

PLANNING BOARD MEETING MINUTES

December 14, 2020 4:00 P.M.

PRESENT: Tiffany Secka, Chair
Tom DeYampert, Member
Mark Grill, Member
Bev Jackson, Member
Greg Premier, Member

STAFF PRESENT: Matthew McConnell, Dickman Law Firm
Alex Rey, City Manager
Ginny Keeter-Bodkin, Deputy City Clerk
Wesley Wright, Community Development Director
Lynn Rosetti, Senior Planner
Brandon Berry, Planner II
Mike Clarke, Public Works Director
Bill Palmer, Building Official

ALSO PRESENT: Selby Hughes, P.E., Kimley-Horn and Associates

Chair Secka called the meeting to order at 4:00 PM, followed by the Pledge of Allegiance.

1. **Changes to the Agenda** – Mr. Wright asked to move items 4.c. and d. before item 4b.
2. **Audience Comments** - There were no audience comments.
3. **Approval of Minutes a. 11/23/2020**

Motion: Member DeYampert moved and Member Grill seconded the approval of the minutes from the November 23, 2020 meeting as presented; the motion carried 5-0.

4. Action Items

a. Approval of 2021 Meeting Dates

Motion: Member Premier moved and Member DeYampert seconded the approval of 2021 meeting dates as presented; the motion carried 5-0.

- c. **Ordinance 2021-A Seawall Height** (*moved in order*) – amending the City's seawall measurement standards to utilize the North American Vertical datum mean sea level employed by FEMA.

Prior to her presentation, Ms. Rosetti explained that this proposed amendment to the City's Code of Ordinances, Sections 98-100 and 101, would replace the outdated USCGS datum with the FEMA endorsed North American Vertical Datum 88 (NAVD 88) measure for seawalls, bulkheads, and retaining walls. As mean sea-level has risen, this would result in improved resiliency. As the Planning Board is the City's land planning agency, their input is requested prior to the City Commission's action on this ordinance. Staff recommended approval.

Ms. Hughes and Mr. Clarke provided additional information and answered Board questions regarding fill behind new walls, timeline for meaningful completion, impact on adjoining properties, and the consideration of incentives for property owners. Mr. Clarke indicated there will be no grandfathering; all properties will need to comply, but the completion date is a moving target.

Mr. Rey provided additional comments on the PACE (Property Assessed Clean Energy) loan program, FEMA and stormwater management. The Ordinance will come before the City Commission in January.

Board discussion followed on home sales and compliance for any new permits. There was no additional public comment.

Motion: **Member Premier moved to recommend the approval of Ordinance of 2021-A, AN ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING THE CODE OF ORDINANCES, ARTICLE IV – SEAWALLS, BULKHEADS, AND RETAINING WALLS, SECTION 98-100 – STANDARDS FOR SEAWALLS, BULKHEADS, AND RETAINING WALLS NOT ON THE GULF OF MEXICO, SUB-SECTION (1) CONCRETE SEAWALLS, PARAGRAPH H, PERTAINING TO ELEVATION DATUM FOR SEAWALLS; SECTION 98-101 – STANDARDS FOR SEAWALLS, BULKHEADS AND RETAINING WALLS ON GULF OF MEXICO; SUB-SECTION (8) PERTAINING TO ELEVATION DATUM FOR SEAWALLS, BULKHEADS AND RETAINING WALLS FRONTING THE GULF OF MEXICO; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE. Member DeYampert seconded and the motion carried 5-0.**

- d. Ordinance 2021-B Substantial Improvement Limit & Living Space Below BFE** *(moved in order)* – Ordinance No. 2021-B, providing for an amendment to add the FEMA limit on livable square footage below the Base Flood Elevation and addressing Substantial Improvement and Substantial Damage determinations pertaining to the time frame required between permits.

Ms. Rosetti's presentation detailed the addition of language to the City's Code of Ordinances, which would specify a maximum of 299 square feet below the design flood elevation for living space, and changing the substantial improvement and substantial damage determinations cost to a cumulative amount over a five-year period; there is currently no time limit between permits.

Board discussion followed on effects to home sales, the determination of a structure's value, and what other cities have done in this regard. There was no public comment.

Motion: **Chair Secka moved to recommend the approval of Ordinance of 2021-B, AN ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING THE CODE OF ORDINANCES, ARTICLE I – IN GENERAL, SECTION 98-33 – FLORIDA BUILDING CODE, RESIDENTIAL; AMENDMENTS; SUB-SECTION (5) PERTAINING TO ELEVATION OF BUILDINGS AND ADDITION OF THE FEMA LIMIT ON LIVABLE SQUARE FOOTAGE**

BELOW THE BASE FLOOD ELEVATION; REVISING SECTION 98-122.4 - SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE DETERMINATIONS, PERTAINING TO THE TIME FRAME REQUIRED BETWEEN PERMITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE. Member Premier seconded and the motion carried 5-0.

- a. **Conditional Use Permit – Miramar Beach Resort** (*moved in order*) – The Miramar Beach Resort is requesting approval to demolish and redevelopment the site to construct a new seven story transient accommodation hotel. The request requires a Conditional Use Permit for the new temporary lodging use to exceed 50 feet in height, a density greater than 30 units per acre and to allocate additional units from the B/HC density pool, 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 78 parking spaces (21 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.

In opening the quasi-judicial hearing portion of the meeting, Mr. McConnell confirmed that no Board members had any ex-parte communication with the applicant. The Deputy Clerk performed the oath for all attendees and staff intending to speak.

Mr. Wright explained that because the property lies in the Gulf Boulevard Redevelopment District, the Land Development Code requires that temporary lodging use applications within certain parameters require a Planning Board recommendation to the City Commission. He reviewed a detailed presentation of exhibits including a timeline, photos, site plan, zoning standards, and density pools. Mr. Wright also reviewed a list of items that will be required prior to issuance of a Conditional Use Permit. Staff found the application to compliant with the City's standards for review; it meets the goals and objections outlined in the staff report.

Kevin Bowden, Managing Partner of the Miramar Resort appeared and provided details of the project to the Board. Q&A followed on matters that included public beach access/easements/deeds, curb cuts, condo-tel vs. hotel, landscaping, and parking for events. Mr. McConnell reminded the Board that they may add conditions to their recommendation to the Commission.

There was no public comment and that portion of the meeting was closed.

Motion: Member DeYampert moved and Member Grill seconded the recommendation of approval of the Conditional Use Permit for Case 20090 for 4200 Gulf Blvd. to the City Commission with the condition that there is adequate bicycle and scooter parking on site; the motion carried 5-0.

6. Adjournment – Next Meeting 1/25/2021

There being no further business, Chair Secka adjourned the meeting at 5:50 PM.

These minutes were approved at the February 22, 2021 Planning Board meeting.