



Legislation Text

File #: ID#17-3574, Version: 1

SUBJECT/RECOMMENDATION:

Provide direction on the proposed Development Agreement between Gulfview Lodging, LLP (the property owner) and the City of Clearwater, providing for the allocation of 59 units from the Hotel Density Reserve under *Beach by Design* and confirm a second public hearing in City Council Chambers before City Council on July 20, 2017 at 6:00 p.m., or as soon thereafter as may be heard. (HDA2017-04001)

SUMMARY:

Site Location and Existing Conditions:

The 0.59-acre "L"-shaped site is located at the northeast corner of South Gulfview Boulevard and Fifth Street and wraps around the McDonald's parking lot and Frenchy's Beach Café to the west. The property is comprised of two parcels with a frontage of approximately 60 feet along South Gulfview Boulevard (Beach Walk), 210 feet along Fifth Street and 165 feet along Coronado Drive. The south parcel is 0.36 acres and is occupied by a five-story 32-unit hotel where the site would otherwise be permitted 18 units (the site is over-dense by 14 units). This lot area includes 2,195 square feet of the South Gulfview Boulevard right-of-way which would need to be vacated by the City. The north parcel is 0.23 acres and is occupied by a 3,220 sq. ft. Mixed Use with 2,240 sq. ft. of office space and 980 sq. ft. dedicated to a single dwelling unit. This parcel was the subject of a Level II Flexible Development application approved by the Community Development Board on November 19, 2013. The subject property is zoned Tourist (T) District with an underlying Future Land Use Plan (FLUP) category of Resort Facilities High (RFH). The subject property is also located within the Beach Walk District of *Beach by Design*.

Vehicular access to the site is provided via two curb cuts along Coronado Drive and a drop curb along most of the length of the south side of the site along Fifth Street. Parking for the hotel is currently provided under the hotel building and parking spaces which exist at least partially if not entirely within and back out into the Fifth Street right-of-way. A parking lot services the mixed use building on the north portion of the site.

The immediate area is characterized by a variety of uses including overnight accommodation, retail, outdoor recreation/entertainment, restaurant and attached dwelling uses. A portion of Beach Walk runs along the west side of the site adjacent to the existing hotel.

Development Proposal:

The current proposal is to demolish all structures on the site and build a single seven-floor hotel with 88 hotel rooms (150 units per acre). It is important to note that the proposed number of units (88) is dependent on the vacation of 2,195 sq. ft. of the South Gulfview Boulevard. This point is noted in Section 6.2.4 of the Development Agreement. This area is included in the total site area of 0.59 acres.

The applicant intends to request a Termination of Status of Nonconformity as part of a Level II Flexible Development application. Approval of that application (not yet submitted) would render the 32 existing units

on the hotel parcel (where 18 are otherwise permitted at 50 units per acre) conforming. The north parcel yields 11 hotel units. Assuming approval of a Termination of Status of Nonconformity request the total permitted number of permitted units would be 43. The 88 total proposed units include those 43 units and an additional 45 units from the Hotel Density Reserve through *Beach by Design*. The applicant is requesting 59 units from the Reserve in the event a Termination of Status of Nonconformity is either not requested or denied in order to maintain the designed density of 150 units per acre or 88 units.

The building will be 95 feet (from Base Flood Elevation) to roof with the parking on the first two floors (Sheets A2_1 and 2). The proposal includes a tropical modern architecture, which is consistent with and complements the tropical vernacular envisioned in *Beach by Design*.

The site will be accessed via a two driveways from Fifth Street with one at the southwest corner of the site and a second driveway located at the southeast corner. The primary entrance and lobby of the building will be located at the southwest corner of the building on the third floor (Sheet A2_3).

As noted, the first (ground) and second floors of the building will contain all 106 required parking spaces as well as mechanical room and solid waste components. All of the provided parking spaces will be valet-only. The third floor will contain, assorted offices, meeting rooms and back-of-house uses as well as 10 hotel units. The fourth and fifth floors will contain 20 rooms each. The sixth and seventh floors will contain 19 rooms each. The roof will contain a small bar, pool and lounge area along the Fifth Street side of the building.

The design takes advantage of the site's proximity to Beach Walk and includes an outdoor seating area/café along the west side of the site. A sheltered bicycle rack is also located along the west side of the building and a pedestrian entrance connects directly to Beach Walk.

Consistency with the Community Development Code (CDC):

Minimum Lot Area and Width:

The subject property is 25,700 sq. ft. in area and approximately 200 feet wide. The proposed lot area and width are consistent with Level I Flexible Standard Development parameters pursuant to CDC Section 2-802.

Minimum Setbacks:

The conceptual site plan depicts setbacks to building of zero feet along Beach Walk (west), 15 feet along the front (east) along Coronado Drive, 12 feet along the front (south) along Fifth Street, five feet along the side (north - along the south side of Frenchy's) and ten feet along all other remaining sides of the site. The conceptual site plan also shows setbacks of zero feet to paving along Fifth Street and to paving along a portion of the north property line along the south side of Frenchy's. The proposed setbacks may be approved as part of a Level II Flexible Development application, subject to meeting the applicable flexibility criteria of the Community Development Code.

Maximum Height:

Section A.1.c of the Beach Walk District within *Beach by Design* specifically addresses height. The proposal provides for a building 95 feet in height as measured from BFE where a height of up to 100 feet is permitted for overnight accommodations. The proposed height is also permitted by the CDC subject to meeting the applicable flexibility criteria of the CDC and as approved as part of a Level II Flexible Development application

and as otherwise limited by *Beach by Design*.

The height of the proposed building is consistent with the guidelines of *Beach by Design*.

Minimum Off-Street Parking:

The 88-room overnight accommodation use requires a minimum of 106 off-street parking spaces. A parking garage located on the first two levels of the building will provide a minimum of 106 valet-only spaces. This is consistent with the applicable Sections of the CDC.

Landscaping:

While a formal landscape plan is not required to be submitted for review at this time, the conceptual landscape areas depicted on the site plan show that adequate spaces for foundation landscaping will be provided along the street frontage. Since no perimeter landscape buffers are otherwise required in the Tourist (T) District, the proposed landscape areas meet or exceed what is required. It is noted, however, that flexibility may be requested/necessary as part of a Comprehensive Landscape Program which would be reviewed at time of formal site plan approval.

Consistency with *Beach by Design*:

Design Guidelines:

A review of the provided architectural elevations and massing study was conducted and the proposed building does appear to be generally consistent with the applicable Design Guidelines established in *Beach by Design*. It is noted, however, that a more formal review of these Guidelines will need to be conducted as part of the final site plan approval process.

Hotel Density Reserve:

The project has been reviewed for compliance with those criteria established within *Beach by Design* concerning the allocation of hotel rooms from the Reserve. The project appears to be generally consistent with those criteria, including that the development comply with the Metropolitan Planning Organization's (MPO) countywide approach to the application of traffic concurrency management for transportation facilities. The submitted Traffic Impact Study concludes that traffic operations at nearby intersections and on adjacent roadways would continue at acceptable levels of service.

Standards for Development Agreements:

The proposal 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 Development Agreement will be in effect for a period not to exceed ten years, meets the criteria for the allocation of rooms from the Hotel Density Reserve under *Beach by Design* and includes the following main provisions:

- Provides for the allocation of up to 59 units from the Hotel Density Reserve or a maximum density of 150 units per acre;
- Requires the developer to obtain building permits and certificates of occupancy in accordance with Community Development Code (CDC) Section 4-407;

- Requires the return of any hotel unit obtained from the Hotel Density Reserve that is not constructed;
- For units allocated from the Hotel Density Reserve, prohibits the conversion of any hotel unit to a residential use and requires the recording of a covenant restricting use of such hotel units to overnight accommodation usage; and
- Requires a legally enforceable mandatory evacuation/closure covenant that the hotel will be closed as soon as practicable after a hurricane watch that includes Clearwater Beach is posted by the National Hurricane Center.

Changes to Development Agreements:

Pursuant to Section 4-606.I, CDC, a Development Agreement may be amended by mutual consent of the parties, provided the notice and public hearing requirements of Section 4-206 are followed. Revisions to conceptual site plans and/or architectural elevations attached as exhibits to the Development Agreement shall be governed by the provisions of Section 4-406, CDC. Minor revisions to such plans may be approved by the Community Development Coordinator. Other revisions not specified as minor shall require an amendment to this Development Agreement.