

PLANNING BOARD MEETING MINUTES

November 18, 2024 4:00PM

MEMBERS PRESENT: David Hubbard, Chair
Sam Angelides, Jr., Vice Chair
Terri Grocott, Member
Cindy Perry, Member

MEMBERS ABSENT: Shawn Rae, Member

STAFF PRESENT: Brandon Berry, Senior Planner
Becky Vose, Interim City Attorney
Ginny Bodkin, Deputy City Clerk

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

1. Approval of the Agenda –

Motion: Member Perry moved, and Vice Chair Angelides seconded to approve the November 18, 2024 agenda as presented: the motion carried unanimously.

2. Audience Comments – There were no comments.

3. Approval of Minutes – October 21, 2024 Meeting

Motion: Member Grocott moved, and Member Perry seconded, to approve the October 21, 2024, minutes as presented: the motion carried unanimously.

4. Resolutions –

a. Resolution 2024-08 (Conditional Use Permit #24038): 4200 Gulf Blvd (Miramar Beach Resort)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, PURSUANT TO SECTIONS 39.6.(p), 46.2.(c), 46.4.(c) AND 46.6.(b) OF THE LAND DEVELOPMENT CODE, TO ALLOW THE CONSTRUCTION OF A 30-UNIT HOTEL TOWER THAT WILL INCREASE SITE UNIT COUNT TO 50 TOTAL TEMPORARY LODGING UNITS, OR 64.2 UNITS PER BUILDABLE ACRE, AND EXTEND TO 76 FEET ABOVE BASE FLOOD ELEVATION WITH NON-HABITABLE OVERRUN NOT TO EXCEED 86 FEET ABOVE BASE FLOOD ELEVATION, AS WELL AS INCLUDE AN EIGHTH-FLOOR RESTAURANT WITH OUTDOOR SEATING AREA, ON PARCEL # 07-32-16-07380-000-0120 WITH ADDRESS Page 1 of 181 OF 4200 GULF BOULEVARD; INCORPORATING THE CONDITIONS OUTLINED HEREIN; AND PROVIDING FOR CORRECTION OF SCRIVENER'S ERROR AND AN EFFECTIVE DATE.

Senior Planner Brandon Berry explained that this Conditional Use case has been brought back to the Board due to the addition of a rooftop restaurant with outdoor seating as well as the correction of an advertising error in September.

Mr. Berry reviewed a presentation on the request, with the addition of the 8th floor outdoor dining and drinking; the presentation is part of the meeting record. No comments for or against the request were received.

- Timeline
- Request Summary CUP #24038
 - 50 lodging units: 38 base units and 12 density pool units
 - New tower 76' to top of habitable roof
 - 8th level dining and drinking
 - Limited interior commercial (rooftop restaurant and bar)
 - Landscape, pool, parking lot improvements
 - Renovation of 20 remaining units
- Existing and proposed conditions
- New graphic of roof dining and drinking
- No changes other than the rooftop dining
- One beach access point at the South side, expanding existing access to 10'

Staff requested testimony from the Applicant to include current dune conditions and whether the existing lodging structures proposed for renovation took damage during the hurricanes. Mr. Berry continued on to review the 17 recommended conditions, which were relatively unchanged since approved in September. The changed conditions were:

- Approval of this project will divest units awarded to the project under the 2021 approval after the appeal period has passed.
- Outdoor balcony space next to the restaurant is not allowed permanent seating or outdoor music after 10 PM (until 7 AM)*.
- Applicant must prepare dunes plan, easements, green building standards identification, and sidewalk easement, before site plan approval and implementation of that would be necessary prior to certificate of occupancy for the hotel tower.

Board member questions were addressed during the presentation including the size of delivery vehicles, queueing area for diners at the restaurant, wind speeds for outdoor furniture, public access to easement, and transportation management plan (Mr. Berry indicated this project is below the threshold this is below required). Some of the inquiries were to be addressed by the Applicant.

Katie Cole of Hill, Ward, Henderson, Attorney for the Applicant reviewed their presentation (same as September), which is part of the meeting record. There were no substantial damages from the two recent hurricanes. Building permits are being submitted for the units to be renovated while the site plan for the rest of the hotel is going through. Ms. Cole noted that a transportation management plan was provided although the project is below the threshold required, and truck types, as discussed at the last meeting are not anticipated to be an issue from a delivery standpoint; FDOT access management will have similar restrictions to meet. The Applicant is agreeable to the City's proposed conditions, except that dune walkover conditions (5.b. and c.) be conditioned upon FDEP permits due to dune shift post-hurricanes.

Jack Bodziak, Architect for the project, walked through the design and how it meets City Code. He testified to reduction in scale from the originally approved request (2021), reduction in square footage, height of the tower building, moving the main building back to over 150 feet from the street and preservation of 20 of the existing units. Mr. Bodziak reported that the community meeting

feedback was very positive. Rooftop facility is a fraction of what was previously approved; the owners would like the space available for guest weddings without having to go off property. The dune walkover can't be 100% resolved at this time; the State will dictate – Mr. Berry noted that that intent is in the resolution. Ms. Cole showed current photos of the dune that was changed by the hurricanes; the photos are part of the meeting record.

Chair Hubbard asked about substantial damage; Mr. Bodziak replied that they would be subject to the same regulations as everyone else affected by the storms. Ms. Cole reiterated that they would like Condition 5.b. and c. to be subject to FDEP approval.

Ann Fleeting of 3910 Gulf Blvd. commented on the FEMA 50 percent rule at the subject property and indicated that no permits had been pulled for demolition; she would like that investigated to the satisfaction of the residents. She commented on the setback of the tower building and valet parking.

Valet service was discussed. Mr. Berry confirmed that the property will be reviewed for substantial damage and subject to those standards. He also explained that the Commission could decide to decouple the significant damage from the improvements already intended. The owner can secure a new appraisal after improving some of the units.

Motion: Member Grocott moved, and Member Perry seconded to recommend approval to the Commission of Resolution 2024-08 to the City Commission with included conditions and FDEP approval of conditions 5b. and c. modified by the applicant. The motion carried 4-0.

5. Ordinances –

a. Ordinance 2024-07: Awarding 12 Units From The Boutique Hotel/Condo District Temporary Lodging Unit Density Pool to 4200 Gulf Boulevard (Miramar Beach Resort)

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 12 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE BOUTIQUE HOTEL/CONDO DISTRICT TEMPORARY LODGING UNIT DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY LOCATED AT 4200 GULF BLVD (MIRAMAR BEACH RESORT), AND REVERTING THE 15 TEMPORARY LODGING UNITS ALLOCATED UNDER ORDINANCE 2021-04 BACK TO THE NAMED DENSITY POOL; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

This ordinance was ordinance was discussed as part of Resolution 2024-08 (Conditional Use Permit #24038) item 4a.

Motion: Member Perry moved, and Vice Chair Angelides seconded t to recommend approval of Ordinance 2024-07 to the City Commission. The motion carried 4-0.

b. Ordinance 2024-13: Permanently adopting provisions for the elevation of flood-damaged equipment in required side and rear yards, and elevation or reconstruction of nonconforming residential structures in required yards.

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING LAND DEVELOPMENT CODE DIVISION 3 – ADMINISTRATION OF THE LAND DEVELOPMENT CODE, SECTION 3.10 – VESTED RIGHTS AND NONCONFORMITIES; AND DIVISION 6 – SUPPLEMENTAL REGULATIONS, SECTION 6.14. - ENCROACHMENT OF CERTAIN SPECIFIED ANCILLARY RESIDENTIAL EQUIPMENT INTO REQUIRED YARDS; REPEALING EMERGENCY ORDINANCES 2024-11 AND 2024-14 CONTAINING SIMILAR PROVISIONS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Mr. Berry explained that part of this ordinance was discussed at the last Planning Board meeting. It was adopted by the City Commission as an emergency (60 day) ordinance on 11/04/24 and is being brought forth for permanent adoption. The only change is clarifying that elevation applies only to residences that are nonconforming by setback.

Mr. Berry’s presentation covered the details of the proposed changes to LDC Section 3.10 and 6.14 and is part of the meeting record. The Board suggested to specify that pool equipment is exempt and can be left at grade, and to provide examples of moving nonconforming structures in LDC 310.b.(3)A and 6.14.d. change-outs or in-place elevation of equipment in rear or side yard. Mr. Berry will make those adjustments.

Motion: Vice Chair Angelides moved, and Member Grocott seconded to recommend Ordinance 2024-13 to the City Commission with clarification discussed. The motion carried 4-0.

6. Discussion Items -

a. Artificial Turf

Mr. Berry thanked Member Grocott for providing the list of comparison ordinances and explained that the City’s representative from the Tampa Bay Regional Planning Council (TBRPC) had reached out and provided a summary and draft of the model ordinance for consideration. Member Perry had researched Municode and found only a 20% maximum restriction, which is woefully incomplete and needs action and the other members concurred. Some of the provided ordinances were discussed including Surfside and Winter Park.

Following discussion, the decision was made that members will list and send their preferences of best practices to Mr. Berry by December 2nd for him to compile for discussion at the next meeting.

Mr. Berry reported that there is one new lodging project case for the December meeting; he will send the members links to the two TRC meetings in which it had been discussed.

7. Adjournment - Next meeting December 16, 2024.

There being no further business, Chair Hubbard adjourned the meeting at 5:20 PM.

These minutes were approved at the December 16, 2024 meeting of the Planning Board.