



CITY COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, February 10, 2021
5:00 PM

Call to Order
Pledge of Allegiance
Roll Call

SPECIAL MEETING

1. Resolutions -

a. Resolution 2021-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING THE REDEVELOPMENT OF THE MIRAMAR RESORT AT A HEIGHT GREATER THAN 50 FEET AND A DENSITY GREATER THAN 30 UNITS PER ACRE, WHICH INCLUDES 15 UNITS FROM THE BH/C DENSITY POOL AND A ROOFTOP BAR.

Action Request: Motion to adopt Resolution 2021-04 with conditions as stated (list conditions).

2. Ordinances

a. First Reading and Public Hearing Ordinance 2021-04: Miramar Resort

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 15 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE BOUTIQUE HOTEL/CONDO TEMPORARY LODGING UNIT DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY LOCATED AT 4200 GULF BOULEVARD (MIRAMAR RESORT); PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

Action Request: Motion to approve the First Reading of Ordinance 2021-04.

3. Adjournment

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this 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 proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

**The public is cordially invited to attend this virtual meeting.
All agenda material is available for review at www.stpetebeach.org.**

St. Pete Beach City Commission Agenda Report

Issue Considered: Resolution 2021-04

Date: February 10, 2021

Prepared By: Wesley Wright, Community Development Director

Through: Alex Rey, City Manager

Summary of Issue: The Miramar Beach Resort is requesting approval to demolish and redevelop the 1.15 acre site to construct a new seven-story transient accommodation hotel. The new temporary lodging use proposed is a 54-room hotel, with 77 parking spaces (22 of which are valet), interior lobby, amenity and dining area, and a rooftop bar and pool. The requested project density is 54 units, 39 units from base density (50 du/acre) with 15 units (20 du/acre) request from the density pool. Total proposed density is 69.2 du/acre. The maximum height of the proposed structure is 76 feet.

The request requires a conditional use permit for:

- (1) the new temporary lodging use to exceed 50 feet in height,
- (2) a density greater than 30 units per acre,
- (3) to allocate 15 additional units from the B/HC density pool and
- (4) a roof dining and drink area, pursuant to Section 39.6(p) and Section 46.4(c) of the Land Development Code (LDC).

Furthermore, an Unnecessary and Undue Hardship Variance from LDC Sec. 23.5 – Number of parking spaces required (77 parking spaces) is requested to permit an under-building valet parking arrangement (22 valet spaces) in lieu of the required number of permanent self-parking spaces to support the new development. A total of 77 spaces are proposed, including the valet program.

Funding: N/A

Requested Motion: “I move to approve Resolution 2021-04 (read title), with the following Conditions (state conditions):”.

Attachments:

1. Resolution 2021-04 - Miramar CUP
2. Sign-In Sheet 9.23.20 Miramar Community Meeting
3. Community Comment Cards 9.23.20 Miramar Community Meeting
4. 20090 CUP Application
5. 20091 Var Application

6. Staff report CU 20090
7. Miramar Site Plan 02/2021
8. Traffic Assessment 12-21-20

RESOLUTION 2021-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, APPROVING A CONDITIONAL USE, PURSUANT TO SECTION 4.7 OF THE LAND DEVELOPMENT CODE FOR THE REDEVELOPMENT OF THE MIRAMAR RESORT LOCATED AT 4200 GULF BOULEVARD; INCORPORATING THE CONDITIONS OUTLINED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 4.7 of the City of St. Beach's Land Development Code allows the city commission to adopt conditional use permits by resolution.

WHEREAS, Kevin Bowden, Managing Partner for Miramar Resort St. Pete LLC applied for a conditional use permit for redevelopment of the 0.78 buildable acre site at 4200 Gulf Boulevard, as well as a companion variance from the minimum parking standards.

WHEREAS, the application requests 54 temporary lodging units, 39 units from the base density (50 du/acre) and 15 units (20 du/acre) from BH/C density pool and a building height of 76 feet with a non-habitable overrun to 85 feet.

WHEREAS, the applicant held a duly noticed public community meeting on September 23, 2020 in the Boca Ciega Ballroom of the St. Pete Beach Recreation Center where the initial redevelopment proposal was presented and comments were solicited.

WHEREAS, the applicant submitted an application for the subject Conditional Use Permit and a companion Variance on November 9, 2020 to the Community Development Department.

WHEREAS, the application for the Conditional Use Permit and companion Variance was reviewed by the Technical Review Committee on December 2, 2020 and the recommended conditions appropriate to mitigate potential impacts imposed by the use were determined and set forth in Exhibit "A" attached hereto.

WHEREAS, the application for the Conditional Use Permit and companion Variance was reviewed by the Planning Board on December 14, 2020.

WHEREAS, the City Commission held a first reading of Ordinance 2021-04 on February 10, 2021, to consider the allocation of the requested 15 temporary lodging units from the Boutique Hotel/Condo Temporary Lodging Unit Density Pool as well as reviewed the Conditional Use Permit and companion Variance, in accordance with all the criteria listed in the City of St. Pete Beach Land Development Code.

WHEREAS, the City Commission held a final reading of Ordinance 2021-04 on (INSERT DATE) to consider the allocation of the requested 15 temporary lodging units from the

Boutique Hotel/Condo Temporary Lodging Unit Density Pool.

WHEREAS, while the Conditional Use Permit and Variance applications were reviewed together, pursuant to City Land Development Code, this Resolution is only for the Conditional Use Permit approval.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Pete Beach, that:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Effective Date. This resolution will become effective immediately upon adoption.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS _____ DAY OF _____, 2021.

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Alan Johnson, Mayor

ATTEST:

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney

Exhibit "A": Conditional Use Permit

Administrative Approval Conditions

1. The number of temporary lodging units permitted on the subject property shall be contingent on final action on companion Ordinance 2021-04 which allocates up to fifteen (15) temporary lodging units from the Boutique Hotel/Condo Density Pool to the subject property. Any temporary lodging units awarded from the Density Pool shall be returned to the Pool should a building permit not be obtained within one (1) year of the date of the passage of companion Ordinance 2021-04, or should "continual construction" as defined in Division 2 of the Land Development Code cease, unless extended by resolution of the City Commission;
2. Should the subject property receive fewer than the 54 temporary lodging units sought through this Conditional Use Permit and companion Ordinance 2021-04, the floor area ratio (FAR) of the structure shall be reduced in compliance with the equation listed in LDC Sec. 46.6(c);
3. The structure's temporary lodging unit FAR shall be based on the whole-unit density awarded from the density pool to the property when combined with base conditional density, rather than any fractional maximum;
4. The final site plan submittal to accompany this application shall include building elevations and identification of the design and façade requirements listed in LDC Sec. 39.7 and 39.8 as may apply to this development, and said features shall be identified by the designer;
5. The companion variance approval for the valet parking shall be conditioned on the valet service operating continually for the life of the arrangement, with free service offered to guests of the resort. The applicant shall also submit a plan for the queuing of vehicles underneath the structure for approval by the City's Transportation Director prior to site plan issuance. Discontinuation of the service shall require the applicant to acquire off-site parking equivalent to the number of non-code-compliant spaces lost in the discontinuation, through an arrangement approved by the city;

Property Frontage & Public Amenity Requirements

6. The existing sidewalk along the Gulf Boulevard frontage of 4200 Gulf Blvd shall be removed and replaced at the applicant's expense to accommodate a ten-foot-wide sidewalk that allows for safe, unobstructed and efficient pedestrian flow in front of the property. Any portion of the ten-foot sidewalk that extends into the subject property shall be provided to the City as a permanent public pedestrian access easement. The condition for an expanded sidewalk shall only become effective upon the City entering into an agreement with the Florida Department of Transportation (FDOT) that transfers the easement to the FDOT for the expanded sidewalk. The owner shall provide a cost estimate for the sidewalk and letter of credit or bond to the City prior to issuance of any site plan approval for this request, and the sidewalk shall be installed prior to issuance of a Certificate of Occupancy for the subject development;

7. The applicant shall submit a unified landscaping plan reflecting, at a minimum, an eight-foot landscape zone at the property's front adjacent the ten-foot-wide sidewalk, which meets all of the criteria of Land Development Code Sec. 39.10(b);
8. If viable, the existing public beach access located adjacent the subject property to the south shall be expanded to a minimum of ten (10) feet in total width along the entirety of the southern portion of the subject property between Gulf Blvd and the beach. A permanent pedestrian access easement shall be supplied to the City for the portion of this beach access that expands onto the applicant's property, and the easement shall be approved by the City Attorney prior to the issuance of any site plan approval associated with this request;
9. The Applicant shall dedicate to the City an unimproved public access easement landward of the mean high water line for any portion of private property which extends to said line. This unimproved public access easement shall be a minimum of 10 feet in width. This unimproved public access easement shall be dedicated to the City prior to the issuance of any site plan approval for the redevelopment. The form and contents of the public access easement shall be acceptable to the City Attorney;
10. The applicant shall provide a pedestrian pathway that links the expanded front sidewalk with the front of the building. The pathway shall be constructed with a distinctive and visually appealing paving pattern such as pavers or stamped concrete, and the design shall be approved by the Community Development Department prior to site plan approval;
11. A minimum of ten bicycle and/or scooter parking spaces shall be installed in a location near the front entryway to the building, and shall be located so as to not cause conflicts with drive lanes or pedestrian access;
12. The applicant shall work with the City's Transportation Director to determine a viable alternative arrangement for the loading zone at the front of the site that would eliminate the need for a third curb cut to Gulf Boulevard. The third curb cut shall only be approved if a viable alternative is not identified, and upon approval of FDOT;

Additional Landscaping & Irrigation Requirements

13. All vehicular use areas viewable from adjacent property shall be screened in accordance with the landscaping standards of LDC Sec. 22.7(b), with interior landscaping provided in accordance with LDC Sec. 22.7(c)&(d). The expanded pedestrian beach walkway specified in condition #8 may be credited toward the required width of the landscaping buffer located along the southern end of the site. However, under no circumstance shall the landscape portion of said buffer be reduced below three (3) feet in width. When hardship exists, interior landscaped areas of the site can be consolidated and/or relocated with the approval of the Community Development Department, but under no circumstances shall the total required area of interior landscaped areas be reduced below the total required for the site;
14. All landscaped areas of the site shall be irrigated and maintained in accordance with LDC Sec. 39.13;

Operational & Construction Requirements

15. The applicant shall comply with all operational and occupancy restrictions, limitations and prohibitions listed in LDC Sec. 39.6;
16. All amplified music shall be come from the onsite installed equipment and speakers. Amplified music will have no bass. Live music or bands shall be prohibited on the dining deck and rooftop area. The Music Level Limits (dBA) shall not exceed the following levels:
 - Rooftop Location: 83 dBA between (7:00 a.m. – 10:00 p.m.),
73 dBA between (10:00 p.m. – 11:00 p.m.),
50 dBA between (11:00 p.m. – 1:00 a.m.), and
No amplified music after 1:00 a.m.

The Sound Level Limitations outlined in Section 46-132 are in addition to the limits set above.

17. Construction of the temporary lodging use shall incorporate at least two (2) of the eight (8) energy and environmental design features listed in LDC Sec. 39.9 as are appropriate to this use. Other emerging green building standards, and other certifications for building design such as wellness, may be considered in lieu of those listed following review and approval by the Community Development Department;
18. All impact fees and the wastewater connection fees, as may be applicable to this project at the time of building permit issuance, shall be collected prior to issuance of any building permit approval associated with this subject development. The density and intensity of the existing use at this site may be credited against the collection of any new impact fees if provided for in the law regulating such fee(s);
19. No building permits associated with new construction for this request shall be issued prior to the final site plan approval;

Concurrency Management Requirements

20. Concurrency Management Statements shall be submitted for potable water, sanitary sewer, solid waste, transportation facilities, and stormwater, and a Transportation Management Plan shall be submitted, prior to building permit approval. Approval of these statements and plan shall take place prior to issuance of any site plan associated with this request;

Violation of Stated Conditions

21. Any violation of these conditions and companion variance shall entitle the City Commission to modify or revoke the Conditional Use and Variance.

MIRAMAR COMMUNITY MEETING

9/23/2020 10:00

4200 GULF BLVD. ST PETE BEACH

NAME	ADDRESS	Would you like more information?
RON Gallant	4200 Gulf Blvd St Pete Beach FL	NO
Kevin Bowden	" " " "	NO
Istvan Peteranecz	2430 Terminal Drive South St. Pete, FL	NO
Ram Manquum	8500 Wimerton Largo FL 33771	yes
WESLEY WRIGHT	Comm. Dev. SPB	NO
Brandon Berry	Comm Dev SPB	NO
Alex Key	157 Cary Ave	NO
CHRISTY KELLY	3820 GULF BLVD SPB	NO
KEN+NANCY NEIMO	4000 GULF BLVD SPB #203, 204, 307	YES
Kristen Maddox	4100 Belle Vista Dr.	NO YES
Joanne Melodayo	4151 Belle Vista Dr	NO
Frank Gullia	4160 Belle Vista Dr	NO
TOM MELODAYO	4151 BELLE VISTA DR.	NO
PERRIN ALBERTSON	4000 GULF BLVD.	YES
Bob Cochran	4450 Gulf Blvd	NO
Kathy Cochran	"	I
WARD FRISZOLOWSKI	3566 Belle Vista Dr. E, St. Pete Beach	YES
AL JOHNSON	9375 BLIND PASS RD., SPB	YES
Carol Sherburne	4215 Gulf Blvd SPB	Yes
Doug Izzo	7050 Sunset way	YES
Amanda Page	6990 Gulf Blvd.	Yes
Stewart Heath	6100 Gulf Blvd	NO
Andrew Dehaug	4300 Gulf Blvd	NO
Jessia Whistler	4220 Gulf Blvd	YES
Dobres Morris	4220 " "	NO
Miles Gifford	4220 Gulf Blvd	Yes
JOE BENDER	6111 2nd ST EAST #20	YES
Amber Larone	City Clerk SPB	NO

City of St. Pete Beach

Community Meeting - - Miramar Beach Resort

September 23, 2020 1 P.M.

4200 Gulf Blvd, St. Pete Beach

Comments

NAME: Jeanne Melodsky

727
PHONE: 686-5815

EMAIL: Jomellord@aol.com

ADDRESS: 4151 Belle Vista Dr, SPB, FL

COMMENTS: Currently Miramar has 27 rooms - plans for 54 units

According to SPB Land Development Code, the number of parking
spaces required would be 79.1 for guests, employees to include
Restaurant patrons, etc. IS planning to park parking could cause a
congestion on Gulf Blvd. Based on plans to fit SPB LD (land
development code with no variances would need to
decrease project

City of St. Pete Beach

Community Meeting - - Miramar Beach Resort

September 23, 2020 1 P.M.

4200 Gulf Blvd, St. Pete Beach

Comments

NAME: Louise Melodays 727 PHONE: 686-5815 EMAIL: Tomello@AOL.com

ADDRESS: 4151 Belle Vista Dr

COMMENTS: Assurance that the Miramar would remain as a
hotel not a condominium project

City of St. Pete Beach

Community Meeting - - Miramar Beach Resort

September 23, 2020 1 P.M.

4200 Gulf Blvd, St. Pete Beach

Comments

NAME: Lance Melodays 727 PHONE: 686-5845 EMAIL: To mellow @ AOL.com

ADDRESS: 451 Belle Vista Dr

COMMENTS: Will there be room for landscaping
in front - do not want to look like asphalt

CR045D

City of St. Pete Beach

Community Meeting - - Miramar Beach Resort

September 23, 2020 1 P.M.

4200 Gulf Blvd, St. Pete Beach

Comments

NAME: Loanne Melodays

PHONE: 727 686-5815

EMAIL: Loanne@ed.com

ADDRESS: 4131 Belle Vista Dr STB

COMMENTS: Who comprises the investors of

Miramar Front Investors LLC

Could not find on Sunbiz

City of St. Pete Beach

Community Meeting - - Miramar Beach Resort

September 23, 2020 1 P.M.

4200 Gulf Blvd, St. Pete Beach

Comments

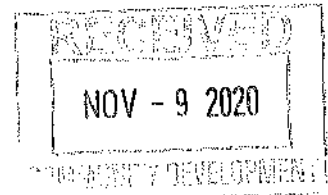
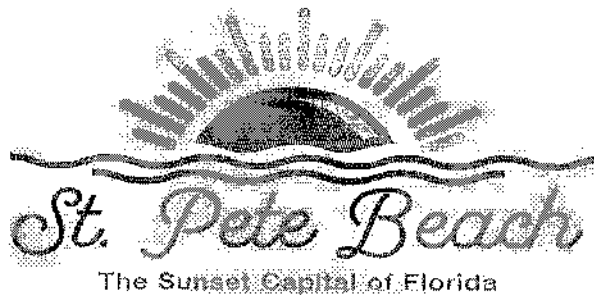
NAME: Kristen Maddox

PHONE: (813) 956-8113

EMAIL: St1993ucity@yahoo.com

ADDRESS: 400 Belle Vista Dr., 33706

COMMENTS: Please email drawings of the hotel.



CONDITIONAL USE APPLICATION

Case Number: 20040

PROPERTY OWNER: Miramar Resort ST. Pete LLC APPLICANT/AGENT (Attach agent authorization form)

Name: Kevin Bowden, Managing Partner Name: _____

Address: 4729 Rue Bordeaux Address: _____

City: Lutz State: FL City: _____ State: _____

Zip: 33558 Telephone: 2072513815 Zip: _____ Telephone: _____

Email: kbowden077@gmail.com Email: _____

SUBJECT PROPERTY:

Address: 4200 Gulf Blvd Current Name of Business: Miramar Resort ST. Pete

Parcel ID: 073216073800000120 Name of Project: Miramar Resort

DETAILS OF THE REQUEST, INCLUDING APPLICABLE CODE SECTIONS AND ANY ASSOCIATED CASES (Add additional sheets if necessary):

The request is for an eight story (above parking), 54 Unit transient accommodation development. The proposed building consists of 78 parking spaces (under a valet parking scheme), 1 truck loading space solid waste area, on the ground floor,
6,700 SF of amenities on the second floor
five stories of transient units,
and an amenity and pool deck on the rooftop level.
The requested project density is 54 units, 39 units from base density (50 du/acre) with 15 units (20 du/acre) requested from the density pool. Total proposed density is 69.2 DU/Acre.

[Signature]
Signature of Applicant/Agent

11/9/20
Date

CITY OF ST. PETE BEACH, Community Development Department
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In order for an application for a conditional use to be approved or approved with conditions, the City Commission must make a positive finding with regard to each of the provisions below, pursuant to Division 4 of the City's Land Development (LDC). The applicant has the burden of proof demonstrating that the application for the conditional use complies with each of the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. LDC Sec 4.4(a)(1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan and any adopted special area plan.

The proposed development is in the B/HC Boutique Hotel District. The B/HC zone permits transient accommodations, anticipates heights up to 76 feet for temporary lodging (within required setbacks), and permits additional density(, up to 20 additional Density units, from a base of 50 DU/Acre), from the density pool.

2. LDC Sec 4.4(a)(2)a-d Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential commercial and/or service facilities available within the existing area. More specifically:

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

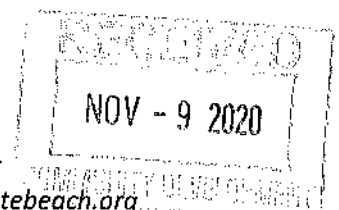
The proposed development is in character with the scale and uses within it's immediate neighborhood, and within the requirements and intent of the B/HC Boutique Hotel district. The immediate neighbors, to the south, are 4-8 Stories above garage.

Please see Exhibit B for more detail.

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

N/A - There are no historic scenic, or cultural resources on site.

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

The development is proposed as a 76 foot high condo-hotel development. The adjacent buildings are of similar height and are a mix of condominiums, condo-hotels, and transient accommodations. The architectural styles of the street vary greatly, from mid-century hotels to more modern condominium buildings. The primary style of the proposed project is a modernized take on mid-century modern, in keeping with the area.

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

The proposed project maintains will not adversely impact the livability or usability of the nearby area. The proposed uses are similar to the existing hotel uses and in keeping with the uses, intensity and type, of the adjacent properties.

Please See Exhibit C for more detail.

3. Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety (a traffic study may be required);

Gulf Boulevard has been upgraded recently and the proposed project adds very few additional daily trips to the area.

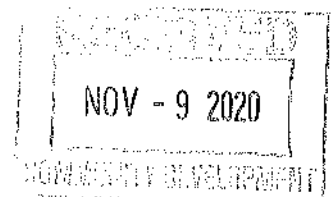
Please See Exhibit D for more detail.

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

The current property has 24 parking spaces, trash dumpsters are adjacent to the public sidewalk, and loading is accommodated in the front access drives. The proposed design accommodates the required 78 parking spaces, within the ground floor of the building. We are requesting a variance in the parking via a valet parking program.

The One deliveries space and trash pick-up are behind the front building face and will be shielded from the adjacent properties.

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

The project will be constructed to all current building, ADA, and life-safety codes and standards.

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

Applicant has more than forty years of hospitality experience and recently completed a 125 room upscale hotel in Madeira Beach, FL. Our team of investors are financially strong + stable.

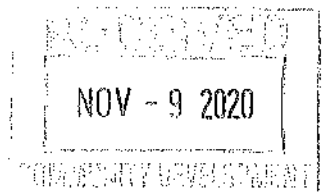
7. The proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.

In the planning of the proposed development, the applicant has worked with the City to ensure compliance with all local requirements and mandates.

Sec. 4.12 of the Land Development Code additionally requires conditional use applications within the community redevelopment district to be evaluated upon the extent to which the applicant can demonstrate that the following issues are addressed in a manner consistent with the policies established in the community redevelopment plan for the district and that no unreasonable or disproportionately negative impacts are imposed upon adjacent or nearby properties:

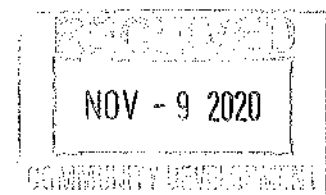
Please See Exhibit A

1. Utility infrastructure, including sanitary sewer, reclaimed water, potable water, electric and natural gas services, and data transmission and telecommunication services.
2. Transportation infrastructure, including ingress and egress from public right-of-way, traffic control devices and signalization, internal vehicle circulation of the site, design and function of parking areas, loading and unloading areas, pedestrian transit infrastructure and amenities, and public sidewalks and roadways.
3. Hydrological features and storm water management infrastructure.
4. Aesthetic and architectural features of the development, including site layout, physical dimensions of structures such as height and massing, design and appearance of building facades, exterior building materials, advertising and directional signage and the provision and maintenance of Gulf and Bay views and vistas.
5. Site landscaping, open space provision and impervious surface limitations.



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6. Operational and functional requirements of facilities, including hours of operation, provision of required services or amenities, lighting requirements, noise abatement requirements, residency limitations and facilities maintenance.
7. Fire suppression and facility security.
8. Emergency management and hurricane evacuation provisions.
9. For temporary lodging uses taller than 50 feet in height or a density greater than 30 units per acre, the following additional issues shall be considered:
 - a. The amount of separation provided between the proposed temporary lodging use and any existing buildings on adjoining properties and resulting impact on sunlight and views; and
 - b. The proximity of any adjacent residential building to the Florida Coastal Construction Control Line and the degree to which the proposed temporary lodging use and/or any accessory use or structure maintains an open view of the waterfront from neighboring properties.



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Exhibit A

Sec. 4.12

(1) We are aware the city is completing a upgrade to the sewer system that will service the property. We will not begin construction of said project until we can confirm the sewer project will be completed on time, and would not prevent us from receiving a C.O.

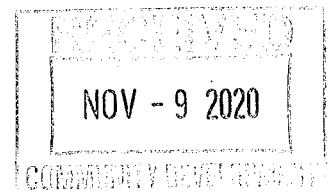
(2) The Site Plan calls for a 10 ft sidewalk for ingress and egress over the property.

(3) Applicant will be submitting a more detailed site plan at a later date, and all storm water drainage requirements

will be met.

(4) We have committed to building a aesthetically pleasing hotel that features both modern amenities and versatility, and is compliant with all building requirements regarding design and appearance.

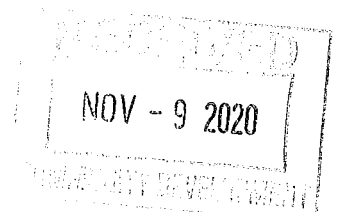
(5) We are aware that we are limited to 85% of impervious surfaces. And we are committed to providing a landscaping plan ~~throughout~~ throughout the property that meets all requirements of the Land Development Code.



(6) We pride ourselves on being good neighbors to the surrounding community. We are prepared to operate the facility within the rules and guidelines provided by the Land Development Code.

(7) We are prepared to follow and adhere to all fire suppression requirements and guidelines, as well as 24 hour camera surveillance security at every level of the building.

(8) We are prepared to enact an emergency management & hurricane evacuation plan that meets all local, state & federal laws.



(9)

(A) We have engineered and designed a hotel building that meets all setback requirements, and gave careful consideration to balcony placement ~~so~~ as to maximize sunlight and views without unnecessarily negatively impacting our neighbors to both the north and south.

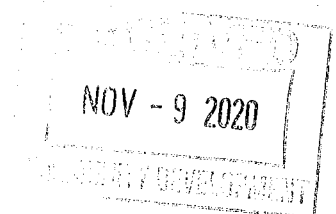
(B) The site plan layout and dimensions are in compliance with all zoning ordinances concerning the BHC. We designed a building that would reap the benefits of beautiful gulf views, while being careful + mindful not to obstruct open waterfront views of our adjacent neighbors.

NOV - 9 2020

Exhibit B

2 (b)

(a) ... and 2 stories above garage to the north. The proposed hotel building is stepped back on the south side with balcony views to preserve gulf views for both our guests and our immediate neighbor to the south. The north side of the building will be landscaped with cascading palm trees that do not impede views of the gulf.



2 (da)

Exhibit C

We recently opened a five story hotel in Madeira Beach that has a rooftop pool + bar. We were careful to choose lighting and paint colors that did not create glare issues, but yet provided safe, ambient lighting.

We have acoustic live entertainment on the roof from 6pm - 10pm Thursday through Saturday, and have had no noise complaints or issues with our surrounding neighbors. We are also controlling crowd size to mitigate potential noise issues.

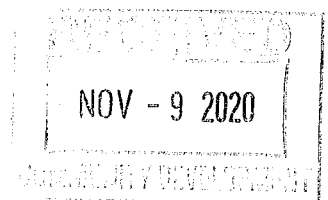


Exhibit D

(3) Although we are doubling the current number of units, from 27 to 54, several of the surrounding properties with similar uses are much larger.

If a traffic study is required of us then we will accommodate that request.

Additionally, we are happy to have discussions regarding expanding the width of the public beach access onto our property to improve public access.

The proposed building's parking needs and impact on the site are addressed under the Variance Application submitted more date.

NOV - 9 2020

CONDITIONAL USE APPLICATION

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

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

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

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

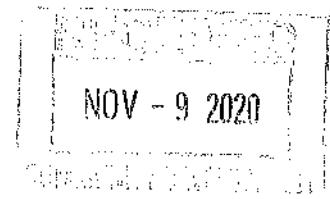
KB I understand that if a conditional use is approved by the City Commission, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval from the City Commission becomes voided.

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

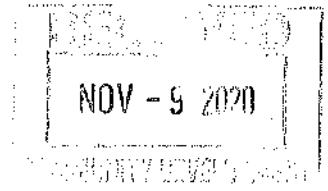
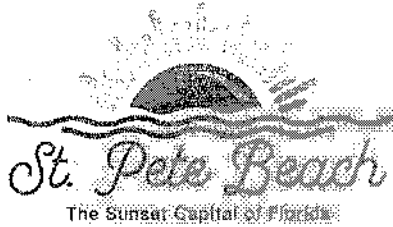
KB I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application.

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

X [Signature] 11/9/20
Signature of Applicant Date



CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Margaret Lasot + St Pete LLC, agrees to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the Public Hearing and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

The sign shall be maintained in good readable condition by the applicant. If the said sign is destroyed, lost, or becomes unreadable, the applicant or applicant's representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's agent not later than 24 hours following the final decision.

Applicant/Agent (must fill out agent authorization form):

Name(print): Kevin Bowden

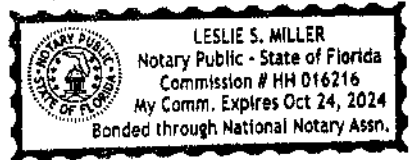
Address: 4729 Rue Bordeaux Lot 2 FL 33558

Signature: [Signature] Date: 11/9/20

STATE OF FLORIDA)
PINELLAS COUNTY) SS:

The foregoing instrument was acknowledged before me this 9th day of November 20 20 by Kevin Bowden, who appeared before me, and is personally known to me, or has produced _____ as identification, and did take an oath.

My commission expires: 10/24/2024



NOTARY: Leslie S. Miller
Print Name: Leslie S. Miller
Notary Public, State of Florida
(Notarial Seal)

CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org

CASE #: 200911

PARCEL #: _____

SUBMITTAL DATE: 11/4/2020 AMOUNT DUE: \$260.00 PAYMENT DATE: 11/4/2020

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

The following items are to be submitted, along with this application, at least 30 days prior to the public hearing:

- Two (2) copies of the property survey, completed in the last ten years, which contains the legal description, land area, and existing improvements on the site that has been signed and sealed by a surveyor licensed in the State of Florida;
- Seven (7) copies of a site plan showing the request, drawn to scale, of size between 11x17" and 36x48";
- Emailed copy of the survey and site plan to bberry@stpetebeach.org.
- The Application Fee, payable to the City of St. Pete Beach (non-refundable)

NOV - 9 2020

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	Miramar Resort ST. Pete LLC	4729 Rue Bordeau Lutz FL 33558-5368	2072513815
Applicant/ Agent	Kevin Bowden	Same as above	Same
Owner Email Address:		Applicant/Agent Email Address:	
Kbowden077@gmail.com		Kbowden077@gmail.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
BHC	BHC	.78 AC
Legal Description: Sec 3, Surney		
Address: 4200 Gulf Blvd ST. Pete Beach FL 33706		
Explanation of Request: Request for the approval of a valet parking plan to accommodate 78 parking spaces within the ground level of the proposed building. The valet spaces shall be accommodated totally within the proposed parking structure. Current number of parking spaces at the resort do not meet the hotel's parking needs @ full capacity.		

Findings Necessary for Granting Request: In order for an application for an unnecessary and undue hardship variance to be approved or approved with conditions, the Board of Adjustment must make a positive finding with regard to each of the provisions below, which are also located in Division 3 of the Land Development Code. The applicant has the burden of proof demonstrating that the application for the variance complies with each of these requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;

The B/HC zone allows for 54 units on the site. Per code 78 parking spaces are required. The width of the site does not permit ground level parking and an access ramp to additional levels of parking.

2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;

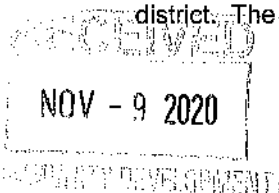
The proposed valet parking plan will satisfy the intent of the City's "parking space" requirement of having individually painted parking spots.

3. Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;

We have maximized the space on the ground floor. Given the height restrictions provided under the B/HC, whereby we can only sustain one level of parking, the proposed valet parking plan allows us to achieve our parking needs.

4. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the Comprehensive Plan or the Land Development Code, nor will it permit an increase in development density;

The proposed development is in compliance with the allowances and constraints of the B/HC Boutique district. The proposed density is within the parameters of the code.



5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;

We have not proposed the valet parking plan to gain financial rewards. We have maximized the space on the ground floor level, and the valet plan would allow compliance with density and height requirements. Additionally, several other properties have been granted a valet parking allowance, and the plan allows for on site guest parking.

6. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;

Several other properties have been granted a valet parking allowance. This allows for good use of the properties and limits off site parking.

7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and

The valet plan parking request allows for reasonable use of the land and minimizes the potential scale and bulk of the building. (If additional levels of parking could be accommodated.)

8. The requested variance is in harmony with the general intent and purpose of the Comprehensive Plan and the Land Development Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.

The use of a valet plan, to accommodate the parking, keeps parking within the site and minimizes potential overflow to adjoining streets.

Signature of Applicant

Date

Signature of Authorized Agent

Date

VARIANCE APPLICATION

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

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

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

KB On all variances except for administrative (de-minimis) variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

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

KB I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.

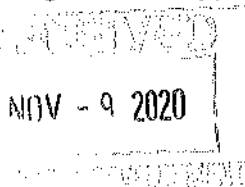
KB I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

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

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

X [Signature]
Signature of Applicant

11/9/20
Date





PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Micamas Resort St Pete LLC, agrees to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the Public Hearing for unnecessary or undue hardship variances and practical difficulty variances, or seven (7) days in advance of the final administrative decision for administrative (de-minimis) variances, and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

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Applicant/Agent (must fill out agent authorization form):

Name(print): Kevin Bowden

Address: 4729 Rue Bordeaux Lot 2 FL 33558

[Signature] 11/9/20
Signature Date

STATE OF FLORIDA)
PINELLAS COUNTY) SS:

The foregoing instrument was acknowledged before me this 9th day of November, 2020 by: Kevin Bowden who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

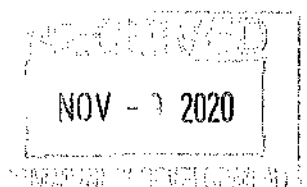
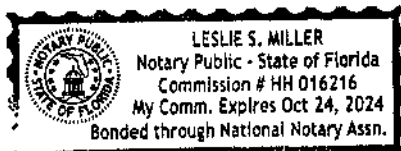
My commission Expires: 10/24/2024

NOTARY:

Print Name: Leslie S. Miller Notary

Public, State of Florida

(Notarial Seal)



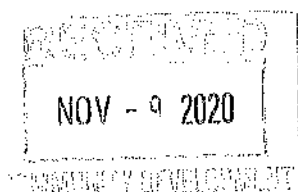
DEAR APPLICANT:

PLEASE COMPLETE THE ATTACHED AFFIDAVIT WHEN FINAL DATES HAVE BEEN DETERMINED FOR YOUR APPLICATION. PRESENT THE COMPLETED NOTARIZED AFFIDAVIT TO COMMUNITY DEVELOPMENT AND YOU WILL BE GIVEN THE SIGN(S) TO POST ON THE SUBJECT PROPERTY.

It is your responsibility to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the public hearing for unnecessary and undue hardship variances or final administrative decision for administrative variances. The sign(s) must remain in place until the requested action has been heard and decided by the City Commission, Planning Board, Board of Adjustment, Historic Preservation Board, City Manager, or withdrawn. Multiple sign postings cannot be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

You must maintain the sign(s) in good readable condition. If the said sign is destroyed, lost, or becomes unreadable, you or your representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's representative not later than 24 hours following the final decision by the City Commission, Planning Board, Board of Adjustment, Historic Preservation Board, or City Manager.

A Notary Public is available in City Hall; 155 Corey Avenue.





**MIRAMAR RESORT ST. PETE, LLC
CONDITIONAL USE AND VARIANCE APPLICATION
STAFF REPORT**

APPLICATION NUMBER: CU #20090 and Variance #20091

OWNER: Kevin Bowden, Managing Partner of Miramar Resort St. Pete, LLC

PREPARED BY: Community Development Staff

MEETING DATE: February 10, 2021

This application is a request for a Conditional Use Permit with Variance:

REQUEST:	The Miramar Beach Resort is requesting approval to demolish and redevelop the site to construct a new seven-story transient accommodation hotel. The request requires a conditional use permit for (1) the new temporary lodging use to exceed 50 feet in height, (2) a density greater than 30 units per acre, (3) to allocate additional units from the B/HC density pool and (4) a roof dining and drink area, pursuant to Section 39.6(p) and Section 46.4(c) of the Land Development Code (LDC). The new temporary lodging use proposed is a 54-room hotel, with 77 parking spaces (22 of which are valet), interior lobby, amenity and dining area, and a rooftop bar and pool. The maximum height of the proposed structure is 76 feet. Furthermore, an Unnecessary and Undue Hardship Variance from <u>LDC Sec. 23.5 – Number of parking spaces required (77 parking spaces)</u> is requested to permit an under-building valet parking arrangement (22 valet spaces) in lieu of the required number of permanent self-parking spaces to support the new development. A total of 77 spaces are proposed, including the valet program.
LOCATION:	4200 Gulf Blvd; BELLEVISTA BEACH LOTS 12 & 13 & LAND TO MHW & RIP RTS LESS RD; Parcel ID # 07-32-16-07380-000-0120.
ACREAGE:	Approximately 1.15 acres, of which 0.78 acres is landward of the Coastal Construction Control Line
EXISTING ZONING	BHC – Boutique Hotel/Condo District, landward of the Coastal Construction Control Line (CCCL), with P – Preservation District seaward of the CCCL
SURROUNDING ZONING and FUTURE LAND DESIGNATIONS:	North – BHC – Boutique Hotel/Condo District South – BHC – Boutique Hotel/Condo District East – Gulf Boulevard and BR – Bayou Residential District West – Beach and Gulf of Mexico
SURROUNDING EXISTING USES:	North – Mariner Beach Club (Resort Condominiums) South – Vistas on the Gulf (Resort Condominiums) East – Bank, Stores and Apartments West – Beach and the Gulf of Mexico

BACKGROUND

The property contains the existing Miramar Beach Resort that was constructed in 1953 according to Pinellas County Property Appraiser records. This temporary lodging use contains 27 rooms, with 18 parking spaces.

The applicant held a public community meeting on September 23, 2020 in the Boca Ciega Ballroom of the St. Pete Beach Recreation Center where the hotel proposal was presented and discussed with approximately twenty members of the community. Comments were received concerning the height of the hotel and rooftop bar, setbacks, parking and queuing arrangements, temporary lodging standards, hotel design, landscaping, and the hotel investors, among others.

The applications for a conditional use permit and variance were submitted to the Community Development Department on November 9, 2020. The case was reviewed at the December 2, 2020 Technical Review Committee meeting, where staff provided comments on site improvements, operational restrictions, and other items which have been made conditions of this report. The conditional use permit application was presented to the Planning Board on December 14, 2020, where the Board made a positive recommendation to the City Commission with the condition that the development contain sufficient on-site bike and scooter parking.

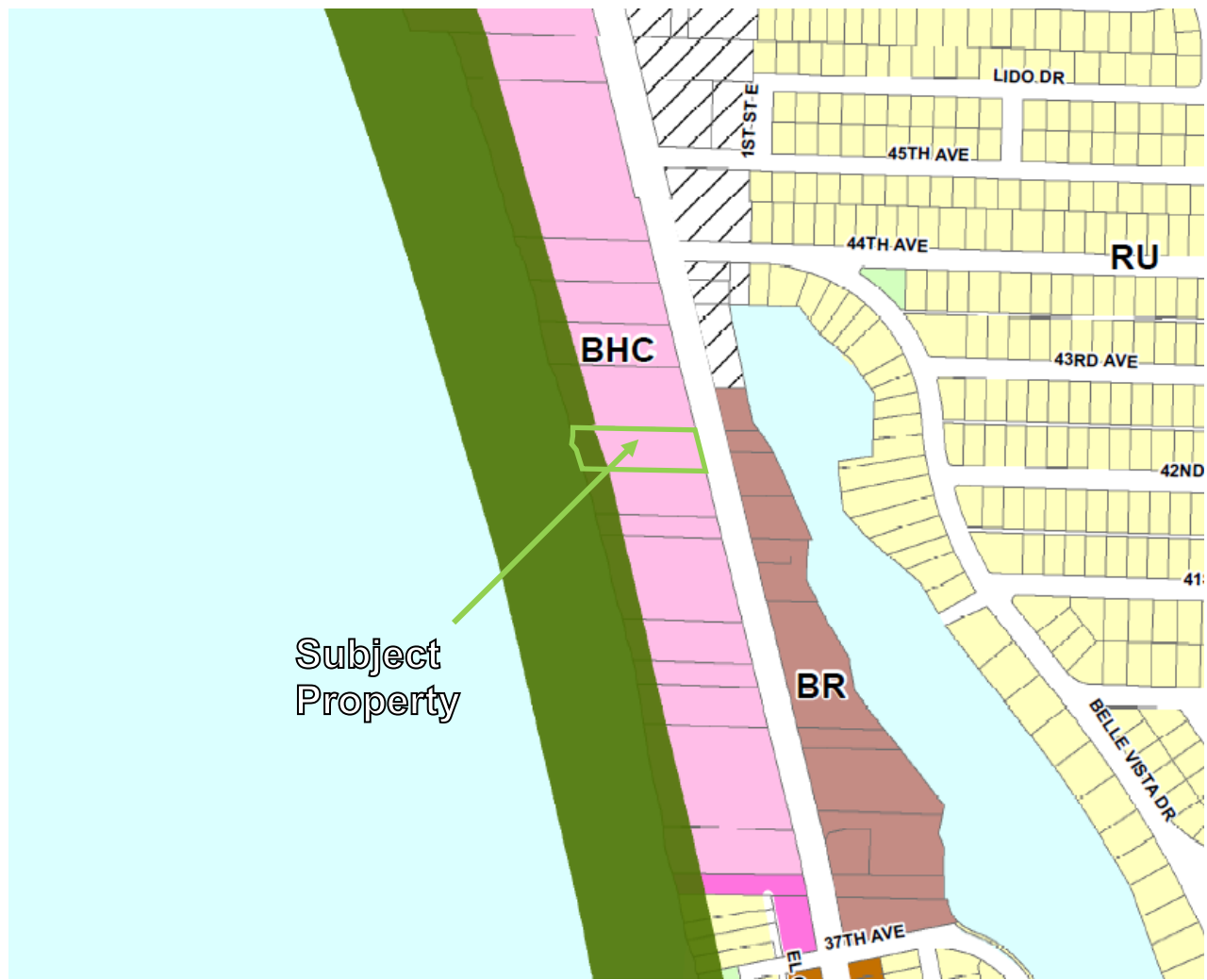
ANALYSIS

The applicant is seeking a density of 39 temporary lodging units pursuant to LDC Sec. 46.6(b), and an additional density of 15 temporary lodging units from the Boutique Hotel/Condo density pool pursuant to LDC Sec. 46.4(c), for a total site density of 54 hotel units. This is the maximum permissible for a site of 0.78 buildable acres in the BHC District. The applicant is also seeking a variance from LDC Sec. 23.5 to permit a valet parking arrangement in lieu of the required number of permanent self-parking spaces that meet the City's standards. No other variances are being sought with this request. As presented, the proposal meets the City's standards for height, setbacks, lot coverage, density, amenity floor area ratio, and other standards to which variances cannot be sought under the City's Comprehensive Plan. The lodging unit floor area ratio presented on the conceptual site plan is slightly higher than the maximum 750 square-foot average permitted for each room, due to the inclusion of a fractional unit's floor area ratio that is not being pursued with this request, and will be required to be reduced by a total of approximately fifteen (15) square feet on the final site plan.

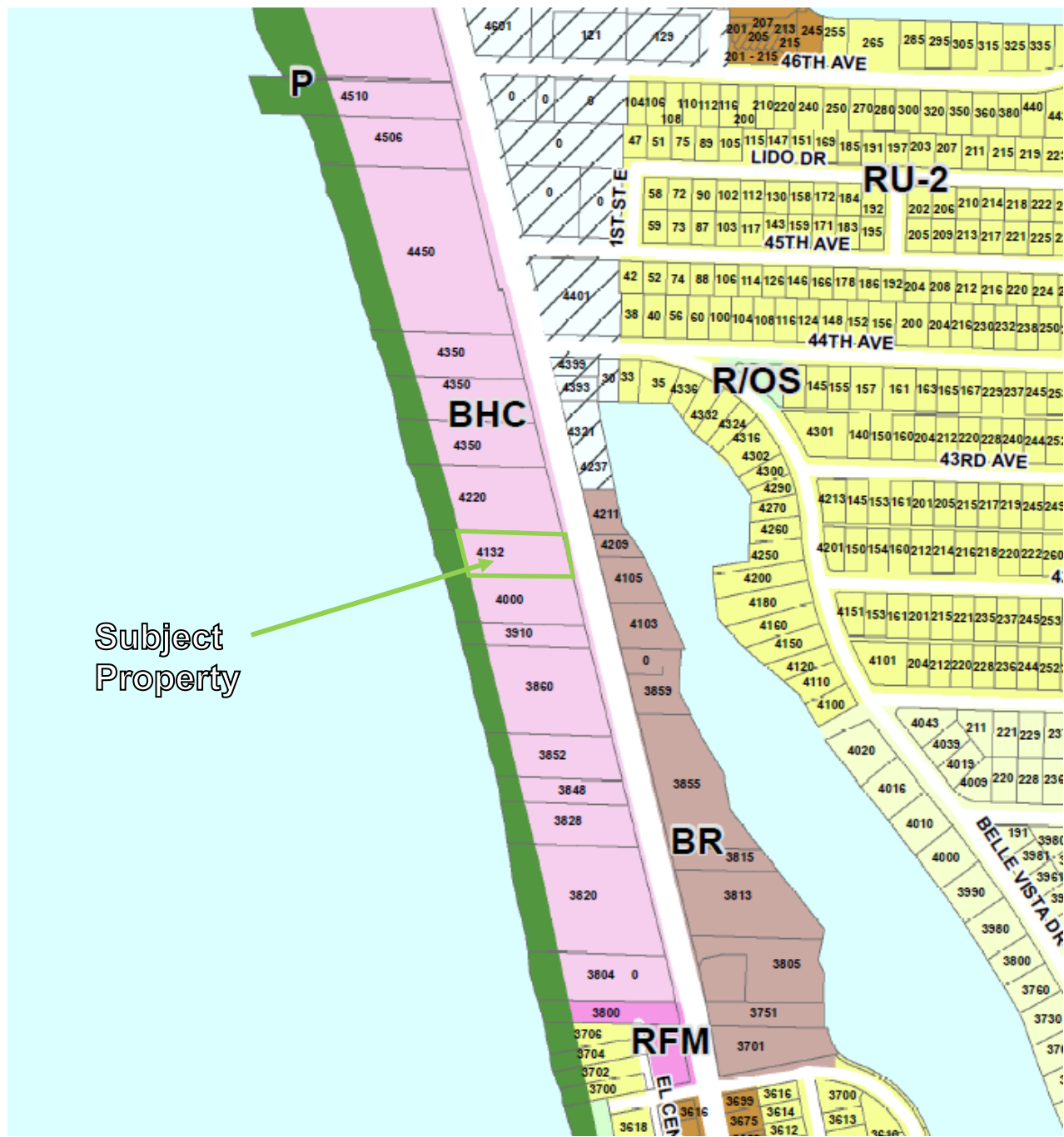
Density Pool Information			
District	Total Units Available	Total Units Utilized	Total Units Remaining
Boutique Hotel/Condo	125	0 15	125 110
Town Center Core	50	0	50
Upham Beach Village	175	0*	175
Town Center Core – Corey Circle	325	64	261
Town Center Core – Coquina West			
Activity Center			
Bayou Residential			
Total	675	64 79	611 596

Prior to the issuance of building permits, the applicant will be required to submit a final site plan that complies with the minimum standards of LDC Division 5 -SITE PLAN APPROVAL PROCEDURES. Any requirements upon which approval is made conditional will be required to be reflected on the site plan, as applicable. The applicant will have to further comply with Code of Ordinances Chapter 106 – FLOOD CONTROL related to drainage, and supply concurrency statements and a transportation management plan as required.

FUTURE LAND USE MAP



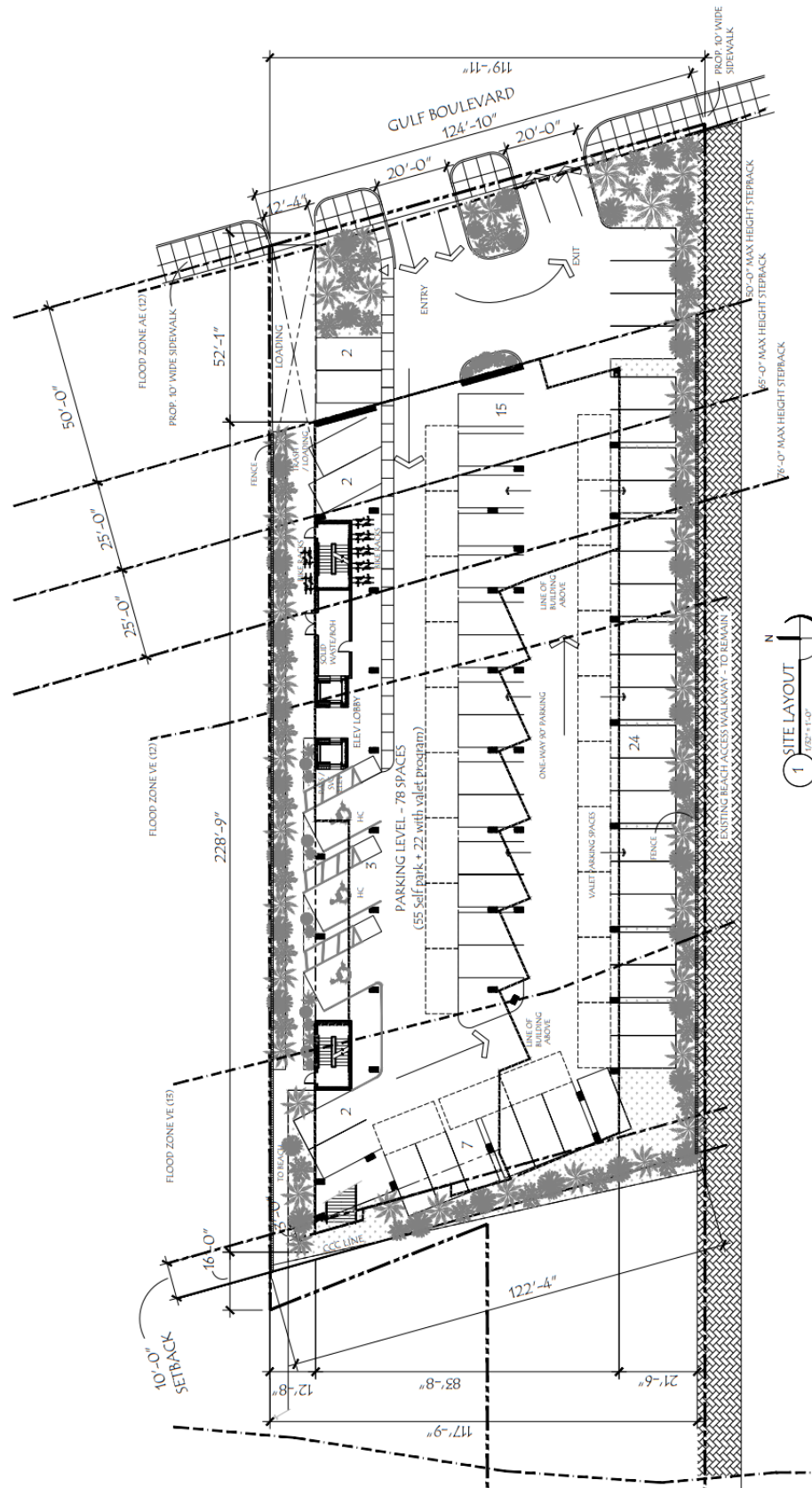
ZONING MAP

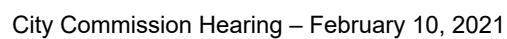


AERIAL MAP



SITE PLAN





CONDITIONAL USE PERMITS- 4.4 STANDARDS FOR REVIEW

When considering an application for approval of a conditional use, the City Commission review shall consider the following standards:

- (1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan, any adopted special area plan and these regulations;**

The conditional use request is consistent with the Comprehensive Plan in the following ways:

FUTURE LAND USE ELEMENT:

Quality Community - Planning To Stay (General Provisions)

- (c) Citywide Land Use Goals, Objectives and Policies. In furtherance of the overall goals, objectives, and policies contained in the Comprehensive Plan, the land use categories and their descriptions, beginning on the next page, are hereby adopted for the purpose of serving as the guide for the City of St. Pete Beach in continuing its heritage of quality residential living complemented by resort facilities that support a tourist-based economy by creating a vision for the City's future that ensures that the City will remain a desirable place to live and visit that includes overall quality land management and emphasis on strict management of redevelopment in designated strategic core areas of the City.

II. Future Land Use Plan Element

Future Land Use Policies - Green Practices, Residential Character and Introduction to Land Use Categories

GOAL 2:

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

- Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.
- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.
- Maintaining the community's recreation, open space and beaches.

Objective 2.1

The integrity and quality of life throughout the City, including existing residential neighborhoods, as well as core commercial and resort areas, will be maintained through the enforcement of the land development regulations and shall be encouraged to be improved, and for those properties experiencing blighting conditions such as deterioration, degradation, and distress shall be encouraged to redevelop through the use of land development regulations and other incentives, in accordance with the Future Land Use Element.

Objective 2.13

The City shall promote the preservation and redevelopment of temporary lodging uses.

Special Designation – Community Redevelopment District (CRD)

C. Gulf Boulevard Redevelopment District

Goals, Objectives and Policies for the Gulf Boulevard Redevelopment District

GOAL 1:

Gulf Boulevard shall be a place that attracts people for living, employment and recreation. The City shall encourage the revitalization of Gulf Boulevard through commercial and temporary lodging redevelopment that will attract residents and visitors to the Gulf Boulevard core resort area as a recreation, entertainment, resort and shopping destination.

Objective 1.6

Public beach access will be preserved and expanded through redevelopment of temporary lodging uses.

GOAL 3:

Maintain and improve Gulf Boulevard as a memorable place to be enjoyed by residents and visitors that emphasizes pedestrian mobility, waterfront and Gulf beach access, a quality built environment that focuses on retail services and entertainment.

Objective 3.3

Redevelopment is encouraged to create a vibrant Gulf Boulevard core resort environment containing a variety of building forms and styles of exceptional architectural design and high quality finishes that respect the Gulf Boulevard resort character and heritage, increase Green space, reduce paved surface parking, increase side yard setbacks, increase setbacks from Gulf Boulevard, and provide amenities, retail services, restaurants and waterfront beach bars that serve guests and residents alike.

Policies

Policy 3:

The design of all projects in the Gulf Boulevard Redevelopment District shall make meaningful contributions to a safe and comfortable pedestrian environment through site and building design, internal connections between adjacent properties, and external connections to and along Gulf Boulevard.

Policy 11:

A Transportation Management Plan (TMP) shall be required on all development and redevelopment that increases density or intensity of development on a site. Physical and operational improvements and strategies should be considered as part of any project Transportation Management Plan.

Boutique Hotel/Condo District (B-HC)

Policies

Policy 3:

All development and redevelopment projects may be required to provide an easement to the City for unimproved public access landward of the mean high water line to provide a continuous, uninterrupted pedestrian beach system.

Policy 4:

Professional landscaping and design standards consistent with the standards contained in the LDC shall be the minimum required on the entire building site for new development that exceeds 75% of the buildable site, with particular emphasis on the Gulf Boulevard frontage and screening from any adjacent low-rise residential use that may include landscaping and privacy walls. Landscape design, including the type and quantity of plant material as well as creative tropical hardscape designs, shall be consistent with the quality and character of a high quality tropical resort destination

Policy 5:

Increased building setbacks from Gulf Boulevard shall be required for increases to building height allowed for temporary lodging uses.

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

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

The proposed hotel has a greater number of stories (seven stories) than either abutting property, with the property to the south having four stories above parking and the property to the north having two total stories. The property to the south appears to have a higher density per acre compared to that of the subject site, while the property to the north appears to have a lower density per acre. Staff find that the overall function of the area will not be significantly affected, given that the district and vicinity has historically featured boutique hotels and the three properties to the immediate south of the subject property feature structures of four-to-six stories above parking. Staff find that revitalization of temporary lodging properties in this district is a goal of the City and find the project would have a positive impact should potential concerns be mitigated.

- b. **Whether the application will preserve any city, state or federally designated historic, scenic, archaeological, or cultural resources;**

This application does not impact any known city, state or federally designated historic, scenic, archaeological, or cultural resources.

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

The building contains more stories than the buildings to the north and south, although it meets the City's step-back height standards for developments in the district as well as required setbacks from abutting properties as proposed. The applicant has indicated that landscaping will be installed along the southern end of the site, and limited landscaping will be installed along the northern side.

The building is set more toward the northern end of the site than the south, and the southern side of the building only has a portion in which all five floors extend to the minimum setback; the remainder of the building is recessed, with only an elevated deck present at the minimum setback. The northern side extends to the minimum setback of 10% of the lot width, although this side does contain insets which somewhat recesses the upper stories of the building near the rear of the lot.

- (3) **Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues. Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety;**

Staff are recommending conditions to mitigate noise from outdoor eating and drinking areas proposed for the resort and will require during the final site plan review that all vehicular areas are screened from adjacent properties through a fence, wall, or landscaping. Staff are also recommending the applicant explore alternatives to establishing an additional curb cut along Gulf Blvd for a loading area as depicted on the site plan. If the loading area remains, staff are proposing that a wall, fence or landscaping of sufficient height to prevent headlight glare on adjacent properties be installed along the northern side property line.

Customer areas at the resort appear to be relatively contained to elevated spaces, including an elevated deck, and staff do not anticipate issues with increased litter. With the exception of one unit per floor that is located on the northern side of the structure,

the majority of lodging units are located along the southern enclosed end of the building which overlooks the on-site deck and parking lot rather than abutting properties.

The applicant submitted a traffic assessment prepared by a Professional Transportation Planner on December 23, 2020 which found the development would generate 28 peak hour directional trips onto Gulf Blvd, which is lower than the 51 peak hour trips required to submit a Transportation Management Plan or detailed traffic study. However, the applicant shall pay multimodal impact fees for increased intensity and density at the site, or demonstrate through an independent fee analysis that said fees are not required. Staff do not anticipate any impacts from on-street parking, as no such parking is proposed or eligible to be reserved for resort use. The applicant will be required to install a ten-foot sidewalk with pedestrian-scale lighting, amenities and shade trees, and staff are recommending that a pathway be established from the sidewalk to the front of the building to provide additional pedestrian comfort.

The City currently operates a "Freebee" shuttle service which is available to all properties south of the County Beach Parking Lot, which includes the subject property.

- (4) Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely;**

The subject property is below the threshold required to provide an off-street loading area, but the applicant has proposed space and a separate curb cut on the site to accommodate a truck unloading area. The loading area (12'-4" x 52'-1") complies with the city's dimensional standards for such a loading space. However, staff are recommending the applicant explore options to consolidate the proposed curb cut with the existing entrance so as to reduce the number of connections of the site to Gulf Boulevard.

The site does not provide a sufficient number of dedicated self-parking spaces that meet City code requirements to accommodate the proposed number of hotel units and amenity space. In lieu of self-service parking spaces, the applicant has proposed an under-building parking plan that will provide 77 spaces, with valet stacked parking. This request is explored in more detail in the accompanying variance request.

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

Staff are recommending conditions related to mitigation of noise associated with outdoor uses such as restaurants, prohibiting the conversion or operation of the temporary lodging use as a residential use, vehicular area screening, and landscaping maintenance. Other conditions that preserve the health, safety and/or welfare may be imposed by the City Commission in the approval of this project.

- (6) **Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision such improvements and mitigation;**

The applicant states that they have more than forty years of hospitality experience and recently completed a 125-room upscale hotel in Madeira Beach. They further state they have a financially strong and stable team of investors.

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

Staff have been in contact with the applicant for several months and have discussed requirements imposed by the Land Development Code, many of which have been integrated into the site plan which accompanies this request. Staff will ensure that all criteria imposed by the Land Development Code, as well as any conditions of approval for this request, are evaluated and accepted at the appropriate time.

Sec. 4.12. - Criteria for review of conditional use applications.

(a) Conditional use applications within the community redevelopment district shall be evaluated upon the extent to which the applicant can demonstrate that the following issues are addressed in a manner consistent with the policies established in the community redevelopment plan for the district and that no unreasonable or disproportionately negative impacts are imposed upon adjacent or nearby properties:

- (1) Utility infrastructure, including sanitary sewer, reclaimed water, potable water, electric and natural gas services, and data transmission and telecommunications services;**

The applicant understands that the Certificate of Occupancy for new construction will be delayed until such time as the sewer project currently underway has been completed, and has stated to Staff that they will time their construction completion to coincide with the completion of the sewer. If the sewer meter is required to be expanded, impact fees will be collected at the time of permit issuance in accordance with the local fee schedule.

Staff has advised the applicant to coordinate the installation of the ten-foot sidewalk with the City. Coordination efforts will need to coincide with the sewer and electrical undergrounding projects along Gulf Boulevard.

Staff recommend a condition to require that the ten-foot sidewalk be installed along Gulf Boulevard, with the installation to occur at the discretion of the City. Any portion of the ten-foot sidewalk that extends into the subject property shall be provided to the City as a permanent public pedestrian access easement prior to the approval of the final site plan.

(2) Transportation infrastructure, including ingress and egress from public rights-of-way, traffic control devices and signalization, internal vehicle circulation of the site, design and function of parking areas, loading and unloading areas, pedestrian transit infrastructure and amenities, and public sidewalks and roadways;

The under-building parking arrangement is not in compliance with City codes, necessitating a variance. Staff are further recommending the applicant seek an alternative for the truck loading arrangement proposed for the front of the site.

Pedestrian amenities, as required by Code, shall be reflected on the final site plan.

(3) Hydrological features and storm water management infrastructure;

The applicant shall be required to adhere to the City's standards for flood control and site drainage as found in Code of Ordinances Chapter 106.

(4) Aesthetic and architectural features of the development, including site layout, physical dimensions of structures such as height and massing, design and appearance of building facades, exterior building materials, advertising and directional signage and the provision and maintenance of Gulf and Bay views and vistas;

The applicant states they are committed to building an aesthetically pleasing hotel that features both modern amenities and versatility, and is compliant with all building requirements regarding design and appearance. The Land Development Code does not impose certain architectural styles on new developments within the Community Redevelopment District, but does provide select standards related to breaks in massing and building planes and requirements that elevations be covered in a certain percentage of windows or architectural decoration. Staff have indicated to the architect that these items will need to be affirmed on elevations provided during the site plan review process.

The building meets the height step-back standards imposed by the Land Development Code for the district, as well as required setbacks.

The applicant is proposing two signs per the elevation renderings which will be required to meet size and lighting standards as applicable. A maximum of three exterior signs are permitted for the site.

(5) Site landscaping, open space provision and impervious surface limitations;

The applicant shall be required to provide a minimum eight-foot-wide landscaping zone at the front of the property adjacent the expanded sidewalk except for where driveways cross property lines. As the property abuts resort condominiums and timeshares landscaping buffering is not required along the side property lines as a result of the use, but adequate

landscape or barrier screening of the parking lot shall be required on both the southern and northern ends of the site.

The site is limited to an absolute maximum impervious surface ratio of 0.85, which the applicant acknowledges is not variable.

(6) Operational and functional requirements of facilities, including hours of operation, provision of required services or amenities, lighting requirements, noise abatement requirements, residency limitations and facilities maintenance;

Staff have expressed to the applicant that the development shall comply with all local codes related to lighting, including marine turtle protection lighting standards imposed by both the city and county. The applicant shall be required to comply with operational and occupancy restrictions imposed by the Land Development Code, including the prohibition on conversion of units to residential at existing density and height, inability to use units for homesteading or home occupational licensing, and requirements for filing of covenants prohibiting conversion to permanent residential dwellings, as listed in the Land Development Code. Conditions for noise abatement have been proposed by staff. The applicant shall be responsible for facility upkeep as regulated in the Code of Ordinances.

(7) Fire suppression and facility security;

The applicant shall be required to follow site requirements for fire access to the structure, including provisions for an access road, a truck maneuverability exhibit, and other requirements of the Fire Marshal.

(8) Emergency management and hurricane evacuation provisions; and

The use shall comply with all county and local hurricane closure and evacuation procedures that will ensure orderly evacuation of guests and visitors prior to evacuation orders being issued for residents. The restrictions and procedures contained within the hurricane closure and evacuation plan shall apply to all on-site workforce living accommodations, as applicable.

(9) For temporary lodging uses taller than 50 feet in height or a density greater than 30 units per acre, the following additional issues shall be considered:

- a. The amount of separation provided between the proposed temporary lodging use and any existing buildings on adjoining properties and resulting impact on sunlight and views; and**

The building is proposed at a 12'-8" side setback on the northern side, and a 23'-6" side setback on the southern side, which complies with the BHC District standard of a combined side yards measurement of 30% of the lot width. As lot width is defined as

“the average distance between the property lines connecting the front and rear zoning lot lines at each side of the zoning lot”, the setback is slightly lesser (about half a foot) than it would be had the front and rear lot lines been completely perpendicular.

b. The proximity of any adjacent residential building to the Florida Coastal Construction Control Line and the degree to which the proposed temporary lodging use and/or any accessory use or structure maintains an open view of the waterfront from neighboring properties.

The proposed rear setback of the structure from the CCCL, with 10’ required to the building face and 7’ to any open stairs or balconies, appears to be similar to the structure to the south and appears to encroach to a greater degree toward the CCCL than the structure to the north. However, the slant of the properties relative to the beach means that the impact on waterfront views of a property to the north appears to be lesser than one to the south, all else equal.

(b) Any of the foregoing elements may be omitted from the conditional use application upon agreement of the city commission.

(c) Content additional to the foregoing may be included in the application, so long as such content is consistent with the applicable requirements of this Code.

In addition per LDC Division 4, Conditional Use Permits, Section 4.11, Conditional uses in designated community redevelopment district:

It is the intent of the city that the aesthetic and functional characteristics of new development shall be regulated to insure consistency with the stated objectives of city redevelopment policy and that all new development is undertaken in a manner consistent with the best interests of the community. In instances of development projects which are of significant density or intensity, the complexity of the construction and operation of such projects require a higher than usual level of public security and technical review prior to permitting, and necessitate the articulation of specific requirements on the part of both the developer and the city to ensure that such developments are in harmony with community character and consistent with the policies of the community redevelopment plan. The provisions of this section are intended to supplement the stated requirements of this division and other divisions of the Land Development Code and provide for the incorporation of provisions into conditional use approvals which address issues of public concern.

(d) The allocation of temporary lodging from the B/HC density pool established in the Comprehensive Plan shall be by ordinance. To be awarded units from the density pool, the City Commission shall evaluate any proposal to draw from the density pool on a merit basis to include, but not be limited to, the provision of public benefits such as the following:

- (1) Surplus on-site parking to be reserved for the public, and/or public or private multimodal transportation enhancements;

- (2) Public beach access with an easement made to the City for beachfront properties that are not otherwise required to provide access, or wider or multiple public beach accesses for properties required to provide access;

The applicant is proposing that the existing public beach access located to the south will be expanded to 10 feet in width along the southern border of the subject property. A permanent pedestrian access easement will be provided to the City for the portion of this beach access that expands onto the applicant's property.

- (3) Additional public art or amenities;
- (4) Public boat slips;
- (5) Workforce housing;
- (6) Integration of additional green building principles, or other principles such as wellness, into new development or redevelopment projects;

The applicant is proposing to incorporate at least two (2) of the eight (8) energy and environmental design features into the construction project. Other emerging green building standards, and other certifications for building design such as wellness, may be considered in lieu of the criteria listed in the LDC.

- (7) For Gulf-front properties not otherwise required to provide such, an unimproved public access easement landward of the mean high water line;

The applicant is proposing to dedicate to the City an unimproved public access easement landward of the mean high water line for the portion of their private property which extends to said line. This unimproved public access easement shall be a minimum of 10 feet in width and run north and south.

- (8) Additional landscaping above and beyond existing Land Development Code requirements.
- (9) Other public benefits proposed by citizens or the applicant at community meetings, which may be considered by the City Commission.

It is the intent of the city that requests for public benefits such as those listed above be considered within the contexts of the scale of the development proposal, the local and citywide impact of the proposal, the size and proportion of the density pool request, and the degree to which the benefits proposed and development itself advance the goals, objectives and/or policies of the district specifically and the Community Redevelopment District generally. This list is not considered to be exhaustive, nor is any one benefit or set of benefits required to be included in a proposal unless said benefit(s) are made condition(s) of development approval by the City Commission.

Variance Requested

The following unnecessary and undue hardship variance is being requested as a part of this Conditional Use application:

- 1) Division 23, OFF-STREET PARKING AND LOADING, Sec. 39.5 – Number of parking spaces required, the requirement for 77 parking spaces due to room count

and amenity space, to be reduced to 55 self-park spaces and 22 valet spaces with a valet program, for a total of 77 spaces with valet program.

Unnecessary and undue hardship variance. Standards of review for an unnecessary and undue hardship variance. The appropriate board of authority shall approve an unnecessary and undue hardship variance only if the variance applicant demonstrates by substantial competent evidence that all of the following are met and satisfied:

- 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;**

The applicant has maximized the ground-level parking layout that can be sustained without impacting side buffer landscaping or drive lanes. The Land Development Code currently permits valet parking but does not provide standards for tandem parking or other stacked arrangements without a variance. Valet arrangements such as the one proposed are uncommon in the City, but have been approved for at least one other similarly-sized hotel in recent years. The applicant states that the width of the lot does not permit ground-level parking and an access ramp to additional levels of parking.

- 2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;**

The conditions and circumstances arise from a desire to redevelop the property, requiring applicable compliance with the City's parking standards. However, the applicant is not seeking other approvals that exceed the scope of the Code for standards such as density or intensity that would result in the need for a variance from required number of parking spaces.

- 3. Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;**

Staff find that the development generally meets the merit-based criteria adopted by the City for allocation of density pool units, and that the valet arrangement is an acceptable solution for meeting the development's parking requirements. Staff find that sufficient valet spaces can be established on the site to eliminate the need for a parking variance, and recommend that all 77 valet parking spaces be reflected on a final site plan.

- 4. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the comprehensive plan or the Land Development Code, nor will it permit an increase in development density;**

The hardship will not establish a use or structure that is not otherwise consistent with the Comprehensive Plan or Land Development Code and will not permit an increase in development density above that established for the district.

- 5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;**

Staff do not find that achieving greater financial return forms the basis of the hardship.

- 6. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;**

There is at least one hotel in the vicinity with a similar stacked parking arrangement to what is proposed here. The applicant states these arrangements limit off-site parking.

- 7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and**

The applicant states that this request minimizes the potential scale and bulk of the building. Staff find that additional parking levels may be capable of being accommodated on the site, but find the request reasonable given the scale of the project and the apparent inability to accommodate additional marked stalls at the ground floor that are not stacked.

- 8. The requested variance is in harmony with the general intent and purpose of the comprehensive plan and the Land Development Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.**

Staff find the request is generally in line with comprehensive plan policies to reduce large expanses of parking surfaces as a way of regulating impervious surface, as well as land development code standards to mask parking from abutting properties. Staff do not find the request incompatible with the neighborhood and find that, should valet service be continuously offered to guests of the hotel as a free amenity, and should under-building valet service be spaced so as to not cause queuing into Gulf Boulevard, should not have a negative impact on the neighborhood.

(2) When application is made to the city commission for approval of a conditional use permit, any necessary variances shall be considered by the commission at the same time as the conditional use permit request. Such variances may be approved or denied by the city commission without regard to the disposition of the conditional use permit request.

(3) Any variance granted hereunder shall expire one year from the date of the development order providing for such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

STAFF RECOMMENDATION

It has been determined that the reviewing body (City of St. Pete Beach City Commission) is empowered under the LDC to grant a Conditional Use for application #20090 and a Variance for application #20091.

Staff is recommending approval for the following conditional uses:

- (1) **the new temporary lodging use to exceed 50 feet in height;** *The maximum height of the proposed structure is 76 feet. The Comprehensive Plan indicates that increased building setbacks from Gulf Boulevard shall be required for increases to building height allowed for temporary lodging uses. The proposed building design implements the City's step-back height standards outlined in the BH/C District.*
- (2) **a density greater than 30 units per acre;** *The Vista on the Gulf, to the south of the subject property, has a higher density per acre compared to that of the subject site. Staff find that the overall function of the area will not be significantly affected, given that the BH/C District and vicinity has historically featured boutique hotels and the three properties to the immediate south of the subject property feature structures of four-to-six stories above parking. The revitalization of temporary lodging properties in this district complies with the goals of the City and the project would have a positive impact should potential concerns be mitigated.*
- (3) **to allocate additional units from the B/HC density pool;** *Staff find that the development meets the merit-based criteria adopted by the City for allocation of density pool units by (1) enhancing the existing public beach access from Gulf Boulevard to the Gulf of Mexico, by (2) integrating green building principles, or other principles into the redevelopment project and by (3) establishing a north/south public access easement landward of the MHWL.*
- (4) **a roof dining and/or drinking areas;** *Staff are recommending hours of operation and reduced music levels for the roof dining and/or drinking area to mitigate noise complaints to the adjacent properties to the north and south.*

Staff is recommending approval for the following variance:

- (1) **Number of parking spaces required (77 parking spaces);** *Staff find that parking layout is sufficient with 55 self-parking spaces and 22 valet spaces provided onsite, meeting the City's code requirements. The Land Development Code allows for valet parking.*

Granting the requests will not adversely affect the public interest and would be generally compatible with adjacent properties and other properties in the district provided the conditions as proposed by staff are adhered to. Should the City Commission grant the Conditional Use and companion Variance, the applications should be subject to the following conditions:

Administrative Approval Conditions

1. The number of temporary lodging units permitted on the subject property shall be contingent on final action on companion Ordinance 2021-04 which allocates up to fifteen (15) temporary lodging units from the Boutique Hotel/Condo Density Pool to the subject property. Any temporary lodging units awarded from the Density Pool shall be returned to the Pool should a building permit not be obtained within one (1) year of the date of the passage of companion Ordinance 2021-04, or should "continual construction" as defined in Division 2 of the Land Development Code cease, unless extended by resolution of the City Commission;

2. Should the subject property receive fewer than the 54 temporary lodging units sought through this Conditional Use Permit and companion Ordinance 2021-04, the floor area ratio (FAR) of the structure shall be reduced in compliance with the equation listed in LDC Sec. 46.6(c);
3. The structure's temporary lodging unit FAR shall be based on the whole-unit density awarded from the density pool to the property when combined with base conditional density, rather than any fractional maximum;
4. The final site plan submittal to accompany this application shall include building elevations and identification of the design and façade requirements listed in LDC Sec. 39.7 and 39.8 as may apply to this development, and said features shall be identified by the designer;
5. The companion variance approval for the valet parking shall be conditioned on the valet service operating continually for the life of the arrangement, with free service offered to guests of the resort. The applicant shall also submit a plan for the queuing of vehicles underneath the structure for approval by the City's Transportation Director prior to site plan issuance. Discontinuation of the service shall require the applicant to acquire off-site parking equivalent to the number of non-code-compliant spaces lost in the discontinuation, through an arrangement approved by the city;

Property Frontage & Public Amenity Requirements

6. The existing sidewalk along the Gulf Boulevard frontage of 4200 Gulf Blvd shall be removed and replaced at the applicant's expense to accommodate a ten-foot-wide sidewalk that allows for safe, unobstructed and efficient pedestrian flow in front of the property. Any portion of the ten-foot sidewalk that extends into the subject property shall be provided to the City as a permanent public pedestrian access easement. The condition for an expanded sidewalk shall only become effective upon the City entering into an agreement with the Florida Department of Transportation (FDOT) that transfers the easement to the FDOT for the expanded sidewalk. The owner shall provide a cost estimate for the sidewalk and letter of credit or bond to the City prior to issuance of any site plan approval for this request, and the sidewalk shall be installed prior to issuance of a Certificate of Occupancy for the subject development;
7. The applicant shall submit a unified landscaping plan reflecting, at a minimum, an eight-foot landscape zone at the property's front adjacent the ten-foot-wide sidewalk, which meets all of the criteria of Land Development Code Sec. 39.10(b);
8. If viable, the existing public beach access located adjacent the subject property to the south shall be expanded to a minimum of ten (10) feet in total width along the entirety of the southern portion of the subject property between Gulf Blvd and the beach. A permanent pedestrian access easement shall be supplied to the City for the portion of this beach access that expands onto the applicant's property, and the easement shall be approved by the City Attorney prior to the issuance of any site plan approval associated with this request;
9. The Applicant shall dedicate to the City an unimproved public access easement landward of the mean high water line for any portion of private property which extends to said line. This unimproved public access easement shall be a minimum of 10 feet in width. This unimproved public access easement shall be dedicated to the City prior to the issuance of

- any site plan approval for the redevelopment. The form and contents of the public access easement shall be acceptable to the City Attorney;
10. The applicant shall provide a pedestrian pathway that links the expanded front sidewalk with the front of the building. The pathway shall be constructed with a distinctive and visually appealing paving pattern such as pavers or stamped concrete, and the design shall be approved by the Community Development Department prior to site plan approval;
 11. A minimum of ten bicycle and/or scooter parking spaces shall be installed in a location near the front entryway to the building, and shall be located so as to not cause conflicts with drive lanes or pedestrian access;
 12. The applicant shall work with the City's Transportation Director to determine a viable alternative arrangement for the loading zone at the front of the site that would eliminate the need for a third curb cut to Gulf Boulevard. The third curb cut shall only be approved if a viable alternative is not identified, and upon approval of FDOT;

Additional Landscaping & Irrigation Requirements

13. All vehicular use areas viewable from adjacent property shall be screened in accordance with the landscaping standards of LDC Sec. 22.7(b), with interior landscaping provided in accordance with LDC Sec. 22.7(c)&(d). The expanded pedestrian beach walkway specified in condition #8 may be credited toward the required width of the landscaping buffer located along the southern end of the site. However, under no circumstance shall the landscape portion of said buffer be reduced below three (3) feet in width. When hardship exists, interior landscaped areas of the site can be consolidated and/or relocated with the approval of the Community Development Department, but under no circumstances shall the total required area of interior landscaped areas be reduced below the total required for the site;
14. All landscaped areas of the site shall be irrigated and maintained in accordance with LDC Sec. 39.13;

Operational & Construction Requirements

15. The applicant shall comply with all operational and occupancy restrictions, limitations and prohibitions listed in LDC Sec. 39.6;
16. All amplified music shall be come from the onsite installed equipment and speakers. Amplified music will have no bass. Live music or bands shall be prohibited on the dining deck and rooftop area. The Music Level Limits (dBA) shall not exceed the following levels:
 - Rooftop Location: 83 dBA between (7:00 a.m. – 10:00 p.m.),
73 dBA between (10:00 p.m. – 11:00 p.m.),
50 dBA between (11:00 p.m. – 1:00 a.m.), and
No amplified music after 1:00 a.m.
 - Pool Deck Area – No amplified music shall be played after 6 p.m.The Sound Level Limitations outlined in Section 46-132 are in addition to the limits set above.
17. Construction of the temporary lodging use shall incorporate at least two (2) of the eight (8) energy and environmental design features listed in LDC Sec. 39.9 as are appropriate to this

use. Other emerging green building standards, and other certifications for building design such as wellness, may be considered in lieu of those listed following review and approval by the Community Development Department;

18. All impact fees and the wastewater connection fees, as may be applicable to this project at the time of building permit issuance, shall be collected prior to issuance of any building permit approval associated with this subject development. The density and intensity of the existing use at this site may be credited against the collection of any new impact fees if provided for in the law regulating such fee(s);
19. No building permits associated with new construction for this request shall be issued prior to the final site plan approval;

Concurrency Management Requirements

20. Concurrency Management Statements shall be submitted for potable water, sanitary sewer, solid waste, transportation facilities, and stormwater, and a Transportation Management Plan shall be submitted, prior to building permit approval. Approval of these statements and plan shall take place prior to issuance of any site plan associated with this request;

Violation of Stated Conditions

21. Any violation of these conditions and companion variance shall entitle the City Commission to modify or revoke the Conditional Use and Variance.

MIRAMAR HOTEL TABULATIONS

	AMENITY	UNIT A	UNIT B	UNIT C	UNIT D	UNIT E	UNIT F	UNIT G	UNIT H	UNIT I	UNIT J	UNIT K	UNIT L	Temporary Lodging UNIT - M	Units per Level	TOTAL
ROOF LEVEL - POOL AMENITY																0
LEVEL 6		714	709	723	681	723	681	723	723					1,040	9	6,717
LEVEL 5		714	709	723	681	723	681	723	723					1,040	9	6,717
LEVEL 4		714	709	723	681	723	681	723	723	723	733	760	994		12	8,887
LEVEL 3		714	709	723	681	723	681	723	723	723	733	760	994		12	8,887
LEVEL 2		714	709	723	681	723	681	723	723	723	733	760	994		12	8,887
Unit Subtotal		3,570	3,545	3,615	3,405	3,615	3,405	3,615	3,615	2,169	2,199	2,280	2,982	2,080		40,095
LEVEL 1 - LOBBY, AMENITY	6,790															6,790
GROUND LEVEL - PARKING																0
UNIT TOTAL	6,790	5	5	5	5	5	5	5	5	3	3	3	3	2	54	46,885

PARKING

Transient Accommodations			Lot Area	33,950 SF	0.78 AC
1.1 per Unit	54 units = 59 spaces		Units Permitted		54.56 54 Units + (750 SF x 0.56)
Lobby, Conference, Fitness			Unit Area Permitted		40,918 SF
1 per 1000 SF	3262 SF= 3 spaces		Unit Area Proposed		40,724 SF
Retail and restaurant			Amenity Area Permitted		
1 per 200 SF	1,823 sf= 9 spaces		0.2 FAR		6790 SF
Office Space			Total Building Area Permitted		47,708 SF
1 per 300 SF	1705 sf = 6 spaces	Note 1. 77 Spaces provided	Total Building Proposed		46,885 SF
total parking required	77 spaces	55 + 22 with valet parking program	Impervious Surface Area Permitted		28,858 SF - 85%
total parking provided	77 spaces Note 1:		ISR Proposed		28,858 SF - 85%

LINE LEGEND

	PROPERTY LINE
	BUILDING OUTLINE
	FLOOD ELEVATION LINE
	STEPBACK LINES
	STATE OF FLORIDA COASTAL CONSTRUCTION CONTROL LINE

AA2600170

Petera

ARCHITECTURE

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MIBREACH

ISSUED DRAWING LOG:

PROJECT NO: _____

ISSUE DATE: _____

DRAWING TITLE:

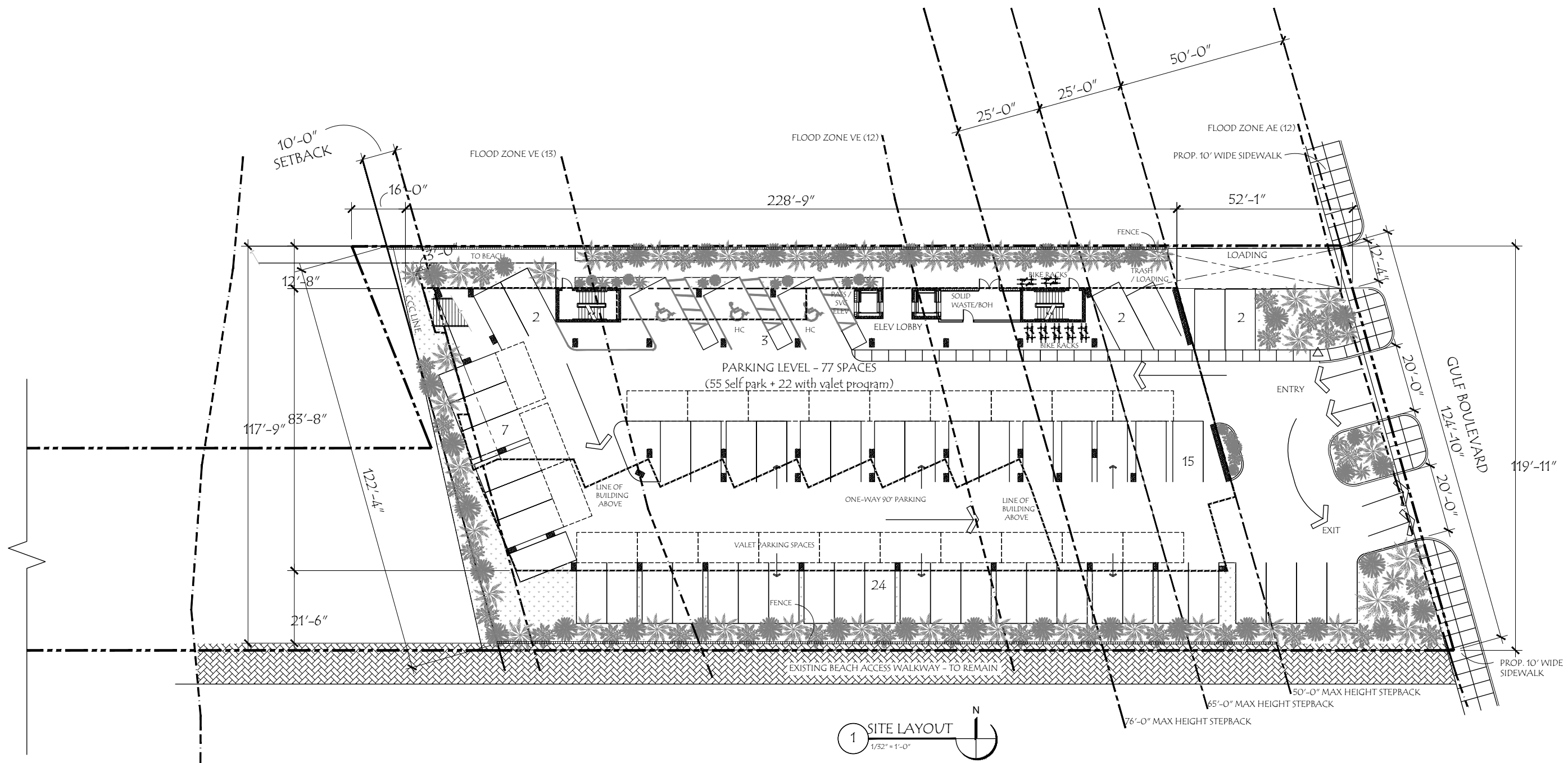
SITE PLAN

SHEET NUMBER: _____

A-101

EDITION:

Page 59 of 81





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ARCHITECTS

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FLORIDA

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PROJECT NO:

19.11

ISSUE DATE:

02.05.2021

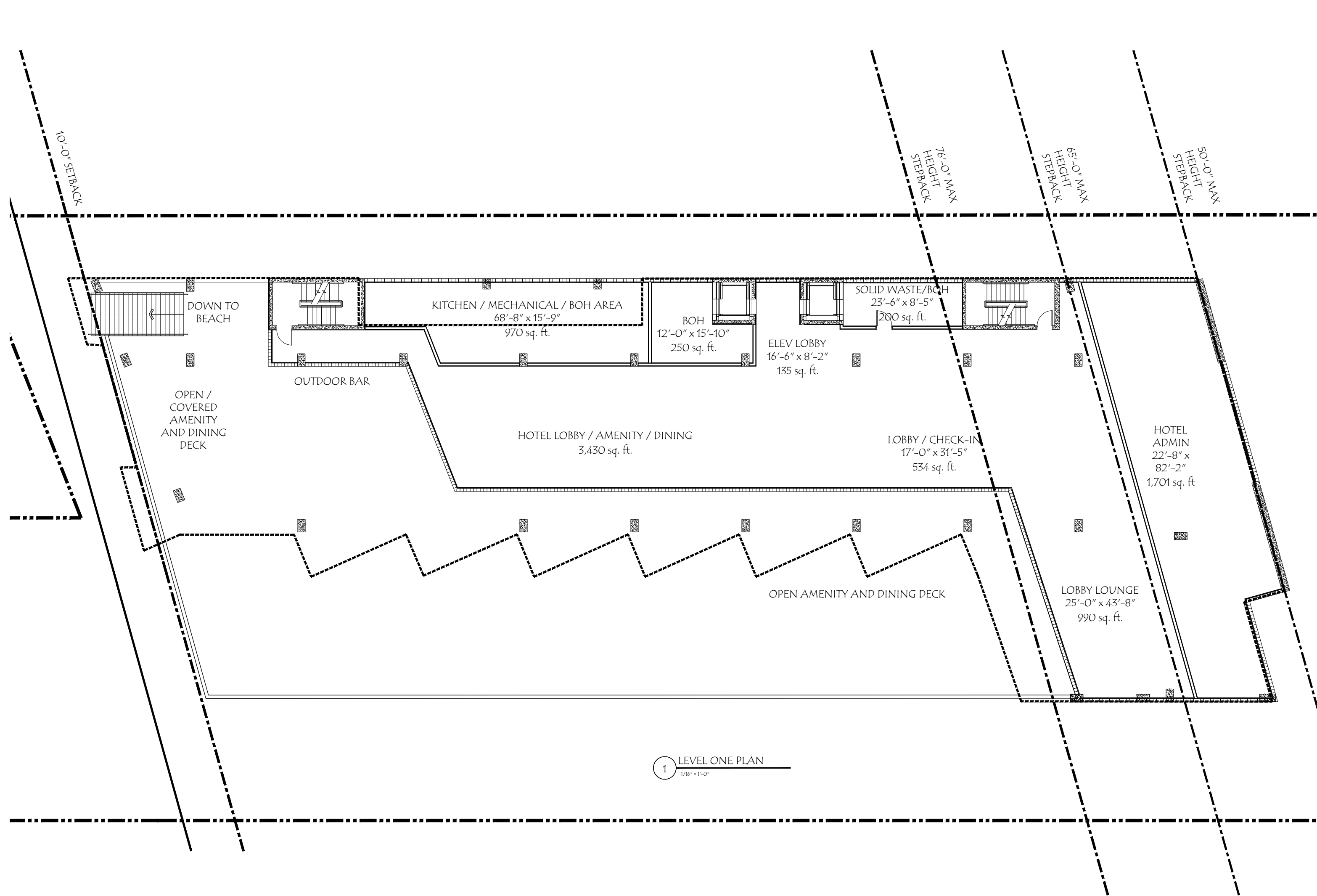
DRAWING TITLE:

LEVEL ONE PLAN

SHEET NUMBER:

A-102

EDITION:





AA26001704

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ARCHITECTUR

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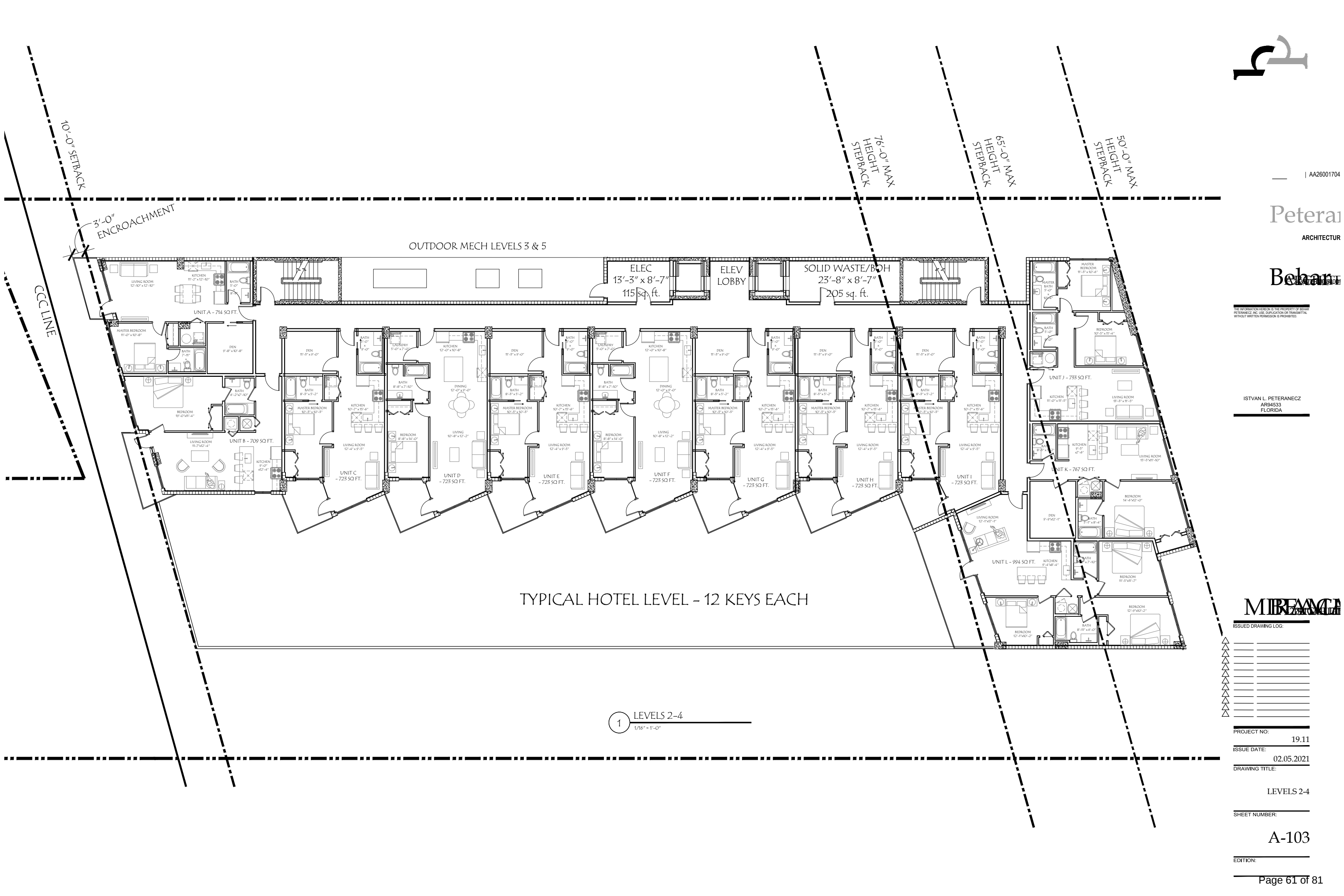
PROJECT NO: 19.11
ISSUE DATE: 02.05.2021
DRAWING TITLE:

LEVELS 2-4

SHEET NUMBER:

A-103

EDITION:





AA26001

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DESIGN

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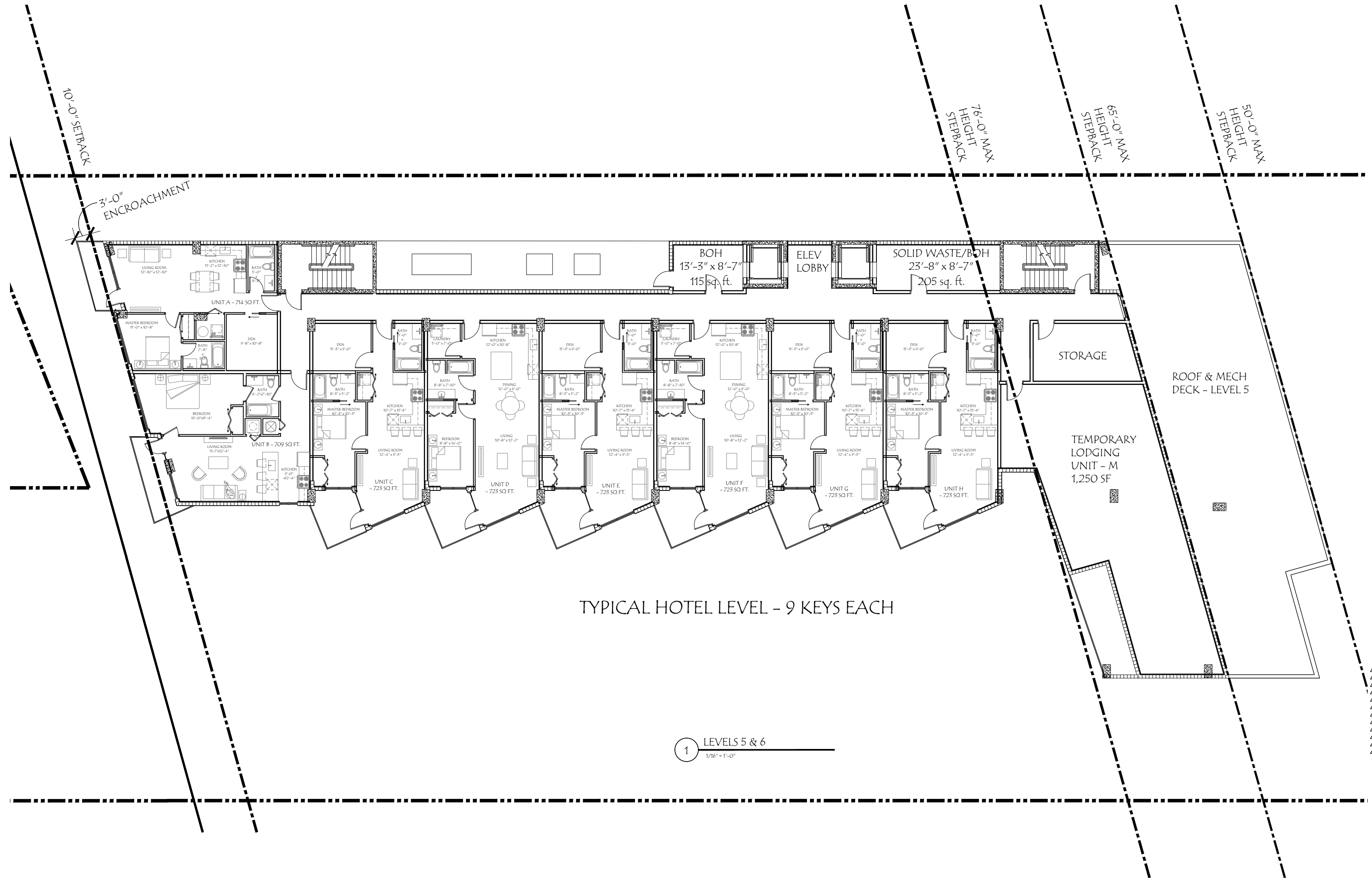
PROJECT NO: 19.11
ISSUE DATE: 02.05.2021
DRAWING TITLE:

LEVELS 5 & 6

SHEET NUMBER:

A-104

EDITION:





| AA26001

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PROJECT NO: 19.11

ISSUE DATE: 02.05.2021

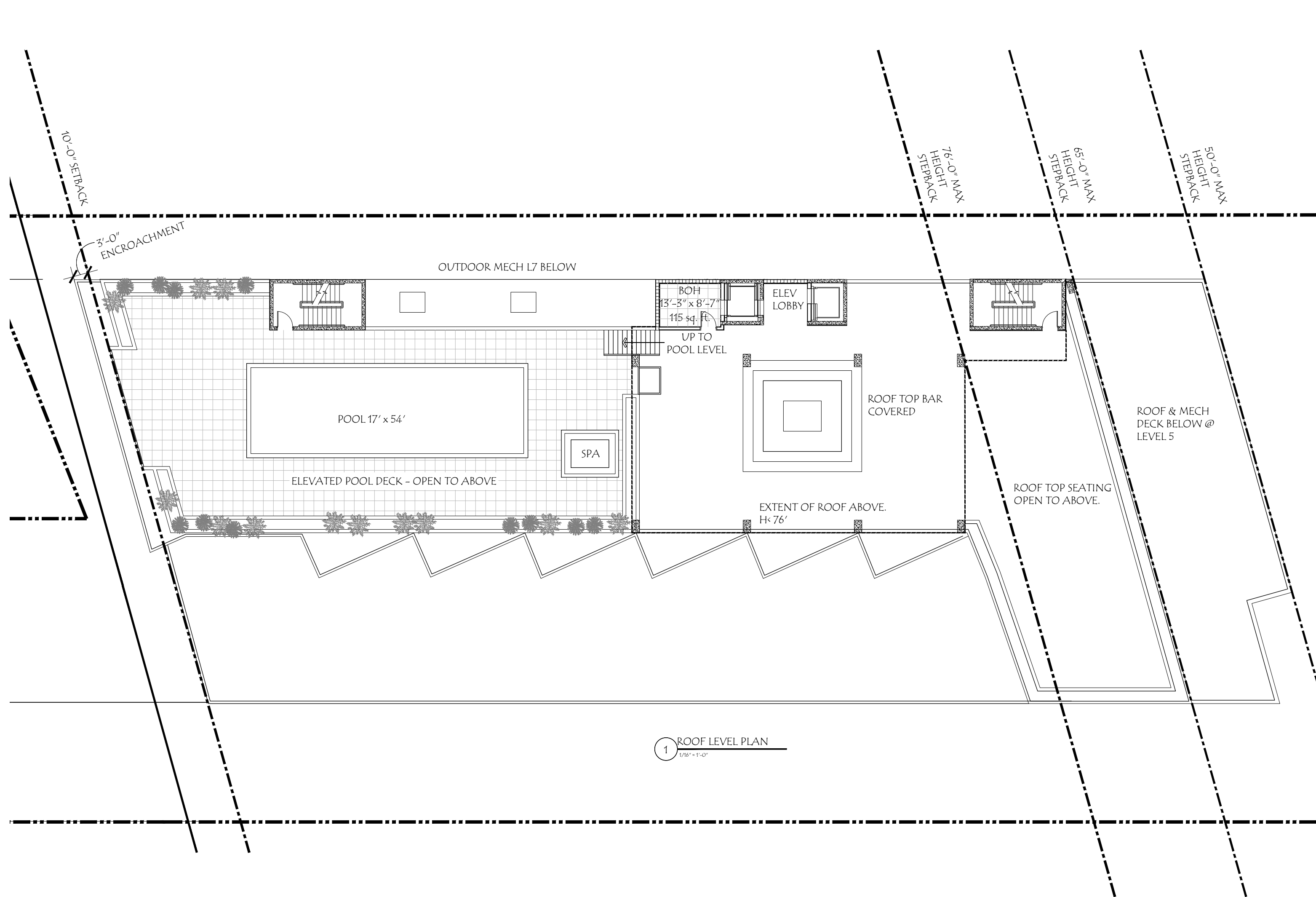
DRAWING TITLE:

ROOF LEVEL PLAN

SHEET NUMBER:

A-105

EDITION:



1 ROOF LEVEL PLAN
1/16" = 1'-0"



AA26001

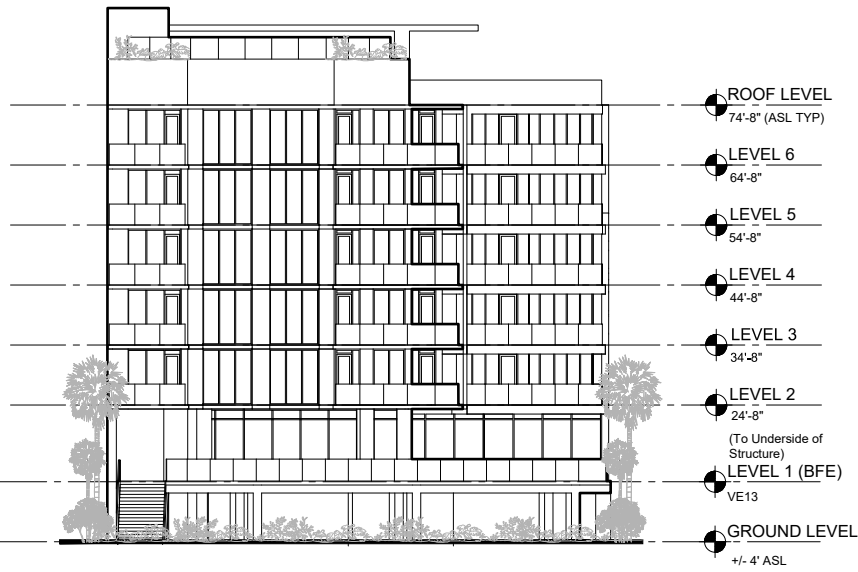
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ARCHITECT

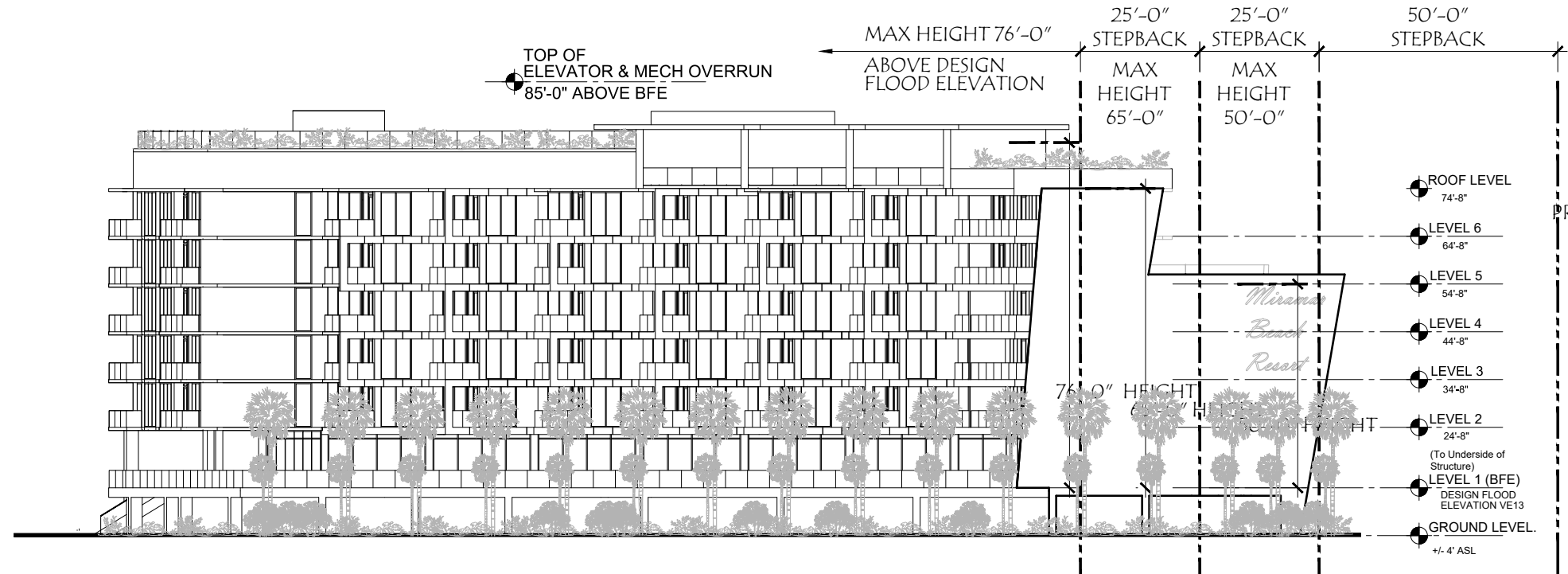
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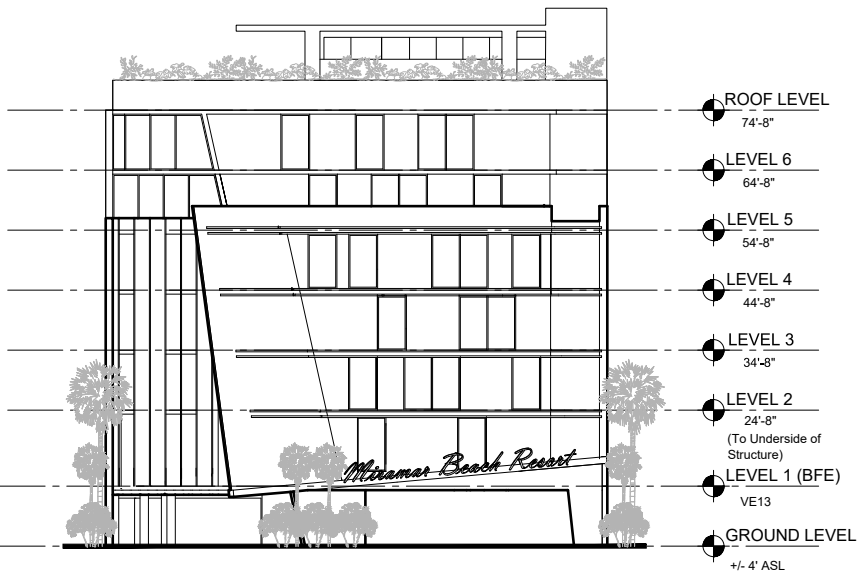
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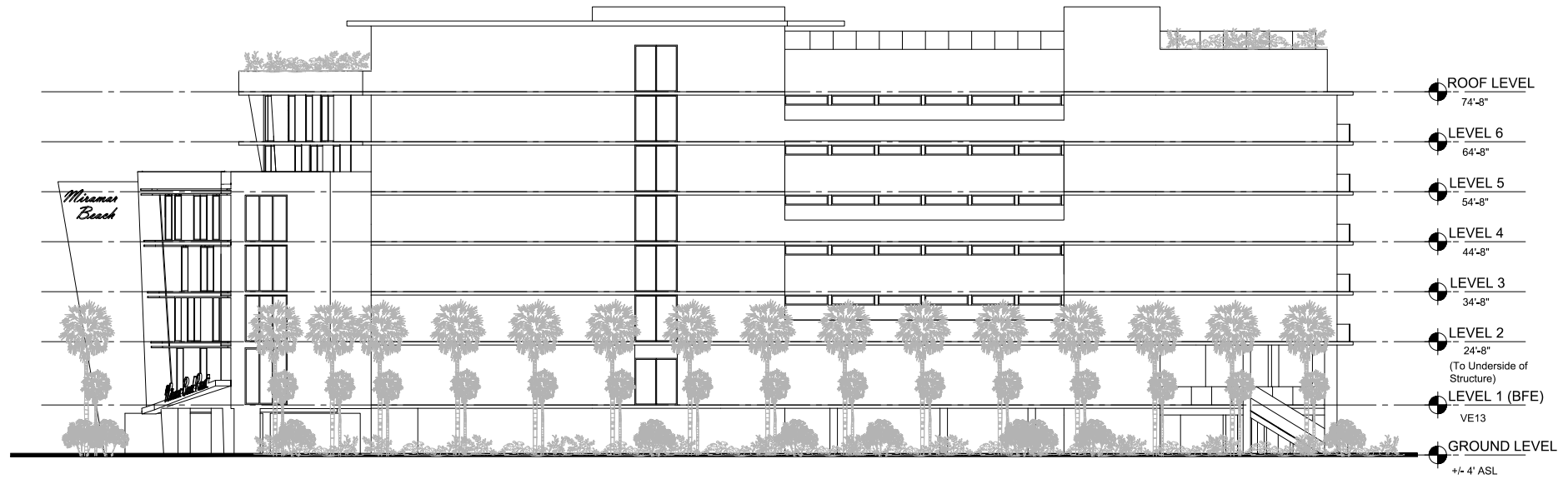
1 WEST ELEVATION
1/32" = 1'-0"



2 SOUTH ELEVATION
1/32" = 1'-0"



3 EAST ELEVATION
1/32" = 1'-0"



4 NORTH ELEVATION
1/32" = 1'-0"

MIRAMAR BEACH

ISSUED DRAWING LOG:

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PROJECT NO: 19.11

ISSUE DATE: 02.05.2021

DRAWING TITLE:

EXTERIOR
ELEVATION

SHEET NUMBER:

A-201

EDITION:



1 WEST VIEW
NTS



2 SOUTHWEST AERIAL VIEW
NTS



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PROJECT NO: 19.11

ISSUE DATE: 02.05.2021

DRAWING TITLE:

CONCEPTUAL
IMAGES

SHEET NUMBER:

A-301

EDITION:



1 SOUTHEAST VIEW
NTS



2 EAST VIEW
NTS



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FLORIDA

MIRAMAR BEACH
RESORT

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PROJECT NO: 19.11

ISSUE DATE: 02.05.2021

DRAWING TITLE:

CONCEPTUAL
IMAGES

SHEET NUMBER:

A-302

EDITION:



1 NORTHEAST VIEW
NTS



2 NORTH VIEW
NTS



AA26001

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PROJECT NO: 19.11

ISSUE DATE: 02.05.2020

DRAWING TITLE:

CONCEPTUAL
IMAGES

SHEET NUMBER:

A-303

EDITION:



Gulf Coast Consulting, Inc.

Land Development Consulting

Engineering • Planning • Transportation • Permitting

ICOT Center

13825 ICOT Boulevard, Suite 605

Clearwater, FL 33760

Phone: (727) 524-1818

Fax: (727) 524-6090

December 21, 2020

Mr. Kevin R. Bowden, Managing Partner

Miramar Beach Resort, LLC

388 150th Avenue

Madeira Beach, FL 33708

Re: **Miramar Beach Resort – 4200 Gulf Blvd., St. Pete Beach Traffic Assessment**

This Traffic Assessment is being prepared for the proposed redevelopment of the Miramar Beach Resort at 4200 Gulf Blvd in St. Pete Beach. The proposed redevelopment will include a 54 room hotel with a 1,800 SF sit-down restaurant on the lobby level. Although hotels typically include small restaurants, the restaurant was evaluated separately for traffic purposes to be conservative.

According to the Forward Pinellas 2019 Level of Service Report, the adjacent segment of Gulf Boulevard (Pinellas Bayway – 75th Avenue) operates at LOS D carrying 25,357 vehicles per day AADT and 1,201 vehicles peak hour/peak direction. The LOS D peak hour directional capacity of this 4-lane divided roadway is 1,870 vehicles per hour, and the existing volume to capacity ratio (v/c) is 0.642.

The 54 room hotel and 1,800 SF restaurant would generate 653 daily trips, of which 50 trips would occur during the PM peak hour (28 entering/ 22 exiting. Excerpts from ITE Trip Generation, 10th Edition are attached. The addition of 28 peak hour directional trips onto Gulf Boulevard would slightly increase the peak hour/peak directional volume to 1,229 vehicles resulting in a 0.657 v/c ratio. Therefore ample capacity exists to support the proposed redevelopment.

According to the Pinellas County Multi-Modal Impact Fee Ordinance, development projects generating less than 51 peak hour trips are required to pay a multi-modal impact fee and are not required to submit a TMP plan or detailed traffic study.

Sincerely,

Robert Pergolizzi, AICP/PTP
Principal

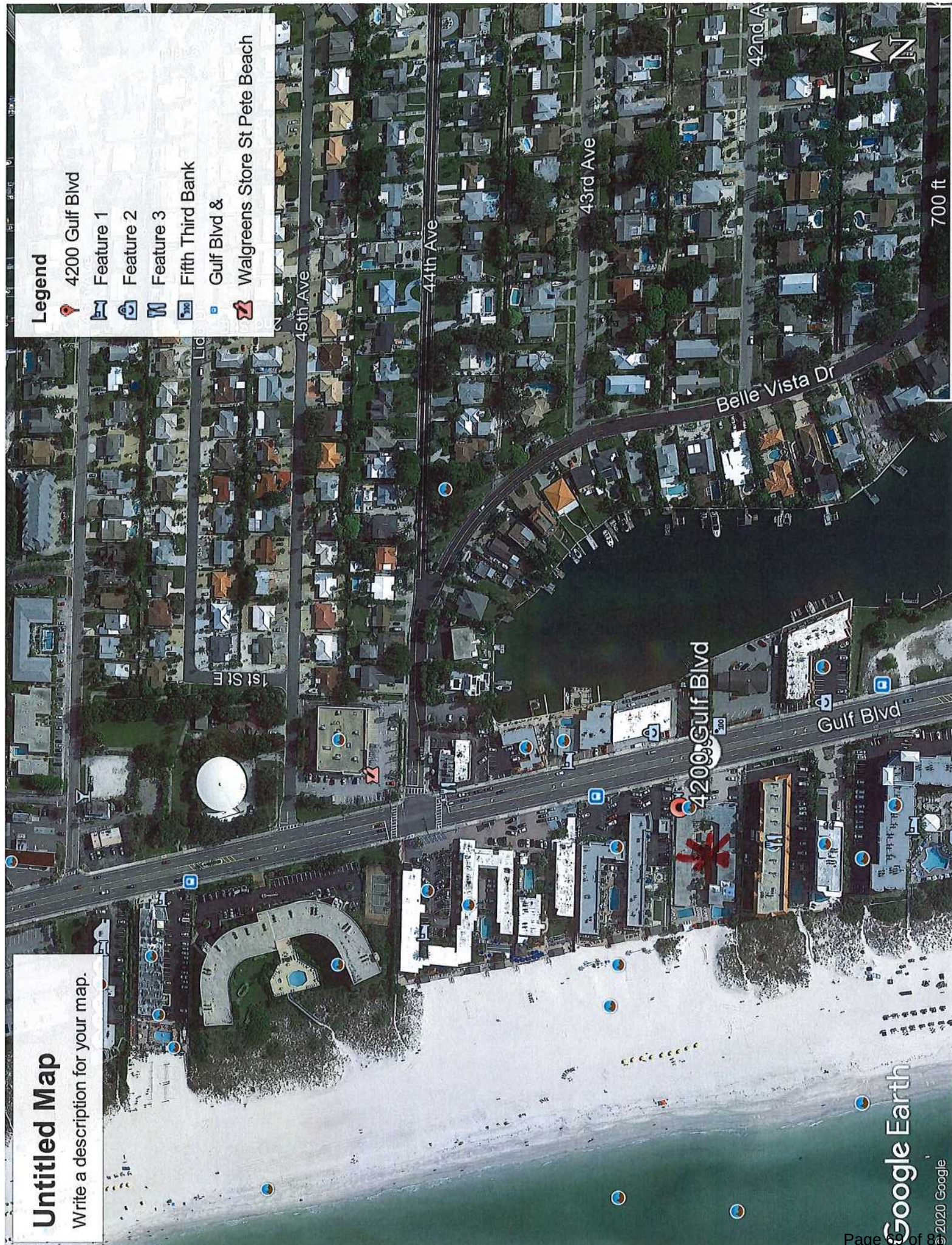
Cc: 20-098

Untitled Map

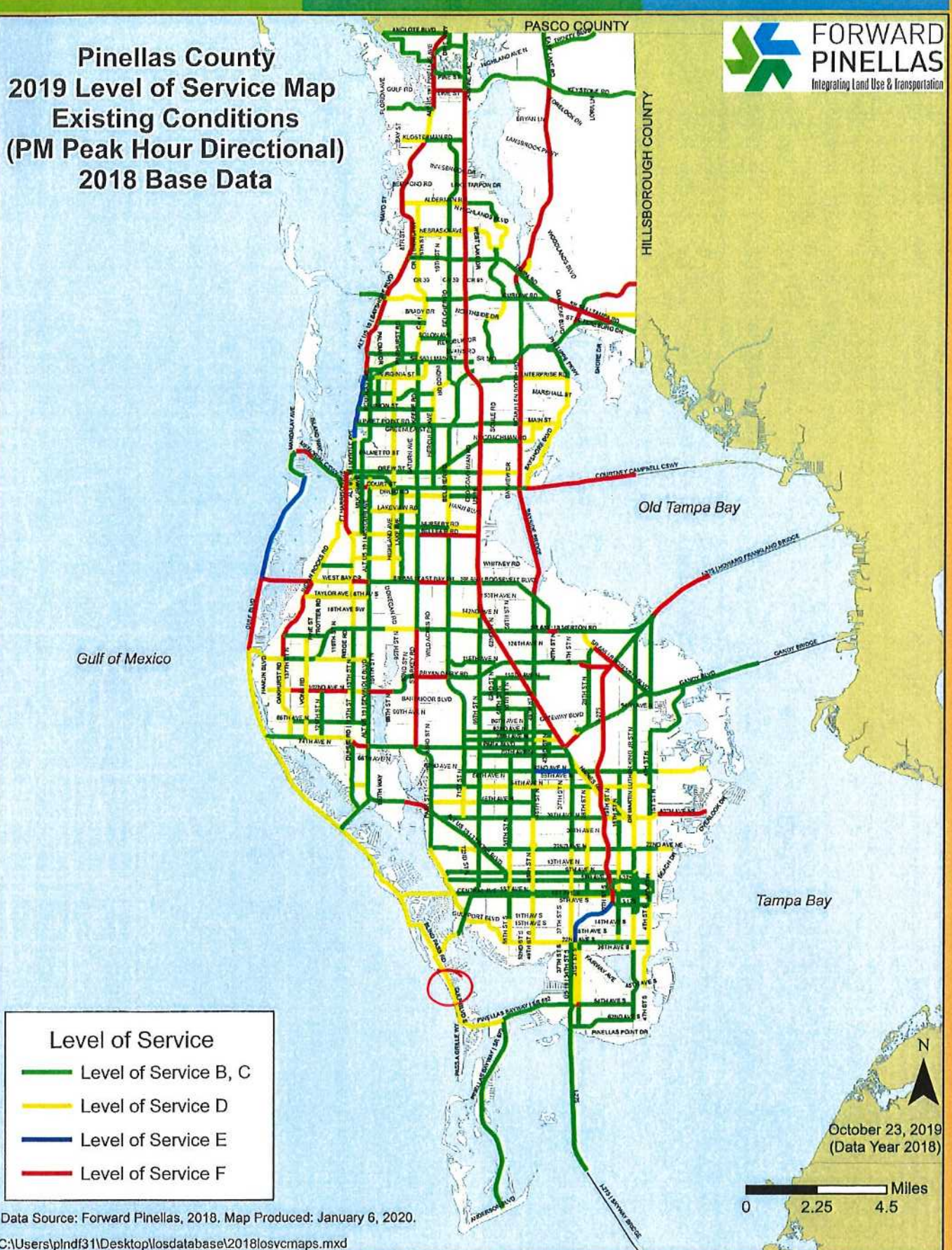
Write a description for your map.

Legend

- 4200 Gulf Blvd
- Feature 1
- Feature 2
- Feature 3
- Fifth Third Bank
- Gulf Blvd &
- Walgreens Store St Pete Beach



**Pinellas County
2019 Level of Service Map
Existing Conditions
(PM Peak Hour Directional)
2018 Base Data**



Facility	Road	Juris	Length (miles)	Signals per Mile	LOS	AADT	Vol.	Physical Capacity	V-Cap Ratio	Def. Flag	Fac. LOS
691 - GANDY BLVD: (BRIGHTON BLVD -to- 4TH ST N)	4D	SR	0.74	0	T	26000	1358	3760	0.361	0	C
692 - GANDY BLVD: (4TH ST N -to- DR ML KING JR ST N)	4D	SR	0.54	0	T	31028	1621	3760	0.431	0	C
693 - GANDY BLVD: (DR ML KING JR ST N -to- I-275 EAST RAMP)	6D	SR	0.997	2.436	T	51500	2690	2830	0.951	0	C
694 - GANDY BLVD: (I-275 EAST RAMP -to- GRAND AVE/GANDY ACCESS)	6D	SR	1.137	0.911	T	59500	2690	2940	0.915	0	C
695 - GANDY BLVD: (GRAND AVE/ GANDY ACCESS -to- US 19)	4D	SR	0.619	0	T	67500	3526	3760	0.938	0	F
705 - GATEWAY EXPRESS/BRYAN DAIRY RD: (US 19 -to- 49TH ST N)	4D	SR	0.717	1.395	T	32000	1672	2646	0.632	0	C
706 - GATEWAY EXPRESS/ROOSEVELT BLVD: (ULMERTON -to- 49TH ST NB RAMP)	4D	SR	1.255	1.703	T	35000	1828	1960	0.933	0	C
711 - GRAND AVE: (N GANDY BLVD/FRONTAGE RD -to- GANDY BLVD)	4D	CR	0.147	6.789	T	14742	770	1530	0.503	0	D
715 - GREENBRIAR BLVD: (VIRGINIA AVE -to- BELCHER RD)	2U	CR	0.653	1.531	T	7536	393	572	0.687	0	D
718 - GULF BLVD: (W GULF BL -to- TREASURE ISLAND CSWY)	4U	SR	0.959	3.678	T	18700	977	1776	0.55	0	D
719 - GULF BLVD: (TREASURE ISLAND CSWY -to- MADEIRA BEACH CSWY)	4D	SR	2.95	1.758	T	23950	1065	1960	0.543	0	D
720 - GULF BLVD: (MADEIRA BEACH CSWY -to- PARK BLVD)	4D	SR	3.847	2.261	T	17658	872	1960	0.445	0	D
721 - GULF BLVD: (PARK BLVD -to- WALSHINGHAM RD)	2U	SR	2.89	0.791	T	11500	600	880	0.682	0	D
722 - GULF BLVD: (WALSHINGHAM RD -to- BELLEAIR CSWY)	2D	CR	2.36	0.424	T	14817	774	832	0.93	0	F
723 - GULF BLVD: (BELLEAIR CSWY -to- SAND KEY PARK)	2D	CR	2.861	0	T	13586	709	1512	0.469	0	E
724 - GULF BLVD: (SAND KEY PARK -to- GULFVIEW BLVD)	2D	CL	0.751	0	T	13586	709	1512	0.469	0	E
725 - GULF BLVD S: (BAYWAY -to- 75TH AVE)	4D	SR	2.403	5.079	T	25357	1201	1870	0.642	0	D
728 - GULFPORT BLVD: (PASADENA AVE -to- 58TH ST S)	4D	CR	1.753	3.068	T	15500	809	1683	0.481	0	D
729 - GULF-TO-BAY BLVD: (CLEVELAND ST -to- HIGHLAND AVE)	4U	CL	0.446	10.832	T	5100	266	1599	0.166	0	C
730 - GULF-TO-BAY BLVD: (HIGHLAND AVE -to- KEENE RD)	6D	SR	0.756	3.968	T	49833	2429	2830	0.858	0	C
731 - GULF-TO-BAY BLVD: (BAYSHORE BLVD -to- US 19)	6D	SR	1.51	5.431	T	56000	2926	2830	1.034	0	C
732 - GULF-TO-BAY BLVD: (KEENE RD -to- BELCHER RD)	6D	SR	1.026	3.242	T	53500	2795	2830	0.988	0	C
733 - GULF-TO-BAY BLVD: (US 19 -to- BELCHER RD)	6D	SR	0.988	2.705	T	53500	2795	2830	0.988	0	C
734 - GULFVIEW BLVD: (HAMDEN DR -to- GULF BLVD)	3U	CL	0.427	0	T	5624	293	3572	0.082	0	C
737 - HAINES RD: (DR ML KING JR ST N -to- 54TH AVE N)	2U	CR	1.851	2.159	T	9900	517	572	0.904	0	D
738 - HAINES RD: (54TH AVE N -to- US 19)	2U	CR	1.197	2.776	T	9900	517	559	0.925	0	D
744 - HERCULES AVE: (GULF-TO-BAY BLVD -to- DREW ST)	4U	CL	0.509	4.365	T	8200	428	1599	0.268	0	C
745 - HERCULES AVE: (DREW ST -to- RR TRACKS)	4D	CR	0.917	0	T	12500	653	3760	0.174	0	C
746 - HERCULES AVE: (RR TRACKS -to- CALUMET ST)	3U	CR	0.266	3.758	T	12500	653	1599	0.408	0	C
747 - HERCULES AVE: (CALUMET ST -to- SUNSET POINT RD)	4U	CR	0.331	3.024	T	12500	653	1599	0.408	0	C
748 - HERCULES AVE: (SUNSET POINT RD -to- VIRGINIA AVE)	2D	CR	1.01	1.974	T	10845	393	832	0.472	0	D
750 - HIGHLAND AVE: (EAST BAY DR -to- BELLEAIR RD)	2U	CR	1.527	2.591	T	10178	531	792	0.67	0	D
751 - HIGHLAND AVE: (BELLEAIR RD -to- DRUID RD)	2U	CR	1.255	1.991	T	9932	518	792	0.654	0	D
752 - HIGHLAND AVE: (DRUID ST -to- GULF-TO-BAY BLVD)	4U	CR	0.253	3.956	T	9932	518	1599	0.324	0	C
753 - HIGHLAND AVE: (GULF-TO-BAY -to- DREW ST)	2D	CL	0.506	4.364	T	11223	586	813	0.721	0	D
754 - HIGHLAND AVE: (DREW ST -to- SUNSET POINT RD)	2D	CL	1.512	2.431	T	11223	586	832	0.704	0	D
755 - HIGHLAND AVE: (SUNSET POINT RD -to- UNION ST)	2U	CL	0.504	1.984	T	8870	463	792	0.585	0	D
758 - HIGHLAND ST N: (9TH AVE N -to- DR ML KING JR ST N)	2O	SP	0.083	0	T	8049	764	4512	0.169	0	D
761 - HIGHLANDS BLVD: (US 19 -to- ALDERMAN RD)	2U	CR	2.335	0	T	11400	595	1440	0.413	0	D
766 - I-275: (I-275 -to- 4TH ST S)	4F	SR	1.303	0	T	35500	1048	4020	0.261	0	B
767 - I-275: (I-175 -to- 22ND AVE S)	6F	SR	1.932	0	T	113666	5779	6200	0.932	0	E
768 - I-275: (38TH AVE N -to- 22ND AVE N)	6F	SR	1.017	0	T	176000	9002	6200	1.452	0	F
769 - I-275: (SR 686/ROOSEVELT BLVD -to- GANDY BLVD)	6F	SR	1.851	0	T	139000	7109	6200	1.147	0	F
770 - I-275: (22ND AVE N -to- I-375)	8F	SR	1.314	0	T	175500	8976	8400	1.069	0	F
771 - I-275: (I-375 -to- I-175)	6F	SR	0.441	0	T	126500	6470	6200	1.044	0	F
772 - I-275: (PINELLAS SHORELINE -to- 4TH ST N)	8F	SR	2.203	0	T	165000	8439	8400	1.005	0	F
773 - I-275: (4TH ST N -to- SR 686 ROOSEVELT BLVD)	8F	SR	2.038	0	T	131750	5933	8400	0.706	0	C
774 - I-275: (GANDY BLVD -to- 54TH AVE N)	6F	SR	2.184	0	T	162500	8311	6200	1.34	0	F
775 - I-275: (54TH AVE N -to- 38TH AVE N)	8F	SR	1.001	0	T	167500	8567	8400	1.02	0	F
776 - I-275: (22ND AVE S -to- 54TH AVE S)	6F	SR	2.013	0	T	100000	5115	6200	0.825	0	D
777 - I-275: (54TH AVE S -to- PINELLAS SHORELINE)	4F	SR	5.41	0	T	49665	2540	4020	0.632	0	C

Hotel (310)

Vehicle Trip Ends vs: Rooms
On a: Weekday

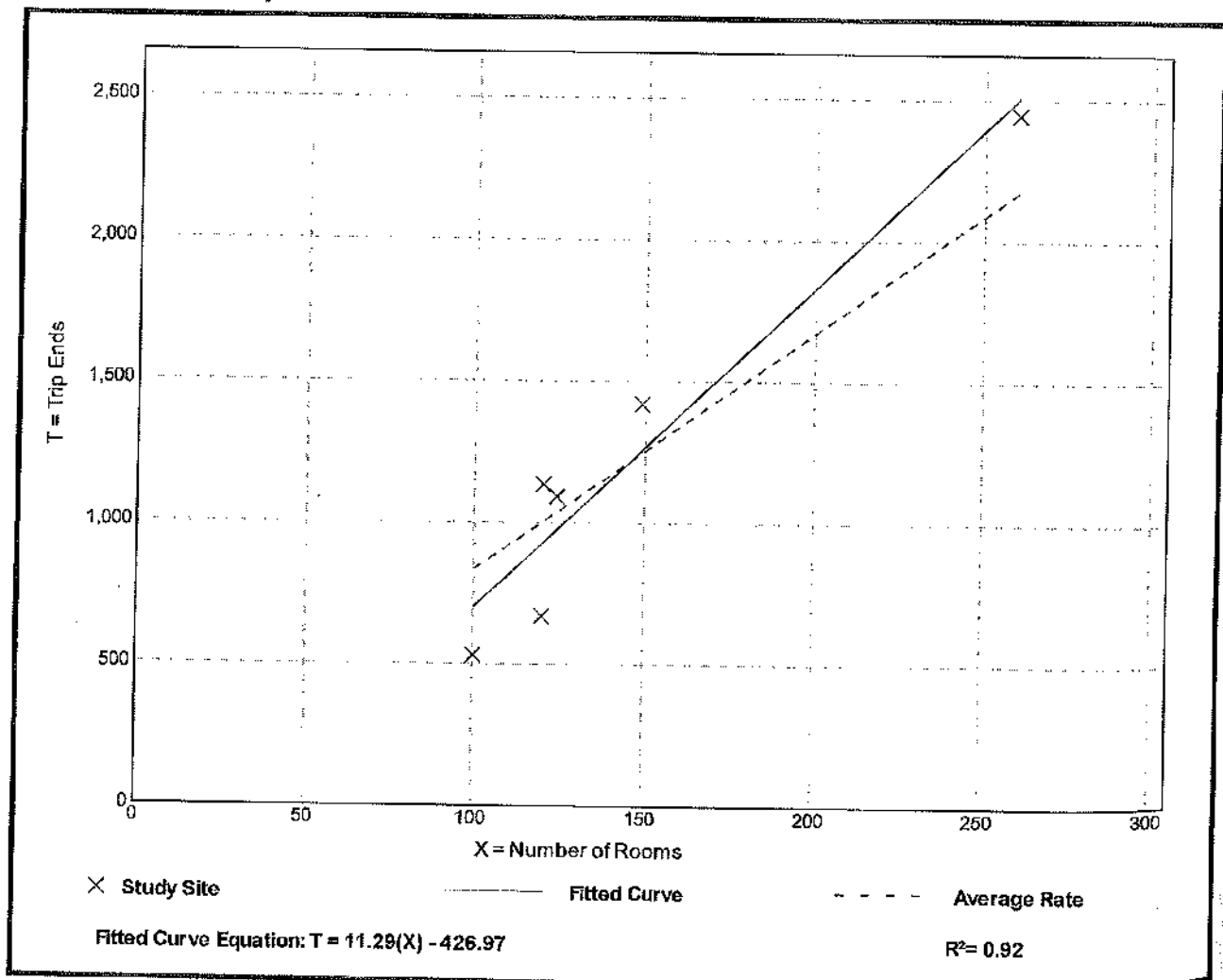
Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Rooms: 146
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
8.36	5.31 - 9.53	1.86

54 Rooms x 8.36 = 451 daily

Data Plot and Equation



Hotel (310)

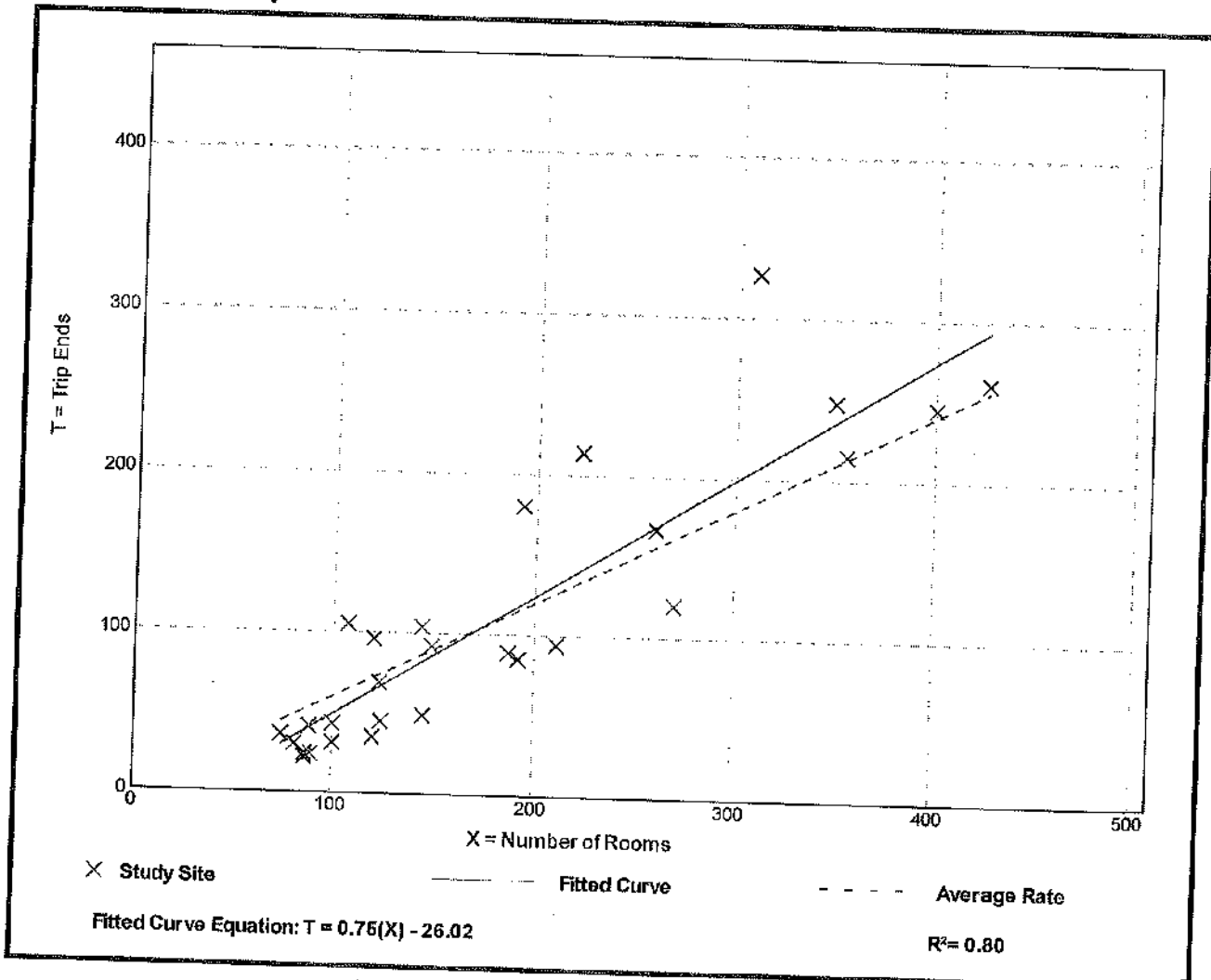
Vehicle Trip Ends vs: Rooms
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 28
 Avg. Num. of Rooms: 183
 Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.60	0.26 - 1.06	0.22

54 rooms * 0.60 = 32 Peak Hr (17/15)

Data Plot and Equation



High-Turnover (Sit-Down) Restaurant (932)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

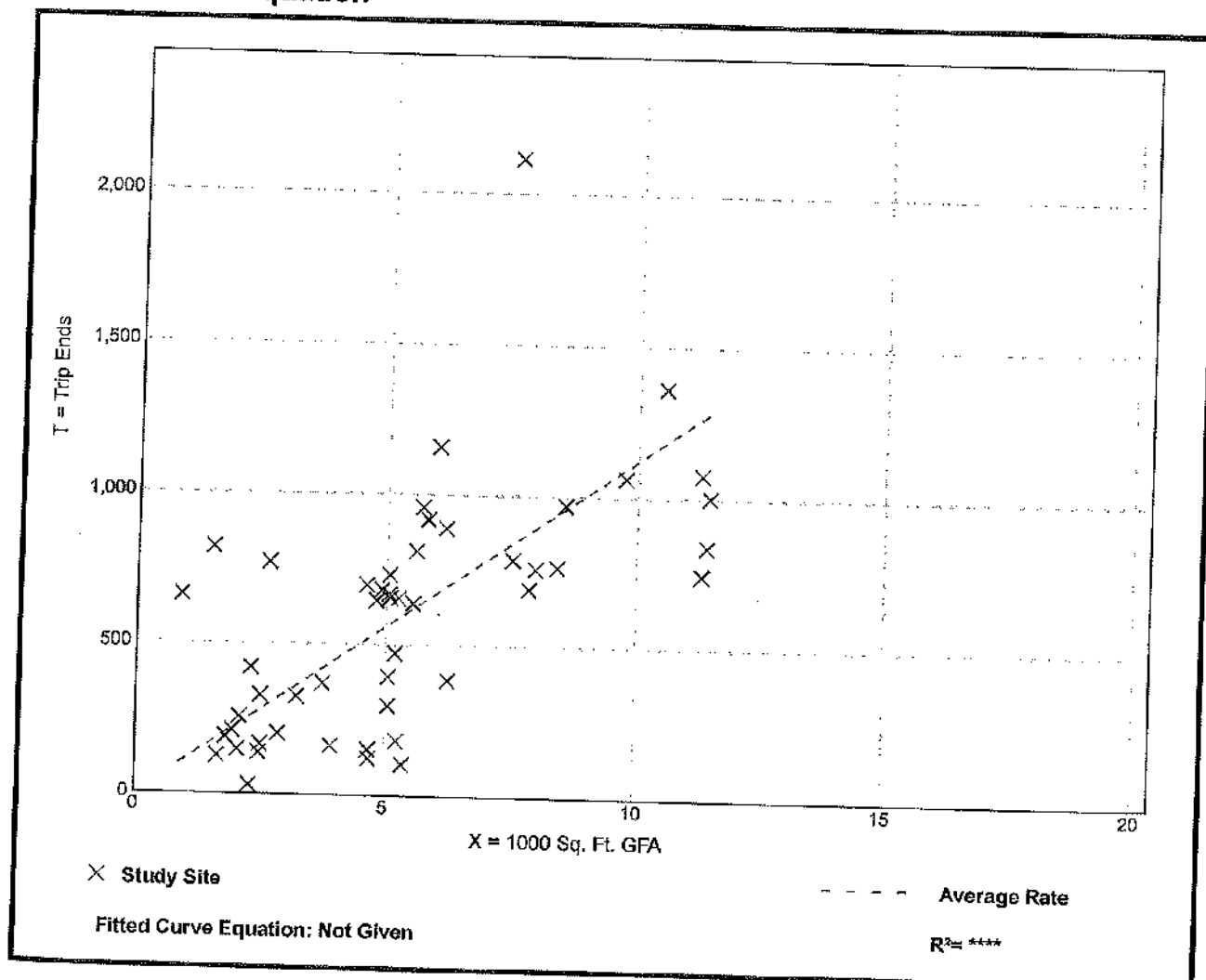
Setting/Location: General Urban/Suburban
Number of Studies: 50
1000 Sq. Ft. GFA: 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
112.18	13.04 - 742.41	72.51

$1,800 \text{ SF} \times 112.18 = 202 \text{ daily}$

Data Plot and Equation



High-Turnover (Sit-Down) Restaurant (932)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 107

1000 Sq. Ft. GFA: 6

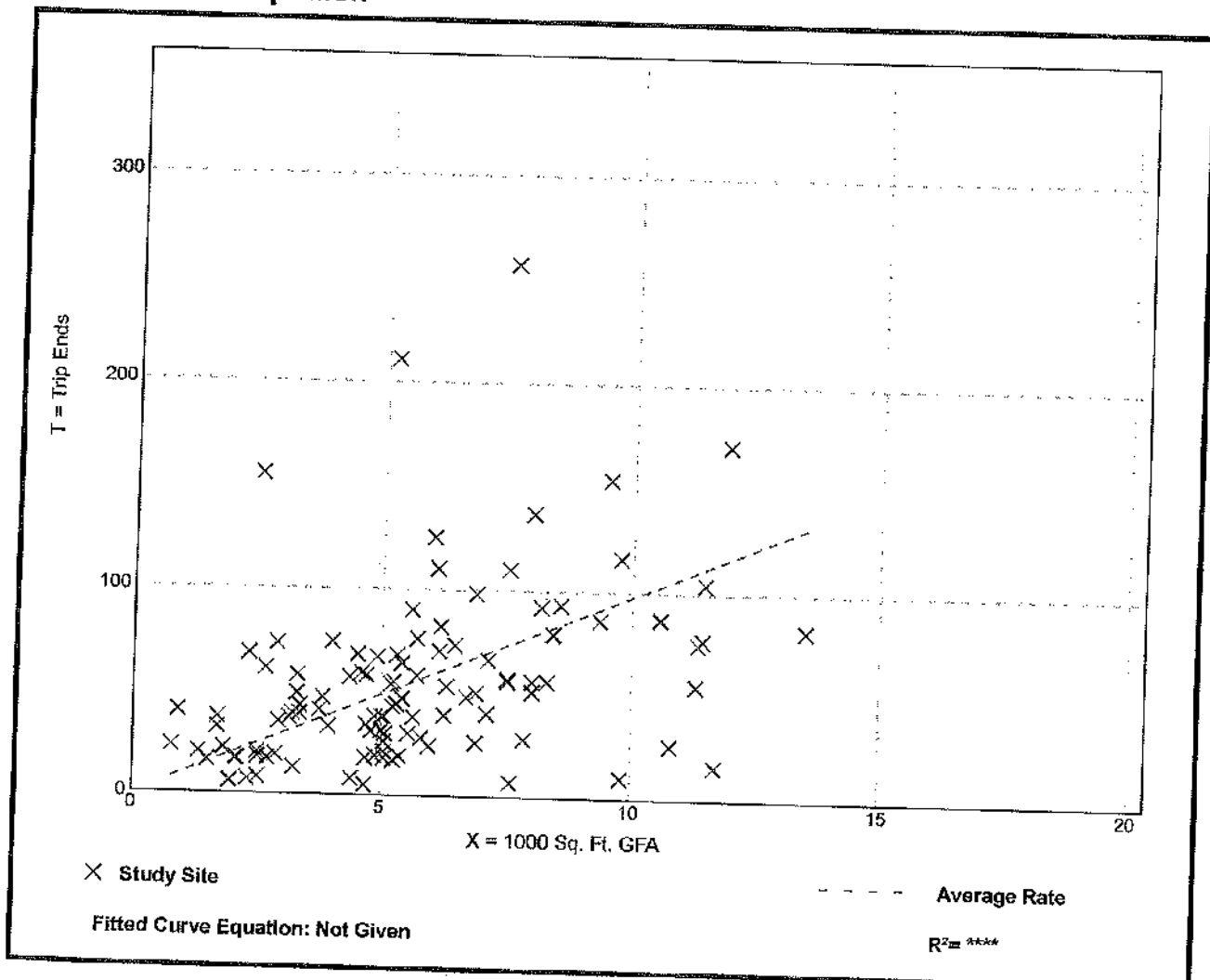
Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
9.77	0.92 - 62.00	7.37

$$1,000 \text{ SF} \times 9.77 = 9,770 \text{ Peak Hour (11/7)}$$

Data Plot and Equation



- (d) Development projects that generate more than 300 new peak hour trips are designated as tier 2.
 - (1) Developers of tier 2 projects within deficient road corridors are required to conduct a traffic study and submit an accompanying report. The report shall include the results of the traffic study and a transportation management plan identifying improvements necessary to address the impacts of the project.
 - (2) The cost of transportation management strategies implemented for tier 2 projects may be applied as credit toward the project's multimodal impact fee assessment or payment of the fee could be included as part of a transportation management plan.
- (e) Development projects that generate less than 51 new peak hour trips are required to pay a multimodal impact fee in accordance with chapter 150. Such development projects are not required to submit a transportation management plan or traffic study, unless otherwise warranted.
- (f) Development projects that generate more than 50 new peak hour trips on non-deficient roads shall be reviewed by Pinellas County or municipal staff to determine if the impacts to the project adversely affect the level of service of the surrounding road network. If it is determined that approval of the development project would diminish the level of service of the adjacent road(s) to peak hour level of service E or F or would cause the volume-to-capacity ratio to reach or exceed 0.9, a transportation management plan would be required. The applicant may submit a traffic study to verify whether their project would affect the level of service of the adjacent road(s). A transportation management plan would be required if the results of the study confirm the findings of the city or county staff. The transportation management plan for such developments shall comply with the requirements of tier 1 or tier 2 projects described in subsections 150-48(c) and (d) as appropriate and as determined by the presiding local government.
- (g) Determination of trip generation associated with an application for development shall be based on impact fee schedule A or B in section 150-40 or the latest edition of the Institute of Transportation Engineers Trip Generation Manual. As an alternative to the fee schedule and trip generation manual, the applicant may submit a trip generation study in accordance with section 150-40(d) and (e).
- (h) Deficient road corridors are identified in the following table and in exhibit K. The table and exhibit K do not include deficient roads with mitigating improvements scheduled within the next three years.

Deficient road corridors include the following:

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

Issue Considered: First Reading and Public Hearing Ordinance 2021-04: Miramar Resort

Date: February 10, 2021

Prepared By: Wesley Wright, Community Development Director

Through: Alex Rey, City Manager

Summary of Issue: Ordinance 2021-04, Providing for the allocation of 15 additional units of the Temporary Lodging Pool from the Boutique Hotel / Condo District.

Funding: N/A

Requested Motion: "Motion to approve the First Reading of Ordinance 2021-04. "

Attachments:

1. Ordinance 2021-04 - Relating to 15 units from the BH/C Density Pool

Ordinance 2021-04

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 15 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE BOUTIQUE HOTEL/CONDO TEMPORARY LODGING UNIT DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY LOCATED AT 4200 GULF BOULEVARD (MIRAMAR RESORT); PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to facilitate the preservation of independent tourist lodging facilities in areas of the City with an appropriate tradition of such use; and

WHEREAS, the applicant held a noticed public community meeting on September 23, 2020 in the Boca Ciega Ballroom of the St. Pete Beach Recreation Center where the initial redevelopment proposal was presented and comments were solicited; and

WHEREAS, the applicant made application for a Conditional Use Permit and companion Variance on November 9, 2020 to the Community Development Department in order to redevelop the subject property; and

WHEREAS, the application for the Conditional Use Permit and companion Variance was reviewed by the Technical Review Committee on December 2, 2020, and the recommended conditions appropriate to mitigate potential impacts imposed by the use were determined and are outlined in the associated Conditional Use Permit staff report submitted to the City Commission; and

WHEREAS, the application for the Conditional Use Permit and companion Variance was reviewed by the Planning Board sitting as the Local Planning Agency on December 14, 2020, and the recommended conditions appropriate to mitigate potential impacts imposed by the use were determined and are outlined in the associated staff report submitted to the City Commission; and

WHEREAS, the City Commission finds that the subject proposed redevelopment has met the City's merit-based criteria for the awarding of units from the Boutique Hotel/Condo District Temporary Lodging Unit Density Pool; and

WHEREAS, notice of this Ordinance has been provided in accordance with applicable law.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. Kevin Bowden, Managing Partner for Miramar Resort St. Pete LLC, desires to redevelop the 0.78 buildable acre site at 4200 Gulf Boulevard with 54 temporary lodging units and a building height of 76 feet with a non-habitable overrun to 85 feet. The property is permitted up to 39 temporary lodging units with a Conditional Use Permit, and an additional 15 temporary lodging units from the Boutique Hotel/Condo Temporary Lodging Unit Density Pool as established in the Comprehensive Plan of the City of St. Pete Beach, Florida.

SECTION 3. Upon this Ordinance becoming effective, there shall be 110 tourist lodging units remaining in the Boutique Hotel/Condo Temporary Lodging Unit Density Pool.

SECTION 4. The 15 units awarded by this ordinance shall revert back to the density pool should a building permit not be obtained within one (1) year of the date of the passage of this Ordinance, or should "continual construction" as defined in Division 2 of the Land Development Code cease, unless extended by resolution of the City Commission.

SECTION 5. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 6. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

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FIRST READING: 02/10/2021

PUBLISHED: _____

SECOND READING: _____

PUBLIC HEARING: _____

Alan Johnson, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2021.

Amber LaRowe, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

Andrew Dickman, City Attorney

Density Pool Information			
<u>District</u>	<u>Total Units Available</u>	<u>Total Units Utilized</u>	<u>Total Units Remaining</u>
Boutique Hotel/Condo	125	0 15	125 110
Town Center Core	50	0	50
Upham Beach Village	175	0*	175
Town Center Core – Corey Circle	325	64	261
Town Center Core – Coquina West			
Activity Center			
Bayou Residential			
Total	675	64 79	611 596