



PLANNING AND DEVELOPMENT DEPARTMENT
HOTEL DENSITY RESERVE
DEVELOPMENT AGREEMENT 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 BY NOON ON THE SCHEDULED DEADLINE DATE.

A TOTAL OF 15 COMPLETE SETS OF PLANS AND APPLICATION MATERIALS (1 ORIGINAL AND 14 COPIES) AS REQUIRED WITHIN ARE TO BE SUBMITTED FOR INITIAL REVIEW BY THE CITY COUNCIL. SUBSEQUENT REVIEW BY THE CITY COUNCIL WILL REQUIRE AN ADDITIONAL 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.

APPLICATION FEE: \$1,500

PROPERTY OWNER (PER DEED): MHG Palm Pavilion Hotel, LP Sixth Flag Planted LLC
MAILING ADDRESS: 11201 Corporate Circle N., Suite 100, St. Petersburg, FL 33716
PHONE NUMBER: 770-331-5360
EMAIL: wes.townson@mckibbon.com

AGENT OR REPRESENTATIVE: Katherine E. Cole, Esq. / Hill Ward Henderson, P.A.
MAILING ADDRESS: 600 Cleveland Street, Suite 800, Clearwater, FL 33755
PHONE NUMBER: (727) 259-6791
EMAIL: Katie.Cole@hwlaw.com

ADDRESS OF SUBJECT PROPERTY: 10 Bay Esplanade Clearwater FL 33767/ 18 Bay Esplanade Clearwater FL 33767
PARCEL NUMBER(S): 05-29-15-65738-000-0010 and 05-29-15-65738-000-0020

LEGAL DESCRIPTION: Please see the attached

PROPOSED USE(S): Hotel with restaurant and bar

DESCRIPTION OF REQUEST: Approval of the Hotel Density Reserve Development Agreement with a grant of 91 hotel units from the Hotel Density Reserve.
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.):



PLANNING AND DEVELOPMENT DEPARTMENT HOTEL DENSITY RESERVE DEVELOPMENT AGREEMENT APPLICATION DATA SHEET

PLEASE ENSURE THAT THE FOLLOWING INFORMATION IS FILLED OUT, IN ITS ENTIRETY. FAILURE TO COMPLETE THIS FORM WILL RESULT IN YOUR APPLICATION BEING FOUND INCOMPLETE AND POSSIBLY DEFERRED UNTIL THE FOLLOWING APPLICATION CYCLE.

ZONING DISTRICT:

Tourist

FUTURE LAND USE PLAN DESIGNATION:

RFH

EXISTING USE:

Restaurant and Hotel

PROPOSED USE:

Hotel with Restaurant and Bar

SITE AREA: 46,256 sq. ft.

1.06 acres

GROSS FLOOR AREA (approximate square footages):

Hotel Use: 74,106 sq. ft.

Accessory Uses: 10,869(9,389 (Palm)+ 1480) sq. ft.

Total: 84,974(Incl. Palm and Hotel) sq. ft.

DENSITY (rooms per acre):

Existing: 30 Units = 29 DU/Acre

Proposed: 144 Units = 144 DU/Acre

Maximum Permitted: 145 unit= 144DU/Acre

BUILDING COVERAGE/FOOTPRINT (1st floor square footage of all buildings):

Existing: 18,581 sq. ft. (40 % of site)

Proposed: 33,484 sq. ft. (73 % of site)

Maximum Permitted: N/A sq. ft. (NA % of site)

IMPERVIOUS SURFACE RATIO (total square footage of impervious areas divided by the total square footage of entire site):

Existing: 0.90 (42,086 SF)

Proposed: 0.81 (37,382 SF)

Maximum Permitted: 0.95 (43,944 SF)

OFF-STREET PARKING

Existing: 32

Proposed: 173

Minimum Required: 173

BUILDING HEIGHT:

Existing: Approximately 35 FT - 3 stories

Proposed: 75 FT Above DFE (EL +14.2 ft + 24 Inch.)

Maximum Permitted: 75 FT Above DFE (EL +14.2 ft + 24 Inch.)

STATE OF FLORIDA, COUNTY OF PINELLAS

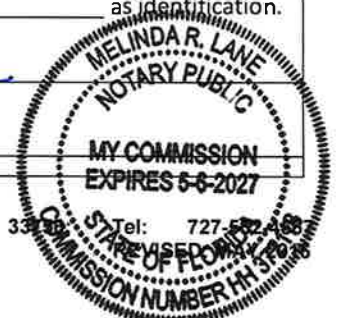
I, the undersigned, acknowledge that all representations made in this application are true and accurate to the best of my knowledge and authorize City representatives to visit and photograph the property described in this application.

Sworn to and subscribed before me this 5th day of May, 2020, to me and/or by Katherine E. Cole, who is personally known has produced _____ as identification.

Katherine E. Cole
Signature of property owner or representative

Melinda R. Lane
Notary public,

My commission expires: _____





PLANNING AND DEVELOPMENT DEPARTMENT
HOTEL DENSITY RESERVE
DEVELOPMENT AGREEMENT APPLICATION
AFFIDAVIT OF OWNERSHIP

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

MHG Palm Pavilion Hotel LP Sixth Flag Planted LLC

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

Please see attached

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

Hotel Density Reserve Development Agreement

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

Katherine E. Cole, Esq. Hill Ward Henderson, P.A

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.

Handwritten signatures and names: Lisa Smithson, Property Owner; Lisa Smithson, Mayor/CFO; Property Owner; Property Owner

STATE OF FLORIDA, COUNTY OF PINELLAS

BEFORE ME THE UNDERSIGNED, AN OFFICER DULY COMMISSIONED BY THE LAWS OF THE STATE OF FLORIDA, ON

THIS 9 DAY OF March, 2026, PERSONALLY APPEARED

WHO HAVING BEEN FIRST DULY SWORN

DEPOSED AND SAYS THAT HE/SHE FULLY UNDERSTANDS THE CONTENTS OF THE AFFIDAVIT THAT HE/SHE SIGNED.



Notary Seal/Stamp

Handwritten signature of Kathryn A. Ballina, Notary Public Signature

My Commission Expires: December 3, 2027

Description of Request. The applicant(s) is the recent purchaser of the original Palm Pavilion Inn and the historic Palm Pavilion restaurant. The Applicant desires to redevelop the hotel portion of the site to provide for an updated hotel while maintaining the historic restaurant as a benefit to hotel patrons, guests, and visitors alike. The Applicant requests 91 units from the Hotel Density Reserve pursuant to a development agreement that will create the framework for the future development of the site. The proposed hotel has 144 units spread over 9 floors with 173 parking spaces to support the hotel and its accessory restaurant. Historically, the site has been supported with only 32 parking spaces. The plan relies upon the proximate public parking adjacent to the site both on the north and south sides of the Property which, if patrons desired to arrive independently at the restaurant, would be inclined to use.

The Mediterranean-inspired design of the hotel, while distinct from the restaurant's wood siding coastal vernacular, establishes a complementary architectural dialogue for this unified development. The hotel and restaurant operations will be integrated, allowing the existing restaurant to provide food and beverage service as an amenity to hotel guests.

The applicant acknowledges the location of the restaurant is seaward of the existing Coastal Construction Control Line. Upon vesting of the hotel density through the anticipated approval of this Hotel Density Reserve request, the applicants will seek approval for the unified site plan together with the termination of nonconforming status as to the location of the existing food service restaurant.

The applicants aim to offer an elevated experience that combines the historic food service at the Palm Pavilion with the amenities of a new hotel worthy of this beachfront location. The restaurant will provide take out, room service, and coordinated food and beverage for the hotel operations.

A draft hotel development agreement is included in this submittal.

Beach By Design Criteria for the "Old Florida" District and Responses to the Design Guidelines.

1. Maximum Building Heights.

- a. Buildings located on the north side of Somerset Street shall be permitted a maximum building height of 35 feet;**
- b. Buildings located on the south side of Somerset Street and within 60 feet of the southerly right-of-way line of Somerset Street shall be permitted a maximum building height of 50 feet; and**

c. Property throughout the remainder of the Old Florida District shall be permitted a maximum building height of 65 feet for attached dwellings and 75 feet for overnight accommodations.

d. Properties legally approved and/or constructed as of the date of adoption of this ordinance which exceed the allowable heights established in the provisions above, shall be considered legally conforming unless voluntarily redeveloped or in the case of a development order only, expiration of the valid development order. A development order may be extended pursuant to Community Development Code Section 4-407.

DESIGN RESPONSE:

The proposed Project is an “Overnight Accommodation” and is in the areas of the “Old Florida” District permitting a maximum height of 75’. The proposed height is 75 feet above design flood elevation.

2. Minimum Required Setbacks.

a. A 15-foot front setback shall be required for all properties throughout the District, except for properties fronting on Mandalay Avenue, which may have a zero (0) foot front setback for 80% of the property line; and

b. A ten (10) foot side and rear setback shall be required for all properties throughout the District, except for properties fronting on Mandalay Avenue, which may have a zero (0) foot side setback and a ten (10) foot rear setback.

DESIGN RESPONSE:

The proposed setbacks are as follows:

South Side (Bay Esplanade): The requested building setback is 10’. Requesting the 5’ reduction in setback (Flexibility permitted per 4.a.1) with a ten foot landscape buffer.

North Side, Kendall Street: We are proposing a total setback of 15’.

- 1. The first 10’ of the setback is achieved through requesting flexibility from the 15’ base setback, to obtain a 5’ reduction (Flexibility permitted per 4.a.1))*
- 2. An additional 5’ setback is provided as the means to decreasing the required 20’ stepback by ten feet, for buildings above 35’. (Flexibility permitted per 4.b.2)*

East Side: The requested side yard setbacks are 5’. Requesting the 5’ reduction in setback (Flexibility permitted per 4.a.1)

West Side: The existing Palm Pavilion Restaurant is on the westernmost portion of the property; the proposed new hotel is not physically attached to the existing building which serves as the primary food service for the proposed hotel.

This is a common unified plan for the entirety of the site. The existing restaurant currently sits seaward of the coastal control construction line.

3. Required Building Stepbacks or Alternative Increased Setbacks for Buildings Exceeding 35 Feet in Height.

- a. Building setback means a horizontal shifting of the building massing to wards the center of the building.**
- b. Any development exceeding 35 feet in height shall be required to incorporate a building setback on at least one side of the building (at a point of 35 feet) or an increased setback on at least one side of the building in compliance with the ratios provided in Section A.3.f. Additional stepbacks and/or setbacks may be required to provide additional separation between buildings and/or to enhance view corridors.**
- c. All properties (except those fronting on Mandalay Avenue) which front on a right-of-way that runs east and west, shall provide a building setback on the front side of the building, or an increased front setback in compliance with the ratios provided in Section A.3.f. Additional stepbacks and/or setbacks may be required to provide additional separation between buildings and/or to enhance view corridors.**
- d. All properties (except for properties fronting on Mandalay Avenue) which front on a right-of-way that runs north and south, shall provide a building setback on the side of the building or an increased side setback in compliance with the ratios provided in Section A.3.f. Additional stepbacks and/or setbacks may be required to provide additional separation between buildings and/or to enhance view corridors.**
- e. Properties fronting on Mandalay Avenue must provide a building setback on the front side of the building or an increased front setback in compliance with the ratios provided in Section A.3.f. Additional stepbacks and/or setbacks may be required to provide additional separation between buildings and/or to enhance view corridors.**

DESIGN RESPONSE:

The proposed building stepbacks are as follows:

South Side (Bay Esplanade): The building steps back 13'-4" to building. The required setback is 13'-4" at 35' height.

North Side, Kendall St. We are proposing to reduce the required 20' step back to 0' by increasing the required setback by 10' (Flexibility permitted per 4.b.2)

East Side: A setback is not required.

West Side: A setback is not required.

f. Stepback/Setback Ratios

(1) For properties fronting on streets that have right-of-way width less than 46 feet, the stepback/setback/height ratio is one (1) foot for every two (2) feet in building height above 35 feet;

(2) For properties fronting on streets that have a right-of-way width between 46 and 66 feet, the stepback or setback/height ratio is one (1) foot for every two and one-half (2.5) feet in building height above 35 feet; and

(3) For properties fronting on streets that have a right-of-way width of greater than 66 feet, the stepback or setback/height ratio is one (1) foot for every three (3) feet in building height above 35 feet.

DESIGN RESPONSE:

The proposed building stepbacks are as follows:

South Side (Bay Esplanade): Bay Esplanade ROW is 80 feet. The required setback is $40'/3=13'-4"$. The building steps back 13'-4" to building. BBD requires the setback for at least 75% of the building façade. The proposed building steps back for 85% of the façade.

North side (Kendall Street): The Kendall Street ROW is 40'. The base stepback on the 40' ROW is 20' based on the building height. Reductions are allowable for increased stepbacks. (Flexibility permitted per 4.a.3) proposed building stepback is 0' to building. The flexibility allows 2' stepback reduction per 1' of increased

stepback. The increased setback back of 10' justifies a reduced stepback to 0' from 20'

East Side: A stepback is not required.

West Side: A stepback is not required.

4.Flexibility of Setbacks/Stepbacks for Building more than 35 Feet in Height.

a. Setbacks

(1) Except for properties fronting on Mandalay Avenue, a maximum reduction of five (5) feet from any required setback may be possible if the decreased setback results in an improved site plan, landscaping areas more than the minimum required and/or improved design and appearance; and

(2) To ensure that unimpaired access to mechanical features of a building is maintained, a minimum five (5) foot unobstructed access must be provided along the entire side setback of properties, except for those properties fronting on Mandalay Avenue where a zero (0) foot setback is permissible; and

(3) Setbacks can be decreased at a rate of one (1) foot in required setback per two (2) feet in additional required stepback, if desired.

b. Stepbacks

(1) A maximum reduction of five (5) feet from any required building stepback may be possible if the decreased building stepback results in an improved site plan, landscaping areas more than the minimum required and/or improved design and appearance.

(2) Building stepbacks can be decreased at a rate of two (2) feet in stepback per one (1) foot in additional required setback, if desired.

DESIGN RESPONSE:

South Side (Bay Esplanade):

- 1. Flexibility requested for setbacks pursuant to 4.a.1*

North side (Kendall Street): The Kendall Street ROW is 40'.

1. *Flexibility requested for setbacks pursuant to 4.a.1*
2. *Flexibility requested for setbacks pursuant to 4.a.3 and 4.b.2*

East Side:

1. *Flexibility requested for setbacks pursuant to 4.a.1*

West Side: Flexibility not requested.

5.Flexibility of Setbacks for Buildings of 35 Feet and Below in Height.

- a. **A maximum reduction of ten (10) feet from any required front setback and a maximum reduction of five (5) feet from any side setback may be possible if the decreased setback results in an improved site plan, landscaping areas more than the minimum required and/or improved design and appearance; and**
 - b. **A maximum reduction of five (5) feet from any required rear setback for buildings and a maximum reduction of ten (10) feet from any required rear setback for accessory at-grade structures may be possible if the decreased setback results in an improved site plan, landscaping areas more than the minimum required and/or improved design and appearance; and**
- b. **In all cases, a minimum five (5) foot unobstructed access must be provided along the side setback of properties, except for those properties fronting Mandalay Avenue where a zero (0) foot setback is permissible.**

DESIGN RESPONSE:

N/A.

6.Landscape Buffers

- a. **A ten (10) foot landscape buffer is required along the street frontage of all properties, except for that portion of a property fronting on Mandalay Avenue, and except for properties 35 feet and below in height that may be granted flexibility in the required setback, in which case the entire setback shall be landscaped; and before that portion of a property fronting on Mandalay Avenue, a zero (0) foot setback may be permissible for 80% of the property frontage. The remaining 20% property frontage is required to have a landscaped area for a minimum of five (5) feet in depth. The 20% may be**

in several different locations on the property frontage, rather than placed in only one location on the property frontage.

DESIGN RESPONSE:

On the Kendall Street (North) side we are proposing a 20' building setback. This permits the 10-foot landscape buffer on what is considered the front yard.

The Bay Esplanade (South) side of the building is setback 10'; we are planning for a hardscaped and landscaped building entry and guest drop-off along the entire length of the building. The goal is to create a visual backdrop to Mandalay Park, as well as a framing foreground for the building entrance.

7. Parking/Vehicular Access

Lack of parking in the Old Florida District may hinder revitalization efforts. A shared parking strategy may be pursued to assist in redevelopment efforts. For those properties fronting on Mandalay Avenue, off-street parking access is required from a side street or alley and not from Mandalay Avenue.

DESIGN RESPONSE:

We are providing parking as required by code. The vehicular parking access is proposed on Bay Esplanade with an exit on to Kendall Street. We are also proposing garbage pick-up on Kendall Street.

Beach By Design - Design Guideline Criteria.

Density:

DESIGN RESPONSE:

The project proposes an overall density of 136 DU/Acre for 144 total proposed overnight accommodation units.

The proposed density is less than the maximum permitted density of 150 units per acre, or 159 overnight accommodation units, based on the 1.06-acre parcel.

A. Height & Separation:

DESIGN RESPONSE:

3. Height:

The proposed project is in the areas of the “Old Florida” District permitting a maximum height of 75 feet, for “Overnight Accommodation” uses.

The requested building height is 75'-0” above the Design Flood Elevation (DFE = BFE: VE 14.2' + 2' Freeboard.), to top of roof of the, and 90'-0” to top of roof top elevator over-run, and mechanical and stair towers.

4. Separation:

The proposed hotel height is 75', separation requirements for 100' tall building do not apply.

5. Floor plate:

a. Between 45 feet in height and 75' there is no part of the floorplate that exceeds 25,000 square feet. The typical floorplate above the 5th floor is approximately 17,145 square feet.

b. N/A

c. 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:

Overall the building is roughly a “T” shaped tower: The longer arm is 177' long by 62' wide by and the “T” section, centered on the longer portion, is 82' wide and 70' long.

The intent of this portion of Beach by Design is to avoid boxy static building designs; this building incorporates significant movement and massing articulation and provides for a varied and energetic massing design.

See attached plans and elevations,

- 2. No plane of a building may continue uninterrupted for greater than one hundred linear feet (100'). For this standard, interrupted means an offset of greater than five feet (5').**

DESIGN RESPONSE:

The proposed building design adds sufficient steps to the building facades such that no one surface is longer than 100 feet without a break in the façade. See attached plans and elevations;

Along Kendall Ave., the parking garage entrance and staging areas provide breaks in addition to the upper floor architectural details.

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

DESIGN RESPONSE:

In the proposed elevation, over 60 percent of each primary façade consists of windows, balconies, screens, and articulated elements, while the minor east elevation meets the 60 percent requirement through decorative panels.

West Elevation: 13,500 SF area > 10,183 SF opening and decoration = 75%

East Elevation: 13,270 SF area > 9,192 SF opening and decoration = 69%

North Elevation: 16,450 SF area > 10,054 SF opening and decoration = 62%

South Elevation: 16,200 SF area > 10,855 SF opening and decoration = 68%

See attached plans and elevations

- 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 uses 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:

The proposed design occupies 31% of the “Theoretical Building Envelope” above 45'. This is significantly less than the allowable 75%.

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

DESIGN RESPONSE:

The building is designed to a height of 75 feet, consistent with the maximum permitted under Beach by Design. Its height and massing comply with the applicable design standards while maintaining appropriate scale along both street frontages. The massing strategy allows for 10-foot landscape buffer areas along Kendall Street and along Bay Esplanade, adjacent to the fire station and the public parking within

Mandalay Park. In addition to the surrounding greenspace, the landscape concept includes a 7-foot-wide public sidewalk along Bay Esplanade and a 6-foot-wide sidewalk along Kendall Street, complemented by a hardscape drop-off area at the hotel entry. See attached plans and elevations,

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

DESIGN RESPONSE:

The building is designed to provide public-facing, hotel-related amenities along with a mix of overnight accommodations typical of a limited service hotel. The interior common areas are intended primarily for hotel guests and are sized and programmed consistent with industry standards for a limited service hotel.

The existing Palm Pavilion Restaurant will be retained and shall serve as an accessory use for the hotel.

The publicly accessible Palm Pavilion and the 5th level hotel amenity area total 12.79% accessory use; which falls below the 15% limit and allows for the grant of these rooms.

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:

a) Fifteen feet (15') along arterials, and (*Proposed 15.00' on Bay Esplanade*),

b) Twelve feet (12') along local streets. (*Proposed 10.00' on Kendall Street*)

c) *Additional stepback requirements of the “Old Florida” District. (See below)*

2. Side and Rear Setbacks

Side and rear setbacks shall be governed by the provisions of the “Old Florida” 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 setbacks and stepbacks are per the “Old Florida” Character District as follows:

1. *South Side (Bay Esplanade): The building setback is 10', and the building steps back 15' to building. The required stepback is 13'-4" at 35' height.*

2. *North side (Kendall Street): We are proposing to reduce the required 20' step back to 0' by increasing the required setback by 10' (Flexibility permitted per 4.b.2) The base setback on the 40' ROW is 20'. Reductions are allowable for increased setbacks. (Flexibility permitted per 4.a.3) proposed building setback is 0' to building. The flexibility allows 2' setback reduction per 1' of increased setback. The increased setback back of 10' justifies a reduced setback to 0' from 20'*
3. *East Side: The proposed design sets back the required 5' distance from the interior side yard.*
4. *West Side: The existing Palm Pavilion Restaurant is on the westernmost portion of the property; the proposed new hotel is not physically attached to the existing building but does cantilever over a portion of the rear of the restaurant.*

3. Coronado Drive 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 Coronado Drive and Hamden Drives 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'). 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

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

DESIGN RESPONSE:

N/A

- d. To achieve upper story facade variety and articulation, additional stepbacks 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:

The neighboring buildings across Kendall Street are mid-rise buildings and the proposed design does not mimic or mirror the existing buildings.

The building fronts Mandalay Park and the Fire Station despite Kendall being the “front side”

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

DESIGN RESPONSE:

The building steps back 85% of the length of the façade.

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 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:

At least 60% of the street level facades are transparent. The facades at grade level are primarily parking and building entry. Per FEMA requirements, only parking and storage are permitted at ground level.

Along Kendall Drive there is a 20'-0" setback to the ramp. We have opened the wall for the ramp as much as practical while shielding the view of the automobiles.

Along Bay Esplanade, most of the façade is further that 10'-0" setback from the street; fully transparent. (E.1.b.ii)

- 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 hardscaped courtyard

DESIGN RESPONSE:

Please see response above.

- c) 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.

DESIGN RESPONSE:

The design is comprised of decoratively articulated garage openings on the first two levels that are modulated to coordinate with the general rhythm and pattern of the other building façade openings and windows. See attached plans and elevations,

- 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:

Because this building is situated in the VE Flood zone, other than the building entry and elevator lobby there are no uses on the ground floor other than entry and vehicle use areas. Not more than 10% of the area of any street-level windows are opaqued,

- 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 Primary building entrance is easily identifiable at the South side of the building along Bay Esplanade. The entrance is via a drop-off area on the south side of building and there is direct link to the Palm Pavilion and Mandalay Park. There is a “jump lobby” in the garage to welcome patrons to the site and hotel.

- 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 design proposes a decorative façade treatment of the Bay Esplanade Façade to strongly identify the building entrance. See attached plans and elevations

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 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:

The design proposes decoratively screened and articulated garage openings on the first two levels. The lighting within the garages shall conform to all applicable provisions of the City of Clearwater Code.

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 shall be designed per code and a comprehensive signage package submitted for approval along with the building permit.

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 nonpedestrian 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:

Sidewalks are proposed for 7' wide along Bay Esplanade and 5' along Kendall, to match existing adjacent sidewalks. Landscaping shall be designed per code and shall be submitted for approval at DRC application.

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:

Street Benches and trash receptacles area proposed along Bay Esplanade and shall be designed per code and submitted for approval at building permit. We are proposing to install a bicycle rack area within the first-floor garage area, adjacent to southern vehicle entrance.

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:

It has not been decided if lighting is to be provided, if the ownership determines that they wish to provide street lighting, it shall be designed per code and submitted for approval at building permit.

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 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:

There are no fountains planned for the property, at this time.

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:

Facades will comply with Beach by Design

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:

Proposed sidewalks will be designed using several coordinating paver styles as well as concrete.

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:

4. Color Palette

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

DESIGN RESPONSE:

The building shall utilize the BBD color palettes.