

**BAYWAY HOTEL HOLDINGS, LLC
COCONUT COVE
706 BAYWAY BOULEVARD, CLEARWATER BEACH**

Description of Request

The Applicant, Bayway Hotel Holdings, LLC requests approval **of a development agreement to grant 15 units from the Hotel Density Reserve** for a 32 overnight accommodations unit hotel. The subject property comprises 0.35 acres m.o.l. and is bounded by Bayway Boulevard to the south, Clearwater Bay to the north, the Clearwater Police Department to the west and the condominiums to the east.

Discussion

The site is located within an area designated by *Beach by Design* as the “**Clearwater Pass District**” and calls for modest developments on smaller lots with a diversity of uses including high rise condominiums, resort hotels, hotels, motels, retail and restaurant uses. *Beach by Design* contemplates that the “**Clearwater Pass District**” will be an area of strategic revitalization and renovation in the response to improving conditions on the balance of Clearwater Beach.

Beach by Design identifies a disparity between hotels and condominiums, and strongly encourages mid-priced hotel development. *Beach by Design* indicates Clearwater Beach can support an addition 1,385 hotel rooms and further provides increased densities through the Hotel Density Reserve to aid in achieving the additional mid-priced hotel units on Clearwater Beach. The new Coconut Cove is proposed as a limited service property located between an existing limited service property and to the west of the existing Clearwater Police Station.

Proposed Use

The proposed Coconut Cove hotel will include 32-overnight accommodation units. The design provides for an eight story building which includes a 6-story hotel over 2 levels of parking.

The proposal utilizes 15-units from the Hotel Density Reserve where a maximum of 100 units can be requested and will provide an overall density of 92 units per acre where Beach by Design allows a maximum of 150 units per acre.

BEACH BY DESIGN – Section VII

Design Guidelines

The proposed development is consistent with the design guidelines found in *Beach by Design*. The Mediterranean Revival type of architecture is an example of the type of architecture found on Clearwater Beach and promoted in *Beach by Design*.

Section A – Density

The proposed development is 32 overnight accommodation units located on .35 acres. Typically, only 17 units are permitted (.35 x 50 u/a). This request includes a request for 15 additional units from the Hotel Density Reserve for a total of 93 units/acre; less than the otherwise permitted 150 units per acre.

Section B - Height

Section B.1 provides that a height of up to 150 feet may be permitted where additional density is allocated to the development by either TDR's, or via the Destination Resort Density Pool pursuant to the CRD designation, or via the Hotel Density Reserve where the subject property is located between South Gulfview Boulevard and the Gulf of Mexico or on the west side of Coronado Drive. Otherwise, height is governed by the specific Beach By Design district or, lacking such direction, the CDC. The proposal provides for a building 77'9" high to top of the mansard roof (70 ft. to top of roof slab) (above BFE) which is below the maximum permitted height of 100 ft. when accompanied by a development agreement.

Section B.2 requires that portions of any structures which exceed 100 feet are spaced at least 100 feet apart. This section also includes overall separation requirements for structures over 100 feet in height as two options) no more than two structures which exceed 100 feet within 500 feet; or (2) no more than four structures which exceed 100 feet within 800 feet. The proposal provides for a building that is less than 100 feet in height. The buildings to the east and west are also less than 100 feet in height, therefore the applicant has demonstrated that there are no more than two structures which exceed 100 feet within 500 feet thereby fulfilling the requirement of Option 2, above.

Section B.3 provides that the floorplate of any portion of a building that exceeds 45 feet in height is limited as follows:

- a. Between 45 feet and 100 feet the floorplate will be no greater than 25,000 square feet for parking structures open to the public; and
- b. Between 100 feet and 150 feet, the floorplate will be no greater than 10,000 square feet; and
- c. Deviations to the above floorplate requirements may be approved provided the mass and scale of the design creates a tiered effect and complies with the maximum building envelope allowance above 45 feet as described in Section C1.4 of the Design Guidelines.

The proposal meets this provision in that the floor plate above 45 ft. is less than 25,000 square feet.

Section C

Section C.1 requires buildings with a footprint of greater than 5,000 square feet or a single dimension greater than 100 feet be constructed so that no more than two of the three building dimensions in the vertical or horizontal planes are equal in length. The proposed building footprint is approximately 6200 square feet. While the footprint is rectangular, there is an entry on the south elevation, ramp area on east and south, pool located on the northeast corner, balconies on the rear elevation – all which break the horizontal planes.

Section C.2 requires no plane or elevation to continue uninterrupted for greater than 100 feet without an offset of more than 5 feet. No portion of the building façade continues for more than 100 feet in length, therefore this provision is supported by this proposal.

Section C.3 requires that at least 60 percent of any elevation (with elevation being defined as that portion of a building that is visible from a particular point outside the parcel proposed for development) to be covered with windows or architectural decoration. The application indicates compliance with this requirement using windows, balconies and architectural details on all facades. Coverage is approximately 60 to 70 percent on any given façade, therefore this provision is supported by the 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 proposed building is 60 percent of the theoretical maximum at all levels, therefore this provision has been met. (please see attached massing study included herewith).

Section C.5 requires that height and mass of building be correlated to (1) the dimensional aspects of the parcel proposed for development and (2) adjacent public spaces such as streets and parks. The proposed building is 35 feet from the front property line and includes an entry to the parking area from the front with a ramp that wraps around the side of the building. It is similar in size and scope to other buildings located on Bayway facing Clearwater Bay.

Section C.6 permits buildings to be designed for a vertical or horizontal mix of permitted uses. The proposal is for a single use; overnight accommodations. Therefore this guideline is not applicable to the development.

Section D

Section D.1 provides that the distances from the structures to the edge of the right-of-way should be 15 feet along arterials and 12 feet along local streets. The proposal provides a distance of 35 feet from the structure to the right-of-way, meeting the provisions of this section and a setback of 10 ft. to pavement for the entry way and 35 ft. to the building itself.

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 proposal includes side (east and west) setbacks 6 ft. (to the west) and 6 ft. (to the east) to pavement/structure as the eastern side includes the ramp to the parking area. The pool is located on the northeast corner of the property and is zero setback to pavement.

Section D.3 addresses setbacks and stepbacks along Coronado and Hamden Drives. The proposal is not located along either of these streets, therefore this guideline is not applicable to the proposal.

Section E

Section E.1 requires that at least 60 percent of the street level facades (the portion of the building within 12 feet of grade) 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, where street level facades are set back at least 15 feet from the edge of the sidewalk or the area between the sidewalk and the façade is a landscaped or hardscaped courtyard or plaza. 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 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.

The street level facades of this proposal include glass windows that will allow pedestrians to see into the building. The parking garage will have architectural details to disguise the use.

Section E.2 provides that window coverings, and other opaque materials may cover no more than 10 percent of the area of any street-level window in a non-residential building that fronts on a public right-of-way. While this is more of an operationally-relevant requirement, the applicant has committed to meet this provision. Therefore, this guideline is met by this proposal.

Section E.3 requires that building entrances should be aesthetically inviting and easily identified. The entrance to the building is generous in size, well-detailed and easily identified. Therefore this guideline is met by this proposal.

Section E.4 recommends the use of awnings and other structures that offer pedestrians cover from the elements especially at entryways. The proposal does not lend itself to over-street awnings however the entrance is distinguished by a large protrusion at the entrance providing ample protection from the elements. Awnings are also provided on the roof above this covered opening. Therefore this guideline is met by this proposal.

Section F

Section F addresses issues related to parking areas. Parking is addressed via a small parking area at grade, parking under the building and one floor of structured parking completely integrated into the design of the site. Vehicular access and direction of flow will be clearly marked with two-way access to the parking lot and garage at all points of ingress/egress, therefore this guideline is met by this proposal.

Section G

Section G addresses issues related to signage. A sign package has not been included with the submittal. Any proposed signage will be required to meet the requirements of this section of *Beach By Design* and any applicable portion of the Community Development Code.

Section H

Section H addresses issues related to sidewalks (also addressed in Section D, above) and provides that all sidewalks along arterials and retail streets should be at least 10 feet in width. The proposal is not located along a retail or arterial street and provides sidewalks 5 feet in width. The guideline is met by this proposal.

Section I

Section I addresses issues related to street furniture and bicycle racks. A bicycle racks is proposed on the west side of the building for this development. The applicant will coordinate with City Staff with regard to the placement and installation methodology for any street furniture that may be proposed at the time of permit submittal. The enclosed site plan includes a bike rack.

Section J

Section J addresses issues related to street lighting. Street lighting is not proposed with this development, therefore this section is not applicable to the proposal.

Section K

Section K addresses issues related to fountains. A fountain is not proposed with this development, therefore this section is not applicable to the proposal.

Section L

Section L addresses issues related to materials and colors. Finish materials and building colors are required to reflect Florida or coastal vernacular themes. The proposed hotel building has a distinctive contemporary design that will make it an attractive landmark at this location. The color scheme will reflect a Floridian theme and will require staff approval and must meet this

portion of the Design Guidelines. The proposed color scheme and material schedule meets the requirements of this section.

RESERVE CRITERIA

1. Those properties and/or developments that have acquired density from the Destination Resort Density Pool are not eligible to have rooms allocated from the Reserve.

No rooms from the Destination Resort Density Pool have been allocated to this proposal.

2. Those properties and/or developments that have had density transferred off to another property and/or development(s) through an approved Transfer of Development Rights (TDR) application by the City after December 31, 2007, are not eligible to have rooms allocated from the Reserve.

No TDR has been approved by the City for the site.

3. The Hotel Density Reserve shall not be used to render nonconforming density conforming.

The reserve units will not be utilized to render the proposal's density conforming. The proposal conforms to density requirements.

4. A maximum of 100 hotel rooms may be allocated from the reserve to any development with a lot size less than 2.5 acres. Those developments with a lot size greater than or equal to 2.5 acres may use the Reserve to achieve a density of 90 hotel rooms per acre. However, in no instance shall the density of a parcel of land exceed 150 units per acre regardless of whether it has received benefit of transfers of development rights or units through a termination of status of nonconformity in addition to the Reserve, or not.

This proposal requests 15 units from the Reserve and will have a density of 91.42 units per acre, which is well within the criteria.

5. Accessory uses inconsistent with amenities typical of a mid-priced hotel shall require compliance with the base FAR requirements of the Resort Facilities High (RFH) Future Land Use category.

This proposal provides a pool, and perhaps a small breakfast area, consistent with limited service properties on the beach.

6. No hotel room allocated from the Reserve may be converted to a residential use (i.e. attached dwelling).

All units allocated from the Reserve will be utilized as hotel rooms. No residential uses are proposed.

7. All units in a hotel receiving units from the Reserve shall be made available to the public as overnight hotel guests at all times through the required hotel reservation system. Occupancy in any hotel receiving units from the Reserve is limited to a term of less than one (1) month or thirty-one (31) consecutive days, whichever is less and units in such a hotel shall not be used as a primary or permanent residence.

All units will be made available through the required hotel reservation system as overnight hotel guests and the development agreement includes a covenant limiting the use for an occupancy term of no more than one month or thirty-one consecutive days, whichever is less. No units will be utilized as a primary or permanent residence.

8. No hotel room in a hotel allocated units from the Reserve may have a full kitchen. Mini kitchens, defined as including reduced sized kitchen appliances, may be permitted.

This floor plans as shown do not include kitchens.

10. The maximum building heights of the various character districts cannot be increased to accommodate hotel rooms allocated from the Reserve.

The proposed development is consistent with the Level Two approval of a hotel in the Toursit District with a height of no more than 100 ft.

11. When both the allocation of hotel rooms from the Reserve and the transfer of development rights (TDR) are utilized as part of a development, only hotel rooms brought in to the project through the TDR process are eligible to be constructed above the otherwise maximum building height, but only provided that all TDR criteria are met.

This proposal does not include any units obtained through a TDR. This criteria is not applicable.

12. A legally enforceable mandatory evacuation/closure covenant that the overnight accommodations use will be closed as soon as practicable after a hurricane watch that includes Clearwater Beach is posted by the National Hurricane Center.

This proposal will comply with the mandatory evacuation/closure covenant.

13. Access to overnight accommodation units must be provided through a lobby and internal corridors.

This proposal includes lobby and internal corridor access to the overnight accommodation units.

14. All hotel rooms obtained from the Reserve that are not constructed shall be returned to the Reserve.

Any hotel rooms that have been obtained from the Reserve but are not constructed will be returned to the Reserve.

15. The development shall comply with the Metropolitan Planning Organization's (MPO) countywide approach to the application of concurrency management for transportation facilities, and the transportation analysis conducted for the development shall include the following:
 - a) Recognition of standard data sources as established by the MPO.
 - b) Identification of level of service (LOS) standards for state and county roads as established by the MPO
 - c) Utilization of proportional fair-share requirements consistent with Florida Statutes and the MPO model ordinance;
 - d) Utilization of the MPO Traffic Impact Study Methodology; and
 - e) Recognition of the MPO designation of "Constrained Facilities" as set forth in the most current MPO Annual Level of Service Report.

This proposal will comply with the MPO's countywide approach to the application of concurrency management.

16. A reservation system shall be required as an integral part of the hotel use and there shall be a lobby/front desk area that must be operated as a typical lobby/front desk area for a hotel would be operated.

This proposal includes a front desk area that will be operated as a typical lobby/front desk area.

17. The books and records pertaining to use of each hotel room shall be open for inspection by authorized representatives of the City, upon reasonable notice, in order to confirm compliance with these regulations as allowed by general law.

The owner agrees to provide the City access to its records as required by *Beach by Design*.