



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

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): 696 S. Gulfview Blvd., LLC.
MAILING ADDRESS: 2340 Drew Street, Ste 300, Clearwater, Florida 33765
PHONE NUMBER: 727-726-4401
EMAIL: peter@xeniamc.com; chris@xeniamc.com; greg@xeniamc.com; alex@xeniamc.com

APPLICANT/PRIMARY CONTACT

NAME: Lauren Rubenstein, Esq. on behalf of 696 S. Gulfview Blvd., LLC
COMPANY NAME: Hill Ward Henderson
MAILING ADDRESS: 600 Cleveland Street, Suite 800, Clearwater, Florida 33755
PHONE NUMBER: 813-506-5207
EMAIL: lauren.rubenstein@hwhlaw.com

ADDRESS OF SUBJECT

PROPERTY: 696 S. Gulfview Blvd., Clearwater, Florida 33767
PARCEL NUMBER (S): 17-29-15-05004-002-0140
SITE AREA (SQUARE FEET AND ACRES): 10,454sf - .24 acre
ZONING: T- Tourist
FUTURE LAND USE: RFH - Resort Facilities High
DESCRIPTION OF REQUEST: A FLD Site Plan Approval to permit conversion of an existing one-story building into a Cigar Lounge & Bar 4COP with 4 off-street parking spaces as a Comprehensive Infill Project under the provisions of Section 2-803.D. of the Community Development Code.
(MUST INCLUDE USE, REQUESTED FLEXIBILITY, PARKING, HEIGHT, ETC) (see detailed request description in Narrative)



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: N/A PROPOSED: N/A

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: N/A PROPOSED: N/A

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: 35 spaces /10 per 1,000 sf PROPOSED: 4 proposed - includes 1 ADA

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: 10,284sf PROPOSED: 3,476sf

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: 9,770sf PROPOSED: 77.49% / 7969sf
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.

Please see the attached Narrative(s).

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.

Please see the attached Narrative(s).

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

Please see the attached Narrative(s).

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

Please see the attached Narrative(s).

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

Please see the attached Narrative(s).

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

Please see the attached Narrative(s).



PLANNING AND DEVELOPMENT DEPARTMENT FLS & FLD APPLICATION

FLEXIBILITY CRITERIA OR USE SPECIFIC CRITERIA

PROVIDE COMPLETE RESPONSES TO THE APPLICABLE FLEXIBILITY CRITERIA (OR USE SPECIFIC CRITERIA IN US 19 AND DOWNTOWN ZONING DISTRICTS). THESE CRITERIA ARE SPECIFIC TO THE USE AND THE ZONING DISTRICT OF THE SUBJECT PROPERTY AND ARE PART OF THE COMMUNITY DEVELOPMENT CODE AVAILABLE ONLINE AT MUNICODE.COM :

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

IF YOU NEED HELP FINDING THE CRITERIA OR STANDARDS PLEASE CONTACT A DEVELOPMENT REVIEW PLANNER AT THE ZONING LINE 727-562-4604. USE ADDITIONAL SHEETS AS NECESSARY:

Please see the attached Narrative(s).



PLANNING AND DEVELOPMENT DEPARTMENT AFFIDAVIT TO AUTHORIZE AGENT/REPRESENTATIVE

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

696 S. Gulfview Blvd., LLC

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

696 S. Gulfview Blvd, Clearwater, FL 33767 - Parcel #: 17-29-15-05004-002-0140

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

Flexible Development Approval for a change of use to Cigar Lounge and Bar 4COP

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

Hill Ward Henderson - 600 Cleveland St, Suite 800, Clearwater, FL 33755 (Lauren Rubenstein, Esq.) 813-506-5207

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.

Kevin Hubbard as authorized agent for 696 S. Gulfview Blvd, LLC
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 * physical presence or * online notarization, this 29 day of July, 2025 by (Kevin Hubbard) as (Authorized Agent) of (696 S. Gulfview Blvd, LLC), who ☒ is/are personally known to me or ☐ who has/have produced a driver's license as identification.

NOTARY PUBLIC

Signature: Lynn A. Matthews

My Commission expires: 10/13/27



LYNN A. MATTHEWS
Commission # HH 443421
Expires October 13, 2027

Narrative
Fusion Cigar Lounge & Bar 4COP
696 South Gulfview
Boulevard

Request

Flexible Development approval to permit Fusion Cigar Lounge & Bar 4COP (Bar use) in the Tourist (T) District with a lot area of 0.236 acres (10,284sf), a lot width of 117 feet, a front (east) setback of 7' to existing dumpster, 39.48 feet to existing building to remain and 0 feet to bike parking; a front (south) setback of 31.22 feet to existing building to remain, and 10 feet to proposed outdoor seating area; a side (north) existing setback of 2.84 feet; and side (west) existing setback of 4.01 feet to existing building 4.3 feet to proposed concrete for outdoor seating. Building height of 18.5 feet to top of parapet from ground and 13.5 feet to top from BFE and 4 parking spaces as a Comprehensive Infill Redevelopment project, under the provisions of CDC Section 2-803.D. Also requesting removal of the Type I curb and installation of a drop curb on the south side of the property along Gulfview Blvd, along with removal and replacement of the adjacent sidewalk to accommodate the change.

Proposal

The applicant proposes redeveloping the site at 696 South Gulfview Boulevard with a Bar. The existing structure will be significantly remodeled to accommodate the new use and seating area. A total of 3,476sf of air-conditioned floor area is proposed. The proposed will offer a Florida Coastal Architectural style and have some outdoor seating. Customers of this proposed establishment will come from hotels and residences within the area and from patrons who have already come to the beach for other activities. Fusion Cigar Lounge is a beloved existing business that is relocating from its previous location at 483 Mandalay Avenue. Four on-site parking spaces which includes 1-ADA for travelers outside the Beach area. A Parking Demand Study is included in this submittal. Fusion Cigar Lounge currently employees 14 individuals, and with this new, larger location, it expects to add another 5-10 employees within the first year.

The site is located within the area designated by *Beach by Design* as the South Beach / Clearwater Pass District. *Beach by Design* identifies this area as an area of strategic revitalization and renovation in response to improving conditions on the balance of Clearwater Beach. This site is within the heart of the tourist area and an area of potential intense redevelopment. Properties along South Gulfview Boulevard include motels, retail, restaurant and office uses. The subject parcel is also located across South Gulfview Boulevard from the new JW Marriot Clearwater Beach Resort & Spa. The City has demonstrated through the creation of *Beach by Design* that it recognizes the need for pedestrian-friendly development to create a vibrant active resort and waterfront destination serving tourists and locals alike. It is understood that this broad range of uses contributes to the creation of the unique character and atmosphere that is Clearwater Beach. The proposed general use fits well into and complements the vision of this District.

Site Location and Existing Conditions

The subject site is comprised of one platted lot with a lot area of 0.236 acre and is located at the northwest corner of South Gulfview Boulevard and Parkway Drive. The site fronts the west side of Parkway Drive with 117 feet of frontage and the north side of South Gulfview Boulevard with 87.4 feet of frontage. The subject site is no longer in use and is currently developed as a retail store (previous

uses were a restaurant and a convenience store with a subway). The subject property is zoned Tourist (T) District with a Future Land Use Plan (FLUP) category of Resort Facilities High (RFH) and is located in the South Beach / Clearwater Pass District of *Beach by Design*.

Compliance with General Applicability Criteria of CDC Section 3-914.A

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.

Response: The proposal is for a Bar use in a Florida Coastal architectural style one-story building. Properties along the north side of South Gulfview Boulevard include small motels, retail, restaurant and office uses in one- to two-story buildings, similar in scale and bulk as the subject parcel. It is noted that the property adjacent to the north and west sides of this parcel has been developed as Coconut Cove Resort which is three stories in height. This proposed Bar will be in harmony with the scale, bulk, coverage, density, and character of these adjacent properties. Therefore, this proposal is in compliance with this criterion.

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.

Response: The site is presently developed with a retail shop, which is now vacant. This site is within the heart of the tourist area and an area of potential intense redevelopment. Properties along the north side of South Gulfview Boulevard include small motels, retail, restaurant and office uses. It is noted that the property in proximity to the north and west sides of this parcel has been developed as Coconut Cove Resort. Redevelopment of this property as a Bar will establish a new use that complements and adds to the beach economy. This proposed Bar will not impede the development and improvement of the surrounding area for permissible uses in the Tourist (T) District, nor will it significantly impair the value of surrounding properties. Adequate parking exists within the surrounding area to support this proposed Bar, as evidenced by the Parking Demand Study. Therefore, this proposal is in compliance with this criterion.

3. The proposed development will not adversely affect health or safety or persons residing or working in the neighborhood of the proposed use.

Response: This site is within the heart of the tourist area and an area of potential intense redevelopment. Adjoining properties are presently developed with the Coconut Cove Resort (north and west), JW Marriot Clearwater Beach Resort & Spa (south) and retail (east) uses. Other uses along the northside of South Gulfview Boulevard within this block include small motels, retail and restaurant uses. Redevelopment of this property as a Bar will establish a new use that complements and adds to the beach economy and will not be a substantial detriment to these adjoining properties. Customers of this proposed Bar will come from hotels and residences within the area and from patrons already coming to the beach for other activities and will support the pedestrian environment of the beach. A Parking Demand Study has been submitted with this application, which supports the request for reduced parking and demonstrates that the reduced on-site parking will not adversely affect the neighborhood. Therefore, this proposal is in compliance with this criterion.

4. The proposed development is designed to minimize traffic congestion.

Response: There are 4 proposed on-site parking spaces with this request. A Parking Demand Study has been submitted with this application that indicates adequate parking exists within walking distance of this site. This off-site parking includes on-street public parking, the Surf Style public parking garage and the Opal Sol parking garage. Customers of this proposed Bar will come from hotels within the area and from patrons already coming to the beach for other activities. Therefore, this proposal is in compliance with this criterion.

5. The proposed development is consistent with the community character of the immediate vicinity of the parcel proposed for development.

Response: This site is within the heart of the tourist area and an area of potential intense redevelopment. Adjoining properties are presently developed with the Coconut Cove Resort (north and east), JW Marriot Clearwater Beach Resort & Spa (south) and retail (east) uses. Other uses along the north side of South Gulfview Boulevard within this block include small motels, retail and restaurant uses. Redevelopment of this property as a Bar will establish a new use that complements and adds to the beach economy and will not be a substantial detriment to these adjoining properties. Customers of this proposed Bar will come from hotels and residences within the area and from patrons already coming to the beach for other activities and will support the pedestrian environment of the beach. While only 4 on-site parking spaces are proposed for this Bar, a Parking Demand Study has been submitted showing there is adequate parking when taking into account nearby public parking. Therefore, this proposal is in compliance with this criterion.

6. The design of the proposed development minimizes adverse effects, including visual, acoustic and olfactory and hours of operation impacts, on adjacent properties.

Response: There should be no olfactory impacts of any kind. The Bar will have a two unit smoke handling system which conditions and exhausts the air inside outside and one unit that brings in fresh air to compensate the other two units. Fusion Cigar Lounge previously operated in a plaza on Mandalay Avenue and never has any problems nor complaints utilizing a very similar system. The air filtration system proposed for this new location will be newer and even better performing. Dumpsters will be located within a screened dumpster area on the northeast side of the site near the street. Dumpsters will be moved to the street on collection days, which is similar to other uses in the area. There should be no adverse visual impacts on adjacent properties, as the one- story building is existing. Therefore, this proposal is in compliance with this criterion.

Compliance with the Flexible Development Standards of CDC Table 2-803 and other CDC Requirements

Minimum Lot Area and Width – While this application is being submitted as a Comprehensive Infill Redevelopment Project where there is no minimum lot area or lot width, the minimum lot area for a Bar use is 5,000 square feet, pursuant to CDC Table 2-803. The subject site area is 10,284 square feet, which is greater than the minimum lot area requirements of this standard for a Bar. The minimum lot width for a Bar use is 50 feet, pursuant to CDC Table 2-803. The subject site has a lot width of 117 feet along Parkway Drive, and 87.4 feet along South Gulfview Boulevard which exceed

the minimum lot width requirements for a Bar.

Minimum Setbacks – While this application is being submitted as a Comprehensive Infill Redevelopment Project where there are no minimum setbacks, the setbacks for a Bar use pursuant to CDC Table 2- 803 are a minimum front setback of 0-15 feet, a minimum side setback of 0-10 feet and a minimum rear setback of 10-20 feet. Section D of the Design Guidelines of *Beach by Design* states that there should be a 15-foot setback to structures along arterial streets (which includes South Gulfview Boulevard) (should, not shall), but also allows for seating areas within public areas. The existing building, which will be re-used, is set back from the front (south) property line 31.2 feet. The proposal also includes removing some of the existing brick pavers, but retaining a portion of them for open seating and adding a landscape area to add to the visual appeal of the site. The existing dumpster area on the site (to allow the dumpster to be transported to the street) will remain at a 7-foot front (east) setback and 5.2-foot side(north) setback. The justification of these requested reductions to setback requirements is addressed in the responses to the Flexibility Criteria of CDC Section 2-803.D below.

Maximum Height – While this application is being submitted as a Comprehensive Infill Redevelopment Project where there is no maximum height (except as set forth in *Beach by Design*), the maximum building height for a Bar use is between 35 – 100 feet, pursuant to CDC Table 2-803. The proposal includes a building height of 18.5 feet to top of parapet and 13.5 feet from BFE, well below the lower end height of 35 feet of Table 2-803.

Minimum Off-Street Parking – While this application is being submitted as a Comprehensive Infill Redevelopment Project where the minimum number of parking spaces is determined by the Community Development Coordinator, the minimum required parking for a Bar use is 10 parking spaces per 1,000 square feet of gross floor area. There is a total of 3,476 square feet of floor area proposed, with a requirement of between 35 parking spaces. Four (4) parking spaces will remain as part of this proposal. A Parking Demand Study has been submitted with this application supporting the reduced on-site parking. Customers of this proposed Bar will come from hotels within the area and from patrons already coming to the beach for other activities. The existing drop curb along Parkway Drive is proposed to be retained to allow the trash dumpsters to be rolled to the street for pickup.

Mechanical Equipment – The proposed HVAC equipment will be screened and placed on the west side of the building. Outside seating areas will be open air or open to the elements, except for any required exhausts for Bar equipment.

Sight Visibility Triangles – CDC Section 3-904.A restricts structures and landscaping which will obstruct views at a level of 30 inches and eight feet above grade within 20-foot sight visibility triangles at driveways and street intersections. See plan, the proposal is in compliance with these provisions.

Utilities – For development that does not involve a subdivision, CDC Section 3-912 requires all utilities including individual distribution lines to be installed underground unless such undergrounding is not practicable. There are no overhead utility lines serving this site along the frontage of South Gulfview Boulevard or Parkway Drive. All on-site utilities will be placed

underground.

Landscaping – There are no perimeter buffers required in the Tourist (T) District for this site, pursuant to CDC Section 3-1202.D. CDC Section 3-1202.E.2 requires a minimum five-foot wide foundation planting area adjacent to the building façade facing the right-of-way. The proposal provides large planter landscape areas along the front (south and east) sides of the street along South Gulfview Boulevard and Parkway Drive, in lieu of the required foundation planting area. A Comprehensive Landscape Program is being filed in conjunction with this application.

Solid Waste – The proposal includes a trash dumpster area within a fenced in area in the northeast corner of the site. A roll-out dumpster will be moved to the street on trash collection days. The existing drop curb will allow the dumpster to be rolled to the street on collection days.

Signage – Only attached signage is proposed with this submittal. All proposed signage will meet all applicable requirements of the CDC and *Beach by Design*. If necessary, a Comprehensive Sign Program will be submitted prior to signage permits.

Compliance with Flexibility Criteria for Comprehensive Infill Redevelopment Project Uses of CDC 2-803.D

1. The development or redevelopment is otherwise impractical without deviations from the use and/or development standards set forth in this zoning district.

Response: The proposal is located on Clearwater Beach and fronts on South Gulfview Boulevard, a major arterial street. The request includes the change of use to a Bar and the reduction of required parking. The reduction of required parking is the main reason this application is being processed as a Comprehensive Infill Redevelopment Project. A Parking Demand Study has been submitted which justifies the reduction of the required parking. This site is within the heart of the tourist area and an area of potential intense redevelopment. The redevelopment of this site for a Bar is impracticable without the deviation requested.

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.

Response: The proposed redevelopment of this parcel for a Bar is consistent with the following goals, objectives and policies of the Future Land Use Element of the Comprehensive Plan: Goals QP3 and QP5, Objectives QP 3.3 and QP 5.3 and Policies QP 3.3.1 and QP 5.3.4. The proposed redevelopment of this parcel for a Bar is consistent with the following general policies of Section 1.103 of the Community Development Code (CDC): Policies 1.103.A, 1.103.B.2, 1.103.B.3, 1.103.D, 1.103.E.1, 1.103.E.2, 1.103.E.3 and 1.103.E.8 – 12. Finally, the proposed redevelopment of this parcel for a Bar is consistent with the intent and purpose of the Tourist (T) District of CDC Section 2-801.1. Therefore, the proposal is consistent with this criterion.

3. The development or redevelopment will not impede the normal and orderly development and improvement of surrounding properties.

Response: This site is within the heart of the tourist area and an area of potential intense redevelopment. Properties along the north side of South Gulfview Boulevard include motels, retail, restaurant and office uses. It is noted that the property in proximity to the north and west sides of this parcel has been developed as Coconut Cove Resort. Redevelopment of this property as a Bar will establish a new use that complements and adds to the beach economy. This proposed Bar will not impede the development and improvement of the surrounding area for permissible uses in the Tourist (T) District. Adequate parking exists within the surrounding area to support this proposed Bar, as evidenced by the Parking Demand Study. Therefore, this proposal is in compliance with this criterion.

4. Adjoining properties will not suffer substantial detriment as a result of the proposed development.

Response: This site is within the heart of the tourist area and an area of potential intense redevelopment. Adjoining properties are presently developed as the Coconut Cove Resort (west and north), Hotel (south) and Retail (east) uses. Other uses along the north side of South Gulfview Boulevard within this block include small motels, retail and restaurant uses. Redevelopment of this property as a Bar will establish a new use that complements and adds to the beach economy and will not be a substantial detriment to these adjoining properties. Customers of this proposed Bar will come from hotels and residences within the area and from patrons who have already come to the beach for other activities and will support the pedestrian environment of the beach. A Parking Demand Study has been submitted which supports the reduced required parking. Therefore, this proposal is in compliance with this criterion.

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.

Response: A Bar is a use allowed as a Flexible Standard Development and Flexible Development use in the Tourist (T) District. This application is being processed as a Comprehensive Infill Redevelopment Project use primarily as only 4 on-site parking spaces are being provided, which is justified by the submitted Parking Demand Study. Therefore, this proposal is in compliance with this criterion.

- 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.

Response: The site was presently developed and is now vacant. This site is within the heart of the tourist area and an area of potential intense redevelopment. Properties along the north side of South Gulfview Boulevard include small motels, retail, restaurant and office uses. Redevelopment of this property as a Bar will establish a new use that complements and adds to the beach economy. This proposed use is to accommodate the relocation and expansion of the Fusion Cigar Lounge, an established local business that was previously located at 483 Mandalay Avenue. The Fusion Cigar Lounge currently has 14 employees, and it expects to add another 5-10 employees within a year of opening the new location. Therefore, this

proposal follows this criterion.

- c. The development proposal accommodates the expansion or redevelopment of an existing economic contributor.

Response: The site was previously developed which is now vacant. This site is within the heart of the tourist area and an area of potential intense redevelopment. Properties along the north side of South Gulfview Boulevard include small motels, retail, restaurant and office uses. Redevelopment of this property as a Bar will establish a new use that complements and adds to the beach economy. Furthermore, the redevelopment of this parcel into a Bar will accommodate the relocation and expansion of Fusion Cigar Lounge, a beloved Clearwater beach establishment that is an existing economic contributor. Therefore, this proposal is in compliance with this criterion.

- d. The proposed use provides for the provision of affordable housing.

Response: The proposal is for a Bar to contribute to and complement the beach economy. Therefore, this criterion is not applicable to this proposal.

- 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

Response: The subject parcel and surrounding area designated Resort Facilities High (RFH) and is zoned Tourist (T) District. The existing land use designation and zoning district presently provide for the proposed use. Redevelopment of the subject parcel for the proposed use provides a use that complements the surrounding users in this beach economy. Therefore, this proposal follows this criterion.

- f. The proposed use provides for the development of a new, and/or preservation of a working waterfront use.

Response: The proposal is for a Bar. There is no working waterfront use existing or proposed and the surrounding area is not characterized by working waterfront uses. Therefore, this criterion is not applicable to this proposal.

- 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.

Response: The site was previously developed as retail but is now vacant. This site is within the heart of the tourist area and an area of potential intense redevelopment. Properties along the north side of South Gulfview Boulevard include small motels, retail, restaurant and office uses. Redevelopment of this property as a Bar will establish a new use that complements and adds to the beach economy. This proposed Bar will not impede the development and

improvement of the surrounding area for permissible uses in the Tourist (T) District. Adequate parking exists within the surrounding area to support this proposed Bar, as evidenced by the Parking Demand Study that has been submitted. Therefore, this proposal follows this criterion.

- b. The proposed development complies with applicable design guidelines adopted by the city;

Response: This parcel is located within the South Beach / Clearwater Pass District of *Beach by Design*, where a minimum side setback of 10 feet for all development is required. The proposed building has been designed as Florida Coastal architectural style, which complies with the requirements of the Design Guidelines of *Beach by Design*. Conformance with the Design Guidelines, intended to be administered in a flexible manner to achieve the highest quality-built environment for Clearwater Beach, is discussed further:

Section A specifically addresses the issue of density. This is not a residential or hotel development, but rather a Bar. Therefore, this Guideline is not applicable to the proposal.

Section B specifically addresses height and is delineated in three subsections. *Section B.1* provides that a height up to 150 feet may be permitted where additional density is allocated to the development either by TDRs, or via the Destination Resort Density Pool, or via the Hotel Density Reserve with location standards. This is not a residential or hotel development, but rather a Bar. Therefore, this Guideline is not applicable to the proposal. *Section B.2* requires that portions of any structures which exceed 100 feet in height are spaced at least 100 feet apart and also provides for overall separation requirements for all buildings which exceed 100 feet in height. This is not a residential or hotel development, but rather a Bar. Therefore, this Guideline is not applicable to the proposal. *Section B.3* requires the floorplate of any building exceeding 45 feet in height, with the exception of parking levels, be no greater than 25,000 square feet and also requires reduced floorplates exceeding 100 feet in height. The proposal is for a one-story Bar consisting of 3,476 square feet with outside seating. Therefore, this Guideline is not applicable to the proposal.

Section C addresses issues relating to design, scale and building mass. These are addressed in six parts. *Section C.1* requires buildings with a footprint of greater than 5,000 square feet or a single dimension greater than 100 feet constructed so that no more than the two of the three building dimensions in the vertical or horizontal planes are equal in length. The proposed building footprint is 3,476 square feet. The existing building is less than 100 feet in length along the east side and has been designed utilizing multiple dimensions to ensure that no more than two of the three building dimensions in the vertical or horizontal planes are equal in length. Therefore, this provision is supported by this proposal. *Section C.2* requires no plane or elevation to continue uninterrupted for greater than 100 feet without an offset of more than 100 feet. No portion of the proposed building façade continues for more than 100 feet. The building incorporates a series of articulation of the fenestration with various horizontal dimensions of the façade, none of which exceed 100 feet. Therefore, this provision is supported by this proposal. *Section C.3* requires at least 60 percent of any elevation to be covered with windows or architectural decoration. All elevations are covered by more than 60 percent of architectural decoration, composed of windows and architectural details including decorative grills, reveals and similar detailing. Therefore, this provision is

supported by this proposal. *Section C.4* provides that no more than 60 percent of the theoretical maximum building envelope located above 45 feet will be occupied by a building. The proposal is for a one-story Bar consisting of 3,476 square feet with outside seating. Therefore, this Guideline is not applicable to the proposal. *Section C.5* requires that the height and mass of buildings be correlated to: (1) the dimensional aspects of the parcel and (2) adjacent public spaces such as streets and parks. The adjacent South Gulfview Boulevard right-of-way is 60 feet width and Parkway Drive is 80 feet width. The closest point of the building to the south property line is 31.2 feet. The proposal includes a landscape area where existing pavers will be removed to create a landscape area along South Gulfview Boulevard and Parkway Drive to make the site visually appealing to pedestrian and vehicular traffic, contributing to the active pedestrian experience along South Gulfview Boulevard. Therefore, this provision is supported by this proposal. *Section C.6* permits buildings to be designed for a vertical or horizontal mix of permitted uses. The proposal is for a single use: a Bar. Therefore, this provision is supported by this proposal.

Section D addresses the issues of sidewalk widths, setbacks and step-backs. These are addressed in three parts. *Section D.1* provides for the distances from structures to the edge of the right-of-way should be 15 feet along arterials (underlining provided to provide direction). The proposed building exists at a 31.2-foot setback to the north property line of South Gulfview Boulevard and 39.8 feet along the west property line of Parkway Drive. The proposal includes a landscape area along South Gulfview Boulevard and a planter area Parkway Drive to make the site visually appealing to pedestrian and vehicular traffic, contributing to the active pedestrian experience along South Gulfview Boulevard. These areas along South Gulfview Boulevard and Parkway Drive will be planted with palm trees and shrubs. Therefore, this provision is supported by this proposal. *Section D.2* provides that, except for the side and rear setbacks set forth elsewhere in *Beach by Design*, no side or rear setback lines are recommended, except as may be required to comply with the City's Fire Code. The existing building is situated at a 2.84 and 4.0-foot side (west and north) setbacks. *Section D.3* addresses setbacks and step-backs for projects utilizing the hotel density reserve to reduce upper story massing along the street and ensure a human scale street environment. The proposal is for a one-story Bar consisting of 3,476 square feet with outside seating. Therefore, this Guideline is not applicable to the proposal.

Section E addresses issues of street-level facades and the incorporation of human-scale features into the façade of buildings in three parts. *Section E.1* requires at least 60 percent of the street level facades of buildings used for nonresidential purposes which abut a public street or pedestrian access way will include windows or doors that allow pedestrians to see into the building, or landscaped or hardscaped courtyards or plazas. In addition, parking structures should utilize architectural details and design elements such as false recessed windows, arches, planter boxes, metal grillwork, etc. instead of transparent alternatives. When a parking garage abuts a public road, it will be designed such that the function of the building is not readily apparent except at points of ingress and egress. There is no parking garage proposed with this development. The site design incorporates landscape areas along South Gulfview Boulevard and Parkway Drive to be planted with palms and shrubs to visually enhance this pedestrian experience of this site. Outside seating will be provided. At least 60 percent of the façade facing South Gulfview Boulevard is transparent at this street level for the Bar. Therefore, this provision is supported by this proposal. *Section E.2*

provides that window coverings or other opaque materials may cover no more than 10 percent of the area of any street-level window that fronts on a public right-of-way. The applicant commits to meet this provision, while this is more of an operationally-related requirement. *Section E.3* requires that building entrances should be aesthetically inviting and easily identified. The entrance to the enclosed area of the Bar has a clearly defined door opening. Otherwise, the proposal is for open seating areas. Therefore, this provision is supported by this proposal.

Section F addresses issues related to parking areas and the screening of such. There are four surface level (4) existing parking spaces that are proposed to remain. The applicant has submitted a landscape plan that will incorporate new and improved landscaping between the right-of-way and the existing parking. The proposed shrubs and ground cover will not interfere with visibility, but will enhance the aesthetics and the pedestrian experience. The existing parking area is constructed with brick pavers, which clearly marks the entrance to the parking area and minimizes automobile-pedestrian conflicts. Therefore, this provision is supported by to this proposal.

Section G addresses issues related to signage. Only attached signage is anticipated with this development. A sign package is otherwise not included with this submittal. All proposed signage will meet all applicable requirements of the CDC and *Beach by Design*. If necessary, a Comprehensive Sign Program will be submitted prior to signage permits.

Section H addresses issues related to sidewalks (also addressed in part by Section D above) and provides that all sidewalks along arterials should be at least 10 feet in width and requires palm trees with at least an eight-foot clear trunk to be planted at a maximum of 35-foot centers. There exists a ten-foot wide public sidewalk within the South Gulfview Boulevard right-of-way, and Sabal Palmettos are proposed to be added along the sidewalk. Any repairs to sidewalks necessitated by proposed construction to remove existing pavers along the sidewalk on S. Gulfview Boulevard will conform to fit, finish and materials of these existing sidewalks. Therefore, this provision is supported by this proposal.

Section I addresses issues related to street furniture and bicycle racks. There are existing bike racks along the sidewalk that will remain. Therefore, this provision is supported by this proposal.

Section J addresses issues related to street lighting. No additional street lighting is proposed with this application. An exiting streetlight, which will remain, is located on the corner of the property at South Gulfview Boulevard and Parkway Drive. Therefore, this *Section* is not applicable to the proposal.

Section K addresses issues related to fountains. No fountains are proposed with this development. Therefore, this *Section* is not applicable to the proposal.

Section L addresses issues related to materials and color. The proposed Fusion Cigar Lounge building offers a Florida Coastal architectural style. The finish materials and building colors of the building facade will support the Florida Coastal theme. This Florida Coastal

style of the design will use materials and colors to blend in and complement buildings in the surrounding neighborhood. Therefore, this provision is supported by this proposal.

- c. The design, scale and intensity of the proposed development supports the established or emerging character of an area;

Response: The site is located within the area designated by *Beach by Design* as the South Beach/Clearwater Pass District. *Beach by Design* identifies this area as an area of strategic revitalization and renovation in response to improving conditions on the balance of Clearwater Beach. This site is within the heart of the tourist area and an area of potential intense redevelopment. Properties along the north side of South Gulfview Boulevard include small motels, retail, restaurant and office uses. The City has demonstrated through the creation of *Beach by Design* that it recognizes the need for pedestrian-friendly development in order to create a vibrant active resort and waterfront destination serving tourists and locals alike. It is understood that this broad range of uses contribute to the creation of the unique character and atmosphere that is Clearwater Beach. The proposed Fusion Cigar Lounge fits well into and complements this vision of this District. Therefore, this provision is supported by this proposal.

- 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 step-backs; and
- Distinctive roofs forms.

Response: The applicant proposes to redevelop the site at 696 South Gulfview Boulevard with a Bar, where the existing structure will be significantly remodeled to accommodate the new use. The applicant will be creating wide openings to accommodate an indoor-outdoor feel, with patrons being able to sit inside or outside. The pale-yellow building will be painted in colors that pull in colors similar to surrounding buildings, such as the JW Marriot across the street. The building will be finished with a new light silver standing seam metal roof. The owner is selecting outdoor seating furniture which will also embellish the Coastal Theme and beach character. See Sheet A-4 for the *Beach by Design* color palette. The existing building and open seating areas are one-story in height.

- e. The proposed development provides for appropriate buffers, enhanced landscape design and appropriate distances between buildings.

Response: There are no perimeter buffers required in the T District for this site, pursuant to CDC Section 3-1202.D. The proposal provides a landscape area along the south (South Gulfview Boulevard) and east (Parkway Drive) front sides of the site. This area along South Gulfview Boulevard and Parkway Drive will be planted with palm trees to enhance the visual appeal of the site and building. Therefore, the proposal follows this criterion.