

City Commission Meeting
March 8, 2022
6:00 p.m.

ELECTED OFFICIALS PRESENT:

Alan 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, Planning Manager

Mayor Johnson called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

1. PRESENTATIONS

None.

2. CHANGES TO THE AGENDA

No changes.

3. AUDIENCE COMMENTS

Julie Koch, resident, asked questions regarding a property she purchased. Alex Rey, City Manager, directed her to speak with Jennifer McMahon, Chief Operating Officer, and Wesley Wright, Planning Manager.

4. CONSENT

- a. February 22, 2022 City Commission Minutes

Motion: **Commissioner Grill moved, Commissioner Graus seconded, and the motion carried 5-0 to approve the March 8, 2022 Consent Agenda as presented by the City Manager.**

5. ACTION ITEMS

- a. **Urban Design and Landscape Architectural Services**

City Manager Rey discussed the plans for design and preparation of construction documents for Fisherman's Park and the enhanced intersection with crosswalks at Corey Avenue and Sunset Way. Kimley-Horn will include modifications of parking and sidewalks on the western end of Corey Avenue and review of drainage and ADA compliance within the project area.

Motion: **Commissioner Graus moved, Commissioner Grill seconded, and the motion carried 5-0 to approve the Urban Design and Landscape Architectural Services from Kimley-Horn and Associates in the amount of \$45,439.00.**

6. ORDINANCES

a. Final Reading Ordinance 2022-03: The Corey Landings Project

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 150 RESIDENTIAL DWELLING UNITS UNDER THE PROVISIONS OF THE GENERAL RESIDENTIAL UNIT "RU" DENSITY POOL RESERVE, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN AND IMPLEMENTED THROUGH THE CITY'S LAND DEVELOPMENT CODE, TO THE PROPOSED COREY LANDINGS DEVELOPMENT PROJECT, GENERALLY LOCATED AT 10 COREY AVENUE; PROVIDING FOR CODIFICATION; CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

7. RESOLUTION

a. Resolution 2022-03: The Corey Landings Project Conditional Use

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 COREY LANDINGS PROJECT, GENERALLY LOCATED AT 10 COREY AVENUE; INCORPORATING THE CONDITIONS OUTLINED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

Both Ordinance 2022-03 and Resolution 2022-03 were heard and presented in one presentation by staff and the developer. The City Clerk swore in all those wishing to address the City Commission on both Ordinance 2022-03 and Resolution 2022-03.

Quasi-judicial procedures were discussed with each Commissioner disclosing ex-parte communications that they had with the developer, many residents, attendance at the community meeting last year, and the virtual meeting on January 21st to discuss the traffic study. Most of the resident's issues were in regard to parking and traffic.

Wesley Wright, Planning Manager, gave a presentation to the Commission. A copy of the presentation is made a part of the record. The presentation included:

- Review timeline
- City Code
- Maps
- Site Photos
- Site Plan

Mr. Wright outlined the 15 criteria in the Resolution 2022-03, Conditional Use Permit:

Administrative Approval Conditions

1. The number of additional residential dwelling units on the subject property shall be contingent on final action on companion Ordinance 2022-03 which allocates one-hundred and fifty (150) residential units from the "RU" Density Pool Reserve to the subject property. Any additional residential dwelling 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 2022-03, or should "continual construction" as defined in Division 2 of the Land Development Code cease, unless extended by resolution of the City Commission;

2. The site plan submittal shall be in substantially the same as the “conceptual” 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;

Public Amenity Requirements

3. The applicant shall submit a unified landscaping plan reflecting, at the time of submittal of the site plan which meets or exceeds the landscape shown in the “conceptual” site plan;
4. The applicant will partner with the City in connecting a boardwalk adjacent to the proposed restaurant in Area 1 to the City-owned property at 7701 Boca Ciega Drive. The City shall make application to the appropriate authorities for permitting, grants and will be responsible for the design and construction of a proposed boardwalk. Provided the City is able to permit and fund the boardwalk, the applicant will provide a public access easement to the City to connect the boardwalk to the public park. The form and contents of the public access boardwalk shall be acceptable to the City Attorney and the applicant. The location of the proposed 10’ easement shall be acceptable to the applicant;
5. The City shall review and approve all improvements being placed upon any public right-of-way prior to the issuance of any development permits;
6. The City shall review and approve the design of all public recreation facilities prior to the issuance of any development permits;
7. The applicant will use good faith efforts to obtain the appropriate regulatory approvals in order to permit the construction of the proposed Commercial Class A and B docking facilities located adjacent to the restaurant;
8. The applicant shall be required to provide for electrical undergrounding of all utilities along Corey Avenue and Corey Circle adjacent to the project except for the poles along Bay Street, including the intersection of Bay Street and Corey Avenue. The City will work with Duke Energy, who is performing electrical undergrounding work south of the project area, and will look to enter into an agreement with Duke that will bring the undergrounding along Bay Street to Corey Avenue. In the event that this agreement is put in place, the Developer will make a contribution, not to exceed \$50,000 towards that portion of the undergrounding effort;
9. The applicant shall be required to provide for all necessary relocation of existing public utilities in the project area and shall further be required to dedicate all appropriate utility easements. Such required dedications shall be made prior to the issuance of any development permits for the project;

Landscaping & Irrigation Requirements

10. All landscaping standards shall comply with the requirements of Division 22 of the City’s Land Development Code;

Operational & Construction Requirements

11. Amplified music within the outdoor dining area shall be come from the onsite installed equipment and speakers. Amplified music will have no bass. The Music Level Limits (dBA) shall not exceed the following levels at the property:

- 83 dBA between (7:00 a.m. – 10:00 p.m.),
- 73 dBA between (10:00 p.m. – 11:00 p.m.),
- No amplified music after 11:00 p.m.

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

12. Construction of the multi-family 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 (including motion sensor lighting), 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;
13. 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;

Concurrency Management Requirements

14. Concurrency Management Statements shall be submitted for potable water, sanitary sewer, solid waste, transportation facilities, and stormwater 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

15. Any violation of these conditions shall entitle the City Commission to modify or revoke the Conditional Use.

Commissioner Grill discussed condition 11, amplified music. He opined that there should not be any amplified music after 10:00 p.m. because of the effect it will have on neighboring residents.

Commissioner Grill made a motion to amend Condition 11 to say, “no amplified music after 10:00 p.m.”. The motion died for lack of second.

Attorney Dickman suggested the Commission listen to the presentation by the developers to see if that answers some of their questions.

Ram Realty Advisors were in attendance. Their development team consisted of Travis Williams, RAM, Developer; Damon Brider, RK, Architect; Attorneys Elise Batsel and Kevin Reali, Stearns, Weaver, Miller; and Engineers Scott Gilner and Hillary Hepp, Kimley-Horn. Ram Realty Advisors gave a presentation to the City Commission, this presentation is made a part of the record. Information presented included:

- Timeline
- Hearing Process
- Location of Property –
 - South end of Corey Avenue
 - +/- 3.9 acres
- TC-2 Zoning
- Vision Plan –
 - Create east side anchor
 - Create public space
 - Create housing to infuse additional life into Corey Avenue

- Integrate streetscape
 - Encourage pedestrian activity
 - Boardwalk
 - Activate East Corey Avenue
- Conceptualization of layout, parking, and landscape
- Conditional Use Request –
 - Seek approval of 150 units from the City's Residential Density Pool
 - Seek approval for commercial docks (other docks for public use)
 - Seek approval for an eating and drinking establishment to include outdoor dining and live music
- Mixed-Use Development Project –
 - Area 1
 - +/- 5,000 square feet of waterfront restaurant use
 - Area 2
 - 243 multi-family units
 - +/- 12,000 square feet of retail and commercial spaces
- Pictures of Existing Condition
- Site Plan
 - 243 luxury apartments
 - 5,000 square foot waterfront restaurant
 - 8,264 square feet of retail
 - 3,959 square feet of office space
 - Private boat slips
 - Public boat slips
 - Parking per Code
- Various renderings
- Benefits to Community –
 - .7-acre public park
 - Sidewalk
 - Benches
 - Bike racks
 - Reconstructed public seawall
 - Waterfront overlook
 - Pedestrian access to water
 - Pedestrian connection
 - Enhanced accessibility
 - Additional parking
 - Sidewalks
 - Crosswalks
 - Landscape
 - Removal of overhead power lines
 - Replace existing lightings
 - Enhanced public access to the water
 - Public docks
 - Activate East Corey Avenue
 - Stormwater improvements
 - Tax revenue
- TC-2 Comprehensive Plan Policies the Development Meets –
 - Policy 1: Architectural design features
 - Policy 2: Parking

- Policy 3: Retail/Restaurant
- Policy 4: Privately-owned small-scale marina facilities with transient boat slips
- Policy 5: Professional landscape and design standards consistent with the standards in the Land Development Code
- Traffic Analysis Notes –
 - Methodology
 - 131-page final traffic study submitted and approved by City staff November 29, 2021
 - Project trips not anticipated to cause any deficiency to roadway network
 - Project trip assignment determined by Florida Department of Transportation (FDOT) traffic demand model
 - Very low project trip count along Bay Street and Gulf Winds Drive
 - Charts and comparisons were displayed
 - Project traffic assignment mapping – based on FDOT

Mayor Johnson opened the public comment.

Deb Schechner, resident, spoke in opposition of the project.

St. Pete Beach Astronomer, resident, spoke in opposition of the project.

Hearing no further public comment, Mayor Johnson closed the public comment for Ordinance 2022-03 and Resolution 2022-03.

Discussion continued regarding the noise and amplified music. Commissioner Grill expressed concerns for allowing amplified music after 10:00 p.m. and the disturbance it will cause.

Commissioner Grill made a motion to modify Condition 11 to not allow for amplified music after 10:00 p.m.

Discussion continued. City Manager Rey suggested that after a year of operation at the restaurant, Condition 11 can be re-evaluated.

Commissioner Grill modified the motion to say “City staff will supply the Commission with 3 months of noise data, including but not limited to complaints and code enforcement citations, from the date the dining establishment opens to the public. At that time the City Commission may review and modify this condition.

Commissioner Pletcher seconded the motion and it carried 5-0.

Attorney Dickman discussed an additional condition to be placed in the Conditional Use Permit that says:

“the Developer waives all reversion rights to the east end of Corey Avenue, beginning at the water’s edge and ending approximately 300 feet to the west, which is planned for a pedestrian-only park area (“Public Property”). If there is ever a determination made by a court of competent jurisdiction that finds that a reverter interest in the Public Property is present, the Developer agrees to cooperate with the City and provide any additional documents required to waive and release any rights to the Public Property. Also, before site plan approval, the Developer will provide the City a quit claim deed or deeds for the

Public Property, releasing any rights, including reverter rights.

Commissioner Graus moved, Commissioner Pletcher seconded, and the motion carried 5-0 to add Condition 16 to the Conditional Use Permit, Resolution 2022-03, as stated above by the City Attorney.

Motion: Commissioner Graus moved, Vice Mayor Friszolowski seconded, and the motion carried 5-0 to adopt Ordinance 2022-03.

Motion: Commissioner Grill moved, Commissioner Graus seconded, and the motion carried 5-0 to adopt Resolution 2022-03.

8. ITEMS FOR DISCUSSION

No discussion.

9. CITY CLERK, CITY MANAGER, CITY ATTORNEY AND CITY COMMISSION REPORTS

Amber LaRowe, City Clerk—announced that March 15th is Election Day for District 1 Commissioner. Voting is open at the Community Center from 7:00 a.m. to 7:00 p.m.

The next meeting will include the swearing in of District 1 and District 3 Commissioners, election of Vice Mayor, and board/committee appointments.

Alex Rey, City Manager—Fire Station 22 is in the State budget for a \$2M allocation beginning next fiscal year.

The Gulf Boulevard and 55th Avenue project is scheduled to be wrapped up this Friday, March 11th.

Commissioner Graus—excited about the Corey Avenue project and glad to see it moving along.

He mentioned that Spring Break starts next week for all schools in several local counties.

Commissioner Grill—attended the Gulf Winds Drive design meeting last week; glad to see the plans.

Commissioner Pletcher—discussed her comments at the last meeting regarding parking rates in the City. Her comments were based on several issues that are occurring in Pass-a-Grille due to parking and traffic.

Mayor Johnson adjourned the meeting at 8:32 p.m.

MINUTES APPROVED: March 22, 2022



AMBER LAROWE
CITY CLERK



ALAN JOHNSON
MAYOR