

325 S. Gulfview Boulevard & 326 Coronado Drive

Amendment to Hotel Development Agreement (HDA2013-08004) – Revised June 6, 2022

Property Address: 325 S. Gulfview Boulevard & 326 Coronado Drive, Clearwater, Florida

Parcel Identification Numbers: 07-29-15-52380-000-0630 and 07-29-15-52380-000-1110

Zoning District: Tourist (T)

Future Land Use: Resort Facilities High (RFH)

Project Description & Request

The subject property is 1.6 acres of real property (the “Property”) which previously received development approval for a hotel project consisting of: the demolition of existing hotel rooms and other uses and the construction of new hotel project with 180 overnight accommodation units, an approved density of 113 units per acre, meeting space for guest use, a pool, a new lobby and parking with 241 parking spaces¹, at an approved height of 140 feet measured from Base Flood Elevation (the “Project”)². On June 5, 2014, the City Council of the City of Clearwater (the “City”) approved a Hotel Density Reserve Agreement, HDA2013-08004 (the “Development Agreement”), for the Project, and adopted a resolution to the same effect (Resolution No. 14-11). The Development Agreement allocated 100 units from the Hotel Density Reserve to the Project. The Development Agreement also included a Project Design, represented as Exhibit “B” to the Development Agreement that is consistent with Beach by Design.

On March 17, 2015, the Community Development Board approved, subject to conditions, a Flexible Development application (FLD2014-12034) to permit the Project and a two year Development Order under the provisions of Community Development Code Section 4-407 consistent with the Development Agreement. The Development Order approving application No. FLD2014-12034 (the “Development Order”) has been extended pursuant to nine separate extension requests, and the current expiration date is June 25, 2024. The Applicant is the current owner of the Property, and has received an assignment of the Developer’s rights (the “Assignment”), and the City has executed a Joinder of the Assignment meeting the requirements of the Development Agreement (the “Joinder”).

The Applicant wishes to update the Project Design as a beachfront destination that makes the most of its appealing location along Beach Walk and within South Beach. The updated Project Design reduces the height of the approved structure and will include public realm improvements including landscaping, furnishings, and pedestrian improvements that enhance the Beach Walk experience. Additional ground-floor retail will be accessible to hotel guests and the general public, making the hotel a welcoming part of the neighborhood. The hotel’s entrance will be designed to greet guests with a sense of arrival, while ground level connections will invite interaction with Beach Walk. The new design will also make aesthetic improvements to the building facades, planned parking, and height of the building. The Applicant is not requesting additional units from the Hotel Density Reserve and acknowledges there are no additional units available. The Applicant is also not adding or removing any property to the site.

¹ The original Development Agreement identified 216 spaces; however FLD 2014 provided for a greater number of parking spaces.

² Since the approval, the city has adjusted its height measurements to use Design Flood Elevation as opposed to the previously approved Base Flood Elevation.

The proposed modification will substitute the Revised Project Design, included with this submittal in lieu of the Project Design represented as “Exhibit B” to the Development Agreement. The Revised Project Design will meet the standards set out in Beach by Design, and will serve as an attractive, quality resort that enhances the South Beach experience.

The prior approval included construction and use of a portion of the S. Gulfview Blvd. right of way that is contemplated to be vacated by Beach by Design. The Development Agreement and prior approved FLD approved the use of the contemplated, vacated right of way and the applicant previously provided specific utility relocation plans that were previously approved. This amendment continues to presume the vacated right of way is to be used – consistent with the balance of properties on S. Gulfview Blvd. Although the flood elevations have changed since the original approval, the construction design will meet the building code engineering standards necessary to construct the proposed ground floor retail.

Hotel Density Reserve Criteria (Beach by Design)

The site is appropriate for the allocation of hotel rooms from the Hotel Density Reserve (Reserve) as it was determined upon the initial approval of the Development Agreement on June 4, 2014, that all such criteria was met. The Development Agreement is effective for a period of ten (10) years, and the current expiration date of the Development Order is June 25, 2024.

The request is in compliance with the standards for development agreements, is consistent with the Comprehensive Plan and furthers the vision of beach redevelopment set forth in Beach by Design. The proposed amendment meets the criteria for the allocation of rooms from the Hotel Density Reserve under Beach by Design and will include the following specific terms:

- Effective duration will be for a period not to exceed ten (10) years from the Effective Date of the First Amendment;
- The Project shall consist of 180 overnight accommodation units, with 100 units from the Hotel Density Reserve (no change to the number of units or the density of the existing Development Agreement);
- “Exhibit B” to the Development Agreement will be replaced with a new exhibit, which will include new conceptual site plans, architectural drawings, elevations and perspectives;
- The maximum building height is measured from Design Flood Elevation is proposed to be One Hundred Feet (100’) to the top of the parapet. This is a reduction from the approved height of 150’.
- There are 237 parking spaces proposed where 216 are required
- The parking will be revised to provide that one hundred percent (100%) of the parking for the Project will be provided as valet parking, with valet parking service provided seven days per week/24 hours per day; and
- Approximately 20,741 sq. ft. of accessory space (13.42%) is provided.

There are no other changes to the substantive provisions of the Agreement as found to comply with the Code and Beach by Design on previous reviews. Specifically,

- All 180 units shall be used solely for transient occupancy of one month or thirty-one (31) consecutive days or less, must be licensed as a public lodging establishment and classified as a hotel, and must be operated by a single licensed operator of the hotel.
- No unit shall be used as a primary or permanent residence.

- Access to units is through an internal corridor.
- The units are all available through a central reservation system for short term rentals.
- There shall be a lobby/front desk area that will be operated as a typical lobby/front desk area for a hotel would be operated.
- No unit shall have a complete kitchen facility as that term is used in the definition of “dwelling unit” in the City’s Code of Ordinances.
- There shall be a legally enforceable mandatory evacuation covenant required by the original agreement and that requirement is not being modified.
- Any hotel units obtained from the Hotel Density Reserve that are not constructed are required to be returned to the Hotel Density Reserve.

Please see the side-by side comparison of the “as approved” and “as proposed” site plans, elevations and massing models, included with this submittal on sheets A12 through A23.

Beach by Design Criteria

The Applicant proposes a revised Project Design that will achieve the goals of Beach by Design to revitalize the Gulfview/Coronado area of Clearwater Beach by allowing buildings of greater height, while maintaining human scale at pedestrian level and maintaining light, air, and view corridors. Specifically, the Revised Project meets the Beach by Design Criteria as follows:

A. Density: The Project will maintain a total of 180 overnight accommodation units, resulting in an overnight accommodation density of 113 units per acre based on a 1.6 acre parcel. This includes 80 base density units plus 100 additional units requested from the Hotel Density Reserve via the Development Agreement. The density is unchanged from the currently approved density in the Development Agreement.

B. Height: The design flood elevation is 16 feet NAVD. The maximum allowable building height in the Tourist zoning district is 150 ft. above design flood elevation if certain conditions relating to additional density allocations, separation from other buildings, and floorplate limitations. The proposed building height is 100-ft as measured from Design Flood Elevation to the parapet wall (excluding Mechanical over-ride space), and shall not exceed 100 feet as measured from the point at which minimum floor elevations have been established by law, as defined in the City’s Community Development Code. Roof top mechanical will be screened per Code.

The building meets the following conditions related to height:

1. *Allocation of Additional Density:* Additional density is allocated to the development either by (i) transferred development rights, (ii) by the Destination Resort Density Reserve pursuant to CRD designation, or (iii) by 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.

DESIGN RESPONSE: One hundred (100) overnight accommodation units of additional density are allocated from the Hotel Density Reserve to the Project pursuant to the Development Agreement. Regardless, the proposed height is under 100 feet and therefore no additional height pursuant to this provision is requested.

2. *Separation from other Buildings over 100’:* Portions of any structures which exceed one hundred feet (100’) are spaced at least one hundred feet (100’) apart (with no more than two (2) structures which exceed one hundred feet (100’) within five hundred feet (500’); or four (4) structures

which exceed one hundred feet (100') within eight hundred feet (800') so long as the elevations of all structures which exceed one hundred feet (100') when such structures are viewed from the east do not occupy a total of forty percent (40%) of a north south vertical plane which is parallel to the alignment of Coronado and North Mandalay of the building envelope above one hundred feet (100').

DESIGN RESPONSE: As shown on the concept plans and architectural drawings, no portion of the building exceeds one hundred feet (100') as measured from base flood elevation and therefore this provision does not apply.

3. *Floorplate size limitation.* The floorplate of any portion of a building that exceeds forty five feet (45') in height is limited as follows: (a) between forty five feet (45') and one hundred feet (100'), the floorplate will be no greater than 25,000 square feet except for parking structures open to the public; and (b) between one hundred feet (100') and one hundred fifty feet (150'), 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' as described in section C. 1.4 below.

DESIGN RESPONSE: As shown on the concept plans and architectural drawings, between 45' and 100' in height, there is no floorplate or portion of a floorplate that exceeds 25,000 square feet. There are no floorplates above 100' in height.

C. Design, Scale and Mass of Building: As illustrated in the design drawings, the building design of Hotel A respects and enhances the community character of the surrounding neighborhood. In addition, it meets the following specific standards:

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: Given the massing of the building, the various stepping of volumes, carving of the volume on the first floor, no two building dimensions per facade are equal in length. The facade length is as follows: North: 225 ft, South: 73 & 152 ft, East: 324 ft, West: 218 ft & 108 ft; the height of each facade is: North: 40 ft, South: 87.6 ft, East: 87.6 ft, West: 40 ft.

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

DESIGN RESPONSE: As demonstrated on the design drawings, each of the building facades will provide set-backs and step-backs as required by Beach-by-Design. No plane of a building will continue uninterrupted for greater than one hundred linear feet (100'), except for two key architectural building elements that are 108-ft as discussed with City staff prior to this submittal. The North facade is a common property line against a parking deck minimizing the impact of the facade length.

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

DESIGN RESPONSE: As demonstrated in this application, where viewable from adjacent properties and not covered by adjacent buildings, this design proposes large fields of glazing, balconies, accent lines,

wall textures and stepped articulation on all facades providing for greater than 60% articulation on each of the facades. Specifically, the proposed building contains the following articulation percentages:

| | | |
|---------------|----|---|
| North Façade: | 60 | % |
| East Façade: | 60 | % |
| South Façade: | 61 | % |
| West Façade: | 62 | % |

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 accommodations use on less than 2.0 acres that has been allocated additional density via the Hotel Density Reserve, no more than seventy-five percent (75%) of the theoretical maximum building envelope located above forty-five feet (45') may be occupied by a building unless the property is located between Gulfview Boulevard and the Gulf of Mexico, then no more than 70% may be occupied by a building.

DESIGN RESPONSE: As per the provided calculations the overall building mass between 45 feet and 87.5 feet constitutes 43.3% volumetrically of the theoretical maximum building envelope, significantly below the 75% allowance for buildings with units allocated from the Hotel Pool.

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

DESIGN RESPONSE: The design proposes an “L” shaped hotel guestroom tower that places its maximum heights to the north property line, along the public parking garage, and to the east, toward Coronado Drive. The parking garage is placed in the central portion of the 1st Floor and throughout the 2nd Floor and is screened from public view by occupied building and/or perforated metal panel façade. Storefront and retail space is utilized on the 1st floor for both the East/Coronado side and the West/Gulfview side along the pedestrian pathways. Landscaping and seating will be utilized to enhance these spaces. On the third level, the Beach Walk, Gulfview Boulevard, and the Gulf of Mexico are overlooked by restaurant seating and hotel pool/amenity deck. Coronado is also overlooked from the 3rd floor with a hotel breakfast and special event terrace. All restaurant, retail, and event spaces are accessible via elevators and stairways.

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

DESIGN RESPONSE: The building will be designed to provide overnight accommodations with typical accessory uses including meeting space, restaurant, retail and other commercial areas. The retail located on the ground floor has exterior entrances and is accessible to the public.

The Project is located within the AE flood zone which allows for occupied space at grade. Construction will comply with ASCE 24 and any other engineering standards and other requirements necessary to construct ground floor retail, as per the direction received from the City's building official.

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: (a) Fifteen feet (15') along arterials, and b) Twelve feet (12') along local streets.

DESIGN RESPONSE: Proposed setbacks are fifteen feet (15') on Coronado Drive.

2. Side and Rear Setbacks. Except for the setbacks set forth above, no side or rear setback lines are recommended, except as may be required to comply with the City's Fire Code.

DESIGN RESPONSE: Side and rear setbacks shall be governed by the provisions of the Tourist District of the Community Development Code unless otherwise prescribed in the applicable Character District provisions contained in Section II., Future Land Use. The Project Design provides 10' building setbacks on the two side property lines, and a 0' building setback along the northern property line along S. Gulfview. There is considerable public realm in this area, and the frontage is activated with retail spaces, terraces and landscape improvements that make up Beach Walk. Like the prior approval, the proposed design contemplates the vacation of a portion of S. Gulfview Blvd. as contemplated in Beach by Design. The Project Design will maximize opportunities for activation along Beach Walk.

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 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: The design proposes a 15 foot setback along Coronado Drive and steps back an additional 15 feet at not more than 25' of height.

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: Not applicable.

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: Not applicable.

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 stepback configuration of the neighboring buildings including those across rights-of-way.

DESIGN RESPONSE: The proposed design does not mimic or mirror the existing buildings.

e. Required stepbacks shall span a minimum of 75% of the building frontage width.

DESIGN RESPONSE: The design provides a step back along the building frontage of 15 feet.

E. Street-Level Facades. The human scale and aesthetic appeal of street-level facades, and their relationship to the sidewalk, are essential to a pedestrian-friendly environment. Accordingly:

1. at least sixty percent (60%) of the street level facades of buildings used for nonresidential purposes which abut a public street or pedestrian access way, will be transparent. For the purpose of this standard:

a. street level facade means that portion of a building facade from ground level to a height of twelve feet (12');

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 facade is a landscaped or hardscaped courtyard or plaza;

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 Revised Project Design includes facades with windows and doors, as well as a significant amount of open decorative elements to screen the garage. Specifically, the Project will be designed to include the following transparency features:

- The first floor of the building along Coronado utilizes 60% glass, open space, and/or architecturally detailed building facade.
- Perforated metal screening will be used on all garage openings.
- Landscaping will be used to disguise the garage function of the building and tie it into the rest of the building.
- Significant glazing will be used to create an inviting and open atmosphere for the retail spaces along S. Gulfview Blvd. that will enhance the pedestrian-friendly environment intended for this area.

2. Window coverings, and other opaque materials may cover no 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: No opaque glass will be used in street-level facades.

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 hotel and garage entrances are emphasized with a projecting canopy and signage to create an inviting appearance and is easily identifiable. Along Coronado, the primary pedestrian entrance is identified with a projecting canopy and identification signage. Along Gulfview, the primary entrance into the hotel is visually accented with two large pylons and with a covered canopy bearing identification signage. Retail shops are also identified with projecting canopies and identification signage. In addition, signage, landscaping, furnishings, and other visual cues will be integrated into the Project design to lead guests to building entrances.

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: Canopies will be installed to provide shade and connect the walkways and outdoor spaces. The encroachment into the rights of way will not exceed the code permitted

maximum.

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 (3 1/2') in height. Surface parking areas that are visible from public streets or other public places will be landscaped such that the parking areas are defined more by their landscaping materials than their paved areas when viewed from adjacent property. The use of shade trees is encouraged in parking lots. However, care should be taken to choose trees that do not drop excessive amounts of leaves, flowers, or seeds on the vehicles below. Entrances to parking areas should be clearly marked in order to avoid confusion and minimize automobile-pedestrian conflicts. Attractive signage and changes to the texture of the road (such as pavers) are recommended. When a parking garage abuts a public road or other public place, it will be designed such that the function of the building is not readily apparent except at points of ingress and egress.

DESIGN RESPONSE: All parking on-site will be provided as valet parking on a 24/7 basis. Vehicles will be parked within structured parking and will not be visible from the exterior of the building. All garage openings will be screened with perforated, 50% opaque metal screening. Lush landscaping, including foundation planting and accent trees, will be used to further minimize the appearance of the function of the garage and tie it in with the rest of the building. Signage will be used to indicate that all parking is valet only, and to help avoid confusion and minimize automobile-pedestrian conflicts. Attractive signage and stamped colored concrete as shown in the architectural drawings (A8) will be used to help define entrances to parking areas.

The driveway on and off site along Coronado are two-lane, one-way in and one-way out. Vehicle movement throughout the garage will be one-way throughout the garage. Drive aisles will be 22' wide. All parking within the garage will be valet only.

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 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:

Movement of pedestrians along the sidewalk is not obstructed; and non-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 will provided to match existing widths. 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 Coronado Drive and Beachwalk and shall be designed per code and submitted for approval at building permit.

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

DESIGN RESPONSE: Street lighting 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 in order to be a functional and attractive component of the public space: They should be supplemented with street furniture such as benches and trash receptacles, and, 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: The proposed design complies with the Beach by Design guidelines and proposes a palate of white walls with accents of contrasting colors meeting the Beach by Design guidelines.

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 finished treatments 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: All street furniture shall comply with this provision.

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

DESIGN RESPONSE: The design incorporates colors from the Beach by Design palette.