



**PLANNING AND DEVELOPMENT DEPARTMENT**  
**FLS & FLD APPLICATION**

THIS APPLICATION IS **REQUIRED** FOR ALL LEVEL ONE FLEXIBLE STANDARD DEVELOPMENT (FLS) AND LEVEL TWO FLEXIBLE DEVELOPMENT (FLD) APPLICATIONS. ALL APPLICATIONS MUST BE SUBMITTED ONLINE AT: [epermit.myclearwater.com](http://epermit.myclearwater.com)

NOTE THAT THE APPLICANT AND/OR AGENT IS REQUIRED TO SUBMIT COMPLETE AND CORRECT INFORMATION AS INCLUDED IN THIS APPLICATION. THIS APPLICATION IS REQUIRED TO BE SUBMITTED IN PERSON OR ONLINE TO THE PLANNING & DEVELOPMENT DEPARTMENT (INCLUDING PLANS AND DOCUMENTS, UPLOADED, PROCESSED AND FINALIZED) BY NOON ON THE SCHEDULED DEADLINE DATE SUBMITTAL CALENDAR. IF THE PROPERTY OWNER IS NOT A NATURAL PERSON, SUCH AS AN ORGANIZATION (COMPANY OR TRUST), THE NAME OF THE PERSON SIGNING ON BEHALF IS REQUIRED. IF THERE IS MORE THAN ONE AGENT OR REPRESENTATIVE, THE NAME OF EACH PERSON NEEDS TO BE PROVIDED. THE APPLICANT, BY FILING THIS APPLICATION, AGREES TO COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE COMMUNITY DEVELOPMENT CODE. ADDITIONAL INFORMATION ON SUBMITTAL REQUIREMENTS INCLUDING WORKSHEETS AND HANDOUTS, ETC.

**FIRE DEPARTMENT PRELIMINARY**

**SITE PLAN REVIEW FEE:** \$200 (NOT APPLICABLE FOR DETACHED DWELLING OR DUPLEXES)

**APPLICATION FEES:** \$100 (FLS – ACCESSORY STRUCTURES ASSOCIATED WITH A SINGLE-FAMILY OR DUPLEXES)  
\$200 (FLS – DETACHED DWELLINGS OR DUPLEXES)  
\$475 (FLS – ATTACHED DWELLINGS, MIXED-USE, AND NONRESIDENTIAL USES)  
\$300 (FLD – DETACHED DWELLINGS, DUPLEXES, AND THEIR ACCESSORY STRUCTURES)  
\$1,205 (FLD – ATTACHED DWELLINGS, MIXED-USE, AND NONRESIDENTIAL USES)

**PROPERTY OWNER (PER DEED):** JEMB POCONO LLC

**MAILING ADDRESS:** 150 Broadway, Suite 802, New York, NY 10038-0367

**PHONE NUMBER:** c/o Brian J. Aungst, Jr., Esq. -- (727) 441-8966

**EMAIL:** c/o Brian J. Aungst, Jr., Esq. -- [bj@macfar.com](mailto:bj@macfar.com)

**APPLICANT/PRIMARY CONTACT**

**NAME:** Brian J. Aungst, Jr., Esq.

**COMPANY NAME:** Macfarlane, Ferguson & McMullen, P.A.

**MAILING ADDRESS:** 625 Court Street, Suite 200, Clearwater, FL 33756

**PHONE NUMBER:** (727) 441-8966

**EMAIL:** [bj@macfar.com](mailto:bj@macfar.com)

**ADDRESS OF SUBJECT**

**PROPERTY:** 100 Coronado Drive, Clearwater, FL 33767

**PARCEL NUMBER (S):** 07-29-15-52380-000-0440

**SITE AREA (SQUARE FEET AND** 2.77 acres; 120,774sf

**ACRES):**

**ZONING:** Tourist (T) & Open Space/Recreation (OS/R)

**FUTURE LAND USE:** Resort Facilities High (RFH)

**DESCRIPTION OF REQUEST:**

**(MUST INCLUDE USE, REQUESTED FLEXIBILITY, PARKING, HEIGHT, ETC)** Flexible development application for approval as a Comprehensive Infill Redevelopment Project and approval of the Comprehensive Landscape Program Application



**PLANNING AND DEVELOPMENT DEPARTMENT  
FLS & FLD APPLICATION**

**GENERAL INFORMATION**

PROVIDE THE FOLLOWING GENERAL INFORMATION ON THE PROPOSED PROJECT. IF NOT APPLICABLE MARK N/A. THE MAXIMUM PERMITTED OR REQUIRED AMOUNTS ARE LISTED IN THE ZONING DISTRICT IN THE COMMUNITY DEVELOPMENT CODE WHICH IS AVAILABLE ONLINE AT:

[HTTPS://LIBRARY.MUNICODE.COM/FL/CLEARWATER/CODES/COMMUNITY DEVELOPMENT CODE](https://library.municode.com/fl/clearwater/codes/community_development_code)

**DWELLING UNITS:**

A DWELLING UNIT IS A BUILDING OR PORTION OF A BUILDING PROVIDING INDEPENDENT LIVING FACILITIES FOR ONE FAMILY INCLUDING THE PROVISION FOR LIVING, SLEEPING, AND COMPLETE KITCHEN FACILITIES.

MAX. PERMITTED: 30/acre PROPOSED: No change

**HOTEL ROOMS:**

A HOTEL ROOM IS AN INDIVIDUAL ROOM, ROOMS OR SUITE WITHIN AN OVERNIGHT ACCOMMODATIONS USE DESIGNED TO BE OCCUPIED, OR HELD OUT TO BE OCCUPIED AS A SINGLE UNIT FOR TEMPORARY OCCUPANCY.

MAX. PERMITTED: 90/acre PROPOSED: No change

**PARKING:**

LIST PARKING SPACES. PARKING SPACES MUST MEET THE REQUIREMENTS OF THE COMMUNITY DEVELOPMENT CODE (CDC) INCLUDING LOCATION, MATERIALS AND DIMENSIONS. BACK OUT PARKING IS PROHIBITED FOR MOST USES.

REQUIRED: 1.2/unit PROPOSED: No change

**FLOOR AREA RATIO (FAR):**

DO NOT INCLUDE PARKING GARAGES, CARPORTS, STAIRWELLS AND ELEVATOR SHAFTS. AREA IS FOUND BY MULTIPLYING THE LENGTH TIMES THE WIDTH DIMENSION FOR EACH FLOOR AND SHOULD BE EXPRESSED IN SQUARE FEET. DO NOT INCLUDE PARKING GARAGES, CARPORTS, STAIRWELLS AND ELEVATOR SHAFTS. FAR IS NOT REQUIRED FOR RESIDENTIAL ONLY PROJECTS UNLESS IN US 19 ZONING DISTRICT.

MAX. PERMITTED: 1.0 PROPOSED: No change

**IMPERVIOUS SURFACE RATIO (ISR):**

ISR MEANS A MEASUREMENT OF INTENSITY OF HARD SURFACED DEVELOPMENT ON A SITE, BASICALLY ANY SURFACE THAT IS NOT GRASS OR LANDSCAPED AREAS ON PRIVATE PROPERTY. AN IMPERVIOUS SURFACE RATIO IS THE RELATIONSHIP BETWEEN THE TOTAL IMPERVIOUS VERSUS THE PERVIOUS AREAS OF THE TOTAL LOT AREA. [LINK TO ADDITIONAL INFORMATION INCLUDING ISR WORKSHEET.](#)

MAX. PERMITTED: 0.95 PROPOSED: No change (0.94 / 112,348sf)  
PLEASE LIST PERCENTAGE % AND SQUARE FEET.



# PLANNING AND DEVELOPMENT DEPARTMENT FLS & FLD APPLICATION

## GENERAL APPLICABILITY CRITERIA

PROVIDE COMPLETE RESPONSES TO EACH OF THE SIX (6) GENERAL APPLICABILITY CRITERIA OF COMMUNITY DEVELOPMENT CODE SECTION 3-914.A.1 THROUGH 6, EXPLAINING HOW, IN DETAIL, THE CRITERIA IS MET. USE ADDITIONAL SHEETS AS NECESSARY:

1. THE PROPOSED DEVELOPMENT OF THE LAND WILL BE IN HARMONY WITH THE SCALE, BULK, COVERAGE, DENSITY AND CHARACTER OF ADJACENT PROPERTIES IN WHICH IT IS LOCATED.

See narrative responses attached.

2. THE PROPOSED DEVELOPMENT WILL NOT HINDER OR DISCOURAGE THE APPROPRIATE DEVELOPMENT AND USE OF ADJACENT LAND AND BUILDINGS OR SIGNIFICANTLY IMPAIR THE VALUE THEREOF.

See narrative responses attached.

3. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE HEALTH OR SAFETY OR PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

See narrative responses attached.

4. THE PROPOSED DEVELOPMENT IS DESIGNED TO MINIMIZE TRAFFIC CONGESTION.

See narrative responses attached.

5. THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE COMMUNITY CHARACTER OF THE IMMEDIATE VICINITY OF THE PARCEL PROPOSED FOR DEVELOPMENT.

See narrative responses attached.

6. THE DESIGN OF THE PROPOSED DEVELOPMENT MINIMIZES ADVERSE EFFECTS, INCLUDING VISUAL, ACOUSTIC, AND OLFACTORY AND HOURS OF OPERATION IMPACTS, ON ADJACENT PROPERTIES.

See narrative responses attached.





PLANNING AND DEVELOPMENT DEPARTMENT
AFFIDAVIT TO AUTHORIZE
AGENT/REPRESENTATIVE

1. Provide names of all property owners on deed - PRINT full names:

Michael Seth McDaniel's Registered Agent JEMB Pocono LLC

2. That (I am/we are) the owner(s) and record title holder(s) of the following described property:

100 Coronado Drive, Clearwater, FL 33767

3. That this property constitutes the property for which a request for (describe request):

Flexible Development to amend Development Order

4. That the undersigned (has/have) appointed and (does/do) appoint:

Brian J. Augst, Jr., Esq.

as (his/their) agent(s) to execute any petitions or other documents necessary to affect such petition;

5. That this affidavit has been executed to induce the City of Clearwater, Florida to consider and act on the above described property;

6. That site visits to the property are necessary by City representatives in order to process this application and the owner authorizes City representatives to visit and photograph the property described in this application;

7. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

[Signature]
Property Owner/ Registered Agent of Organization

[Signature]
Property Owner/ Registered Agent of Organization

Property Owner/ Registered Agent of Organization

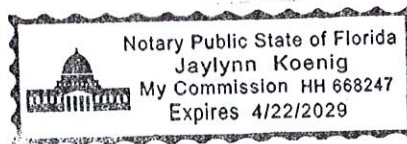
Property Owner/ Registered Agent of Organization

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of physical presence or \* online notarization, this 29th day of January, 2020 by (Michael Mc Daniels (Registered agent) of (JEMB Pocono LLC), who is/are personally known to me or who has/have produced a driver's license as identification.

NOTARY PUBLIC

Signature: [Signature]
My Commission expires: 4/22/2029





# PLANNING AND DEVELOPMENT DEPARTMENT COMPREHENSIVE LANDSCAPING APPLICATION

IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT COMPLETE AND CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPLICATION.

ALL APPLICATIONS ARE TO BE FILLED OUT COMPLETELY AND CORRECTLY, AND SUBMITTED IN PERSON (NO FAX OR DELIVERIES) TO THE PLANNING & DEVELOPMENT DEPARTMENT.

A TOTAL OF 11 COMPLETE SETS OF PLANS AND APPLICATION MATERIALS (1 ORIGINAL AND 10 COPIES) AS REQUIRED WITHIN ARE TO BE SUBMITTED FOR REVIEW BY THE DEVELOPMENT REVIEW COMMITTEE. SUBSEQUENT SUBMITTAL FOR THE COMMUNITY DEVELOPMENT BOARD, IF NECESSARY, WILL REQUIRE 15 COMPLETE SETS OF PLANS AND APPLICATION MATERIALS (1 ORIGINAL AND 14 COPIES). PLANS AND APPLICATIONS ARE REQUIRED TO BE COLLATED, STAPLED AND FOLDED INTO SETS.

THE APPLICANT, BY FILING THIS APPLICATION, AGREES TO COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE COMMUNITY DEVELOPMENT CODE.

PROPERTY OWNER (PER DEED): JEMB POCONO LLC  
MAILING ADDRESS: 150 Broadway, Suite 802, New York, NY 10038-0367  
PHONE NUMBER: c/o Brian J. Aungst, Jr., Esq. -- (727) 441-8966  
EMAIL: c/o Brian J. Aungst, Jr., Esq. -- bja@macfar.com

AGENT OR REPRESENTATIVE: Brian J. Aungst, Jr., Esq. // Macfarlane, Ferguson & McMullen, P.A.  
MAILING ADDRESS: 625 Court Street, Suite 200, Clearwater, FL 33756  
PHONE NUMBER: (727) 441-8966  
EMAIL: bja@macfar.com

ADDRESS OF SUBJECT PROPERTY: 100 Coronado Drive, Clearwater, FL 33767

DESCRIPTION OF REQUEST: Flexible development application for approval as a comprehensive infill redevelopment project and this comprehensive landscaping program application  
*Specifically identify the request (include all requested code flexibility; e.g., reduction in required number of parking spaces, height, setbacks, lot size, lot width, specific use, etc.):*

STATE OF FLORIDA, COUNTY OF PINELLAS  
I, the undersigned, acknowledge that all representations made in this application are true and accurate to the best of my knowledge and authorize City representatives to visit and photograph the property described in this application.  
Sworn to and subscribed before me this 10th day of March, 2026, to me and/or by Seth Daniels, who is personally known has produced \_\_\_\_\_ as identification.  
Signature of property owner or representative: \_\_\_\_\_  
Notary Public, Tammy Cordero  
My Commission Expires 1/30/2030  
My Commission Expires: 1/30/2030



# PLANNING AND DEVELOPMENT DEPARTMENT COMPREHENSIVE LANDSCAPING APPLICATION FLEXIBILITY CRITERIA

PROVIDE COMPLETE RESPONSES TO EACH OF THE FIVE (5) FLEXIBILITY CRITERIA EXPLAINING HOW, IN DETAIL, THE CRITERION IS BEING COMPLIED WITH PER THIS COMPREHENSIVE LANDSCAPING PROPOSAL.

1. Architectural Theme:

- a. The landscaping in a Comprehensive Landscaping program shall be designed as a part of the architectural theme of the principal buildings proposed or developed on the parcel proposed for the development.

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OR

- b. The design, character, location and/or materials of the landscape treatment proposed in the Comprehensive Landscaping program shall be demonstrably more attractive than landscaping otherwise permitted on the parcel proposed for development under the minimum landscape standards.

**Applicant is proposing to include a significant improvement to the current landscaping on the area proposed for development including tropical foliage & shrubbery to make the area a unique Florida-tiki getaway along Beach Walk.**

- 2. *Lighting.* Any lighting proposed as a part of a Comprehensive Landscaping program is automatically controlled so that the lighting is turned off when the business is closed.

No additional lighting is proposed as part of the Comprehensive Landscaping program application.

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- 3. *Community Character.* The landscape treatment proposed in the Comprehensive Landscape Program will enhance the community character of the City of Clearwater.

**The proposed landscaping as part of the development will add character to the project by utilizing tropical Florida foliage and shrubbery to enhance the quality of the project and the community character of the Clearwater Beach area as a whole.**

- 4. *Property Values.* The landscape treatment proposed in the Comprehensive Landscaping program will have a beneficial impact on the value of the property in the immediate vicinity of the parcel proposed for development.

**The area proposed for development is currently vacant with dead shrubbery following the storms of 2024. The proposed development will enhance the area and have a beneficial impact on the surrounding properties in the immediate vicinity by beautifying the area and making functional use thereof.**

- 5. *Special Area or Scenic Corridor Plan.* The landscape treatment proposed in the Comprehensive Landscape Program is consistent with any special area or scenic corridor plan which the City of Clearwater has prepared and adopted for the area in which the parcel proposed for development is located.

**The landscape treatment proposed fits within the character of Beach Walk as it matches the Florida vernacular with a tropical feel, furthering the consistent design goals along Clearwater Beach.**

**JEMB POCONO LLC**  
**100 Coronado Drive**  
**Clearwater, FL 33767**

**NARRATIVE—FLEXIBLE DEVELOPMENT APPLICATION**

Applicant is requesting flexible development (FLD) approval to amend the landscape plan approved by the Development Order governing the property to extend the easement area to allow for the hotel to place two (2) mobile vending carts and other improvements therein as an added amenity area (the “*Amenity Area*”). The current landscape plan does not contemplate addition of this Amenity Area and needs to be revised to include the expanded easement area along with the improvements and added landscaping. The proposed Amenity Area will allow development of the vacant City right-of-way with an attractive tropical, tiki food and beverage option without impeding pedestrian flow or blocking the existing sidewalk. Applicant is completely re-designing two (2) mobile vending carts which will resemble a tiki-hut and airstream that will fully incorporate the Florida, tropical vernacular to fit seamlessly within the Beach Walk area. Moreover, these mobile vending carts are not permanent structures and are able to be moved in the event of a flood, thus promoting the safety and security of the Clearwater Beach area.

**GENERAL APPLICABILITY CRITERIA**

- 1. The proposed development of the land will be in harmony with the scale, bulk, coverage, density and character of adjacent properties in which it is located.**
  - a. The proposed Amenity Area will be ancillary to the hotel and its addition will be in harmony with the scale, bulk, coverage, density, and character of adjacent properties. Addition of the proposed Amenity Area will be within the City’s right-of-way without impeding pedestrian flow or blocking existing sidewalks, thus adding an attractive Florida tiki-style food and beverage option which fits into the character of Beach Walk.
  
- 2. The proposed development will not hinder or discourage the appropriate development and use of adjacent land and buildings or significantly impair the value thereof.**
  - a. Applicant’s addition of the Amenity Area will not hinder or discourage appropriate development and use of adjacent land/buildings or significantly impair the value thereof. Rather, the addition of the Amenity Area will be an improvement to the current hotel which is beneficial to the adjacent properties and their values and beautifies an unused City right-of-way which had all of its landscaping killed during the flooding events in 2024.
  
- 3. The proposed development will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.**
  - a. The proposed Amenity Area will not have an adverse affect on the health and safety of persons residing or working in the neighborhood. Applicant has included gated entry/exit points to the Amenity Area to promote orderly flow during business hours and will close the Amenity Area during non-business hours to ensure the safety of residents, beachgoers, and those working in the neighborhood of the proposed use.
  
- 4. The proposed development is designed to minimize traffic congestion.**
  - a. The proposed Amenity Area will not have an effect on traffic congestion as it will be ancillary to the hotel use and not accessible by vehicle. Additional of the Amenity Area will offer another walkable option for residents and visitors along Beach Walk.
  
- 5. The proposed development is consistent with the community character of the immediate vicinity of the parcel proposed for development.**

- a. The proposed Amenity Area will be consistent with the character of Clearwater Beach and the adjacent properties by including a tropical, coastal modern atmosphere that fits within the Florida vernacular feel of Clearwater Beach. Applicant is fully re-designing two (2) mobile vending carts to feature coastal Florida, tiki elements which will be consistent with the character of Beach Walk and Beach by Design as a whole. The tropical foliage/fauna will beautify the area proposed by development which is currently vacant (and had its landscaping killed by the floods of 2024) and add to the community character.
- 6. The design of the proposed development minimizes adverse effects, including visual, acoustic and olfactory and hours of operation impacts, on adjacent properties.**
- a. The design of the proposed Amenity Area will minimize any adverse effects on adjacent properties by ensuring the hours of operation are in line with other uses in the area and providing screening and other devices which mitigate adverse impacts. As noted above, the Amenity Area will be closed during non-business hours which will further limit any adverse effects.

## **FLEXIBILITY CRITERIA**

### **SECTION 2-803.D. – COMPREHENSIVE INFILL REDEVELOPMENT PROJECTS (TOURIST)**

- 1. The development or redevelopment is otherwise impractical without deviations from the use and/or development standards set forth in this zoning district.**
  - a. The proposed development is located within the City's right-of-way and due to the Applicant's parcel being developed as the Wyndham Grand Hotel, redevelopment of the area necessitates deviation from the use and development standards set forth in the Tourist zoning district.
- 2. The development or redevelopment will be consistent with the goals and policies of the Comprehensive Plan, as well as with the general purpose, intent and basic planning objectives of this Code, and with the intent and purpose of this zoning district.**
  - a. The proposed development will enhance the character of the City by providing a unique, functional space for the public to enjoy food and drinks while enjoying the beach. The proposed development will increase the walkability of the area and will enhance the value of the property through innovative and creative redevelopment utilizing mobile vending carts.
- 3. The development or redevelopment will not impede the normal and orderly development and improvement of surrounding properties.**
  - a. The proposed development of the Amenity Area will not be an impediment to the normal and orderly development and improvement of surrounding properties. The Amenity Area which is proposed for development is within current City right-of-way that is not used and will not impact adjacent properties. Additionally, the proposed improvements are minor in nature and should have minimal impact on the surrounding area while the area is prepared for development.
- 4. Adjoining properties will not suffer substantial detriment as a result of the proposed development.**
  - a. The proposed development of the Amenity Area will be a benefit to adjoining properties by providing a new nearby option for dining out on Clearwater Beach. Applicant intends to create a unique space through this development that will attract more business to the area which benefits adjoining properties in the process. The existing area proposed for development and is vacant with no landscaping due to the flooding events of 2024. The proposed development of the Amenity Area will beautify the right-of-way and make the area more attractive.

5. **The proposed use shall otherwise be permitted by the underlying future land use category, be compatible with adjacent land uses, will not substantially alter the essential use characteristics of the neighborhood, and shall demonstrate compliance with one or more of the following objectives:**
  - a. **The proposed use is permitted in this zoning district as a minimum standard, flexible standard or flexible development use;**
    - Use as a comprehensive infill redevelopment project is permitted as a flexible development use in the Tourist zoning district.
  - b. **The proposed use would be a significant economic contributor to the city's economic base by diversifying the local economy or by creating jobs;**
    - N/A
  - c. **The development proposal accommodates the expansion or redevelopment of an existing economic contributor;**
    - The proposed development of the Amenity Area expands the economic contribution of the existing Wyndham Grand Hotel on Clearwater Beach by providing a unique, functional space for guests and the public to patronize. Additionally, the proposed development of the Amenity Area utilizes a functional design by incorporating mobile vending carts that will be able to be moved in the event of a flood, thus expanding the existing Wyndham Grand Hotel's economic contribution while not creating additional flood risk.
  - d. **The proposed use provides for the provision of affordable housing;**
    - N/A
  - e. **The proposed use provides for development or redevelopment in an area that is characterized by other similar development and where a land use plan amendment and rezoning would result in a spot land use or zoning designation; or**
    - N/A
  - f. **The proposed use provides for the development of a new, and/or preservation of a working waterfront use.**
    - N/A
6. **Flexibility with regard to use, lot width, required setbacks, height and off-street parking are justified based on demonstrated compliance with all of the following design objectives:**
  - a. **The proposed development will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in this zoning district;**
    - The proposed development of the Amenity Area will not be an impediment to the normal and orderly development and improvement of surrounding properties. The area which is proposed for development is within current City right-of-way that is not used and will not impact adjacent properties. Additionally, the proposed improvements are minor in nature and should have minimal impact on the surrounding area while the area is prepared for development.
  - b. **The proposed development complies with applicable design guidelines adopted by the city;**
    - Applicant has collaborated with the City during the application process to ensure the proposed development's design meets the applicable design guidelines adopted by the City.

- c. **The design, scale and intensity of the proposed development supports the established or emerging character of an area;**
- The proposed development supports the character of Clearwater Beach by adding a quaint, but functional dining option to the existing Wyndham Grand Hotel. Applicant designed the area so that it meets the Old Florida vernacular style and blends seamlessly with the character of the area.
- d. **In order to form a cohesive, visually interesting and attractive appearance, the proposed development incorporates a substantial number of the following design elements:**
- **Changes in horizontal building planes;**
  - **Use of architectural details such as columns, cornices, stringcourses, pilasters, porticos, balconies, railings, awnings, etc.;**
  - **Variety in materials, colors and textures;**
  - **Distinctive fenestration patterns;**
  - **Building stepbacks; and**
  - **Distinctive roofs forms.**
- The proposed development incorporates a variety of different materials, colors, and textures to form a cohesive, visually interesting and attractive appearance. Applicant's design team utilized a tiki-style bar area mixed with the Old Florida vernacular style to create a unique, attractive space for residents and tourists alike to enjoy.
- e. **The proposed development provides for appropriate buffers, enhanced landscape design and appropriate distances between buildings.**
- Applicant and the design team have incorporated appropriate buffers and enhanced landscape design as part of the proposed development of the Amenity Area to ensure that the use has minimal impacts to surrounding properties and provides a functional space for the Clearwater Beach community.

**SECTION 2-1404.A. – COMPREHENSIVE INFILL REDEVELOPMENT PROJECTS (OS/R)**

1. **The development or redevelopment is otherwise impractical without deviations from the use and/or development standards set forth in this zoning district.**
- a. The proposed development is located within the City's right-of-way and due to the Applicant's parcel being developed as the Wyndham Grand Hotel, redevelopment of the area necessitates deviation from the use and development standards set forth in the Tourist zoning district.
2. **The development or redevelopment will be consistent with the goals and policies of the Comprehensive Plan, as well as with the general purpose, intent and basic planning objectives of this Code, and with the intent and purpose of this zoning district.**
- a. The proposed development will enhance the character of the City by providing a unique, functional space for the public to enjoy food and drinks while enjoying the beach. The proposed development will increase the walkability of the area and will enhance the value of the property through innovative and creative redevelopment.
3. **The development or redevelopment will not impede the normal and orderly development and improvement of surrounding properties.**
- a. The proposed development of the Amenity Area will not be an impediment to the normal and orderly development and improvement of surrounding properties. The Amenity Area which is proposed for development is within current City right-of-way that is not used and will not

impact adjacent properties. Additionally, the proposed improvements are minor in nature and should have minimal impact on the surrounding area while the area is prepared for development.

- 4. Adjoining properties will not suffer substantial detriment as a result of the proposed development.**
  - a. The proposed development of the Amenity Area will be a benefit to adjoining properties by providing a new nearby option for dining out on Clearwater Beach. Applicant intends to create a unique space through this development that will attract more business to the area which benefits adjoining properties in the process.
  
- 5. The proposed use shall otherwise be permitted by the underlying future land use category, be compatible with adjacent land uses, will not substantially alter the essential use characteristics of the neighborhood, and shall demonstrate compliance with one or more of the following objectives:**
  - a. The proposed use is permitted in this zoning district as a minimum standard, flexible standard or flexible development use;**
    - i. Use as a comprehensive infill redevelopment project is permitted as a flexible development use in the Tourist zoning district.
  
  - b. The proposed use would be a significant economic contributor to the city's economic base by diversifying the local economy or by creating jobs;**
    - i. N/A
  
  - c. The development proposal accommodates the expansion or redevelopment of an existing economic contributor;**
    - i. The proposed development of the Amenity Area expands the economic contribution of the existing Wyndham Grand Hotel on Clearwater Beach by providing a unique, functional space for guests and the public to patronize. Additionally, the proposed development of the Amenity Area utilizes a functional design by incorporating mobile vending carts that will be able to be moved in the event of a flood, thus expanding the existing Wyndham Grand Hotel's economic contribution while not creating additional flood risk.
  
  - d. The proposed use provides for the provision of affordable housing;**
    - i. N/A
  
  - e. The proposed use provides for development or redevelopment in an area that is characterized by other similar development and where a land use plan amendment and rezoning would result in a spot land use or zoning designation; or**
    - i. N/A
  
  - f. The proposed use provides for the development of a new, and/or preservation of a working waterfront use.**
    - i. N/A
  
- 6. Flexibility with regard to use, lot width, required setbacks, height and off-street parking are justified based on demonstrated compliance with all of the following design objectives:**
  - a. The proposed development will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in this zoning district;**

- i. The proposed development of the Amenity Area will not be an impediment to the normal and orderly development and improvement of surrounding properties. The area which is proposed for development is within current City right-of-way that is not used and will not impact adjacent properties. Additionally, the proposed improvements are minor in nature and should have minimal impact on the surrounding area while the area is prepared for development.
- b. The proposed development complies with applicable design guidelines adopted by the city;**
  - i. Applicant has collaborated with the City during the application process to ensure the proposed development's design meets the applicable design guidelines adopted by the City. The proposed development promotes the community character of Beach by Design and incorporates Florida, tropical elements to fit in along Beach Walk.
- c. The design, scale and intensity of the proposed development supports the established or emerging character of an area;**
  - i. The proposed development supports the character of Clearwater Beach by adding a quaint, but functional dining option to the existing Wyndham Grand Hotel. Applicant designed the area so that it meets the Old Florida vernacular style and blends tiki-style elements to fit seamlessly with the character of the area.
- d. In order to form a cohesive, visually interesting and attractive appearance, the proposed development incorporates a substantial number of the following design elements:**
  - **Changes in horizontal building planes;**
  - **Use of architectural details such as columns, cornices, stringcourses, pilasters, porticos, balconies, railings, awnings, etc.;**
  - **Variety in materials, colors and textures;**
  - **Distinctive fenestration patterns;**
  - **Building setbacks; and**
  - **Distinctive roofs forms.**
  - i. The proposed development incorporates a variety of different materials, colors, and textures to form a cohesive, visually interesting and attractive appearance. Applicant's design team utilized a tiki-style bar area mixed with the Old Florida vernacular style to create a unique, attractive space for residents and tourists alike to enjoy.
- e. The proposed development provides for appropriate buffers, enhanced landscape design and appropriate distances between buildings.**
  - i. Applicant and the design team have incorporated appropriate buffers and enhanced landscape design as part of the proposed development of the Amenity Area to ensure that the use has minimal impacts to surrounding properties and provides a functional space for the Clearwater Beach community. Additionally, the area proposed for development is within a City right-of-way and will not be an impediment to pedestrian flow or block the existing sidewalks along Beach Walk.

### **SECTION 3-1202.G. – COMPREHENSIVE LANDSCAPING PROGRAM**

The landscaping requirements of this division may be waived or modified as a part of a Level One or Level Two approval, as the case may be, if the application for development approval includes a comprehensive landscape program which satisfies each of the following criteria

1. ***Architectural theme.***
  - a. **The landscaping in a comprehensive landscape program shall be designed as a part of the architectural theme of the principal buildings proposed or developed on the parcel proposed for development; or**
    - i. The proposed landscaping is designed to incorporate the Florida vernacular theme of the principal building and create a tropical, tiki-style area that residents and visitors alike can enjoy along Clearwater Beach.
  - b. **The design, character, location and/or materials of the landscape treatment proposed in the comprehensive landscape program shall be demonstrably more attractive than landscaping otherwise permitted on the parcel proposed for development under the minimum landscape standards.**
    - i. The area which is proposed for development does not currently contain any landscaping and the proposed landscaping would be a demonstrative upgrade to the attractiveness of the existing area. Applicant is proposing to include different types of tropical foliage that will screen the area while fitting in to the character of Beach Walk.
2. ***Lighting.* Any lighting proposed as a part of a comprehensive landscape program is automatically controlled so that the lighting is turned off when the business is closed.**
  - No additional lighting is proposed as part of the comprehensive landscaping program application.
3. ***Community character.* The landscape treatment proposed in the comprehensive landscape program will enhance the community character of the City of Clearwater.**
  - The proposed landscaping as part of this comprehensive landscape program request will beautify the area to be developed with tropical foliage and will add to the Florida vernacular theme along Beach Walk.
4. ***Property values.* The landscape treatment proposed in the comprehensive landscape program will have a beneficial impact on the value of property in the immediate vicinity of the parcel proposed for development.**
  - As noted above, the area proposed for development as part of this request is currently undeveloped and the City's landscaping was destroyed by the hurricanes. Approval of this request will substantially improve the area and should have a beneficial impact on the value of surrounding properties.
5. ***Special area or scenic corridor plan.* The landscape treatment proposed in the comprehensive landscape program is consistent with any special area or scenic corridor plan which the City of Clearwater has prepared and adopted for the area in which the parcel proposed for development is located.**
  - The proposed landscaping is consistent with the character of Beach By Design by complying with the Florida vernacular theme and adding to the quality of the community.
6. ***Properties within the US 19 District.* The landscape treatment proposed in the comprehensive landscape program for properties in the US 19 District shall not result in the reduction of the pedestrian and landscape improvements required in Appendix B, Division 4, Street Frontage Standards, except as provided for in Appendix B, Division 7, Flexibility.**
  - The area proposed for development is not within the US-19 District.
7. ***Properties within the Downtown District.* The landscape treatment proposed in the comprehensive landscape program for properties in the Downtown District shall not result in the reduction of**

**the pedestrian and landscape improvements required in Appendix C, Division 4, Frontage Standards, except as provided for in Appendix C, Division 7, Flexibility.**

- The area proposed for development is not within the Downtown District.

## **Beach by Design Guidelines (Beach Walk District)**

### **1. To ensure aesthetically pleasing architecture in a tropical vernacular.**

- a. The proposed development of the Amenity Area was designed to match the Florida, tropical vernacular, including tiki-style designs and an airstream mobile vending cart improved to fit within the coastal beach character of Clearwater Beach. Applicant's design team also incorporated accessories and feature pieces within the Amenity Area that meet the tropical vernacular such as straw-thatched lighting and roofs, palms and other Florida foliage/flora, and bamboo/wood accents throughout. The proposed mobile vending carts that will be utilized will be fully re-designed and modeled specifically with the Beach by Design criteria in mind, incorporating features and the coastal Florida, tropical themes that will make the carts fit seamlessly within the Clearwater Beach community.

### **2. To create inviting, human scale “places” at the street level of all buildings.**

- a. Approval of the proposed development would add an inviting space to the street level of the Wyndham Grand Hotel right along Beach Walk, offering an alluring dining and beverage option in the heart of Clearwater Beach. Applicant's aesthetic design, which incorporates the tropical Florida vernacular, will be an attractive option for beachgoers to frequent for a quick bite or drink. The mobile vending carts proposed for use will be upgraded and outfitted with features that meet the Florida, tropical vernacular required by Beach by Design. While the proposed mobile vending carts are able to be moved prior to a flooding event, Applicant's design team has created an area that will look and feel like a tropical getaway that is inviting to passersby.

### **3. To promote an integration of form and function.**

- a. The proposed development is a prime example of integrating form and function—adding this street-level food and beverage Amenity Area is extremely functional, while integrating a form that exudes the Florida vernacular and emits a tropical vibe along Beach Walk. Moreover, the proposed mobile vending carts provide the form/benefit of an added food and beverage option along Beach Walk with the functionality to be moved, not burdening the area with permanent structures that will be affected by flood events; this functionality benefits Clearwater Beach as a whole by not creating additional flood risk along Beach Walk. Additionally, the proposed development of the Amenity Area is within the City's right-of-way but does not impede existing sidewalks or pedestrian flow and promotes adding function to an area that is currently not used for anything.

### **4. To create a sense of a “beach community neighborhood” throughout Clearwater Beach.**

- a. The addition of the proposed development makes the Wyndham Grand Hotel much more a part of the community by inviting beachgoers to the area and allowing guests and the general public alike to enjoy the Amenity Area. The Amenity Area and the proposed mobile vending carts will be incorporated to the tropical, Florida vernacular design by being fully designed with Beach by Design criteria in mind. Applicant's design team has created an area that will look and feel like a permanent tropical getaway bar area while being able to be moved prior to any flood event. The development will beautify the area proposed and incorporate beach, tropical-themed designs to further the 'beach community neighborhood' feeling that exists along Beach Walk and throughout Clearwater Beach.

### **5. To use landscape material to differentiate Clearwater Beach from other beach areas and intensely developed places in Pinellas County.**

- a. Applicant and the design team devoted a significant amount of time and energy into creating a proposed development that embraces the unique Clearwater Beach character and adds a bit of its own touch of tropical-tiki vibes to the area. Clearwater Beach stands alone in the area as a tourist destination that continues to stay true to its roots by ensuring that proposed development's such as this one keep the Florida vernacular style in the design.

6. **To landscape all surface parking areas so that the view of such parking facilities from public roads, sidewalks, and other places is determined by landscape material instead of asphalt.**
  - a. Applicant is not proposing any surface parking areas as part of this request.
7. **To ensure that the street level of all buildings is pedestrian friendly.**
  - a. Approval of the proposed development adds a pedestrian-oriented attraction to the area and makes the area along Beach Walk that much more pedestrian-friendly. The Applicant intends for this to be a feature of the Wyndham Grand Hotel that beachgoers can enjoy along Beach Walk by stopping in for a quick bite or drink. However, the design of the proposed Amenity Area contains easily accessible entry/exit points and contains the development area to ensure safe walking traffic along Beach Walk.

### **Beach by Design Criteria (Beach Walk District)**

#### **A. Density:**

##### **DESIGN RESPONSE:**

The proposed design consists of a tiki-style bar and dining area located in a portion of the right-of-way (approximately 3,730 S.F.) adjacent to 100 Coronado Drive and S Gulfview Boulevard along Beach Walk. The design incorporates two (2) mobile vending carts that will be fully redesigned to meet the Beach by Design criteria and incorporate coastal Florida, tropical design elements to match the community character of the Beach Walk District. The area will be landscaped with tropical foliage/fauna to create an attractive food and beverage option for passersby and guests of the hotel alike.

#### **B. Height & Separation:**

##### **DESIGN RESPONSE:**

##### **1. Height:**

No permanent habitable structures are proposed for construction.

##### **2. Separation:**

No permanent habitable structures are proposed for construction.

##### **3. Floor Plates:**

N/A

#### **C. Design, Scale and Mass of Building:**

1. **Buildings with a footprint of greater than 5000 square feet or a single dimension of greater than one hundred (100) feet will be constructed so that no more than two (2) of the three (3) building dimensions in the vertical or horizontal planes are equal in length. For this purpose, equal in length means that the two lengths vary by less than forty (40%) of the shorter of the two (2) lengths. The horizontal plan measurements relate to the footprint of the building.**

##### **DESIGN RESPONSE:**

The proposed development will not include any buildings with a footprint greater than 5,000 square feet or a single dimension of greater than 100 feet.

2. **No plane of a building may continue uninterrupted for greater than one hundred linear feet (100'). For the purpose of this standard, interrupted means an offset of**

**greater than five feet (5').**

**DESIGN RESPONSE:**

No plane of the proposed development continues uninterrupted in excess of 60 feet, meeting the requirement of being less than 100'-0".

- 3. At least sixty percent (60%) of any elevation will be covered with windows or architectural decoration. For the purpose of this standard, an Elevation is that portion of a building that is visible from a particular point outside the parcel proposed for development.**

**DESIGN RESPONSE:**

No permanent structures are contemplated being constructed as part of this proposed development request.

- 4. No more than sixty percent (60%) of the theoretical maximum building envelope located above forty-five feet (45') will be occupied by a building. However, in those instances where an overnight accommodation use on less than 2.0 acres that has been allocated additional density via the Hotel Density Reserve, no more than seventy-five percent (75%) of the theoretical maximum building envelope located above forty-five feet (45') may be occupied by a building unless the property is located between Gulfview Boulevard and the Gulf of Mexico, then no more than 70% may be occupied by a building.**

**DESIGN RESPONSE:**

No permanent habitable structures are proposed for construction as part of this proposed development request.

- 5. The height and mass of buildings will be correlated to:
  - 1. the dimensional aspects of the parcel proposed for development and**
  - 2. adjacent public spaces such as streets and parks.****

**DESIGN RESPONSE:**

1. No buildings are being constructed as part of this request, thus there are no height and mass correlations to dimensional aspects of the parcel proposed for development.
2. No buildings are being constructed as part of this request, thus there are no height and mass correlations to adjacent public spaces such as streets and parks. However, the proposed development does take into account the location within the right-of-way and how the materials used and movable objects will correlate to the adjacent street and right-of-way along Beach Walk.

- 6. Buildings may be designed for a vertical or horizontal mix of permitting uses.**

**DESIGN RESPONSE:**

The Building on the adjacent parcel owned by Applicant is designed for Hotel related

uses only. The proposed development will be accessory to the Hotel use and will not exceed 10% of the accessory allowance (or cause the total accessory uses to exceed the 10% threshold).

**D. Setbacks & Stepbacks**

**1. Rights-of-way**

**The area between the building and the edge of the pavement as existing and planned should be sufficiently wide to create a pedestrian-friendly environment. The distances from structures to the edge of the right-of-way should be:**

**DESIGN RESPONSE:**

The proposed development is located within the City’s right-of-way and does not interfere with Beach Walk and adds to the pedestrian-friendly environment. Applicant has designed the Amenity Area so that it fits seamlessly within Beach Walk and includes gates that provide orderly access during business hours and can be closed during off-hours.

**2. Side and Rear Setbacks**

**Side and rear setbacks shall be governed by the provisions of the Tourist District of the Community Development Code unless otherwise prescribed in the applicable Character District provisions contained in Section II., Future Land Use.**

**DESIGN RESPONSE:**

The proposed development is within the City’s right-of-way and is not included within the setbacks of the Hotel parcel.

**3. Setbacks and Stepbacks**

**To reduce upper story massing along the street and ensure a human scale street environment, buildings using the hotel density reserve along East Shore Drive shall be constructed in accordance with the following:**

- a. Buildings constructed with a front setback of fifteen feet (15’) or more shall stepback with a minimum depth of fifteen feet (15’) from the setback line at a height not more than twenty-five feet (25’).**

**DESIGN RESPONSE:**

N/A

- b. Buildings constructed with a front setback greater than or equal to ten feet (10’) and less than fifteen feet (15’) shall stepback at a height not more than twenty feet (20’).**

**DESIGN RESPONSE:**

N/A

- c. The required stepback/ setback ratio is one and one-half feet (1.5’) for every one foot (1’) reduction in setback in addition to the minimum stepback of fifteen feet (15’).**

**DESIGN RESPONSE:**

N/A

- d. **Buildings constructed with a front setback of less than ten feet (10') shall provide a building setback required setback/setback ratio is two and one-half feet (2.5') for every one foot (1') reduction in setback in addition to the minimum step back of fifteen feet (15').**

**DESIGN RESPONSE:**

N/A

- e. **To achieve upper story facade variety and articulation, additional setbacks may be required.**

**To avoid a monotonous streetscape, a building shall not replicate the setback configuration of the neighboring buildings including those across rights- of-way.**

**DESIGN RESPONSE:**

N/A

- f. **Required step backs shall span a minimum of 75% of the building frontage width.**

**DESIGN RESPONSE:**

N/A

**E. Street-Level Facades:**

**The human scale and aesthetic appeal of street-level facades, and their relationship to the sidewalk, are essential to a pedestrian-friendly environment.**

**Accordingly:**

- 1. **At least sixty percent (60%) of the Street Level facades of Buildings used for nonresidential purposes which abut a public street or pedestrian access way, will be transparent. For the purpose of this standard:**

- a) **Street level facade means that portion of a building facade from ground level to a height of twelve feet (12').**

**DESIGN RESPONSE:**

The proposed development of the Amenity Area does not include construction of any buildings and will not impact the calculation of the transparency of street level facades of buildings used for nonresidential purposes which abut a public street or pedestrian access way.

- b) **Transparent means windows or doors that allow pedestrians to see into:**
  - i. **the building, or**
  - ii. **landscaped or hardscaped courtyard or plazas, where street level facades are set back at least fifteen feet (15') from the edge of the sidewalk and the area between the sidewalk and the facade is a landscaped or yardscaped courtyard.**

**DESIGN RESPONSE:**

The proposed development of the Amenity Area does not include construction of any

buildings and will not impact the calculation of the transparency of street level facades of buildings used for nonresidential purposes which abut a public street or pedestrian access way.

- c) **Parking structures should utilize architectural details and design elements such a false recessed windows, arches, planter boxes, metal grillwork, etc. instead of transparent alternatives. When a parking garage abuts a public road or other public place, it will be designed such that the function of the building is not readily apparent except at points of ingress and egress.**

**DESIGN RESPONSE:**

N/A

2. **Window coverings, and other opaque materials may cover not more than 10% of the area of any street-level window in a nonresidential building that fronts on a public right-of way.**

**DESIGN RESPONSE:**

The proposed development does not include construction of any buildings and will not include any window coverings or other opaque materials on buildings used for nonresidential purposes which abut a public street or pedestrian access way.

3. **Building entrances should be aesthetically inviting and easily identified. Goods for sale will not be displayed outside of a building, except as a permitted temporary use. This standard does not apply to outdoor food service establishments.**

**DESIGN RESPONSE:**

The proposed development does not include construction of any buildings. However, the proposed design includes entrances to the Amenity Area proposed for development which are aesthetically inviting and easily identifiable.

4. **Awnings and other structures that offer pedestrians cover from the elements are recommended. Awnings help define entryways and provide storefront identity to both pedestrians and drivers.**

**DESIGN RESPONSE:**

The proposed development includes temporary shelter structures that aid in offering pedestrians cover from the elements. However, no permanent structures are included in this proposed development and permanent shelter structures are located directly adjacent thereto.

## **F. Parking Areas**

**To create a well-defined and aesthetically appealing street boundary, all parking areas will be separated from public rights of way by a landscaped decorative wall, fence or other opaque**

landscape treatment of not less than three feet (3') and not more than three and one-half feet (3½') in height. Surface parking areas that are visible from public streets or other public places will be landscaped such that the parking areas are defined more by their landscaping materials than their paved areas when viewed from adjacent property.

The use of shade trees is encouraged in parking lots. However, care should be taken to choose trees that do not drop excessive amounts of leaves, flowers, or seeds on the vehicles below.

Entrances to parking areas should be clearly marked in order to avoid confusion and minimize automobile-pedestrian conflicts.

Attractive signage and changes to the texture of the road (such as pavers) are recommended.

When a parking garage abuts a public road or other public place, it will be designed such that the function of the building is not readily apparent except at points of ingress and egress.

**DESIGN RESPONSE:**

N/A

**G. Signage**

Signage is an important contributor to the overall character of a place. However, few general rules apply to signage. Generally, signage should be creative, unique, simple, and discrete. Blade signs, banners and sandwich boards should not be discouraged, but signs placed on the sidewalk should not obstruct pedestrian traffic.

**DESIGN RESPONSE:**

Signage may be developed. It will be creative and reflective of the region and unique to the Project while meeting all Code Criteria.

**H. Sidewalks**

Sidewalks along arterials and retail streets should be at least ten feet (10') in width. All sidewalks along arterials and retail streets will be landscaped with palm trees, spaced to a maximum of thirty-five feet (35') on centers, with "clear grey" of not less than eight feet (8').

Acceptable palm trees include sabal palms (sabal palmetto), medjool palms (phoenix dactylifera 'medjool'), and canary island date palms (phoenix canariensis).

Sidewalks along side streets will be landscaped

with palms (clear trunk of not less than eight feet (8')) or shade trees, spaced at maximum intervals of thirty-five feet (35') on centers. Portions of required sidewalks may be improved for non-pedestrian purposes including outdoor dining and landscape material, provided that:

1. movement of pedestrians along the sidewalk is not obstructed; and
2. On-pedestrian improvements and uses are located on the street side of the sidewalk. Distinctive paving patterns should be used to separate permanent sidewalk café improvements from the pedestrian space on the sidewalk. To enhance pedestrian safety and calm traffic, distinctive paving should also be used to mark crosswalks.

**DESIGN RESPONSE:**

Pedestrian movement will not have obstructions during business hours during which the

Amenity Area will be open to the public. The Amenity Area will have well landscaped buffers and include walkways and materials with distinctive patterns to separate the Amenity Area walkways from Beach Walk, promoting orderly entry/exit from the Amenity Area while continuing the free movement of pedestrians along the sidewalks.

#### **I. Street Furniture and Bicycle Racks**

**Street furniture, including benches and trash receptacles should be liberally placed along the sidewalks, at intervals no greater than thirty linear feet (30') of sidewalk. Bicycle racks should also be provided, especially near popular destinations, to promote transportation alternatives. Complicated bicycle rack systems should be avoided. The placement of street furniture and bicycle racks should not interrupt pedestrian traffic on the sidewalk.**

##### **DESIGN RESPONSE:**

The design of the proposed development incorporates furniture for patrons of the site, including bench seating and barstools within the Amenity Area. However, no additional street furniture will be placed outside of the proposed development that interrupt pedestrian traffic on the sidewalk.

#### **J. Street Lighting**

**Street lighting should respond to the pedestrian-oriented nature of a tourist destination. In this context, it should balance the functional with the attractive – providing adequate light to vehicular traffic, while simultaneously creating intimate spaces along the sidewalks. Clearwater’s historic lighting is an attractive, single-globe fixture atop a cast-iron pole.**

##### **DESIGN RESPONSE:**

Street lighting is not proposed as part of the proposed development of the Amenity Area. Any lighting that will be incorporated to the design will be sustainable and environmentally-friendly to ensure turtles are protected.

#### **K. Fountains**

**Fountains provide attractive focal points to public spaces and add natural elements to urban environments. They should be interesting, engaging and unique. While it is important not to overburden architectural creativity regarding fountains, they should meet at least the following standards in order to be a functional and attractive component of the public space:**

- 1. They should be supplemented with street furniture such as benches and trash receptacles, and**
- 2. They should have rims that are:**
  - a. Tall enough to limit unsupervised access by small children, and**
  - b. Wide enough to permit seating. Fountains should be encouraged in landscaped and hardscaped courtyards and plazas.**

**DESIGN RESPONSE:**

A water feature is not proposed.

**L. Materials and Colors**

**1. Facades**

**Finish materials and building colors will reflect Florida or Coastal vernacular themes.**

**All awnings should contain at least three (3) distinct colors. Bright colors will be limited to trims and other accents. Glass curtain walls are prohibited.**

**DESIGN RESPONSE:**

Finish materials and colors utilized on the mobile vending carts and overall development will reflect coastal Florida or tropical vernacular themes. The incorporation of these finish materials and colors into the design of the mobile vending carts will ensure the design matches the community character of Beach Walk while creating a unique, functional space. The mobile vending carts will have the appearance of a permanent, tropical beachy bar and dining area while providing the functionality of mobile carts which can be moved in the event of a flood.

**2. Sidewalks**

**Sidewalks will be constructed of:**

- a. Pavers;**
  - b. Patterned, distressed, or special aggregate concrete;**
- OR**
- c. Other finished treatment that distinguishes the sidewalks from typical suburban concrete sidewalks. Materials should be chosen to minimize the cost and complexity of maintenance.**

**DESIGN RESPONSE:**

The proposed development is located within a City right-of-way surrounded by City sidewalks (Beach Walk), and thus no sidewalks are proposed. The proposed development will not impede the orderly flow of pedestrian movement along existing sidewalks. The Amenity Area will include walkways within the proposed development for ease of access for patrons.

**3. Street Furniture**

**Street furniture will be constructed of low maintenance materials and will be in a color that is compatible with its surroundings.**

**DESIGN RESPONSE:**

No street furniture is proposed.

**4. Color Palette**

**A recommended palette for building colors is presented on the following page.**

**DESIGN RESPONSE:**

Finish materials and Building colors will reflect Florida or tropical vernacular themes so that the area proposed for development fits within the community character of Beach Walk. Applicant will completely re-design the mobile vending carts to incorporate this color palette to ensure the design matches the community character of Beach Walk while creating a unique, functional space. The mobile vending carts will have the appearance of a permanent, tropical beachy bar and dining area while providing the functionality of mobile carts which can be moved in the event of a flood.