

RESOLUTION 2014-13

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING A CONDITIONAL USE (CASE NO. 2014-0036) TO PERMIT A COMMERCIAL PARKING LOT WITHIN THE ACTIVITY CENTER CHARACTER DISTRICT OF THE GULF BOULEVARD REDEVELOPMENT DISTRICT SUB-CLASSIFICATION TO THE COMMUNITY REDEVELOPMENT DISTRICT PURUSANT TO SECTION 38.4(h) OF THE CITY OF ST. PETE BEACH LAND DEVELOPMENT CODE, ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF GULF BOULEVARD AND PUNTA VISTA DRIVE AND BEING MORE PARTICULARLY DESCRIBED AS STATED IN EXHIBIT "A", FINDING THE REQUEST CONSISTENT WITH THE COMPREHENSIVE PLAN; THE REQUIREMENTS OF THE CITY'S CONCURRENCY MANAGEMENT SYSTEM, AND THE STANDARDS AND CRITERIA SET FORTH BY SECTIONS 4.4 AND 4.12 OF THE CITY OF ST. PETE BEACH LAND DEVELOPMENT CODE.

WHEREAS, the applicant, Nicklaus of Florida, LLC has requested a conditional use to permit a commercial parking lot within the Activity Center District of the Gulf Boulevard Redevelopment District sub-classification to the Community Redevelopment District pursuant to Section 38.4(h) of the City of St. Pete Beach Land Development Code, on property located on the southeast corner of Punta Vista Drive and Gulf Boulevard and being more particularly described as stated in Exhibit "A".

WHEREAS, the City Commission after hearing the testimony and considering the evidence presented by the applicant and other parties at the quasi-judicial hearing of October 28, 2014, has determined that the criteria for approving the use as set forth in Sections 4.4 and 4.12 of the City of St. Pete Beach Land Development Code, have been satisfied or will be satisfied by compliance with the conditions set forth below, and

WHEREAS, the City Commission has determined that the request is consistent with the Comprehensive Plan and the requirements of the City's Concurrency Management System.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, IN SESSION DULY AND REGULARLY ASSEMBLED, THAT:

1. The application of Nicklaus of Florida, Inc., at property depicted on Exhibit "A", for a conditional use to permit a commercial parking lot within the Activity Center District of the Gulf Boulevard Redevelopment District sub-classification to the Community Redevelopment District, is hereby approved subject to the following conditions of approval:
 - a) *Within 90 days from the date this conditional use request is approved, not inclusive of Staff review time, the Applicant shall prepare and submit a detailed site plan containing not more than 103 parking spaces to the City in accordance with Division 5 of this Code and make the required improvements. If this condition is not met, commercial parking on the property shall cease until such time the City certifies the required improvements have been installed pursuant to the approved site plan.*
 - b) *Ingress to the site shall be monitored and controlled by an employee hired and paid for by the Applicant on Fridays, Saturdays and Sundays between the hours of 7:00 a.m. to 7:00 p.m. or sunset, whichever comes earlier, until the electronic access gates are installed.*
 - c) *The site plan shall include a landscape plan that is in full compliance with the landscape requirements of Division 22 of this Code unless a variance is granted by the City Commission. The plan shall show compliance with sight triangles at the intersections of roadways and curb cuts with roadways.*
 - d) *In addition to the minimum landscape requirements of the Code, the landscape plan shall provide for an additional landscape buffer as depicted and described in Exhibit "B" of this Resolution.*
 - e) *The site plan shall comply with City drainage regulations under Chapter 106 of the Code of Ordinance and Southwest Florida Water Management District requirements as evidenced by a permit or exemption letter.*

- f) *The commercial parking lot shall meet all applicable general parking requirements specified under Division 23 of this Code unless a variance is granted by the City Commission. Drive aisles, landscape areas and parking spaces shall be clearly delineated using wheel stops, railroad ties or other City approved material in accordance with the dimensional requirements of Sec. 23.11 of the Code.*
- g) *Ingress to the site shall be limited to one vehicular access point from 51st Avenue as shown on the illustrative Site Plan as Access "C". Egress from the site shall be limited to one vehicular access point onto Gulf Boulevard at the existing curb cut depicted as Egress "B" on the illustrative Site Plan. There shall be no ingress or egress from Punta Vista Drive.*
- h) *Ingress and egress to the site shall be controlled by electronic access gates at all times that provide at least 40 feet of separation between the north curblines of 51st Avenue and the gate to provide adequate off-street stacking space for two vehicles. The entry gate shall meet the requirements of the gated community rule to comply with the Fire Prevention Code.*
- i) *The temporary electrical pole shall be removed and a permanent electrical service shall be installed.*
- j) *The commercial parking lot shall be only used by on-duty first and second shift employees of the Sirata Beach Resort, LLC, with no overnight parking.*
- k) *The number of vehicles parked on the subject property shall not exceed the number of parking spaces shown on the approved site plan.*
- l) *This Conditional Use permit shall expire four (4) years from the date this conditional use request is approved.*
- m) *Applicant/Operator will maintain liability insurance in the amount of no less than \$1,000,000 per incident. Said insurance shall be maintained until the permit expires.*
- n) *The Applicant shall require the Sirata Beach Resort, LLC, to sign a lease agreement stipulating the terms of this conditional use permit. Said agreement shall be provided to the City with the site plan application.*

2. This Resolution shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF ST.
PETE BEACH ON THIS 28TH DAY OF OCTOBER, 2014

By: 

Maria Lowe, Mayor

ATTEST:

By: 

Rebecca C. Haynes, City Clerk

EXHIBIT "B" – ENHANCED LANDSCAPED BUFFER



- ■ ■ ■ ■ **Perimeter area subject to additional landscape buffer requirement consisting of a continuous, uniform hedge lot less than four (4) feet in height at the time of planting to be placed on a two foot tall berm using podocarpus, ligustrum, or other approved plant material that will accomplish the intended purpose of a continuous opaque hedge that supplements the required minimum six (6) foot landscape buffer to provide an effective combined, visual buffer approximately ten (10) feet in depth.**