

**FIRST AMENDMENT TO THE HOTEL DENSITY RESERVE DEVELOPMENT
AGREEMENT**

THIS FIRST AMENDMENT TO THE HOTEL DENSITY RESERVE DEVELOPMENT AGREEMENT ("Amendment") is dated the 20th day of August, 2015, and entered into between **ALANIK PROPERTIES, LLC, ANCO HOLDINGS, LLC,** and **NIKANA HOLDINGS, LLC** (collectively "Developer"), its successors and assigns, and the **CITY OF CLEARWATER, FLORIDA**, a municipal corporation of the State of Florida acting through its City Council, the governing body thereof ("City").

WITNESSETH:

WHEREAS, the City and the Developer are parties to that certain Hotel Density Reserve Development Agreement (the "Agreement") dated September 10, 2014; and

WHEREAS, the City and the Developer desire to amend certain terms and provisions of the Agreement, as more fully set forth herein below; and

NOW, THEREFORE the City and the Developer agree as follows:

1. Exhibit "B," attached to the Agreement is hereby amended and restated in its entirety and shall hereafter be and read as provided in Exhibit "B," attached to this Amendment and incorporated for all purposes.

2. Section 4.4 is amended to read as follows:

The density of the Project shall be 114 units per acre. In no instance shall the density of a parcel of land exceed 117 units per acre. The height of the Project shall be 150 feet measured from Base Flood Elevation, as defined in the Code. The maximum building heights of various character districts cannot be increased to accommodate hotel rooms allocated from the Hotel Density Reserve.

3. Section 6.1.3.2 is amended to read as follows:

The Developer shall obtain appropriate site plan approval pursuant to a Level One or Level Two development application within six (6) months from the effective date of this Amendment in accordance with provisions of the Code, and shall then obtain appropriate permits and certificates of occupancy in accordance with the provisions of the Code. Nothing herein shall restrict the Developer from seeking an extension of site plan approval or other development orders pursuant to the Code or state law. In the event that work is not commenced pursuant to issued permits, or certificates of occupancy are not timely issued, the City may deny future development approvals and/or certificates of occupancy for the Project, and may terminate the Agreement in accordance with Section 10.

4. This Amendment embodies the entire agreement between the City and the Developer with respect to the amendment of the Agreement. In the event of any conflict or inconsistency

between provisions of the Agreement and this Amendment, the provisions of this Amendment shall control and govern.

5. Except as specifically modified and amended herein, all of the terms, provisions, requirements and specifications contained in the Agreement remain in full force and effect. Except as otherwise expressly provided herein, the parties do not intend to, and the execution of this Amendment shall not, in any manner impair the Agreement, the purpose of this Amendment being simply to amend and ratify the Agreement, as hereby amended and ratified, and to confirm and carry forward the Agreement, as hereby amended, in full force and effect.

IN WITNESS WHEREOF, the parties have hereto executed this Agreement the date and year first above written.

In the Presence of:

Alanik Properties, LLC, Anco Holdings, LLC, and Nikana Holdings, LLC

Reely M. Thurson
Print Name Reely M. Thurson

By: [Signature]
Martin R. Cole

Print Name _____
As to "Developer" _____

CITY OF CLEARWATER, FLORIDA
By: William B Home II
William B Home II,
City Manager

Attest:
Rosemarie Call
Rosemarie Call, CMC, City Clerk

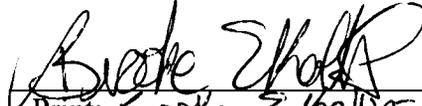
Countersigned:
George N. Cretekos
George N. Cretekos, Mayor

Approved as to Form:
Camilo Soto
Assistant City Attorney



STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing Declaration was acknowledged before me this day of May 23, 2016 by Martin R. Cole, on behalf of Alanik Properties, LLC, Anco Holdings, LLC, and Nikana Holdings, LLC. He is personally known to me or has produced _____ as identification.


Print: Brooke E. Rollins
Notary Public – State of Florida
My Commission Expires:



BROOKE E. ROLLINS
MY COMMISSION # EE 857636
EXPIRES: January 18, 2017
Bonded Thru Budget Notary Services

UNOFFICIAL COPY

Exhibit “B”

Survey, Conceptual Site Plan, and Architectural Drawings

Exhibit “B”

Survey, Conceptual Site Plan, and Architectural Drawings

CLEARWATER HOTEL

Site Plan Submittal

July 7, 2015

ZYSCOVICH
ARCHITECTS



CLEARWATER HOTEL

SITE PLAN SUBMITTAL

Clearwater, FL

RENDERINGS

July 7, 2015

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A-102



CLEARWATER HOTEL

SITE PLAN SUBMITTAL

Clearwater, FL

SITE PLAN

July 7, 2015

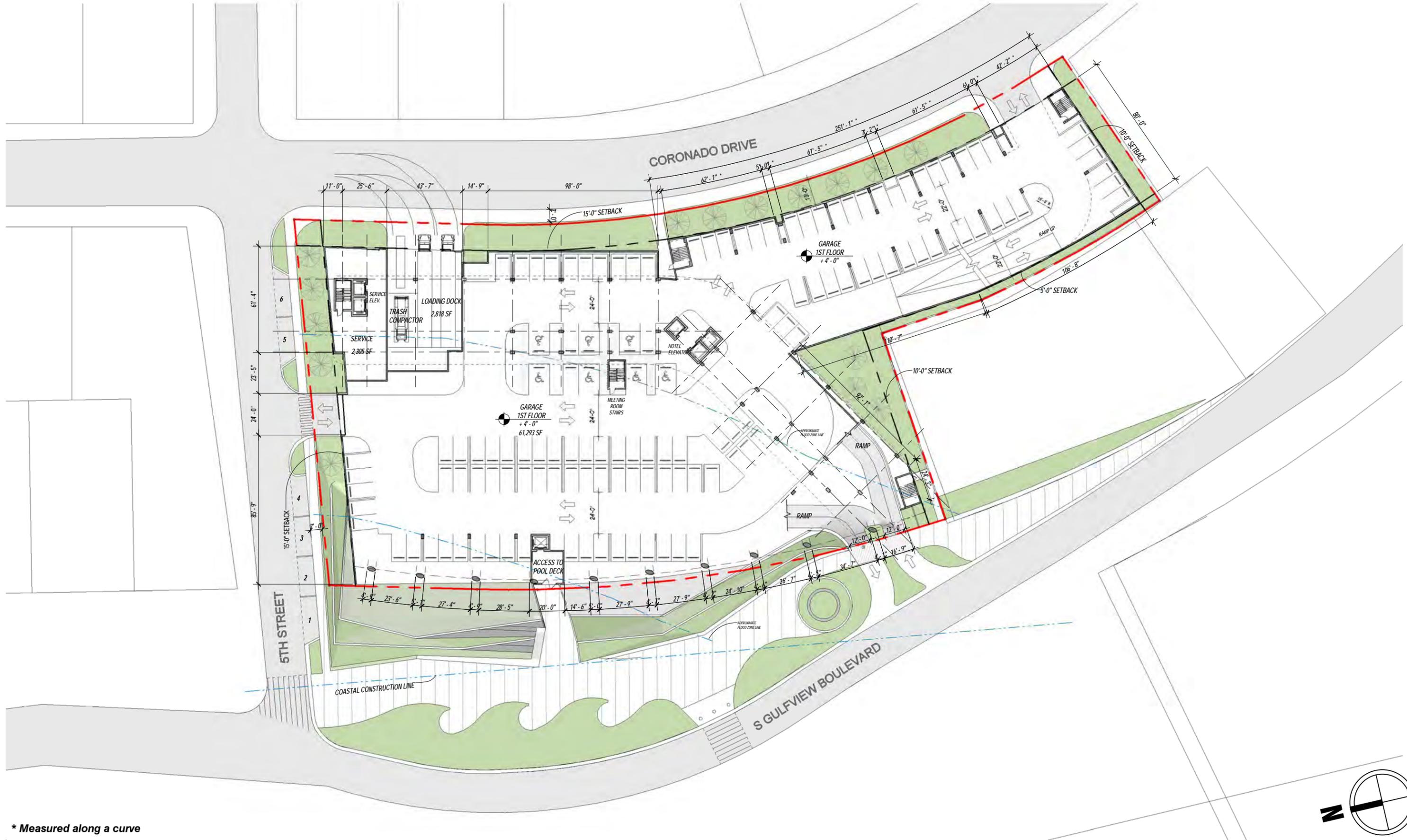
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1" = 50'-0" A-103

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* Measured along a curve

CLEARWATER HOTEL **SITE PLAN SUBMITTAL** **Clearwater, FL** **GROUND FLOOR PLAN** **July 7, 2015**

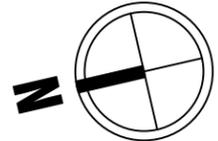
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CLEARWATER HOTEL **SITE PLAN SUBMITTAL** **Clearwater, FL** **FIRST FLOOR PLAN** **July 7, 2015**

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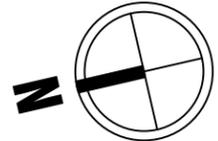
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CLEARWATER HOTEL **SITE PLAN SUBMITTAL** **Clearwater, FL** **SECOND FLOOR PLAN** **July 7, 2015**

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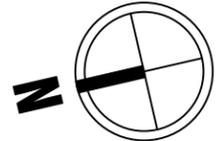
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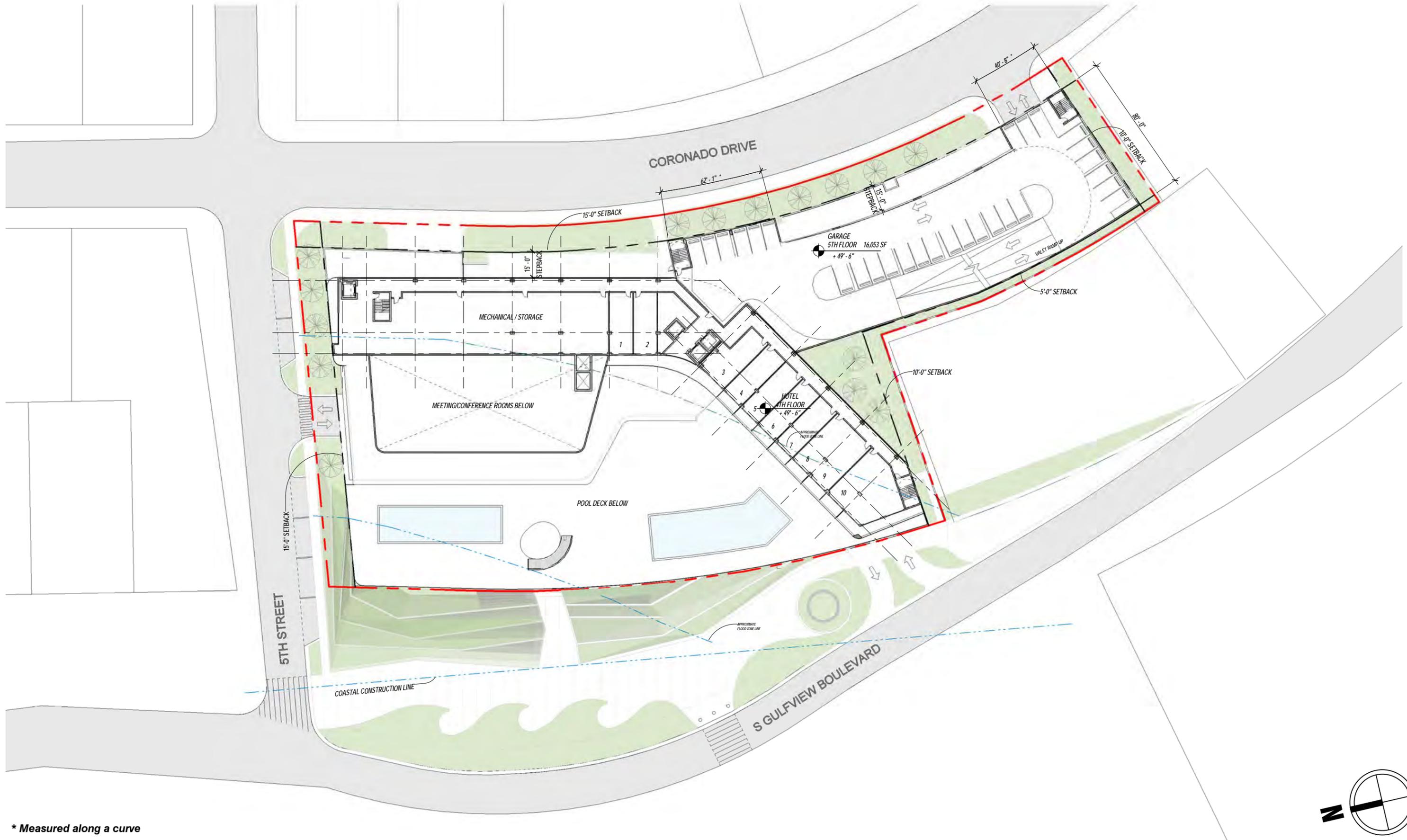


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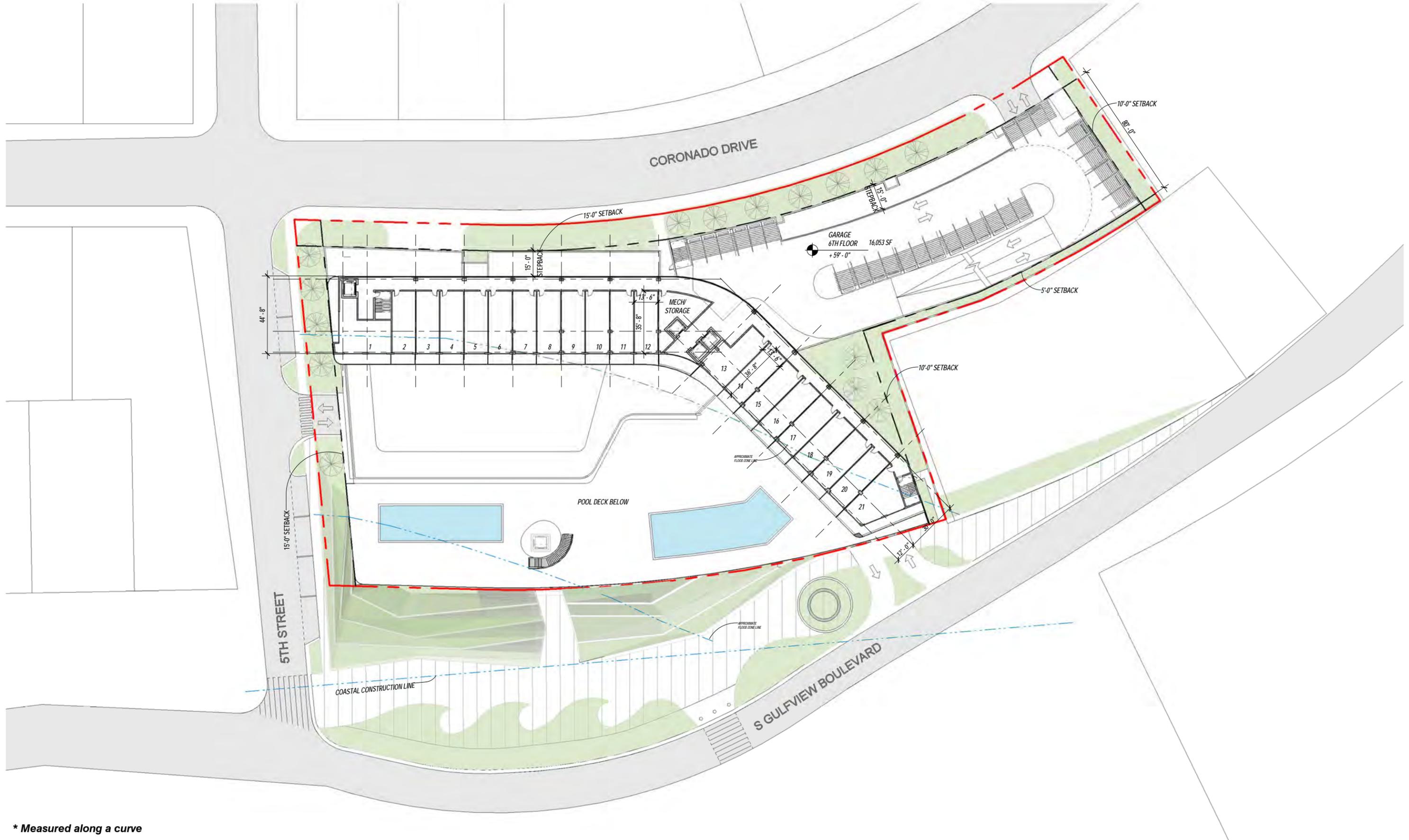
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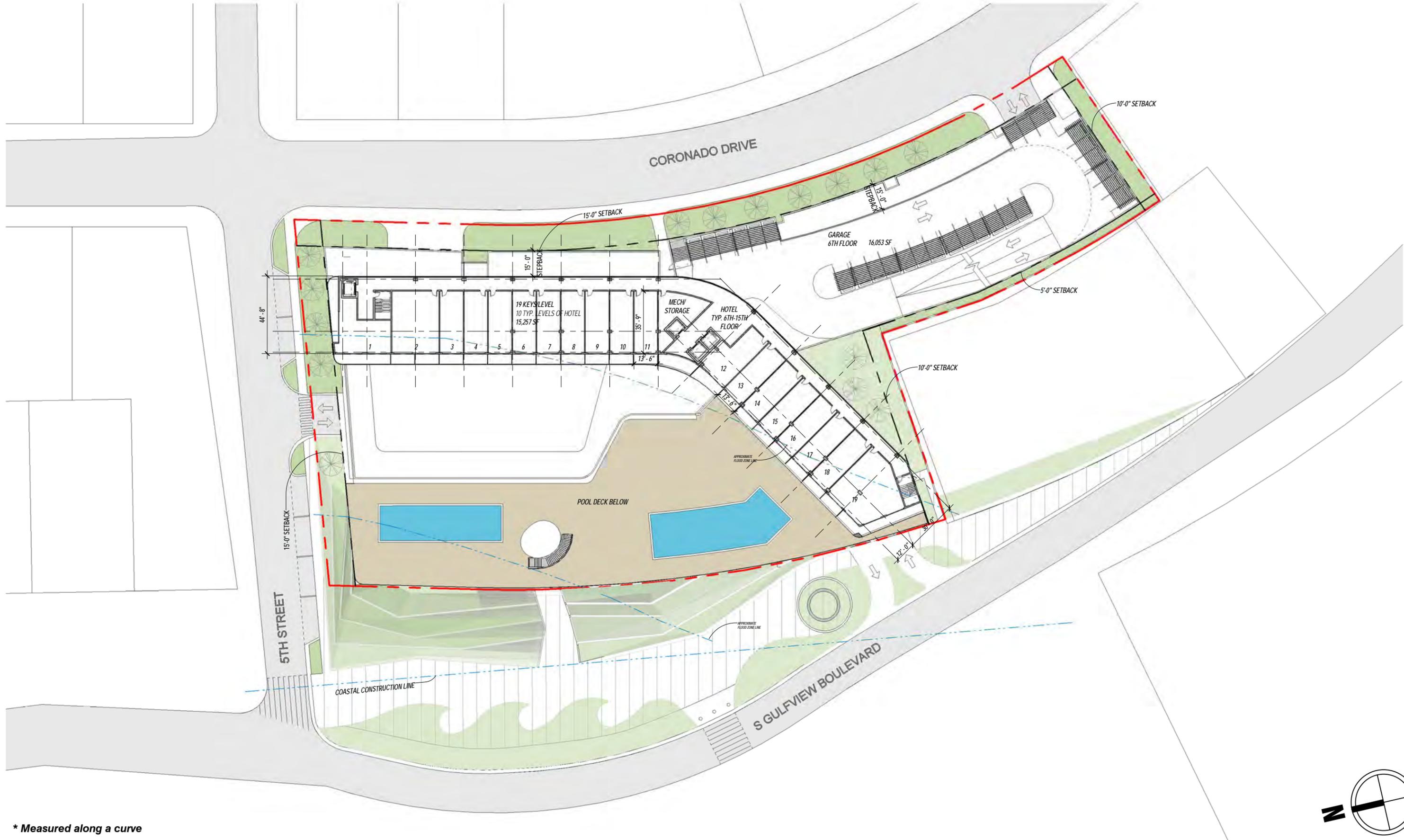
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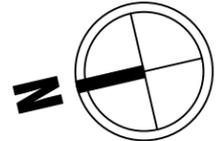
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CLEARWATER HOTEL

SITE PLAN SUBMITTAL

Clearwater, FL

NORTH ELEVATION

July 7, 2015

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Roof Level	+ 1
(+158' - 0" NGVD)	
15th Level	+ 1
(+147' - 0" NGVD)	
14th Level	+ 1
(+158' - 0" NGVD)	
13th Level	+ 1
(+137' - 4" NGVD)	
12th Level	+ 1
(+127' - 8" NGVD)	
11th Level	+ 1
(+118' - 0" NGVD)	
10th Level	+ 5
(+108' - 4" NGVD)	
9th Level	+ 6
(+98' - 8" NGVD)	
8th Level	+ 7
(+89' - 0" NGVD)	
7th Level	+ 6
(+79' - 4" NGVD)	
6th Level	+ 5
(+69' - 8" NGVD)	
5th Level	+ 4
(+60' - 0" NGVD)	
4th Level	+ 3
(+50' - 0" NGVD)	
3rd Level	+ 2
(+38' - 0" NGVD)	
2nd Level (Mezzanine)	+ 1
(+28' - 0" NGVD)	
1st Level (BASE FLOOD)	+ 0
(+15' - 0" NGVD)	
Grade Level	+ -
4' - 0" NGVD	

CLEARWATER HOTEL **SITE PLAN SUBMITTAL** **Clearwater, FL** **EAST ELEVATION** **July 7, 2015**

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CLEARWATER HOTEL

SITE PLAN SUBMITTAL

Clearwater, FL

WEST ELEVATION

July 7, 2015

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NORTHEAST VIEW



SOUTHEAST VIEW



SOUTHWEST VIEW



NORTHWEST VIEW

CLEARWATER HOTEL

SITE PLAN SUBMITTAL

Clearwater, FL

3D VIEWS

July 7, 2015

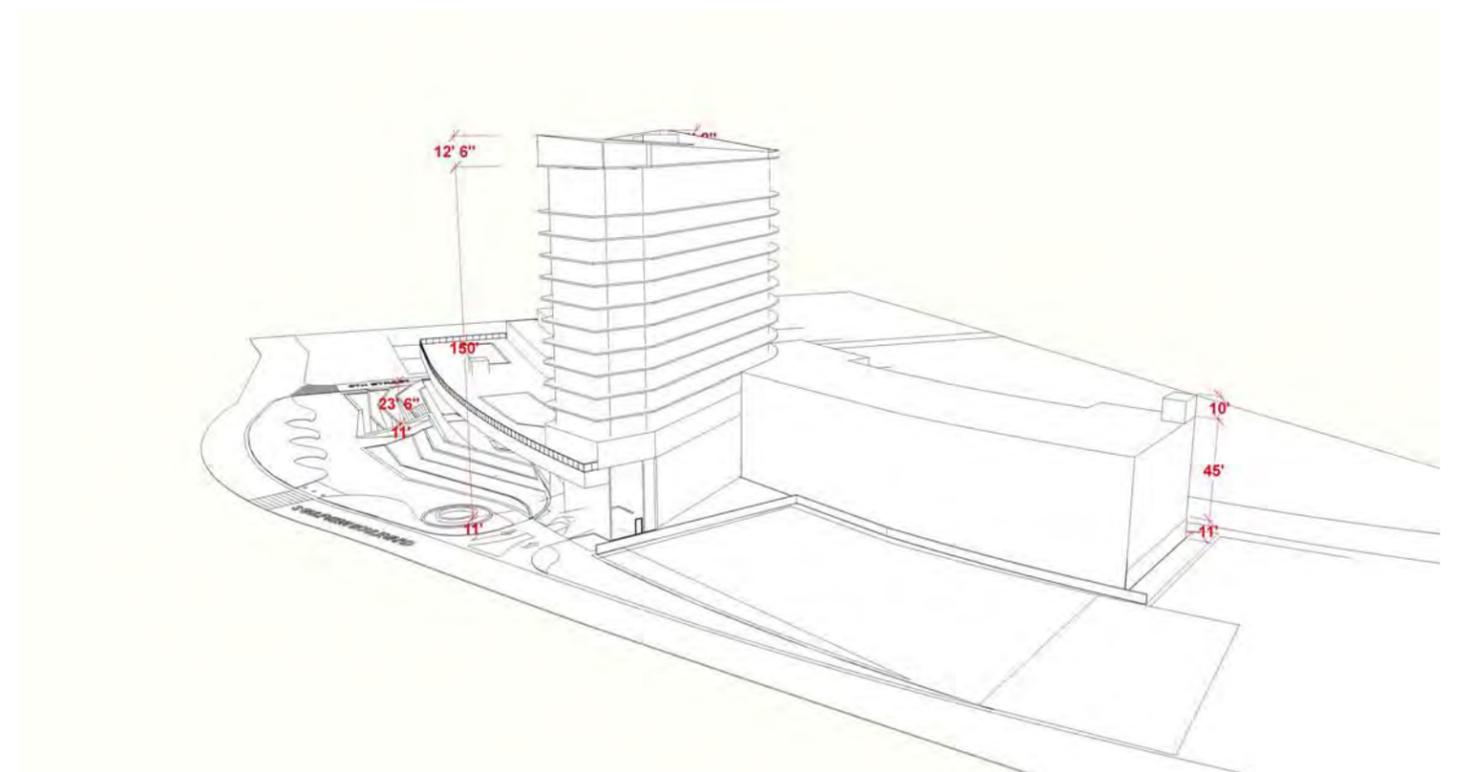
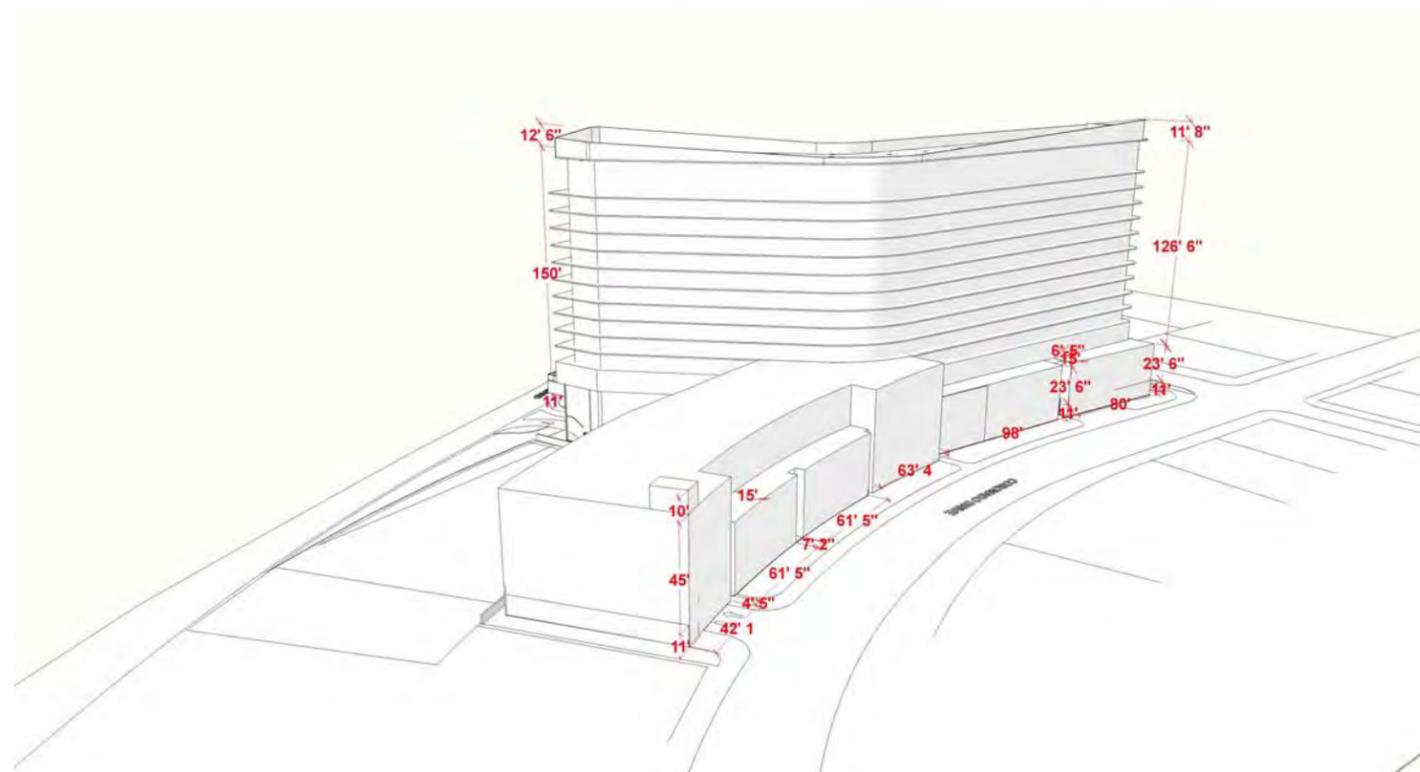
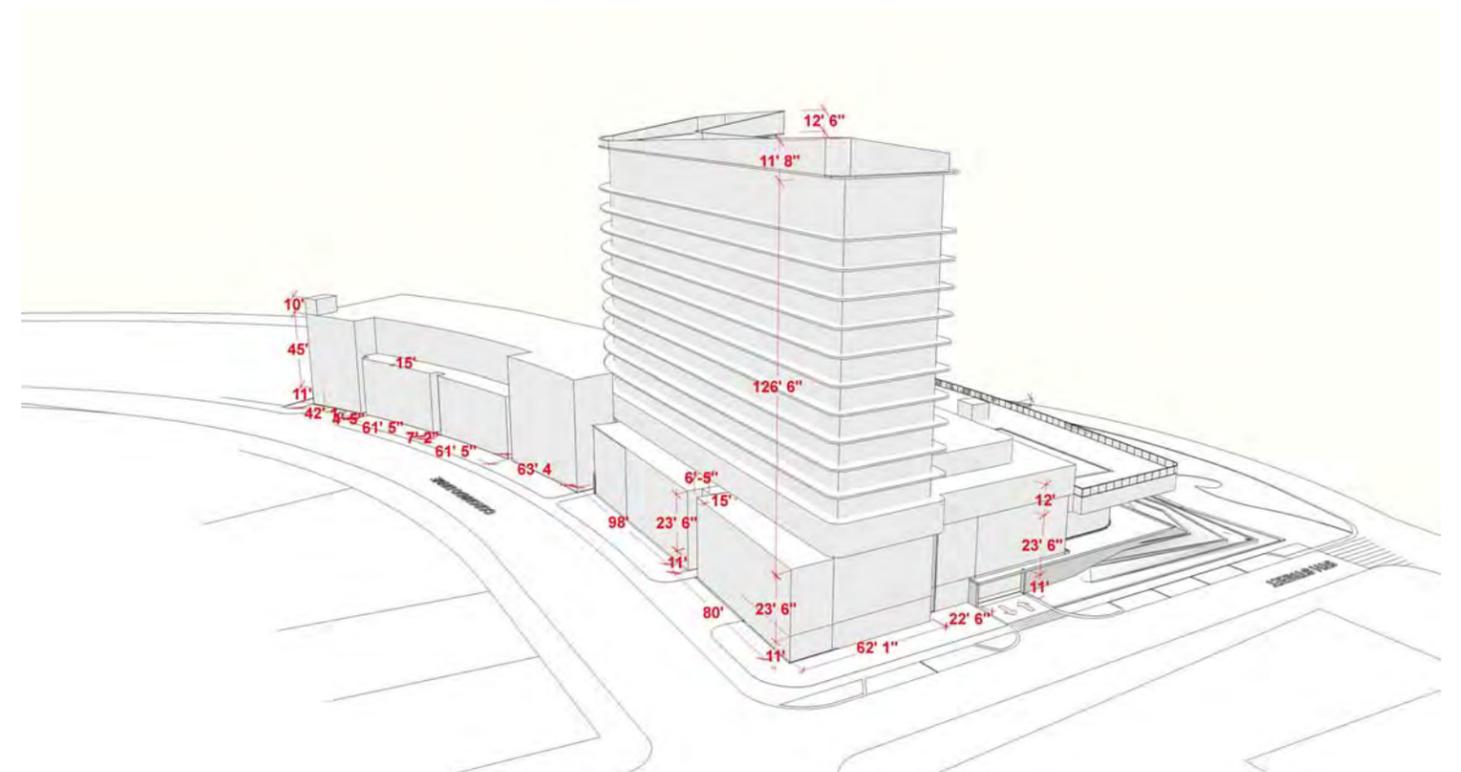
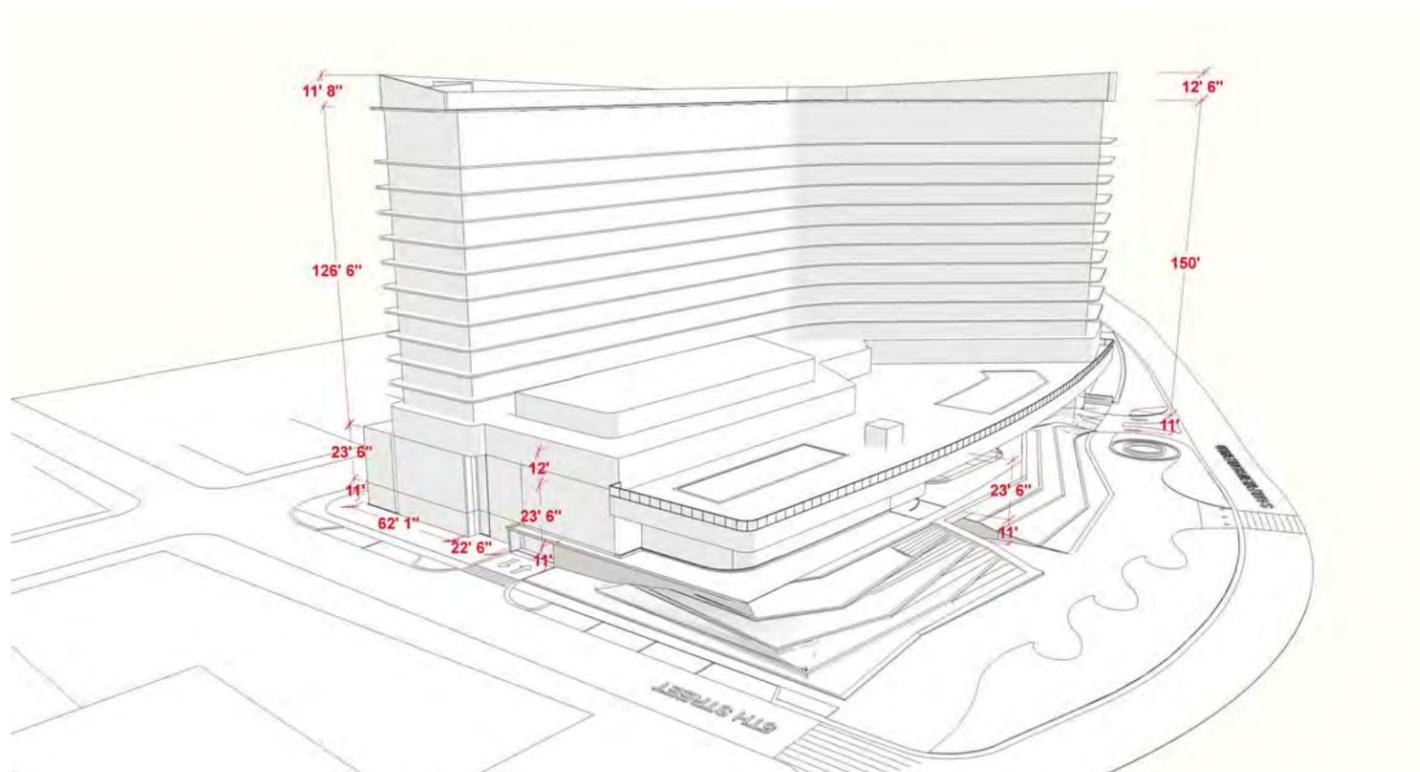
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CLEARWATER HOTEL

SITE PLAN SUBMITTAL

Clearwater, FL

MASSING DIMENSIONS

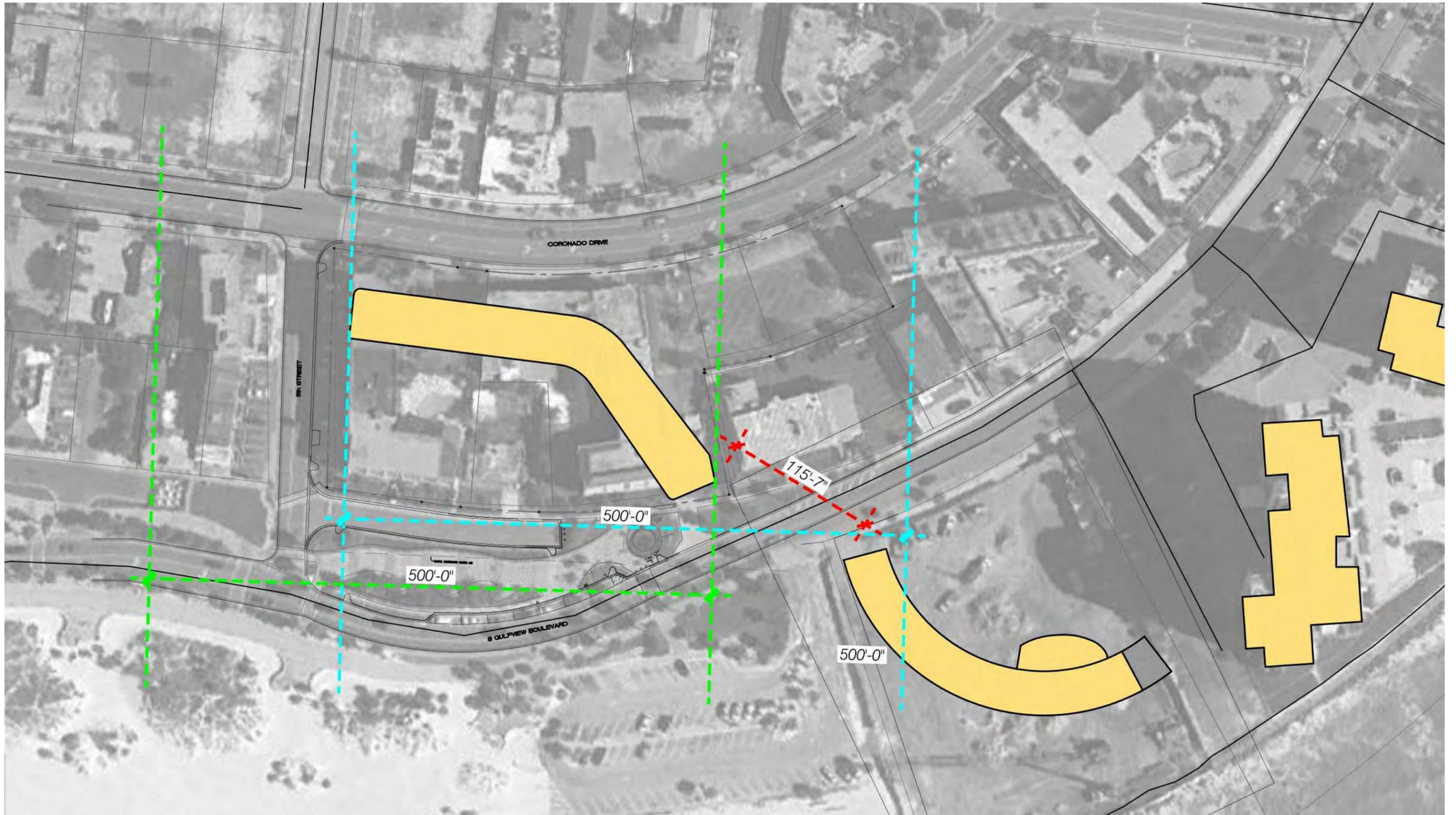
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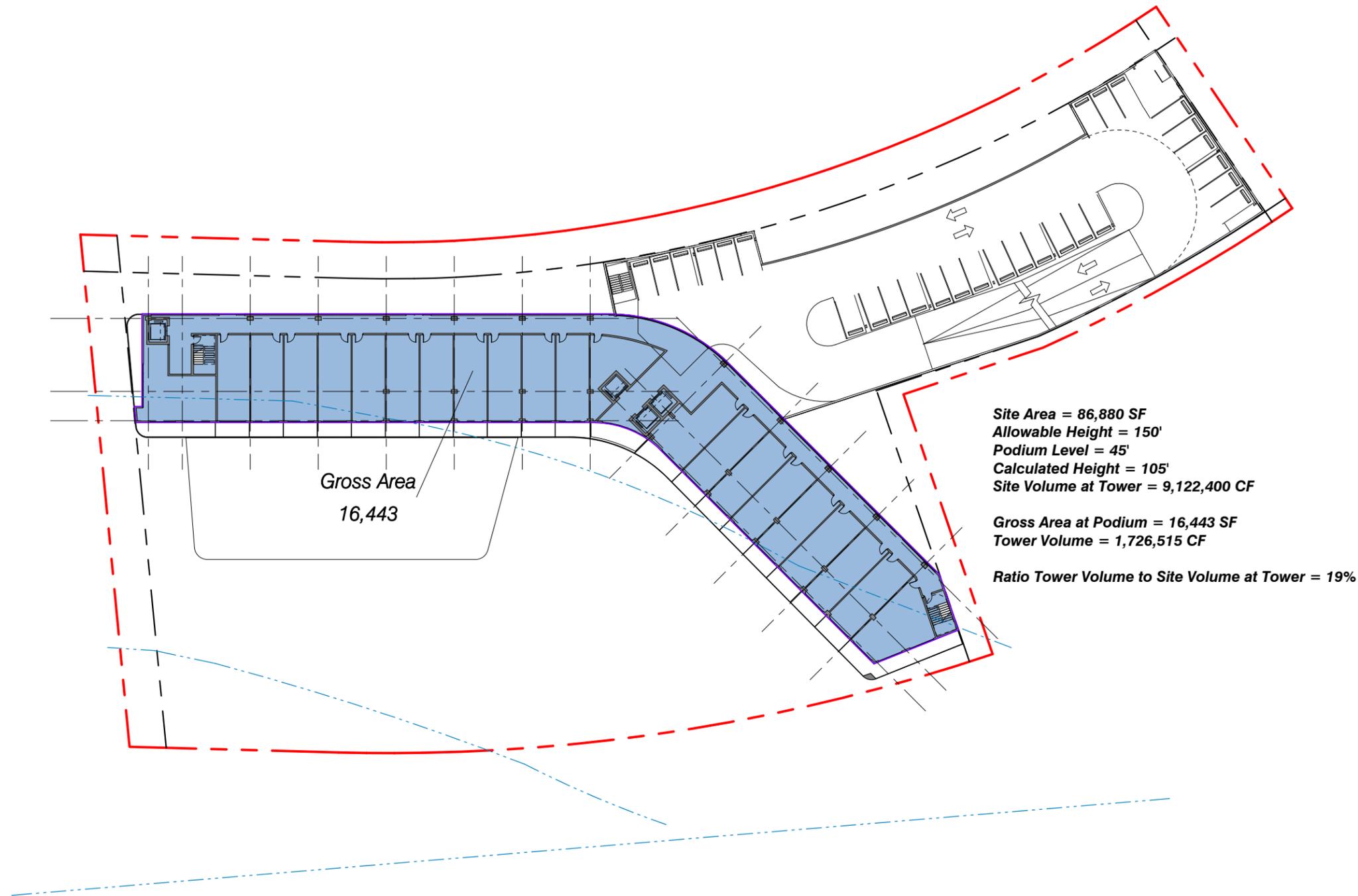
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Site Area = 86,880 SF
Allowable Height = 150'
Podium Level = 45'
Calculated Height = 105'
Site Volume at Tower = 9,122,400 CF

Gross Area at Podium = 16,443 SF
Tower Volume = 1,726,515 CF

Ratio Tower Volume to Site Volume at Tower = 19%

