

**Special City Commission Meeting
February 10, 2021
5:00 p.m.**

ELECTED OFFICIALS PRESENT:

Al Johnson, Mayor
Ward Friszolowski, Vice Mayor, Commissioner, District 3
Chris Graus, Commissioner, District 1
Mark Grill, Commissioner, District 2
Melinda Pletcher, Commissioner, District 4

STAFF PRESENT:

Alex Rey, City Manager
Andrew Dickman, City Attorney
Amber LaRowe, City Clerk
Wesley Wright, Community Development Director

Mayor Johnson called the meeting to order at 5:06 p.m. followed by the Pledge of Allegiance.

All those wishing to address the City Commission tonight were duly sworn.

The Commission discussed any ex-parte discussion on this topic, with Commissioner Grill acknowledging that he served on the Planning Board when this item came before them in December. Vice Mayor Friszolowski acknowledged his attendance at the Miramar Community Meeting with the Mayor and Commissioner Pletcher acknowledging the same.

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.

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 UNITY DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO THE PROPERTY LOCATED AT 4200 GULF BOULEVARD (MIRAMAR RESORT); PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

The Commission asked staff to discuss both Resolution 2021-04 and Ordinance 2021-04 in one presentation.

Wesley Wright, Community Development Director, gave a presentation to the Commission. A copy of the presentation is made a part of the minutes. He discussed the distribution of the revised staff report, site plan, and Resolution; the changes made were minor and did not have any effect on the noticing of the Conditional Use. Mr. Wright acknowledged that Resolution 2021-04 Public Hearing was noticed appropriately in the Tampa Bay Times, on the Miramar Property, and mailed out to property owners within 500 feet of the Miramar property (for a total of 109 notices).

The applicant held a community meeting and the Planning Board also heard this item in December and recommended approval to the Commission for review.

The Miramar is requesting approval to demolish and redevelop the 1.15-acre site to construct a new seven (7) story transient accommodation hotel. The new temporary lodging use proposed is a 54-room hotel with 77 parking spaces, interior lobby, amenity and dining area, and a rooftop bar with pool. The requested density is 54 units, 39 units from base density with 15 units requested from the density pool. Total proposed density is 69.2 dwelling units/acre. The maximum height is 76 feet.

Mr. Wright addressed the zoning standards, floor area ratio and setbacks. He stated that the permitted area is 40,500 square feet with the applicant proposing 40,095 square feet. Mr. Wright will work with the applicant to fix that typo on their site plan.

Parking requirements were discussed. 59 spaces are required for transient lodging units and 18 spaces are required for the amenity space, for a total of 77 spaces required. A variance is required due to 22 spaces being valet parking.

Mr. Wright reminded the Commission of the Standards of Review and the Criteria for Review of Conditional Use Applications as outlined in the Land Development Code. There are three density pools with no units having been utilized from the Boutique Hotel/Condo at this time; if this is approved with the request of 15 units, there will be 110 units remaining. Mr. Wright elaborated on the allocation of temporary lodging from the density pool that the Commission shall evaluate on a merit basis to include nine (9) different benefits; Mr. Wright identified which of the 9 this proposal meets.

Staff is recommending approval with the following 18 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 (LDC) 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 conceptual site plan submittal to accompany this application shall be substantially the same as the final site plan presented to the City. Any major deviations, as determined by the City Manager at his own discretion, may result in the loss of the conditional use approval.
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 Boulevard 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 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. The City, at its discretion, will determine when the sidewalk expansion work will commence. The owner agrees to provide an electrical utility easement, if necessary, for the electrical undergrounding project;
7. The applicant shall submit a unified landscaping plan reflecting, at the time of submittal of the final site plan, which meets or exceeds the landscape shown in the conceptual site plan;
8. If viable, the existing public beach access located adjacent to the subject property to the south shall be expanded to a minimum of ten-feet in total width along the entirety of the southern portion of the subject property between Gulf Boulevard 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 (10) 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-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;

Operational & Construction Requirements

14. 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:

- a. Rooftop location:
 - i. 83 dBA between 7:00 a.m. – 10:00 p.m.
 - ii. 73 dBA between 10:00 p.m. – 11:00 p.m.
 - iii. 50 dBA between 11:00 p.m. – 1:00 a.m.
 - iv. No amplified music after 1:00 a.m.
 - b. The sound level limitations outlined in Section 46-132 of the LDC are in addition to the limits established above.
15. Construction of the temporary lodging use shall incorporate at least two (2) of the eight (8) energy and environmental design features listed in LDC Section 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;
 16. All impact fees and the wastewater connection fees, as may be applicable to this project at the time of the building permit issuance, shall be collected prior to the 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);

Concurrency Management Requirements

17. 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

18. Any violation of these conditions and companion variance shall entitle the City Commission to modify or review the Conditional Use and variance.

The Commission discussed the parking spaces. Mr. Wright verified that the parking spaces that are necessary take into account the employees, visitors to the restaurant, and the people staying in the hotel.

Public beach access was discussed. The Commission wanted assurance that the public beach access that is currently there would not be removed or altered, if altered, then only for the betterment of public use.”

City Manager Rey clarified that this is a conceptual site plan and any major deviations to what has been presented to the Commission will have to come back; this is outlined in condition number 4.

Kevin Boden, applicant, is excited to bring this project to the City. He said that he has no plans to remove the beach access and will be working with the Vista on the Gulf to maintain it and make any improvements necessary. There will be a conference center and he is open to allowing it for use by the City’s HOAs and Condo Associations. He stated that the rooftop will have approximately 60-70 seats with the restaurant on the second floor having 80-100 seats.

Commissioner Pletcher expressed concerns with the parking and the access, especially with the number of seats that the restaurant and bar will have. Mr. Boden stated that he is hopeful that the Fifth Third Bank will continue to work with them for after hours parking and he also believes that residents that come for the bar or restaurant will utilize Über, walking, or bicycling.

Mayor Johnson opened the public hearing.

Anthony Stokes, resident, wants to make sure that the beach access remains available. Is in favor of the project.

Scott S., resident, is in favor of the plan and the new hotel; also wants to make sure the beach access stays.

City Clerk LaRowe acknowledged an email sent earlier today by Deborah Schechner, resident. A copy of the email is made a part of the record. A copy was provided to the applicant to address Ms. Schechner's concerns.

The topic of parking was heavily discussed with the applicant assuring the Commission that it will be closely monitored.

With no further public comment, Mayor Johnson closed the public hearing.

Vice Mayor Friszolowski wanted to ensure that the landscape for the site will be substantially similar to what is being proposed; he opined landscape along Gulf Boulevard is necessary. Mr. Wright stated that condition 4 requires the applicant to stay substantially in compliance with the site plan as presented and can incorporate language to further strengthen this condition.

Vice Mayor Friszolowski discussed sea oats and the dune system. Mr. Boden is leaving the dune system and sea oats in place, no plans for removal or alteration of them. Mr. Wright is to research the Code regarding this as a requirement and will add language to make sure it is in this specific Conditional Use. Vice Mayor Friszolowski wants to ensure that this will contribute to the plan of a continuous dune system along the beaches in the City.

Istran Peteranecz, Architect for the project, spoke regarding elevations and design. Discussion of the height and base elevation ensued. Staff is to check the new FEMA maps against this property and report back.

Mr. Rey informed the Commission that the City is working with a consultant for parking requirements in the Land Development Code.

Discussion of the comments provided by the Florida Department of Transportation (FDOT) occurred; the comments from FDOT included a recommendation of one (1) access point (30-36 feet wide) centered on property, if two (2) drives are necessary for traffic flow, they should be 15-feet wide with signage, indicating the height of the under building parking. Also, FDOT asked how trash will be picked up, what size delivery trucks are expected, backing maneuvers should not be allowed onto Gulf Boulevard, and the applicant's ADA sidewalk connection goes behind that parking spaces which is not allowed per Statute. Mr. Boden informed the Commission of a conference call they have with FDOT tomorrow morning to discuss these concerns.

Mayor Johnson exited the meeting at 6:27 p.m. and returned at 6:29 p.m.

Mr. Wright recommended that Resolution 2021-04 be continued to the second meeting in March to address some of these concerns as mentioned. This will also allow for the Resolution to be on the same meeting as Ordinance 2021-04 final reading. Attorney Dickman echoed Mr. Wright's recommendation. This will allow he and Mr. Wright to review the discussion tonight to make the necessary corrections to some of the conditions for the Conditional Use Permit as well as research the easement to the south of the property.

Mayor Johnson opined that an additional curb cut onto Gulf Boulevard for solid waste removal may be preferable to eliminate any possibility of having to roll dumpsters onto the street for pickup (as is currently done).

Motion: Vice Mayor Friszolowski moved, Commissioner Pletcher seconded the motion to continue Resolution 2021-04 to February 23, 2021 at 6:00 p.m.

Discussion ensued on the date of the continuance as well as the second reading and advertisement of Ordinance

2021-04.

Vice Mayor Friszolowski amended the motion on the floor to continue Resolution 2021-04 to March 9, 2021 at 6:00 p.m., Commissioner Pletcher seconded the amendment. The motion carried 5-0.

Motion: Vice Mayor Friszolowski moved, Commissioner Graus seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2021-04.

Mayor Johnson adjourned the meeting at 7:08 p.m.

MINUTES APPROVED: March 9, 2021



AMBER LAROWE
CITY CLERK



ALAN JOHNSON
MAYOR