stemless wine glass

By signing below, the applicant fully understands, acknowledges and agrees to all terms and conditions stated on this form. Failure to meet the terms and conditions stated above shall result in a void of permit for alcoholic beverages.

*Event holder signature

Erin Beasley

*Date

2/1/23

CITY USE ONLY

Submittal Date

Approval Date

Signature

INDEMNITY AGREEMENT

Hold Harmless

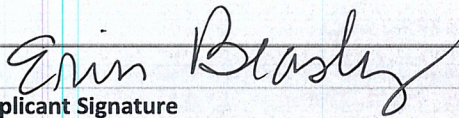
City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



MAIN STREET ZEPHYRHILLS, INC

, here on known as the APPLICANT shall indemnify and hold harmless the CITY OF ZEPHYRHILLS and all of the CITY OF ZEPHYRHILLS' officers, agents, and employees from and against all claims, liability, loss and expense, including reasonable costs, collection expenses, attorneys' fees, and court costs which may arise because of the negligence (whether active or passive), misconduct, or other fault, in whole or in part (whether joint, concurrent, or contributing), of the APPLICANT, its officers, agents or employees in performance or non-performance of its obligations under the Agreement. The APPLICANT recognizes the broad nature of this indemnification and hold harmless clause, as well as the provision of a legal defense to the CITY OF ZEPHYRHILLS when necessary, and voluntarily makes this covenant and expressly acknowledges the receipt of such good and valuable consideration provided by the CITY OF ZEPHYRHILLS in support of this indemnification, legal defense and hold harmless contractual obligations in accordance with the laws of the State of Florida. This clause shall survive the termination of this Agreement. Compliance with any insurance requirements required elsewhere within this Agreement shall not relieve the APPLICANT of its liability and obligation to defend, hold harmless and indemnify the CITY OF ZEPHYRHILLS as set forth in this article of the Agreement.

Nothing herein shall be construed to extend the CITY OF ZEPHYRHILLS' liability beyond that provided in Section 768.28, Florida Statutes.


Applicant Signature

2/1/23

Date

ERIN BEASLEY

Printed Name

MAIN STREET ZEPHYRHILLS

Name of Affiliated Entity

MAIN STREET DIRECTOR

Representative Capacity of Person Signing

11-26-21
TOWN OF ZEPHYRHILLS
PB 1 PG 5

Food Truck

Food Truck

1 2 3 4 5 6 7 8

Produce Stand

11 12 13 14 15 16 17

22 21 20 19 18

Flowers

9 10



Loading and Unloading
Zone



VENDOR PARKING

Block 168

MAP LEGEND

- | | | | | | |
|--|--|--------------------------------|----------------------------|-----------------------------|--------------------------------|
| A. Village Inn | E. Your CBD Store, Lion's Den,
Lavish Lox Beauty, Axs of Kindness | J. Song Printing, Phone Repair | P. Main Street Billards | U. Vintage Chix | AA. Fraternal Order of Eageles |
| B. McClain Alfonso, Styles by Sholanda | F. United Church of God | K. Zephyrhills Brewing | Q. Nelson's Barbershop | V. Hudgin's Law Firm | BB. Future Home of Main Street |
| C. Sylvan Learning Center | G. The Painted Pixie Salon | L. 7-11 | Home Theater, Salon on 5th | W. | CC. Tire's Plus |
| D. Your Turn-A Board Game Cafe | H. Faithful Friends | M. Chamber of Commerce | R. Lamplighter Furniture | X. Goin'Postal | |
| | I. Mainstreet Ink | N. Women's Club | S. Lee Reed Insurance | Y. The Gentlemen's Quarters | |
| | | O. Captain Jeffries House | T. | Z. John E. Henson P.A. | |
- Blockade
 Restroom



Sip & Stroll Art Walk & Night Market

Friday March 10 5-8 PM

RESOLUTION NO. 810-23

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS RELATED TO HEIGHT; APPROVING A CONDITIONAL USE TO EXCEED THE HEIGHT LIMITATIONS OF THE C-2 (COMMUNITY COMMERCIAL) ZONING DISTRICT ON PARCEL NO. 34-25-21-0190-00000-0010; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application was filed by Flagship Companies Group, LLC (as authorized by owner) for a conditional use to exceed the height limitations of an indoor storage facility in C-2 (Community Commercial) zoning district to allow three-story, structure to be located on approximately 4.10 acres of real property owned by WLN Zephyrhills LLC and generally located north of Pretty Pond Rd and West of Gall Blvd. with the parcel ID no. 34-25-21-0190-00000-0010; and

WHEREAS, the subject property zoning is C-2 (Community Commercial) which allows the proposed indoor storage facility; and

WHEREAS, the City of Zephyrhills Land Development Code, Pursuant to Subsection 7.09.16 a conditional use petition is required for indoor storage facilities outside the CRA / FBC boundaries exceeding one story / 15' height.

WHEREAS, the application for a conditional use to exceed the height limitations of the zoning district has been found to be in compliance with the requirements of Subsection 7.01.01.04 and the standards of a conditional use outlined in Part 11.10.00 of the City of Zephyrhills Land Development Code; and

WHEREAS, the granting of the conditional use shall be subject to the following:

1. The holder of a conditional use permit shall be authorized to utilize the site or location of the use only in a manner specified in the written approval and conditions specified therein. Any substantial expansion, alteration or change in the conditional use authorized by the written approval must be reviewed by City Council in the same manner in which the original conditional use was reviewed.
2. An expansion, alteration or change of a conditional use shall be deemed to exist where a substantial modification of the standards provided for in number 1 above results from activity associated with the conditional use or a substantial change of circumstances or conditions arise.
3. The conditions and stipulations shall become part of the written approval and must followed by the applicant or any successor in interest.
4. The conditional use shall run with the subject property.
5. The conditional use shall obtain an approved site development plan and all necessary permits from the City of Zephyrhills or other jurisdictional entity, and shall pay all related impact fees.
6. The applicant shall be permitted to construct an indoor storage facility with the following conditions:
 - a. The following height limitations shall not be exceeded, to wit: 44 feet, inclusive of parapet.
 - b. The following agreed to standards shall be complied with: 1.) Enhanced perimeter buffering/landscape along the west and south side of property. 2.) Obtain all required agency permits.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA:

- | | |
|------------|---|
| Section 1. | The foregoing findings are incorporated herein by reference and made a part thereof. |
| Section 2. | The application to construct an indoor storage facility / use on property having the parcel ID no. 03-26-21-0010-00100-0020 is hereby approved. |

- Section 3.

The conditional use is approved for the benefit of the applicant and the applicant’s successors and/or assigns and for the use as specified within the application only, subject to the conditions stated herein. The character and benefit of this conditional use shall not change but must be transferred without City Council approval by resolution.
- Section 4.

The City Council does hereby expressly find that the provisions of this resolution are in conformity with the Comprehensive Plan of the City of Zephyrhills, as amended

This Resolution No. 810-23 shall run with the subject property and shall inure to the benefit of and be binding upon Flagship Companies Group, LLC, as owner, and its successors and assigns. All references to “applicant” herein shall mean Flagship Companies Group, LLC and its successors and assigns.

The foregoing Resolution No. 810-23 was read and passed, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, FL on this 27th day of February, 2023.

Attest: _____

Lori L. Hillman, City Clerk

Jodi Wilkeson, Council President

The foregoing Resolution No. 810-23 was approved by me this 27th day of February, 2023.

Gene Whitfield, Mayor

Approved as to legal form and legal content for the sole
reliance of the City of Zephyrhills

Matthew E. Maggard, City Attorney

Staff Report Memorandum

To: The City Council and Honorable Mayor
From: Rodney Corriveau, AICP – Senior Planner
RE: USE 0010-22 Pretty Pond Self-Storage Conditional Use Petition
Date: February 13, 2022

I. BACKGROUND & INFORMATION

A. History | Application Summary

This is an application for a conditional use petition to exceed the height limitations of the C-2 (Community Commercial) zoning district. The proposal is for the construction of a 3-story, 89,062 square foot (SF) self-storage building on a 4.10 acres, more or less (MOL) lot at the recently platted “Market at Zephyrhills”. The project is located at the northwest corner of Pretty Pond Road and US Highway 301/Gall Boulevard, see Figure 1 - Location Map.¹ At its regularly scheduled meeting on December 20, 2022, the site plan review committee (SPRC) recommended approval with conditions of the conditional use to exceed the height limitations of the C-2 zoning designation. The Planning Commission also recommended approval with conditions at its meeting on January 17th, 2023. See Section III, Recommendations, page 16.

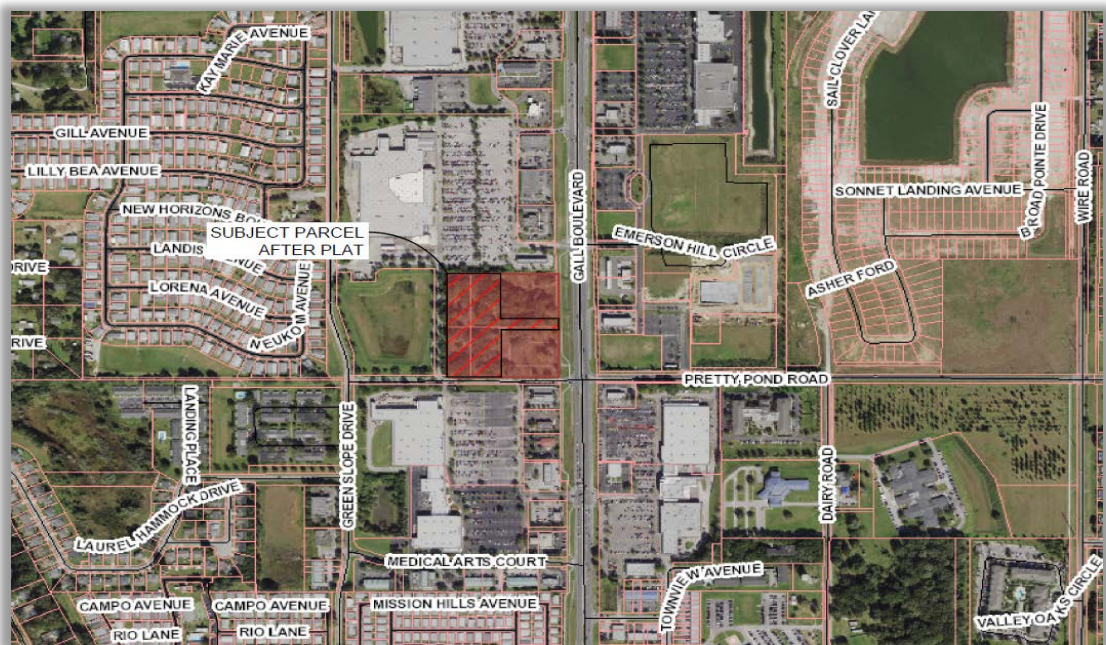


Figure 1 – Aerial Map

Courtesy of CSS

¹ “Figures” contained herein are attached in original format.

B. Site Information

<u>Property Owner:</u>	WLN Zephyrhills, LLC
<u>Petitioner:</u>	Flagship Companies Group, LLC
<u>Authorized Agent:</u>	Scott Stannard, P.E. of Commercial Site Solutions (CSS)
<u>Location:</u>	Corner of Pretty Pond Road and Gall Blvd, Zephyrhills
<u>Parcel ID Number(s):</u>	34-25-21-0190-00000-0010
<u>Acreage:</u>	4.10 Acres (178,596 SF), MOL
<u>Existing Use of Land:</u>	Vacant
<u>Existing Land Use:</u>	MU (Mixed Use)
<u>Existing Zoning:</u>	C-2 Community Commercial
<u>Proposed Floor Area Ratio (FAR):</u>	.5
<u>Maximum FAR:</u>	1.0
<u>Proposed Height:</u>	3 Stories at 44 feet inclusive of parapet
<u>Water Usage:</u>	Minimal ²



Photo 1 - Project View from Gall Blvd.

Courtesy of Google Imagery, Jul 2022

² Email from John Bostic, Utilities Director to Rodney Corriveau, Senior Planner dated January 25th, 2023 “The water use for this type is very, very minimal and is of no concern.”

C. Existing Conditions

The proposal is located on lot 4 of the newly subdivided 8.42 Acre, MOL “Market at Zephyrhills” development. Lot 4 is 4.10 Acres, MOL. The current zoning for the property is C-2. Site permits were approved in 2021 for mass grading of the (former) vacant trailer park. Grading is complete on the overall property, and the installation of infrastructure is nearly complete. Construction of proposed retail users will soon be underway on the parcels adjacent to US Highway 301; the Radiant car wash recently broke ground and is currently going verticle.

The surrounding parcels to the north and south are commercial uses with similar C-2 zoning. Abutting the parcel on the western side is an existing stormwater management pond that serves the Walmart development to the north.

The overall site has direct access to US 301/Gall Blvd. via a right-in/right-out, and full access to Pretty Pond Road. The proposed self-storage parcel will tie into a master stormwater, water, and sanitary sewer system that was permitted and constructed as a part of the Market at Zephyrhills infrastructure permit. Please see Photo 2- Project Viewed from Interior with Southerly view.



Photo 2- Project Viewed from Interior with Southerly View

Courtesy of R. Corriveau, Jul 2022

D. Proposed Conditions

The proposed use for the project is to construct a 3-Story, 44-foot high (41 feet with a 3-foot parapet), 89,062 SF self-storage facility. To accommodate the proposed development, the applicant is requesting a conditional use permit for height, as three story-self-storage facility is not permissible as-of-right under C-2 Community Commercial Zoning. The development will also allow for the on-site storage of RV vehicles along the west side of the building, effectively screened from US Highway 301 and Pretty Pond Road. Please see Figure 6 - Perspective View: West to Gall Blvd. Illustration. This area was subject to a condition of additional buffering by the SPRC and Planning Commission discussed in Section III – Recommendations on page 16.

Access for the development will be provided by direct access to US Highway 301/Gall Blvd. (a State road) and Pretty Pond Road (a City road). Access to the site has been permitted and constructed as a part of the “Market at Zephyrhills” infrastructure plans and warrants for road improvements were analyzed and accommodated at that time based on future potential uses.

Stormwater treatment and attenuation will be provided by the existing master stormwater pond. This pond serves the proposed retail developments for the entire “Market at Zephyrhills” project, and was designed/permitted per City of Zephyrhills and SWFWMD regulations. Per FEMA map 12101C0289F (9/26/14) the site previously lay within Flood Zone X and AE (120.8). Flood plain compensation was completed and permitted under SWFWMD ERP 43042696.003 (5/17/21).

The development will include landscaping per City of Zephyrhills LDC requirements. The proposed retail developments directly abutting US Highway 301 will offer additional screening for the proposed self-storage facility, please see landscape discussion under “Conditional Use Requirements” for more detail.

II. DATA & ANALYSIS REVIEW

1- Subsection 7.01.01.04 – Height Regulations

The applicants are requesting to exceed the 2-story (30-foot) height limitation of the C-2 zoning district (LDC Subsection 7.01.01.04, Height Regulations) to construct a 3-story self-storage facility measuring a total of 44-feet high, inclusive of parapet. Three story buildings are classified as “mid-rise structures,” under Subsection 7.01.01.04 in the LDC. Mid-rise structures may be permitted to exceed the height limitations of a zoning district as a conditional use, subject to the following:

- a. Mid-rise structures, when permitted, may be erected to a height not exceeding 75 feet if the building is set back from each setback line at least one additional foot for each 2 feet of building height above 30 feet. This requires a minimum of a 37 foot setback. The building is setback approximately 100 feet from the property line, and 350 feet from Gall Blvd.

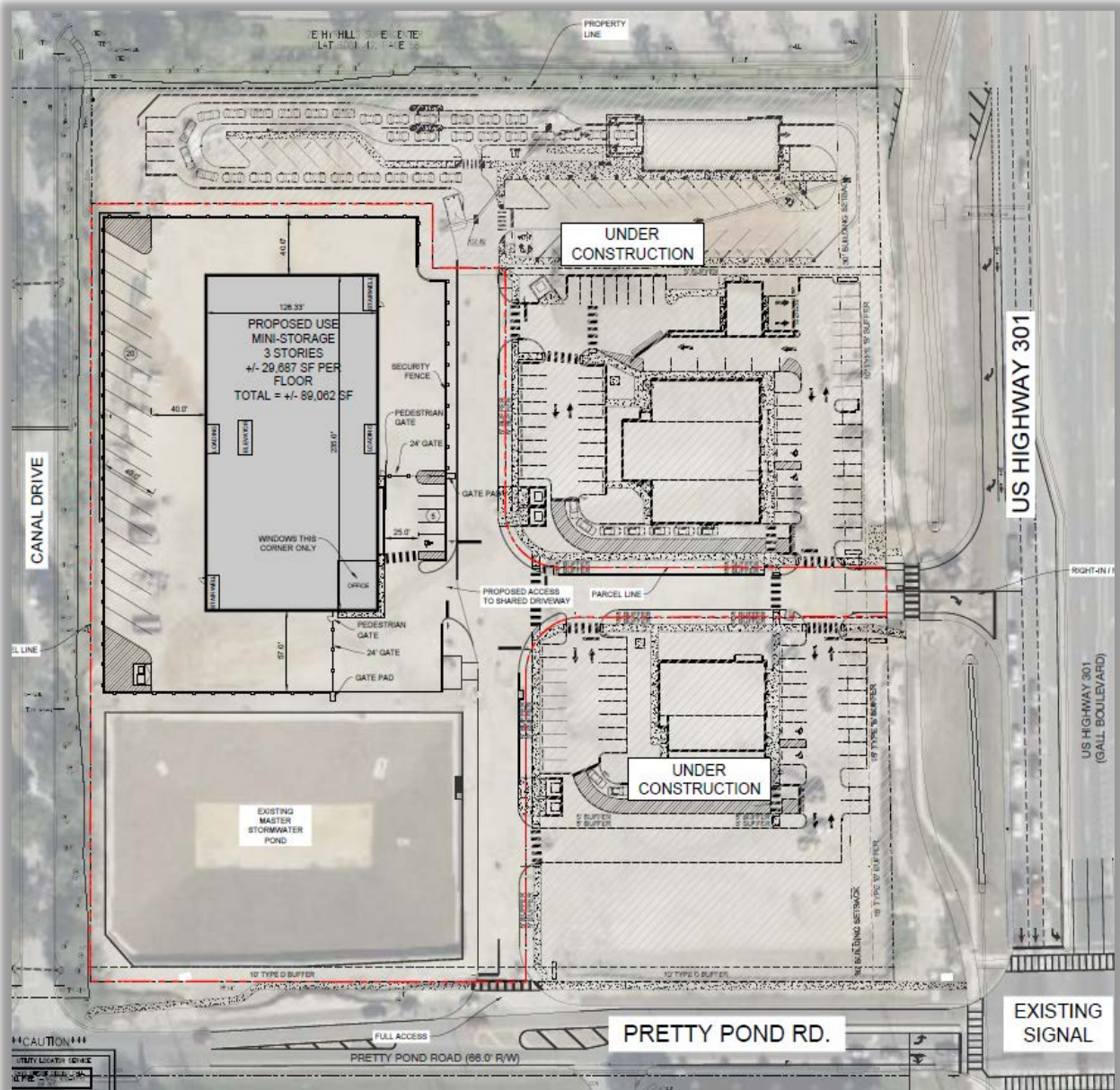


Figure 2 – Proposed Concept Plan

Courtesy of CSS

The conceptual site plans provided by the applicants indicate a maximum building height of 44 feet, as measured from the centerline of the closest adjacent street, which is US 301/Gall Blvd. The City of Zephyrhills LDC requires an additional one-foot (1) setback for each two (2) feet of building height above 30 feet (Sec. 7.01.01.04(B)(3)(b)). Lot Number 4, is situated at the northwest corner of the “Market at Zephyrhills”, therefore the proposed development is situated in an optimal location as it achieves the required setback and is *behind (future)* commercial development which will front US 301/Gall Blvd. See Figure 2 – Proposed Concept Plan. Also, see Figure 3 – Perspective View from Gall Blvd. Illustration (subject building is in the rear of the illustration). Additional perspective views and elevations are attached to this report.



Figure 3 – Perspective View from Gall Blvd. Illustration

Courtesy of Eleven18 Architecture

- b. In no case shall a structure exceed the height limitations determined to protect the approach and clear air zones established for the Zephyrhills Municipal Airport, as currently adopted or subsequently amended

All applicants for site development/construction plan approvals and permits are required by City Ordinance to complete the FAA’s online notice criteria tool. Verification from the FAA that a project is not of concern or a possible obstruction is required to be provided to the city prior to the issuance of any permits. Should a project be determined to be of concern, the FAA will require an extended review process on their end. The subject 3-story building proposed in this application for conditional use is not expected to be of concern due to proximity from airport. Written verification through the FAA’s notice criteria tool is required.

- c. Compliance with Resolution # 147 is required.

City Resolution No. 147 primarily pertains to the allowance of mid-rise structures and additional conditions related to the Fire Department. All plans shall meet the adopted building code and fire code standards, as well as any additional standards which may be required by Pasco County Fire Rescue.

2 - Conditional Use Requirements (LDC Part 11.10.00)

- A. The proposed conditional use will not adversely affect or contribute to the deterioration of life or property values in the immediate neighborhood

The purpose of a Conditional Use permit is to, in part, mitigate any potential impacts to adjacent properties and the community in general. The project shall therefore be designed to prevent adverse impacts and avoid deterioration of quality of life or property values in the immediate neighborhood. The applicant will be required to meet minimum site design standards **and** enhanced standards can, and will be required for landscaping, buffering and screening to reduce any potential impact.

- B. The proposed conditional use is consistent with the character of and existing land use patterns in the surrounding area.

The proposed commercial use as a self-storage facility is consistent with the current Future Land Use and Zoning designations in the surrounding area which is C-2. The project location is on the commercial spine of the City. The applicants have provided conceptual renderings of the proposed 3-story building in relation to existing development and topography in the area. Furthermore, the site has been designed to utilize the existing topography to the greatest extent possible. It is not anticipated that the proposed conditional use will create or excessively increase traffic or parking congestion, or otherwise negatively affect public safety. See Figure 4 – Southeast Perspective View.



Figure 4 – Southeast Perspective View

Courtesy of Eleven18 Architecture

Site access is serviced via a curb cut along US 301/Gall Blvd which provides right-in and right-out only ingress/egress. The site is also serviced via a full access point along Pretty Pond Road, immediately east of the existing stormwater pond.³ Please refer to Figure 2 - Proposed Concept Plan and Figure 4 – Perspective View from Pretty Pond Illustration. Additionally, sidewalk improvements aiding in pedestrian connectivity have been constructed for the general site.

- C. The site upon which the proposed conditional use is to be located has suitable drainage, access, ingress and egress, off-street parking and loading areas.

The overall site plan was approved by the SPRC on May 17th 2022. The overall site has been designed with a master stormwater drainage system, and access, ingress has been accounted for, as previously stated. The SPRC recommended approval of the conditional use to exceed height (on December 20, 2022). At that meeting, a thorough review of Lot 4 was conducted to ensure site circulation, access, ingress and egress and off-street parking and loading areas were sufficient. See Figure 5 –South Elevation. The drainage system and roadways in the illustration below are currently installed per approved site plans.



Figure 5 – South Elevation

Courtesy of Eleven18 Architecture

- D. The site upon which the proposed conditional use is to be located has or may have screening or buffering to prevent interference with the enjoyment of surrounding areas.

³ The underlying “Market at Zephyrhills” Final Plat was approved by the City at its regularly scheduled City Council meeting on October 24th 2022.

Perimeter buffer and screening standards of the LDC will be required on all perimeters, around mechanical systems, and dumpster enclosures. Interior and parking lot landscaping, as well as landscaping along retention areas, will also be required to prevent interference with the enjoyment of surrounding areas. (Please note some areas of the site were landscaped during infrastructure installation.) In Figure 6 – Perspective View West to Gall Blvd. Illustration, the subject site takes advantage of an existing, older-growth buffer as well as an increased western perimeter buffer (as a condition of approval from the SPRC and Planning Commission). Additionally, Lot 4 (the subject site) will be required to install an additional buffers adjacent to other internal lots.⁴



Figure 6 – Perspective View: West to Gall Blvd. Illustration

Courtesy of Eleven18 Architecture

⁴ All individual lots at the “Market at Zephyrhills” are required to have internal buffering and overall lot landscaping in addition to the overall site buffering requirements.



SOUTH - C2

Page 88 of 133

The subject site is approximately 4.10 acres, there are no minimum lot area requirements for the C-2 zoning district. The proposed floor area ratio (FAR) of .5 is lower than the maximum allowed FAR of 1.0 in the C-2 zoning district for this type of use. All other zoning district regulations/bulk regulations of the LDC will be reviewed and assessed at the time of site development plan review. There is a proposal for an element of outdoor storage with this self-storage facility. Outdoor storage is permissible as an accessory or ancillary use, and therefore permissible under this proposal.⁵ Please see Figure 7 - Zoning Map.

- F. Any existing or proposed signs or lighting will not adversely affect surrounding areas or vehicular traffic.

Proposed signage shall be consistent with the city's standards as outlined in the LDC Article VIII at the time of permitting. Parking lot and pedestrian lighting shall be designed as to not spill onto adjacent roadways or properties, and will be reviewed at the time of site development plan review, and shall be consistent with LDC minimum requirements.

- G. The proposed conditional use will not interfere with or adversely affect the health, safety or welfare of the surrounding community area.

There is no indication that the proposed conditional use to exceed the height limitations of the zoning district will negatively impact the health, safety or welfare of the surrounding community. Any and all FAA regulations pertaining to building height shall be reviewed by the proper permitting agencies at the time an engineering site plan is presented to the City.

3 – Consistency with Comp Plan

The conditional use permit is consistent with the Goals, Objectives, and Policies of the City of Zephyrhills 2025 Comprehensive Plan. A review of the City's Comprehensive Plan was conducted by the applicant and verified by Staff. Relevant goals, objectives, and policies are identified (italicized) and analyzed regarding consistency of the proposal to exceed the height limitations.

GOAL LU-1: To achieve an economically and diversified tax base that ensures:

- a. that the residential/family character of the City of Zephyrhills is maintained and protected while recognizing the economic benefits of a diversified economic base;*
- b. that recognition of the City of Zephyrhills as a retirement community, a medical/clean industry destination, and an airport community offering recreational and industrial opportunities;*
- c. that enjoyment of natural and man-made recreational resources by citizens and visitors alike; and*
- d. That threat to health, safety, and welfare posed by hazards, nuisances, incompatible and uses, and environmental degradation are minimized.*

⁵ Table 2.02.01, approved per Ord. 1431-21.

Consistent with the above stated goals, the proposed development will bring needed infrastructure to a growing population of City of Zephyrhills by providing self-storage facilities for new and current residents, recognizing that as City of Zephyrhills continues to serve as a retirement designation. It is Staff's understanding that the need for self-storage will increase as citizens require short and long term storage solutions. The self-storage facility's location, behind retail uses can effectuate screening from the public ROW of US 301/Gall Blvd., while also offering services in an area of substantial commercial activity, as identified in the Comp Plan.

OBJECTIVE LU-1-1: To encourage efficient development in areas which will have the capacity to contribute more to the City in revenue than it will consume in services that meet the above-mentioned goals and consistent with this adopted plan.

The existing property was vacant after serving as a mobile home park for many years. The proposed development shall enhance the visual aspects of the vacant property through adherence to the design standards in the LDC, including, but not limited to large-scale building design (Section 7.10.02) and landscape standards (Section 07.04.04). It is Staff's understanding that the tax and utility service revenue of the City will be increased.

POLICY LU-1-1-1: The City shall continue to enforce land development regulations to ensure orderly development, that at a minimum, contain provisions which:

- a. *regulate the subdivision of land;*
- b. *regulate signage;*
- c. *provide for drainage and storm water management;*
- d. *provide requirements for the provision of open space, and safe and convenient on site traffic flow and parking requirements;*
- e. *coordinate future land uses with soil conditions, topography, and availability of facilities and services;*
- f. *ensure that development orders and permits are issued only when it is documented that such development is consistent with the adopted level of service standards and that facilities and services are available concurrent with the impacts of development;*
- g. *protect the limited amount of wetlands and other environmentally sensitive*

The proposed development shall be fully designed and permitted in accordance with the City of Zephyrhills Land Development Code. No construction will begin until all relevant permits have been applied for and obtained by the City of Zephyrhills and other applicable state and local authorities. The proposed self-storage facility is to be constructed on a previously mass-graded site. There are no wetland or environmentally sensitive areas on the property.

OBJECTIVE LU-1-4: The City will develop mechanisms to ensure the protection of archaeological and historical resources.

Per the Florida Master Site File, no cultural resources have been located on the subject development. Additionally, the site has already been mass-graded under a

previous permit. In the event of these resources being discovered, the contractor is instructed to halt all activity on site and contact City of Zephyrhills and State authorities before proceeding with work.

POLICY LU-1-4-3: The City shall comply with State law and guidelines for the investigation of archaeological sites and the disposition of all artifacts which might be found.

Per the Florida Master Site File, no cultural resources have been located on the subject development. The applicant has submitted documentation per the petition requirements additionally, as previously discussed, site has been mass-graded under a previous permit. In the event of these resources being discovered, the contractor shall halt all activity on site and contact City of Zephyrhills and State authorities before proceeding with work.

POLICY LU-1-4-4: The City shall prevent the destruction of significant alteration of historic sites located in the National Register of Historic Places or the Florida Master Site File recognized by City of Zephyrhills, by cross checking all requests for remodeling or demolition permits against these files. A significant alteration is one that changes the exterior appearance of the structure in a manner inconsistent with the original design. Nothing in this policy shall be construed to prohibit modernization, rehabilitation, or adaptive reuse provided that the property is not significantly altered.

Per the Florida Master Site File, no cultural resources have been located on the subject development. The applicant has submitted documentation per the petition requirements. Additionally, as previously discussed, the site has already been mass-graded under a previous permit. In the event of these resources being discovered, the contractor is instructed to halt all activity on site and contact City of Zephyrhills and State authorities before proceeding with work.

OBJECTIVE LU-1-7: All development activities shall ensure the protection of natural resources and potable well fields.

Natural resources shall be preserved on site as site constraints allow. According to City records, no well fields exist on the subject property.

OBJECTIVE LU-1-9: Improve and enhance the visual appearance of neighborhoods and commercial areas in the City.

The subject development shall be designed with architectural standards in accordance with the City of Zephyrhills LDC, and shall be approved by the City to ensure that the visual appearance is in accordance with their requirements. The subject development will utilize the proposed retail uses directly adjacent to US Highway 301/Gall Blvd. to offer additional screening. Moreover, 10' Landscape Buffers shall be utilized along the rear and sides of the property abutting similar uses. Please see previous discussion on landscape buffering and screening in Conditional Use Analysis subsection D. The overall subject site is located in an area identified on the City's Future Land Use Map (FLUM) as Mixed Use (MU).

Most of the City's commercial center is focused along US 301/Gall Blvd. Please refer to Figure 8 – City of Zephyrhills Future Land Use Map.

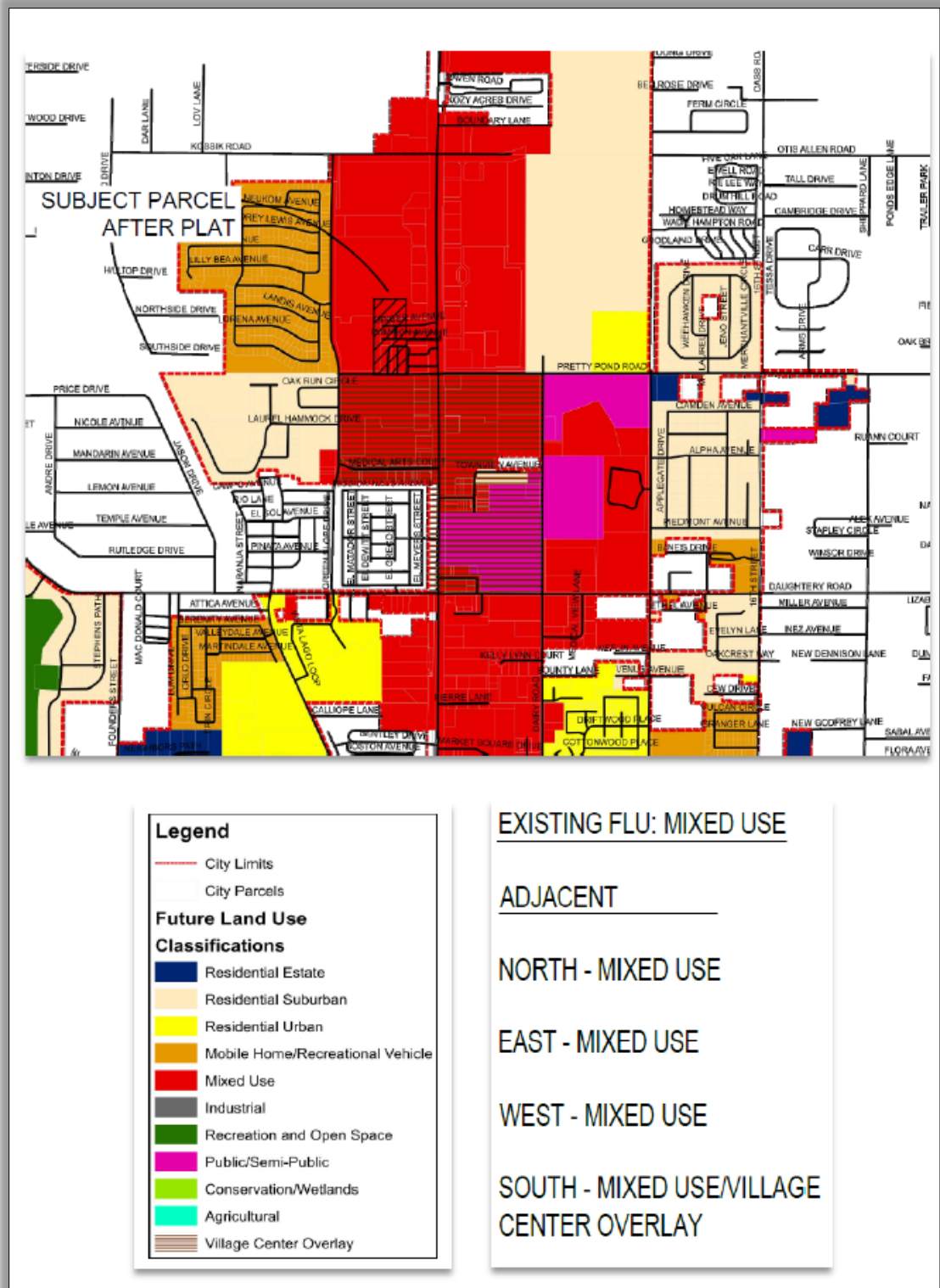


Figure 8 – City of Zephyrhills Future Land Use Map

4- Consistency with LDC and City Ordinances

The subject development shall be designed in accordance with the City of Zephyrhills Land Development Code and City Ordinances.

The self-storage development shall be designed in accordance with City of Zephyrhills LDC ARTICLE VII: DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS

7.01.00 ZONING DISTRICT PERFORMANCE AND DIMENSIONAL STANDARDS:

The subject development shall meet the performance and dimensional standards as stated in the City LDC. The applicant is requesting the conditional use permit to allow the self-storage use in C-2 zoning and allow for a height above the maximum height of 30 ft or 2 stories. Applicant shall meet the required FAR, Buffers, Setbacks, Lot Requirements, and Off-Street Parking requirements as stated for C-2 zoning. Section 7.10.02, additional design standards for large retail buildings shall be adhered to as well.

7.02.02.04 STORMWATER MANAGEMENT

The subject development will be served by an existing master stormwater pond previously approved and constructed with the Market at Zephyrhills development.

7.02.02.07 POTABLE WATER SUPPLY

The subject development will be served by an existing potable water supply previously approved and constructed with the Market at Zephyrhills development.

7.02.02.08 SANITARY SEWER SYSTEM

The subject development will be served by an existing sanitary sewer system previously approved and constructed with the Market at Zephyrhills development.

7.02.02.09 SCREENING WALLS AND LANDSCAPING

The subject development shall meet the required landscaping standard presented in the City LDC. The subject parcel intends to utilize the proposed retail uses directly abutting US 301 Highway in order to additionally screen their development from public ROW.

7.03.03 ACCESS AND CIRCULATION

The proposed development will supply a truck turning plan that illustrates effective circulation around and in the site for fire truck, RV, and garbage vehicles. The proposed development has existing access to both US 301 and Pretty Pond Road via the internal circulation constructed with the Market at Zephyrhills development.

7.03.03.02 PEDESTRIAN ACCESS STANDARDS

The proposed development shall have sufficient pedestrian access to the front of the self-storage facility from both US Highway 301/Gall Blvd. and Pretty Pond Road, connecting

their pedestrian sidewalks to the existing sidewalks constructed as a part of the “Market at Zephyrhills” development.

7.03.04 OFF-STREET PARKING AND LOADING

The proposed development shall supply off-street parking for the self-storage in accordance with City LDC requirements for self-storage, as well as RV storage/parking space on the eastern portion of the property. Handicap spaces will be provided per ADA requirements for number and size of spaces. Loading areas will be provided per 7.03.06.

7.06.00 LANDSCAPING

The subject development shall be designed in accordance to City of Zephyrhills LDC Landscaping. Existing landscaping along the eastern side of the property abutting Canal Drive and along the northern portion of the site was previously installed during the Market at Zephyrhills infrastructure construction. Additional on-site landscaping, and 5’ landscape buffers internally, will be provided.

III. Recommendation

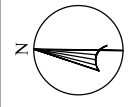
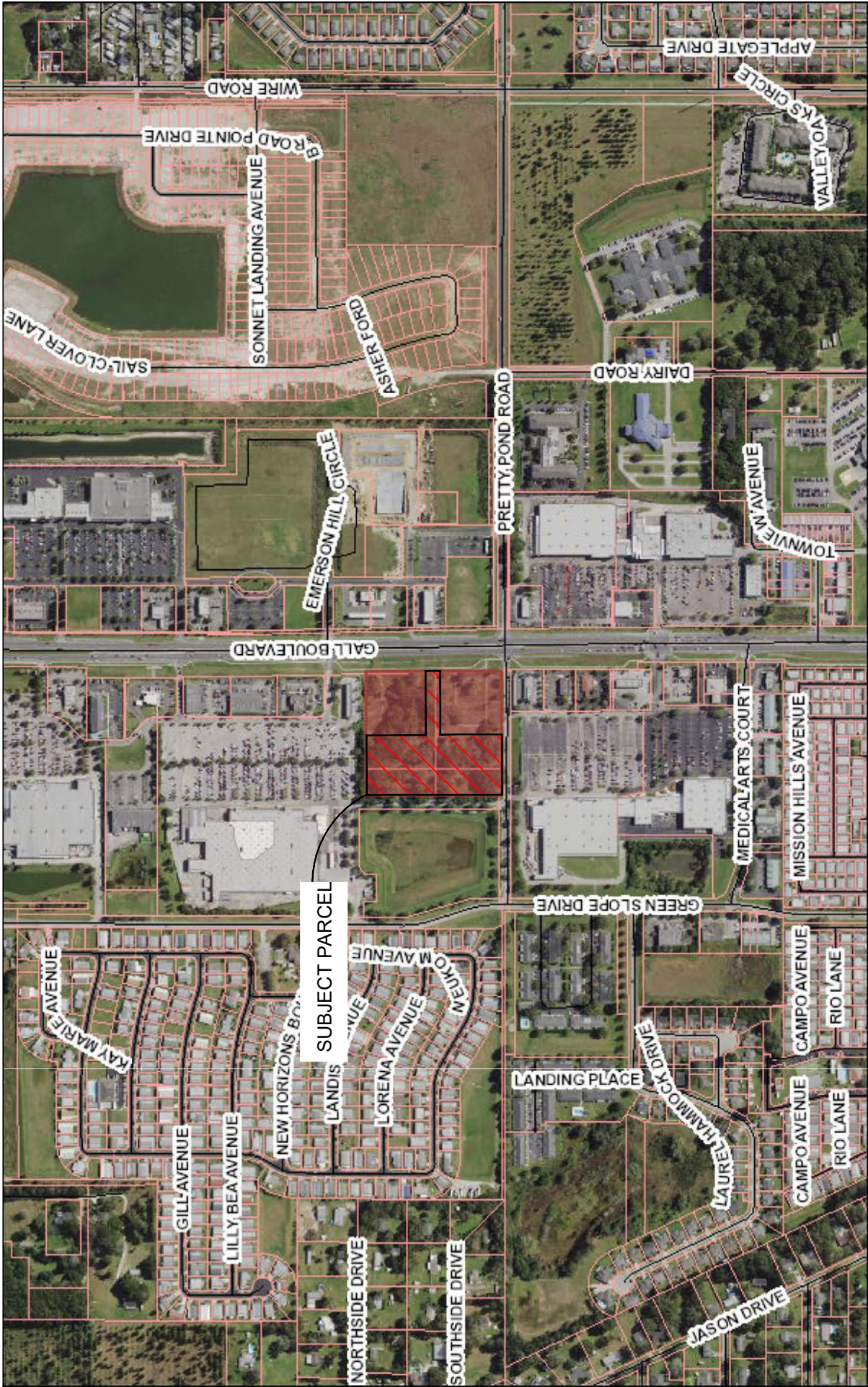
Planning Commission – The Planning Commission, at its regularly scheduled meeting on January 17th, 2023 recommended approval of the conditional use to exceed the height limitations and move the request forward to the City Council. The Commission agreed with the SPRC’s condition of *increased buffering and landscaping along the southern property boundary abutting the stormwater pond and along the western property boundary abutting the access road for Walmart.* Those requests have been incorporated into visuals in the PowerPoint presentation and attached to this report as Figure 5 and Figure 6.

In a separate request, the Commission asked that Staff look into the possibility of a turn-arrow at the newly installed traffic signal at Gall and Pretty Pond Road. Staff has begun the coordination process with the Florida Department of Transportation (FDOT) and is committed to working with the FDOT to attempt to fulfill the Commission’s request.

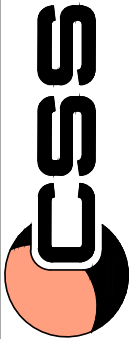
Site Plan Review Committee – The SPRC recommended approval of the conditional use to exceed the height limitations and to move the request forward to the Planning Commission at its regularly scheduled monthly meeting on December 20, 2022 *with the condition of increased buffering and landscaping abutting the stormwater pond and along the western property boundary abutting the access road for Walmart.*

Staff - Recommends approval of this petition for a conditional use to exceed height limitations and agrees with the conditions of the SPRC and Planning Commission discussed herein.

Figure 1 - Aerial Map

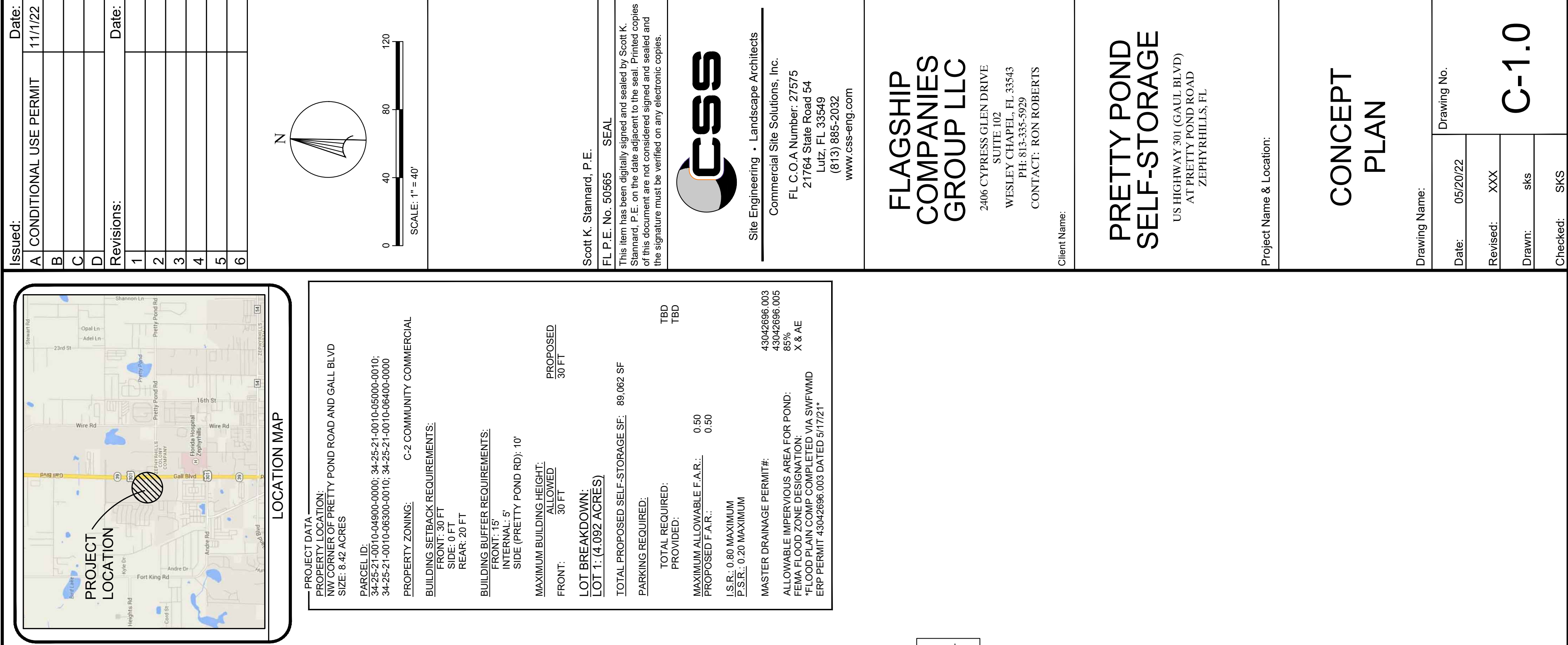
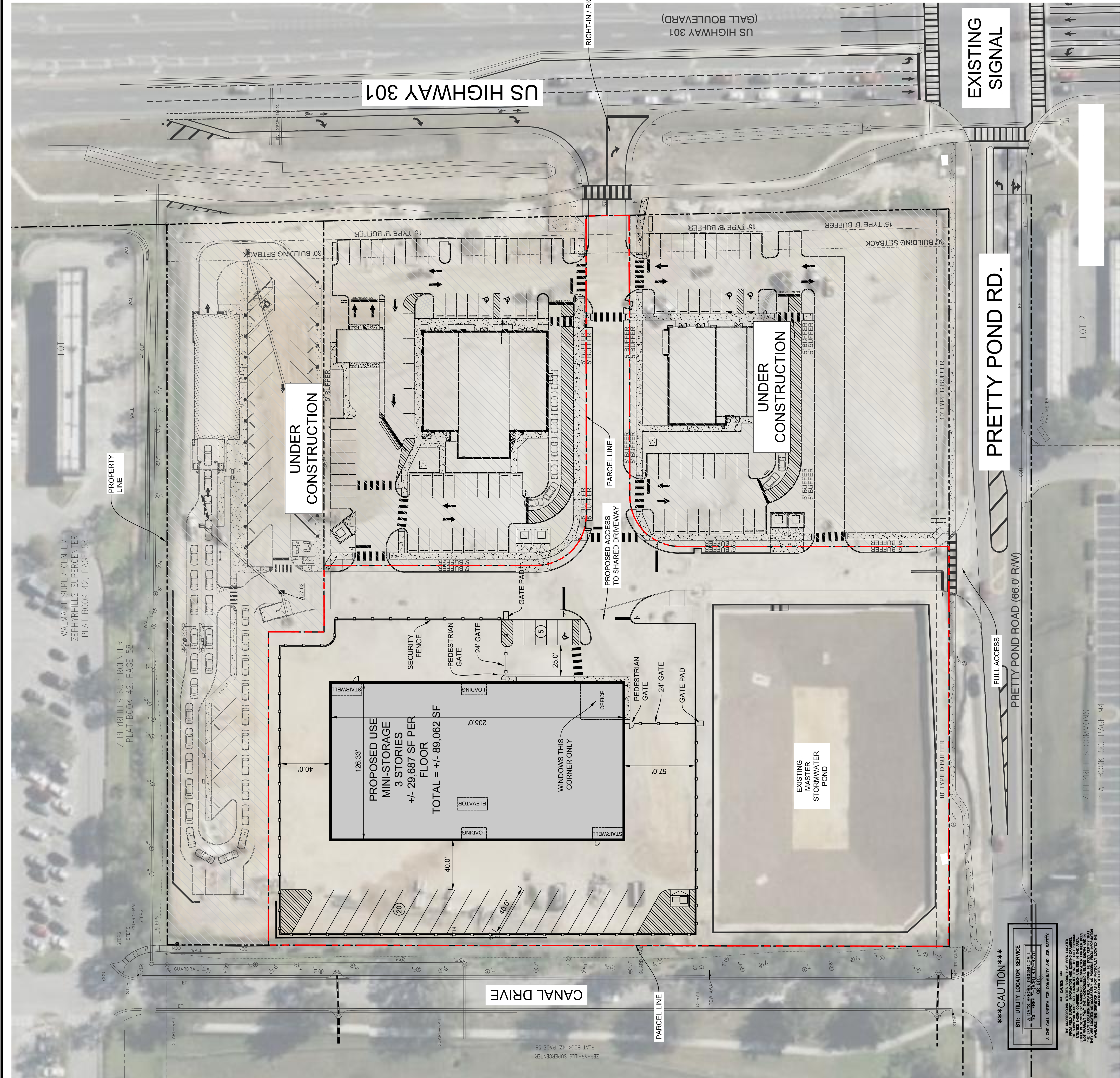


DATE: 10/18/2022



NW CORNER OF PRETTY POND RD & US 301
Zephyrhills, FL

Figure 2 - Proposed Concept Plan



Figures 3 - 6 Perspective Views (with Additional Perspective Views and Elevations not in Staff Report)



Figure 3 – Perspective View from Gall Blvd. Illustration (in Staff Report - Page 6)

PERSPECTIVE VIEW: HWY 301
N.T.S.

PRETTY POND SELF-STORAGE
FLAGSHIP DEVELOPMENT
ZEPHYRHILLS, FL
01 PERSPECTIVE VIEW: HWY 301

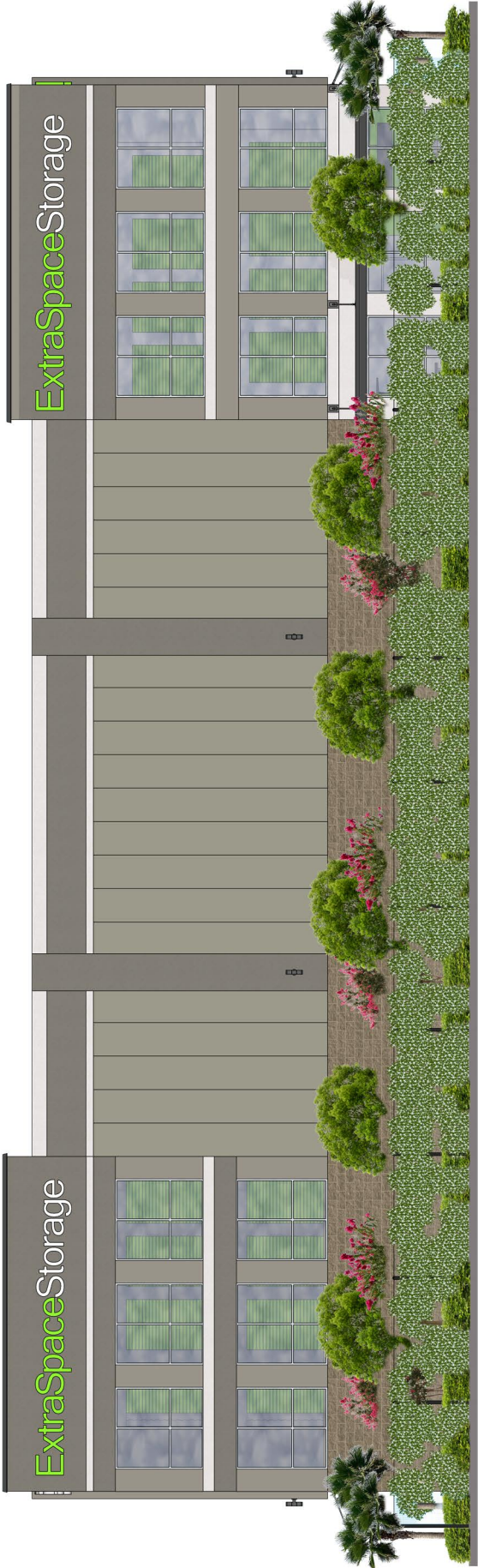


Figure 4 – Southeast Perspective View (in Staff Report - Page 7)

PERSPECTIVE: SOUTHEAST.

SOUTH ELEVATION

Figure 5 – South Elevation (in Staff Report - Page 8)



PRETTY POND SELF-STORAGE
FLAGSHIP DEVELOPMENT
ZEPHYRHILLS, FL
A-002 SOUTH ELEVATION



Figure 6 - Perspective View: West to Gall Blvd. Illustration (in Staff Report - Page 9) - Featuring Increased Screening and Buffering

PERSPECTIVE VIEW: WEST TO HWY 301
N.T.S.

PRETTY POND SELF-STORAGE
FLAGSHIP DEVELOPMENT
ZEPHYRHILLS PRETTY POND, FL
PERSPECTIVE VIEW: WEST TO HWY 301



* Additional Perspective View Not Depicted In Staff Report *

PERSPECTIVE VIEW: NORTH TO PRETTY POND RD

N.T.S.



* Additional Perspective View Not Depicted In Staff Report *

PERSPECTIVE VIEW: INTERSECTION
HWY 301 AND PRETTY POND RD
N.T.S.

PRETTY POND SELF-STORAGE
FLAGSHIP DEVELOPMENT
ZEPHYRHILLS, FL
02 PERSPECTIVE VIEW: INTERSECTION



* Additional Perspective View Not Depicted In Staff Report *

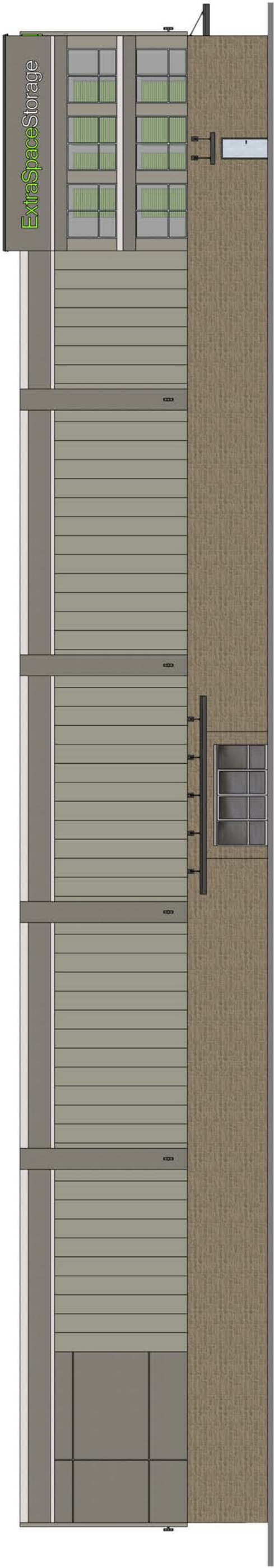
PERSPECTIVE VIEW: PRETTY POND RD TO NORTH

N.T.S.



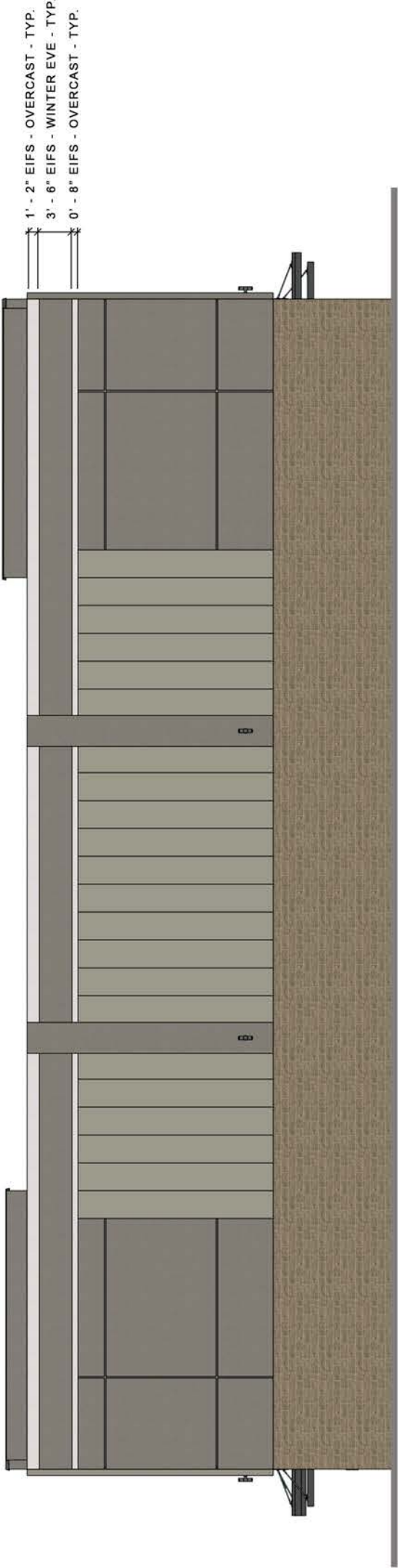
* Elevation Not Depicted In Staff Report *

EAST ELEVATION



* Elevation Not Depicted In Staff Report *

WEST ELEVATION

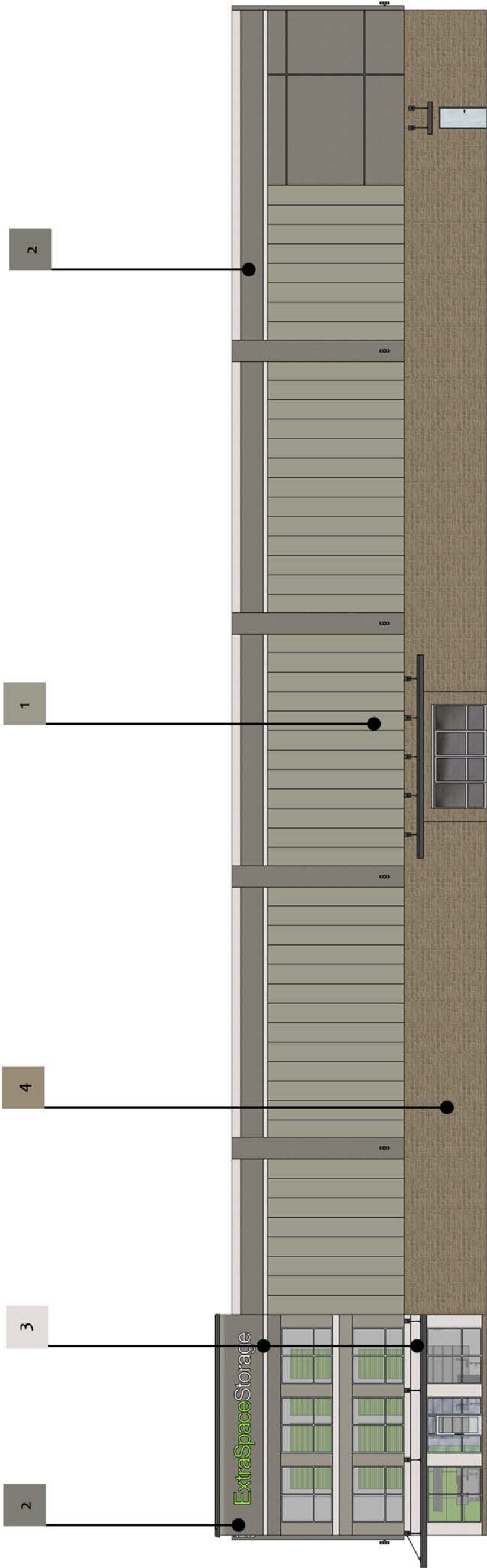


1' - 2" EIFS - OVERCAST - TYP.
3' - 6" EIFS - WINTER EVE - TYP.
0' - 8" EIFS - OVERCAST - TYP.

* Elevation Not Depicted In Staff Report *

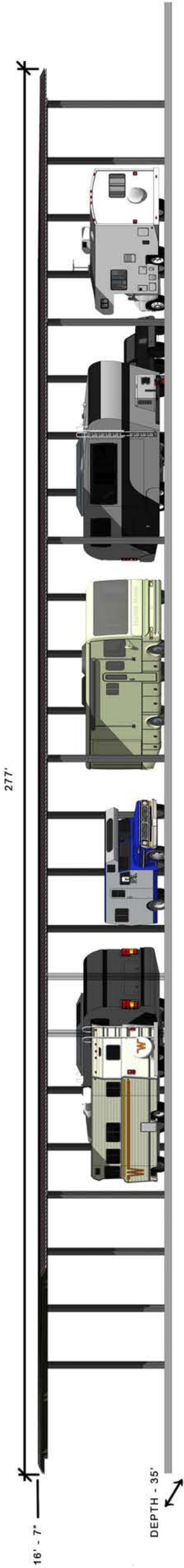
NORTH ELEVATION

1. INSULATED PANEL
 - PANEL: CF ARCHITECTURAL
 - FINISH: LIGHT GRAY
2. EIFS
 - MANUFACTURER: DRYVIT
 - COLOR: 617 WINTER EVE
3. EIFS
 - MANUFACTURER: DRYVIT
 - COLOR: 613 OVERCAST
4. SPLIT FACE BLOCK
 - PAINT: CURIO GRAY- SW 0024



* Elevation Not Depicted In Staff Report *

MATERIAL OUTLINE



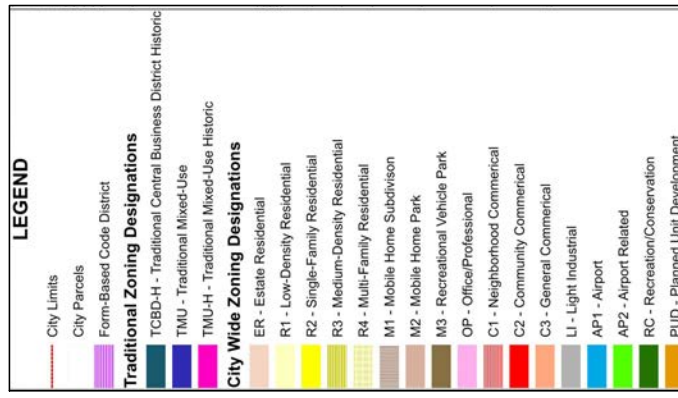
RV CANOPY ELEVATION



* Elevation Not Depicted In Staff Report *

DUMPSTER ENCLOSURE
N.T.S.

Figure 7 - City of Zephyrhills Zoning Map



EXISTING ZONING: C2

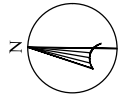
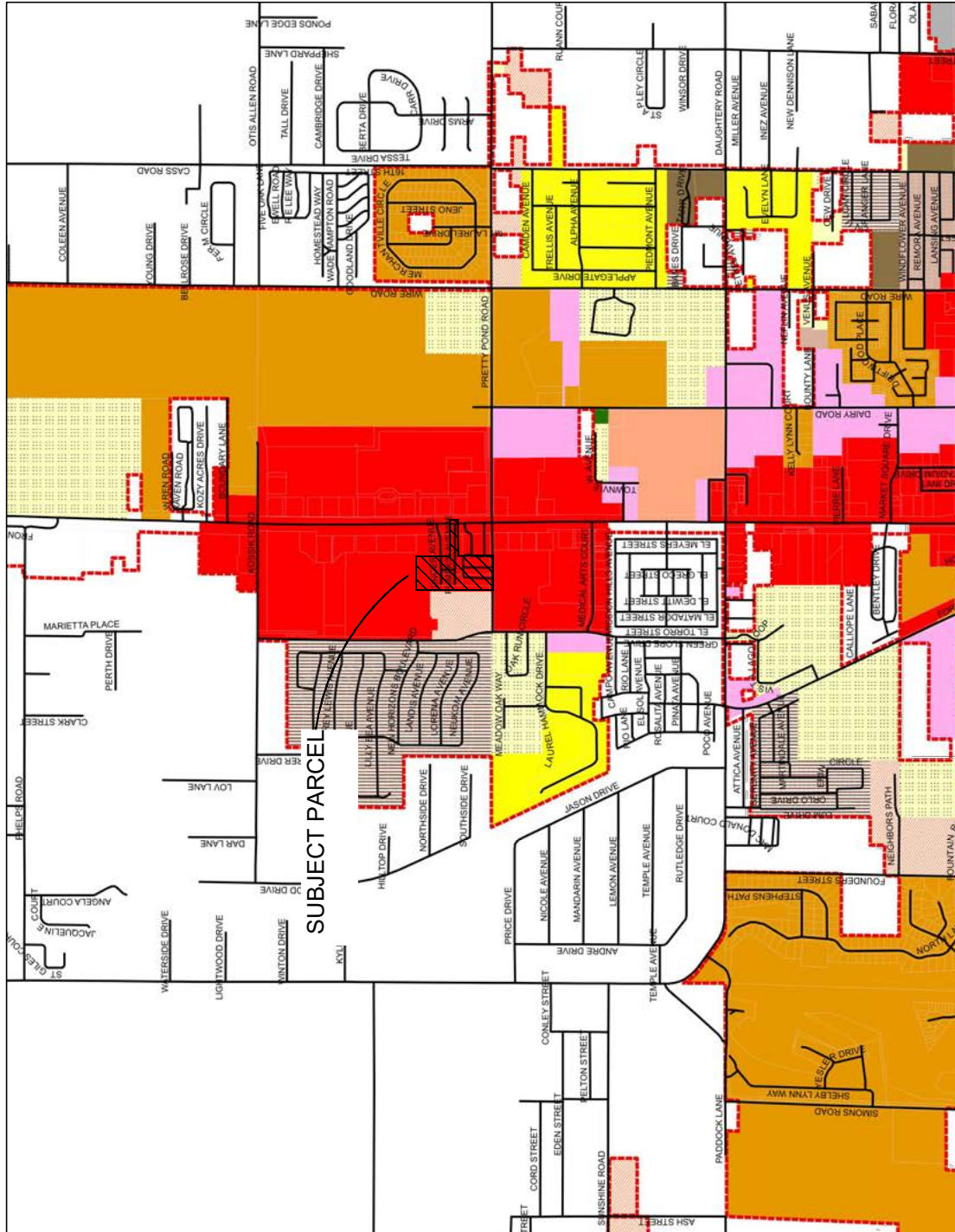
ADJACENT ZONING:

NORTH - C2

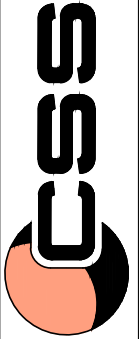
EAST - C2

WEST - ER

SOUTH - C2

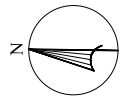
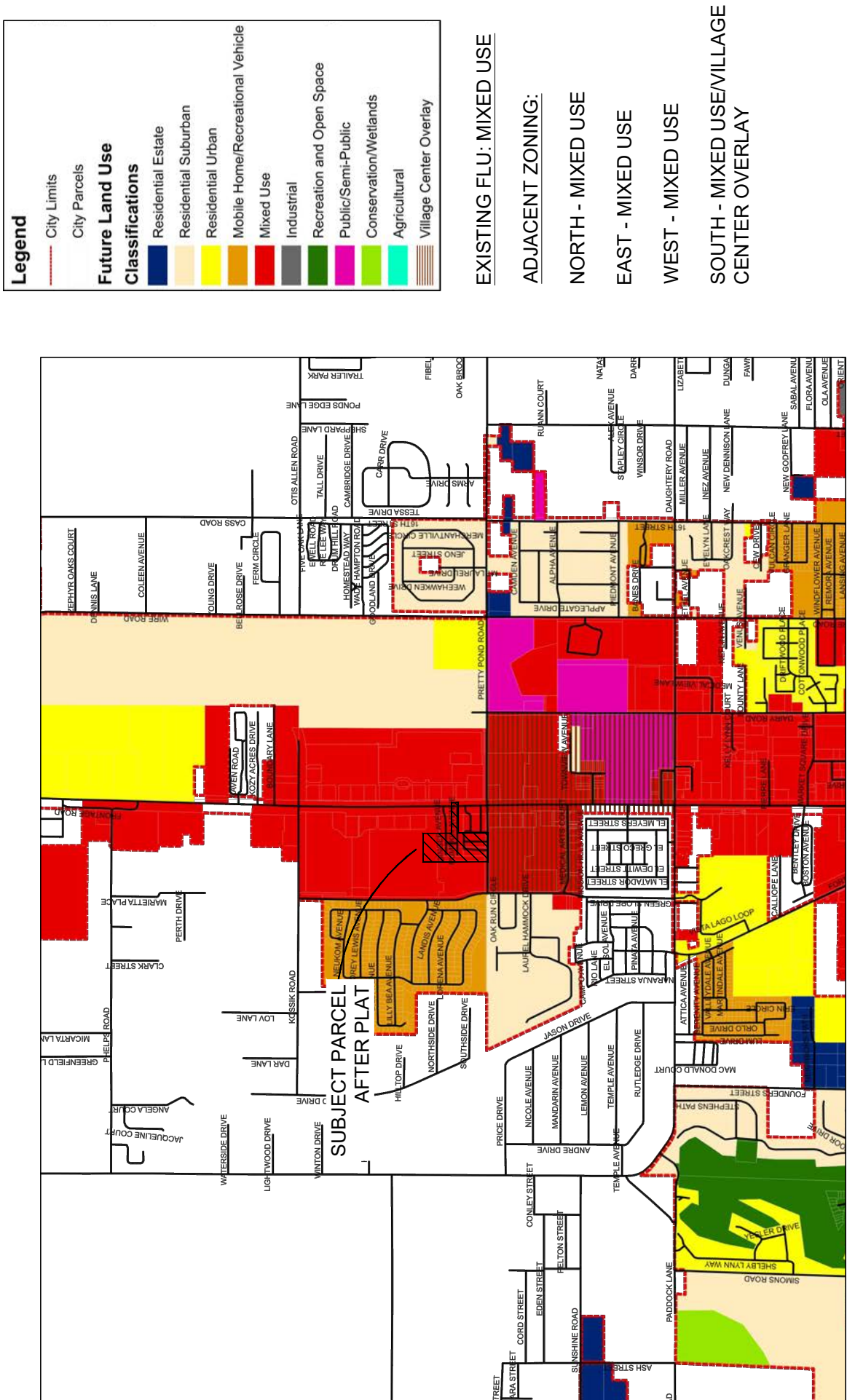


DATE: 10/18/2022



NW CORNER OF PRETTY POND RD & US 301
Zephyrhills, FL

Figure 8 - City of Zephyrhills Future Land Use Map



DATE: 10/18/2022



NW CORNER OF PRETTY POND RD & US 301
Zephyrhills, FL

Pretty Pond Self-Storage Conditional Use

To Exceed Provisions in Sec. 7.01.01.04 – Height Regulations

City of Zephyrhills File # USE 10-22

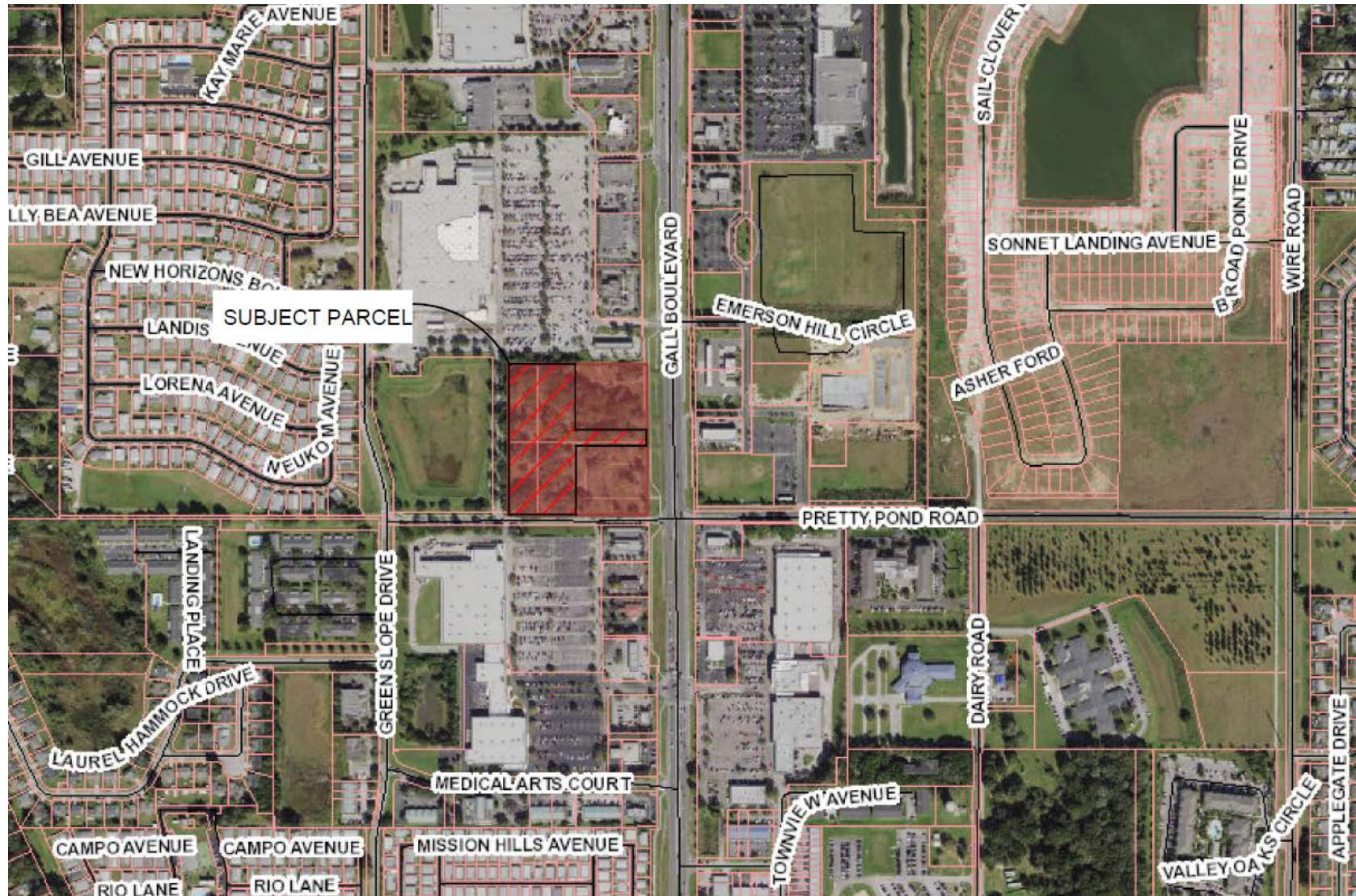
PROPOSAL:

3-Story Self-Storage Facility at the Recently Platted “Market at Zephyrhills”

Self-Storage Facilities Require a Conditional Use
When height is over 15 feet or one-story

Project Location Map

- Corner of Pretty Pond Road and US 301/Gall Blvd.



Courtesy of CSS and Pasco County Property Appraiser

Subject Site Viewed from US 301/Gall Blvd

(looking west)



Google Imagery – July 2022

Project Facts:

*Lot Site = 4.10 Acres
Entire Project = 8.42 Acres

*Maximum FAR = 1.0
Proposed FAR = .5

*Zoning = C-2
Within Commercial Corridor of Gall Blvd.

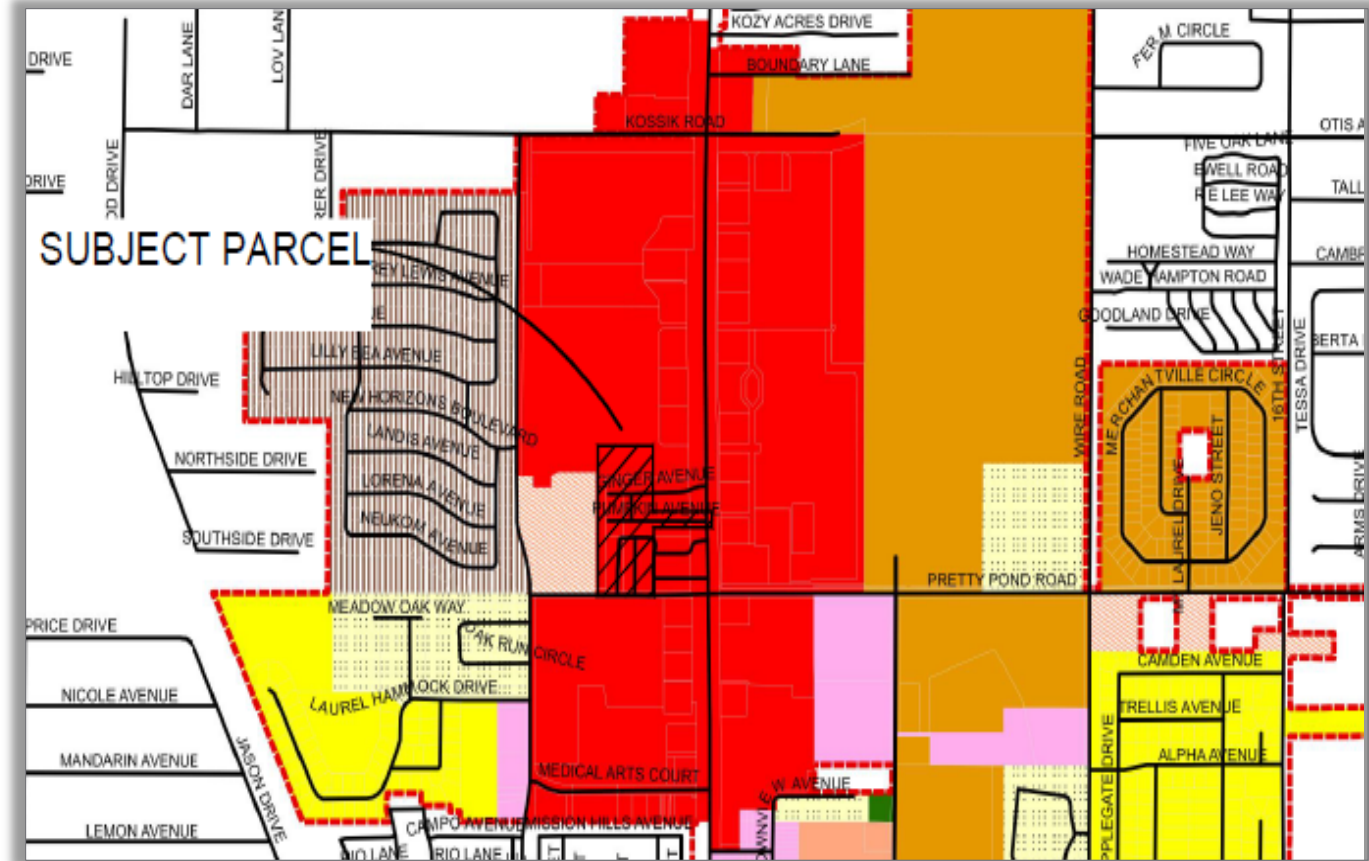
*Building Height = 44 Feet (inclusive of parapet)

*Minimal Impact on WUP

Project Facts:

- C-2 Zoning District

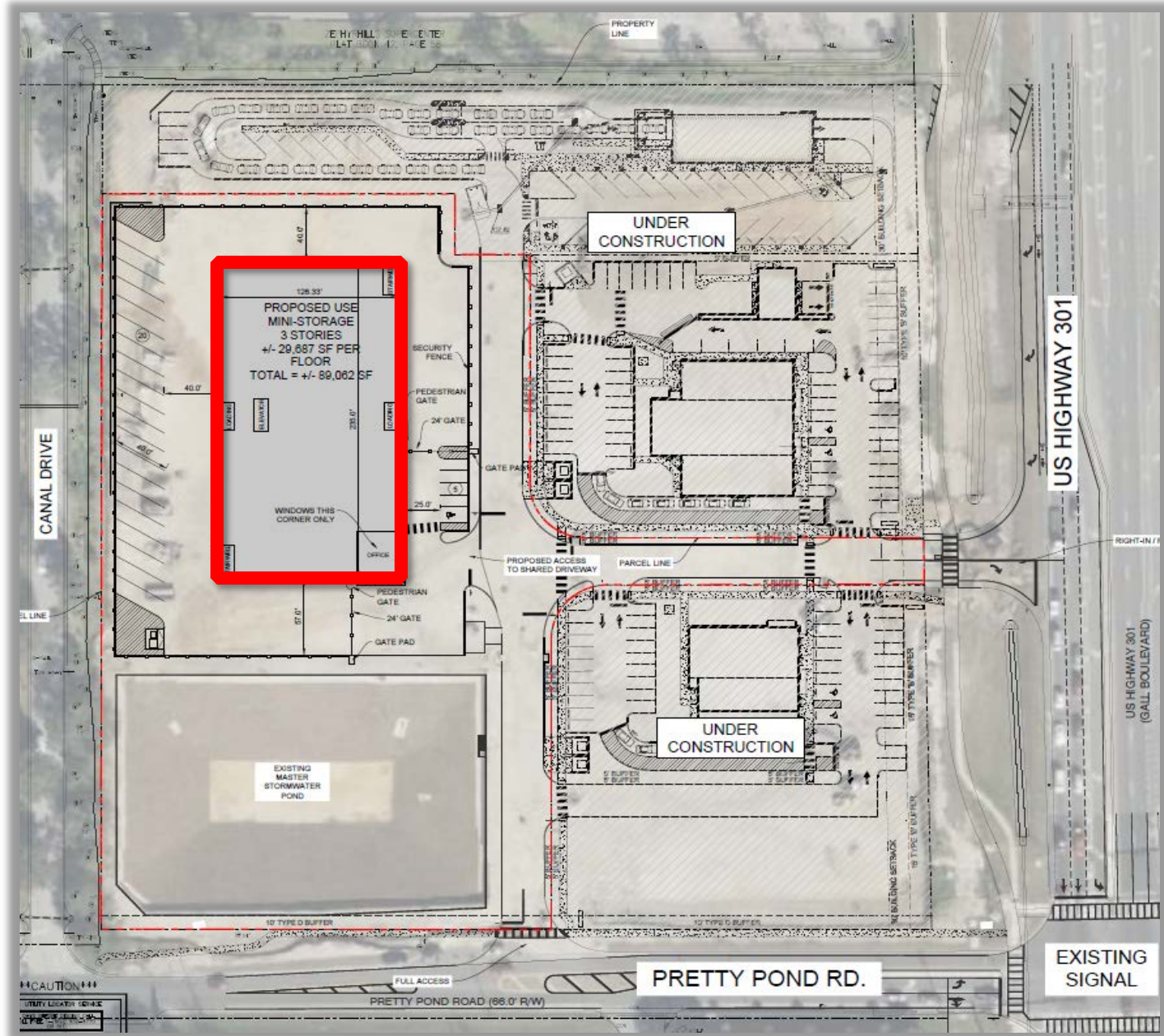
LEGEND	
	C2 - Community Commercial
	PUD - Planned Unit Development
	R2 - Single-Family Residential
	R3 - Medium-Density Residential
	R4 - Multi-Family Residential
	M1 - Mobile Home Subdivision
	M2 - Mobile Home Park
	M3 - Recreational Vehicle Park
	OP - Office/Professional



Courtesy of CSS and COZ

Proposed Site Plan @ “Market at Zephyrhills”

*Building outline is solid red - Property line is dashed red



View from Gall Blvd. (Subject Building in Background)



Courtesy of Eleven18 Architecture

South View (with enhanced buffer per SPRC)*



Courtesy of Eleven18 Architecture

View from Pretty Pond



Courtesy of Eleven18 Architecture

Southeast View



Courtesy of Eleven18

View East to Gall Blvd. (with enhanced buffer per SPRC)*



*photo differs from staff report

Courtesy of Eleven18 Architecture

Conditional Use

Review Criteria

City of Zephyrhills LDC Part 11.10.00

- Not adversely affect the neighborhood
- Consistent with Surrounding Area Character
- Adequate Screening and Buffering
- Meets the Requirements of the C-2 Zoning District
- Traffic Concerns/Parking
- Drainage

Height Regulations

Review Criteria

- **City of Zephyrhills LDC Part 7.01.01.04**
- Additional Setbacks Required
- Protect Clear Air Zones of Airport
- Accessible for Fire Equipment

Prior Action

SPRC
Dec 2022

- Recommended Approval with conditions:
 - Increased landscaping abutting pond to the south
 - Additional landscaping abutting access road to the west

Planning Commission
Jan 2023

- Recommended Approval with same conditions as SPRC

City of Zephyrhills
5335 8th Street
Zephyrhills, FL 33542

February 14, 2023
File No. 2021-305C01
BG00001

Rc: **South Avenue Extension
Revised Agreement for Surveying Services
Boundary & Topographic Survey**

Dear Shane:

Pursuant to your request, we have prepared this *revised* agreement for surveying services to be performed on your property identified by the Pasco County Property Appraiser as Parcel 07-26-22-0010-04000-0010 and portions of Parcels 07-26-22-0010-04000-0000, 12-26-21-0000-00900-0013, 12-26-21-0000-00900-0012, 12-26-21-0290-00000-0060, 12-26-21-0290-00000-0070, 12-26-21-0290-00000-0080, 12-26-21-0290-00000-0090, & 12-26-21-0290-00000-0100 (See Exhibit 'A'). The services that we have agreed to perform are as follows:

- **Boundary & Topographic Survey** **\$ 4,475.00**
- Preparation of a Boundary Survey per client provided exhibit (see Exhibit 'A') in accordance with the Standards of Practice as set forth by Chapter 5J-17 of the Florida Administrative Code for the Subject Property. Interior improvements (structures and significant surfaces), if any, will be located and mapped. Interior fences, landscape, utilities, etc will be located. Please note: This is not an ALTA/NSPS Land Title Survey and does not include review of title commitment. Presentation by client or their representative of title commitment for review and plotting of protractible matters may result in additional fees. (Note: CAD file for the geometric definition of proposed right-of-way must be provided to D.C. Johnson by client);
 - Preparation of a Topographic Survey for a portion of the subject property (see Exhibit "A"). All work shall be in accordance with the Standards of Practice as set forth by Chapter 5J-17 of the Florida Administrative Code;
 - Elevations shall be measured at an approximate 50-foot grid, together with observed grade breaks. Elevations shall be collected in a manner sufficient to generate one (1) foot contours;
 - Topography shall extend 50 feet beyond the subject property with the full right-of-way for the adjacent portion of 6th Avenue;
 - Elevations shall be referenced to the North American Vertical Datum of 1988;
 - Surveyor shall coordinate with Sunshine-811 for location of utilities;
 - Visible evidence of utilities, including those as flagged by Sunshine 811, shall be located. Pipe material, sizes, and elevations shall be determined where accessible. Location of underground utilities (SUE) is not included;
 - Those trees within the upland portion of the subject property that are 10-inches d.b.h. and greater shall be located, mapped and classified by common name. Those trees that appear to be sick or dead shall be noted (Exempt trees per Pasco County Tree Ordinance are not included). NOTE: Trees will not be located within the topographic overlap;
 - You will be provided with a digital PDF and up to four (4) signed and sealed hard copies of the survey (upon request). Additional copies or modifications, including but not limited to adding or modifying certifications, after final survey has been published may result in additional fees. Expedited delivery of the signed and sealed surveys via overnight delivery (FedEx/UPS) or courier service shall be at the expense of the client or shall be billed as a reimbursable expense.
- **Description & Sketch** **\$ 2,400.00**
- Preparation of eight (8) legal description with sketches for the right-of-way purchase and dedication

The lump sum fee for this service is **\$6,875.00** (Six thousand eight hundred seventy-five and 00/100 dollars). You will be invoiced upon completion of our service. Any unpaid balance beyond 30 days of invoice date will be considered delinquent and may accrue interest at the rate of 1.5% (one and one-half percent) monthly. Fees associated with third party billing/payment software (if any) will be additional and billed as a reimbursable expense. Client shall be responsible for providing surveyor with any access information, required advance notification or information on occupants (human or animal) on the project property.

We appreciate the opportunity to be of service. If you choose to accept this agreement, please sign and return one copy. If this agreement is not executed within thirty (30) days, this fee may be subject to renegotiation. Our receipt of this signed copy will serve as notice to proceed and coordination of work shall be scheduled based on survey crew availability.

For D.C. JOHNSON & ASSOCIATES, INC.


Daniel C. Johnson, PLS
President

DCJ/jm

Attachment: General Conditions, Exhibit 'A'

Signature: 
Printed Name: William C. Poe, Jr.
Date: 2/15/23

O.K. 10064100-563000-23P03

**Shane
LeBlanc**

Digitally signed by Shane LeBlanc
DN: cn=Shane LeBlanc, o=City of
Zephyrhills, ou=Public Works
Admin,
email=sleblanc@ci.zephyrhills.fl.us, c=US
Date: 2023.02.15 06:41:22 -05'00'
Page 128 of 133

GENERAL TERMS & CONDITIONS

These GENERAL CONDITIONS are attached to & made a part of the PROPOSAL for professional services between D.C. Johnson & Associates, Inc. (hereinafter called "DCJ") & the CLIENT.

ENTIRE PROPOSAL:

This Proposal & all other Proposals, exhibits, & schedules referenced in this Proposal constitute(s) the final, complete, & exclusive statement of terms of the Proposal between the parties pertaining to the subject matter of this Proposal & supersedes all prior & contemporaneous understandings or Proposals of the parties. This Proposal may not be contradicted by evidence of any prior or contemporaneous statements or Proposals. No party has been induced to enter into this Proposal by, nor is any party relying on, any representation, understanding, agreement, commitment, or warranty outside those expressly set forth in this written Proposal.

MODIFICATION OF PROPOSAL:

This Proposal may be supplemented, amended, or modified only by the mutual agreement of the parties. No supplement, amendment, or modification of this Proposal shall be binding unless it is in writing & signed by all parties.

ASSIGNMENT/ SUCCESSORS IN INTEREST:

This Proposal is not assignable or transferable by Client without the written consent of DCJ. Each party hereto binds itself, its successors, & assigns to the other party, its successors & assigns in respect of all covenants of this Proposal.

EXECUTION: REPRESENTATION ON AUTHORITY OF SIGNATORIES:

This Proposal may be executed (by original or tele-copied signature) in counterparts, each of which shall be deemed an original, but all of which taken together shall constitute but one & the same instrument. Each person signing this Proposal represents & warrants that he or she is duly authorized & has legal capacity to execute & deliver this Proposal. Each party represents & warrants to the other that the execution & delivery of the Proposal & the performance of such party's obligations hereunder have been duly authorized, & that the Proposal is a valid & legal agreement binding on such party & enforceable in accordance with its terms.

COMPLETION OF WORK:

All services shall be scheduled based on the date of receipt by DCJ corporate office of a signed agreement &/or written notice to proceed & provided as expeditiously as is consistent with the professional skill & care & orderly progress of the project. Unless contractually written, projects shall be completed on a first come first served basis. Verbal timelines are not a valid contractual timeline for completion.

SCOPE OF SERVICES:

Unless specifically included under the scope of services described in any portion of this Proposal, neither DCJ nor its subconsultants (if any) shall assume any liability for the following: 1) Construction means & methods (including monitoring or inspections of any kind); 2) Project scheduling & sequencing; 3) Budgeting, quantity opinions, or cost estimates; 4) Construction management; 5) Permitting; 6) Geotechnical engineering or any other analysis or testing of subsurface conditions (including soils & the location of any utilities or structures not visible on the surface); 7) Identification or advice pertaining to any hazardous conditions, including but not limited to asbestos, petroleum, radioactive materials, hazardous waste, wetland delineation or other environmentally sensitive areas; 8) Environmental Site Assessments; 9) Job site safety or OSHA compliance; 10) Compliance with the Americans with Disabilities Act of 1990 (ADA); 11) Submission of any survey, plat or legal description to any governmental agency for purposes of recording or any fees associated with such submission; 12) Obtaining Title Commitment or O&E Report.

ADDITIONAL SERVICES:

Client may request DCJ to perform additional services not specifically included within the terms & conditions of this Proposal. Any such additional services & associated fees required must be requested & specifically authorized by the Client & agreed to by DCJ in writing. At DCJ's option, such additional services will either 1) be performed under the terms of this Proposal & authorized by Change Order or Addendum hereto, or 2) performed under separate Proposal.

REIMBURSABLE EXPENSES:

Client shall reimburse DCJ costs incurred in connection with services rendered that extend beyond those services specifically stated in the Proposal. Reimbursable costs include, but are not limited to, express delivery or courier, incoming wire fees, Client incurred third party billing/payment software services, meetings with Client's legal representation or title company, etc.

TAXES:

Unless exempt, Client agrees to pay DCJ any & all sales & use taxes imposed by any governmental authority on the services performed pursuant to this Proposal. Such taxes, if any, are in addition to any fee or rates quoted in this Proposal, or any supplement, amendment, or modification hereto.

STANDARD OF CARE:

All land surveying services performed by DCJ shall be conducted with the same level & skill ordinarily exercised by members of its profession practicing in the same location at the same date & under similar conditions. Under no circumstances shall any other representation (express or implied) or any type of warranty or guarantee be included or intended by DCJ during the completion of its services under this Agreement.

FORCE MAJEURE/EXCUSABLE DELAYS:

DCJ shall not be liable for any failure to perform its obligations in connection with any action described in this Proposal, if such failure results from any act of God, riot, war, civil unrest, flood, earthquake, or other cause beyond DCJ's reasonable control (including any mechanical, electronic, or communications failure, but excluding failure caused by negligence). Additionally, DCJ shall not be liable to Client or its contractors, agents, representatives, or consultants for consequential damages associated with delays or work stoppages caused by Excusable Delays.

PAYMENT OF INVOICES:

Payment is due upon receipt & deemed past due after thirty (30) days from invoice date. Payment terms specifically stated elsewhere in this Proposal, if any, shall supersede those terms stated here. Client shall not hold DCJ responsible for delays due to terms requiring payment prior to release of

any product. Client acknowledges such terms upon signing agreement. Any balance remaining unpaid after thirty (30) days of invoice date may be subject to finance charge of 1.5% (one & one-half percent) per month. Any attorney's fees, court costs, or other costs incurred in the collection of delinquent accounts shall be paid by the Client. If payment is not current, DCJ may, at its own discretion, suspend services & withhold release of any & all instruments of professional service, including electronic files, prepared under this Proposal. Furthermore, the Client acknowledges that DCJ may be entitled to a lien against the property for non-payment of invoices in a timely manner. The client agrees to not unilaterally withhold payment for services in the event of a suspected breach of contract or defect in the DCJ services without a) immediate notification in writing of the suspected defect; b) full disclosure in writing of details relating to suspected defect; c) adequate opportunity given to DCJ to warranty or correct any defect or d) open discussion with DCJ regarding options to remedy any defect actually attributable to an error in DCJ provided services.

CLAIMS/CERTIFICATE OF MERIT:

In the matter of interpretation, enforcement, & performance of this agreement, the laws of the State of Florida shall apply. Should the Client become aware of a suspected survey error, Client agrees a) to immediately suspend design or construction activities based on suspected erroneous survey data; b) to notify DCJ in writing of all pertinent details; c) that any remediation costs incurred by the Client prior to notification to DCJ of suspected error with opportunity for DCJ to participate in review of corrective options will not be DCJ's financial responsibility. Client further agrees it will assert no claim for professional negligence, either directly or in a third-party claim, against DCJ, unless Client as a strict condition precedent, first provides DCJ with a written certification executed by an independent design professional currently practicing in the same state & discipline as DCJ. This written "Certificate of Merit" shall (a) contain the name & license number of the certifier; (b) specify the acts or omissions that the certifier contends are not in conformance with the standard of care of a professional performing professional services under similar circumstances, in a similar locality, & at a similar point in time; & (c) state in detail the basis for the certifier's opinion that such acts or omissions do not conform to this professional standard of care.

MEDIATION:

In the event a dispute arises between the parties to this agreement, the parties agree to participate in mediation in accordance with the mediation procedures under Florida Rules of Civil Procedure & Chapters 44 & 682 of the Florida Statutes. The parties agree to share equally in the costs of the mediation. The mediation shall be administered by an independent mediation office within Pasco County, Florida. This mediation shall involve each side of a dispute sitting down with an impartial person, the mediator, & any physical proof of wrongdoing, to attempt to reach a voluntary settlement. Mediation involves no formal court procedures or rules of evidence, & the mediator does not have the power to render a binding decision or force an agreement on the parties. If mediation procedures are successful any & all court proceedings, including future lawsuits shall be stopped immediately. Any future cases brought by either party related to this [contract, agreement] shall be considered defamation, harassment, or a SLAPP suit as an attempt to tarnish the reputation of the other party.

LIABILITY/ RISK ALLOCATION/CONSEQUENTIAL DAMAGES:

There are no warranties or guarantees expressed or implied for services outside of the limits of the scope of this proposal. Statute of repose for errors & omissions shall begin on the date of signing of the survey by a licensed surveyor & shall not exceed a period of four (4) years as described in §95.11(3)(c), Florida Statute. The venue for any legal or jurisdictional proceedings in connection with any & all claims, disputes or other matters or questions arising out of or relating to this Proposal or the breach thereof, or in connection with any services provided by DCJ shall vest in Pasco County, Florida. In the event remediation costs are incurred by Client as a result of DCJ's breach of contract or negligence, DCJ's liability shall be limited to: costs associated with remediation of design or construction activities accomplished prior to the date a survey defect is discovered and communicated to DCJ; a just and equitable proportion of the loss having regard to the extent of the responsibility of any other party. DCJ's liability shall not increase by reason of shortfall in recovery from any other party. In addition, no employee or agent of DCJ shall have any individual liability to the Client in addition to, or in excess of, DCJ's liability. Client & DCJ waive consequential damages (as described below) for claims, disputes or other matters arising out of or related to this Agreement.

INDEMNIFICATION(MUTUAL):

DCJ & Client each agree to indemnify the other (including their respective owners, officers & employees) from all claims, including reasonable attorney's fees, arising out of & only to the extent caused by the other party's negligence. In addition, Client agrees to indemnify DCJ, including reasonable attorney's fees, for any & all claims arising from work performed by any third party hired by the Client or resulting from any outside information provided by Client to DCJ which was incorporated into DCJ's services.

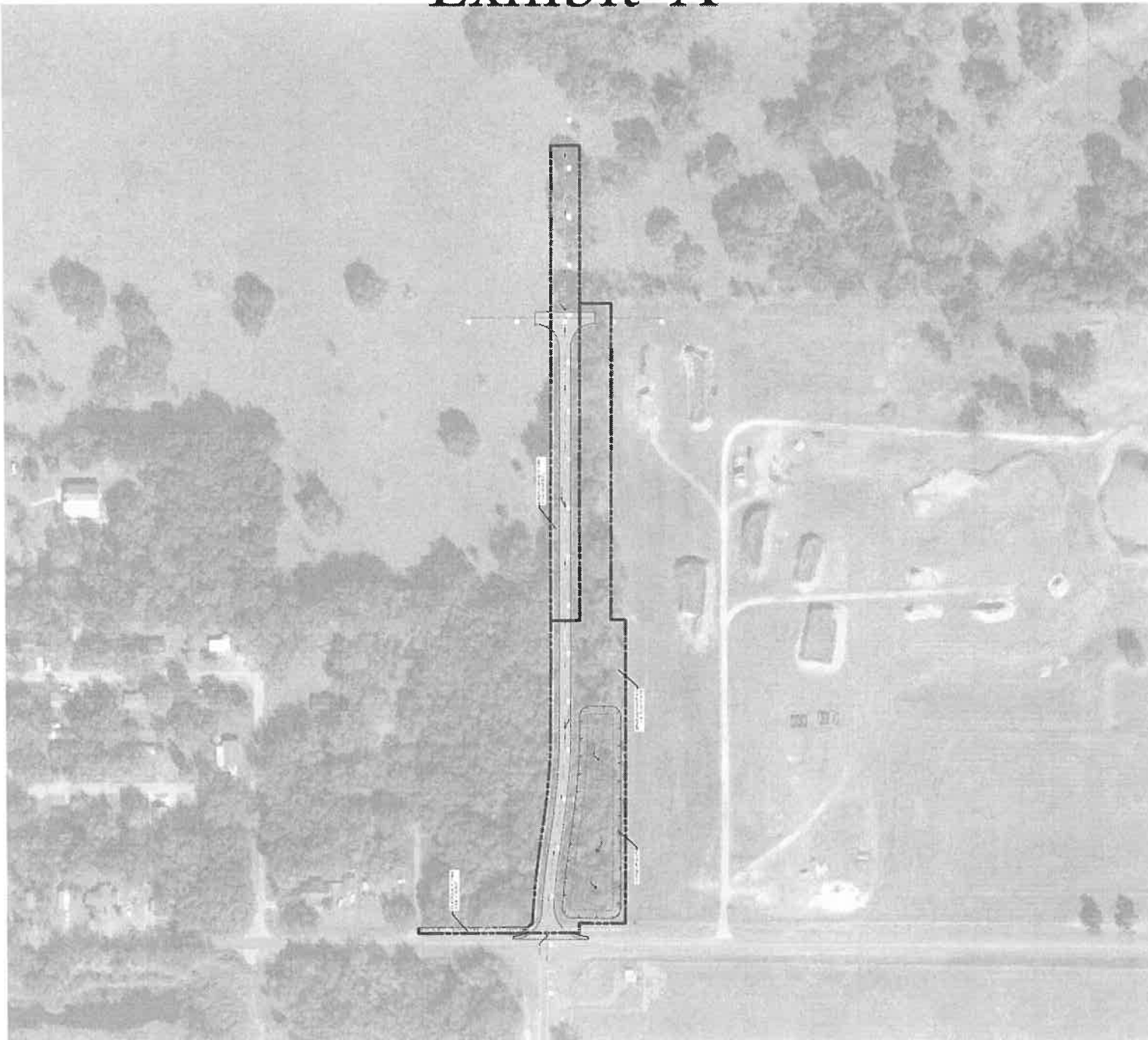
TERMINATION:

The obligation to provide services under this Proposal may be terminated by either party by written notice. In the event this Proposal is terminated prior to completion, DCJ shall be entitled to payment for services performed & expenses incurred through the date of receipt of written notice of termination. Both Client & DCJ waive consequential damages due to either party's termination in accordance with termination provisions herein. Consequential damages include but are not limited to loss of use, profit, business, or reputation.

OWNERSHIP:

All documents prepared or furnished by DCJ pursuant to this Proposal are instruments of DCJ's professional service. DCJ shall retain an ownership & property interest therein. DCJ grants Client a license to use instruments of DCJ's professional service for the purpose of constructing, occupying & maintaining the Project. Reuse or modification of any such documents by Client, shall be at Client's sole risk, & Client agrees to indemnify & hold DCJ harmless from all claims, damages & expenses, including attorneys' fees, arising out of such reuse by Client or by others acting through Client.

Exhibit 'A'



City of Zephyrhills Bank Depository - Deposit Listing

Transaction Description	Amount	Customer Reference	Bank Reference	Ledger Date
ACH Credit Received	13,698.84	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/8/2023
ACH Credit Received	901.79	2.00203E+13	ACHCAmeriGas Pro	2/8/2023
ACH Credit Received	606.37	2.01752E+14	ACHCSTATE OF FLO	2/8/2023
ACH Credit Received	682.13	8.78824E+12	ACHCGLOBAL PAYME	2/8/2023
ACH Credit Received	14,544.35	8.78824E+12	ACHCGLOBAL PAYME	2/8/2023
ACH Credit Received	85.20	8.78824E+12	ACHCGLOBAL PAYME	2/8/2023
ACH Credit Received	4,980.89	8.78824E+12	ACHCGLOBAL PAYME	2/8/2023
Deposit	1,091.19		DP0002106384614I	2/8/2023
Deposit	4,933.68		ICLD02403835179I	2/8/2023
Miscellaneous Credit	1,855.54		MSCR000000000111	2/8/2023
ACH Credit Received	45,777.70	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/9/2023
ACH Credit Received	300.00	8.78824E+12	ACHCGLOBAL PAYME	2/9/2023
ACH Credit Received	545.70	8.78824E+12	ACHCGLOBAL PAYME	2/9/2023
ACH Credit Received	612.10	8.78824E+12	ACHCGLOBAL PAYME	2/9/2023
ACH Credit Received	596.68	8.78824E+12	ACHCGLOBAL PAYME	2/9/2023
Deposit	1,322.53		ICLD02404355194I	2/9/2023
Deposit	2,127.31		DP0002107408603I	2/9/2023
Miscellaneous Credit	1,210.56		MSCR000000000111	2/9/2023
ACH Credit Received	11,231.55	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/10/2023
ACH Credit Received	225.00	VUS000001558	ACHCWASTE CONNEC	2/10/2023
ACH Credit Received	728.62	2.01752E+14	ACHCSTATE OF FLO	2/10/2023
ACH Credit Received	5.00	2.01752E+14	ACHCSTATE OF FLO	2/10/2023
ACH Credit Received	2,704.60	8.78824E+12	ACHCGLOBAL PAYME	2/10/2023
ACH Credit Received	16,153.02	8.78824E+12	ACHCGLOBAL PAYME	2/10/2023
Auto Transfer Credit	31,226.00		WEBC000000000111	2/10/2023
Auto Transfer Credit	579,630.26		WEBC000000000111	2/10/2023
Deposit	1,744.56		DP0002108713681I	2/10/2023
Deposit	31,699.52		ICLD02404781673I	2/10/2023
Miscellaneous Credit	2,292.03		MSCR000000000111	2/10/2023
ACH Credit Received	13,748.85	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/13/2023
ACH Credit Received	4,880.44	5652	ACHCPASCOCLERKOP	2/13/2023
ACH Credit Received	344.13	8.78824E+12	ACHCGLOBAL PAYME	2/13/2023
ACH Credit Received	73.51	8.78824E+12	ACHCGLOBAL PAYME	2/13/2023
ACH Credit Received	925.10	8.78824E+12	ACHCGLOBAL PAYME	2/13/2023
ACH Credit Received	55.13	8.78824E+12	ACHCGLOBAL PAYME	2/13/2023
ACH Credit Received	274.49	8.78824E+12	ACHCGLOBAL PAYME	2/13/2023
Deposit	368.62		ICLD02405398884I	2/13/2023
Deposit	904.77		DP0002101454981I	2/13/2023
Miscellaneous Credit	746.45		MSCR000000000111	2/13/2023
ACH Credit Received	6,647.85	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/14/2023
ACH Credit Received	15,919.45	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/14/2023
ACH Credit Received	81,981.80	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/14/2023
ACH Credit Received	15.00	2.01752E+14	ACHCSTATE OF FLO	2/14/2023

ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	2/14/2023
Deposit	655.45		DP0002102674533I	2/14/2023
Deposit	40,253.54		ICLD02406008785I	2/14/2023
Miscellaneous Credit	1,341.52		MSCR000000000111	2/14/2023
ACH Credit Received	3,040.17	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/15/2023
ACH Credit Received	303,128.97	Zephyrhills	ACHCCRESTLINE SO	2/15/2023
ACH Credit Received	154.75	2.01752E+14	ACHCSTATE OF FLO	2/15/2023
ACH Credit Received	749.87	2.01752E+14	ACHCSTATE OF FLO	2/15/2023
ACH Credit Received	59.42	36-1924025	ACHCWALGREEN CO	2/15/2023
ACH Credit Received	1,091.40	8.78824E+12	ACHCGLOBAL PAYME	2/15/2023
ACH Credit Received	826.58	8.78824E+12	ACHCGLOBAL PAYME	2/15/2023
ACH Credit Received	831.73	8.78824E+12	ACHCGLOBAL PAYME	2/15/2023
Deposit	483.08		ICLD02406449185I	2/15/2023
Deposit	1,146.87		DP0002103717231I	2/15/2023
Miscellaneous Credit	1,825.57		MSCR000000000111	2/15/2023
ACH Credit Received	15,648.95	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/16/2023
ACH Credit Received	61,717.87	2.01752E+14	ACHCSTATE OF FLO	2/16/2023
ACH Credit Received	625.95	8.78824E+12	ACHCGLOBAL PAYME	2/16/2023
ACH Credit Received	1,499.98	8.78824E+12	ACHCGLOBAL PAYME	2/16/2023
ACH Credit Received	2,682.56	8.78824E+12	ACHCGLOBAL PAYME	2/16/2023
ACH Credit Received	677.21	8.78824E+12	ACHCGLOBAL PAYME	2/16/2023
Deposit	531.30		ICLD02406906352I	2/16/2023
Deposit	685.94		DP0002104723594I	2/16/2023
Miscellaneous Credit	2,309.66		MSCR000000000111	2/16/2023
ACH Credit Received	351,213.59	AP0001876640	ACHCDE Florida O	2/17/2023
ACH Credit Received	23,076.41	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/17/2023
ACH Credit Received	922.07	2.01752E+14	ACHCSTATE OF FLO	2/17/2023
ACH Credit Received	38.50	2.01752E+14	ACHCSTATE OF FLO	2/17/2023
ACH Credit Received	25,260.00	21753	ACHC10L GOVDEALS	2/17/2023
ACH Credit Received	1,364.28	8.78824E+12	ACHCGLOBAL PAYME	2/17/2023
ACH Credit Received	299.82	8.78824E+12	ACHCGLOBAL PAYME	2/17/2023
ACH Credit Received	356.13	8.78824E+12	ACHCGLOBAL PAYME	2/17/2023
Deposit	1,983.11		DP0002105897052I	2/17/2023
Deposit	26,733.57		ICLD02407359117I	2/17/2023
Miscellaneous Credit	4,738.71		MSCR000000000111	2/17/2023
ACH Credit Received	7,253.35	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/21/2023
ACH Credit Received	21,681.43	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/21/2023
ACH Credit Received	26,183.84	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/21/2023
ACH Credit Received	28,358.57	CITY OF ZEPHYRH	ACHCPAYMENTUS	2/21/2023
ACH Credit Received	149.70	2000003348	ACHCPEOPLES GAS	2/21/2023
ACH Credit Received	220.53	2000003348	ACHCPEOPLES GAS	2/21/2023
ACH Credit Received	67,770.04	2.01752E+14	ACHCSTATE OF FLO	2/21/2023
ACH Credit Received	21.75	2.01752E+14	ACHCSTATE OF FLO	2/21/2023
ACH Credit Received	1,247.75	2.01752E+14	ACHCSTATE OF FLO	2/21/2023
ACH Credit Received	30.00	2.01752E+14	ACHCSTATE OF FLO	2/21/2023
ACH Credit Received	99.37	2849 98579	ACHCGas South	2/21/2023
ACH Credit Received	1,659.44	452505	ACHCLE03-AWIN MA	2/21/2023

ACH Credit Received	295.70	8.78824E+12 ACHCGLOBAL PAYME	2/21/2023
ACH Credit Received	1,626.44	8.78824E+12 ACHCGLOBAL PAYME	2/21/2023
ACH Credit Received	803.25	8.78824E+12 ACHCGLOBAL PAYME	2/21/2023
ACH Credit Received	850.04	8.78824E+12 ACHCGLOBAL PAYME	2/21/2023
ACH Credit Received	872.72	8.78824E+12 ACHCGLOBAL PAYME	2/21/2023
ACH Credit Received	1,093.80	8.78824E+12 ACHCGLOBAL PAYME	2/21/2023
Deposit	766.82	DP0002108001580I	2/21/2023
Deposit	802.82	DP0002108001582I	2/21/2023
Deposit	10,619.65	ICLD02407758969I	2/21/2023
Interest Credit	1,949.08	CNIT000000000000	2/21/2023
Miscellaneous Credit	1,905.04	MSCR000000000111	2/21/2023