

**RESOLUTION 2019-01**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING A CONDITIONAL USE FOR AN OFF-PREMISE PARKING LOT FOR THE PROPERTY LOCATED AT 3815, 3855, 3859 AND 3861 GULF BOULEVARD; INCORPORATING THE CONDITIONS OUTLINED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission supports independently owned businesses within the City; and

**WHEREAS**, the TradeWinds and The Hotel Zamora desires to utilize the property for off-premise parking for employees; and

**WHEREAS**, RIA – TradeWinds has filed with the City an application for a Conditional Use and Variance for the property located at 3815, 3855, 3859, 3861 Gulf Boulevard, St. Pete Beach, Florida; and

**WHEREAS**, RIA – TradeWinds held a community meeting on December 3, 2018, pursuant to Land Development Code Sec. 39.17, to provide the community details about this proposal and solicit conditions for the development which have been included in staff’s recommendations; and

**WHEREAS**, the application was reviewed by the Technical Review Committee and the recommended conditions appropriate to mitigate potential impacts imposed by the use were determined and are outlined in the associated staff report submitted to the City Commission for consideration; and

**WHEREAS**, the City Commission held a quasi-judicial public hearing on January 22, 2019, to consider the Conditional Use and Variance Application in accordance with the criteria listed in the City of St. Pete Beach Land Development Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, THAT:**

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are true and correct and adopted hereby as findings, purpose and intent of the City Commission.

SECTION 2. The City Commission hereby incorporates the following conditions into the Conditional Use permit:

1. A site plan and landscaping plan shall be submitted to and approved by the Community Development Department before the operation of the off-premise parking lot.

2. The surface of the parking lot shall be well maintained. No sand, gravel or other debris may run off into the street. All exposed dirt areas shall be covered with bark, mulch, or other weed control measures included as part of the final landscape plan. The use of non-cypress mulch is strongly encouraged in support of "green" practices for a sustainable community.
3. Any existing vegetation needs to be retained on the property.
4. A permanent easement adequate to expand the sidewalk west of the site to ten feet in width shall be dedicated to the city and recorded in the public records of Pinellas County.
5. No storm water discharge may leave the site. All storm water must be directed away from the property boundary and infiltrate through the proposed gravel and grass surface.
6. Any lighting utilized for the parking lot shall be directed away from residential properties and shielded to prevent direct glare or hazardous interference on public roadways and all adjacent properties.
7. Any signage on the property shall require a sign permit in conformance with Division 26 of the LDC.
8. Signs that state "NO MOORING" shall be installed and maintained on the property.
9. This Conditional Use Permit and companion variances except for the permanent easement shall expire two years from the effective date of this Resolution.
10. Any violation of these conditions and companion variances shall entitle the City Commission to modify or revoke the Conditional Use and Variances.

SECTION 3. Effective Date. This Conditional Use Resolution shall take effect upon rendition of this Resolution by the City Clerk and containing all signatures required below.

**The Conditional Use Resolution is hereby approved, subject to the conditions contained herein, this 11<sup>th</sup> day of February, 2019, by the City Commission of the City of St. Pete Beach, Florida.**

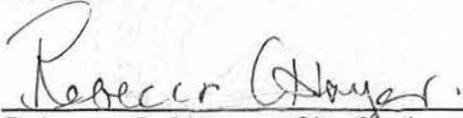
**Passed this 22<sup>nd</sup> day of January 2019, by the City Commission of the City of St. Pete Beach, Florida.**

CITY COMMISSION, CITY OF ST. PETE  
BEACH, FLORIDA.

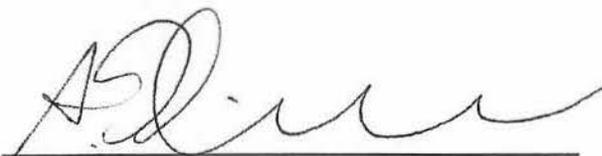
  
\_\_\_\_\_  
Alan Johnson, Mayor

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Resolution was duly adopted in accordance with the provisions of applicable law this 22<sup>nd</sup> day of January 2019.

ATTEST:

  
\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

  
\_\_\_\_\_  
Andrew Dickman, City Attorney



## CONDITIONAL USE PERMIT (Development Order)

Pursuant to Section 4.4 of the of the *Land Development Code*, the City Commission on 22 January 2019, has authorized the issuance of a Conditional Use Permit for property owned by SUNGOLD, LLC and described as a +2.56 acre site located at 3815, 3855, 3859 and 3861 Gulf Boulevard as recorded in Deed Book 13796, Page 1968 and Deed Book 13883, Page 2044 in the office of the Clerk of Court, Pinellas County, Florida and identified by Parcel Numbers 07-32-16-07398-001-0230, 07-32-16-07398-001-0170, 07-32-16-18143-001-0020, 07-32-16-18143-001-0010, located in the BR – Bayou Residential and zoned BR – Bayou Residential, to be used for an off-premise parking lot.

The City Commission has found, with the adoption of Resolution 2019-01, that the above mentioned land use satisfies the goals and objectives of the Comprehensive Plan and the standards contained in the *Land Development Code* including the following standards for review. In according to provisions of the Land Development Code and the proceedings before the City Commission, the following conditions are placed on this Conditional Use Permit and the use of this land:

1. A site plan and landscaping plan shall be submitted to and approved by the Community Development Department before the operation of the off-premise parking lot.
2. The surface of the parking lot shall be well maintained. No sand, gravel or other debris may run off into the street. All exposed dirt areas shall be covered with bark, mulch, or other weed control measures included as part of the final landscape plan. The use of non-cypress mulch is strongly encouraged in support of "green" practices for a sustainable community.
3. Any existing vegetation needs to be retained on the property.
4. A permanent easement adequate to expand the sidewalk west of the site to ten feet in width shall be dedicated to the city and recorded in the public records of Pinellas County.
5. No storm water discharge may leave the site. All storm water must be directed away from the property boundary and infiltrate through the proposed gravel and grass surface.
6. Any lighting utilized for the parking lot shall be directed away from residential properties and shielded to prevent direct glare or hazardous interference on public

roadways and all adjacent properties.

- 7. Any signage on the property shall require a sign permit in conformance with Division 26 of the LDC.
- 8. Signs that state "NO MOORING" shall be installed and maintained on the property.
- 9. This Conditional Use Permit and companion variances except for the permanent easement shall expire two years from the effective date of this Resolution.
- 10. Any violation of these conditions and companion variances shall entitle the City Commission to modify or revoke the Conditional Use and Variances.

Beyond these conditions, the requirements of Section 4.3 of Land Development Code shall be met; specifically subsections (b) and (c), to wit:

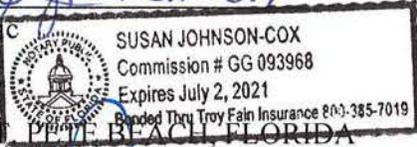
- (b) In instances where no additional construction is necessary to implement the conditional use failure to obtain an occupational license for the approved conditional use within six months from the date of approval of the conditional use permit shall invalidate the approval, unless a shorter compliance period is required by the city.
- (c) Where construction is necessary prior to the operation of the conditional use, failure to obtain a building permit within 12 months of the date of approval of an application for a conditional use permit, shall invalidate the approval. A shorter compliance period may be required by the city commission.

*[Handwritten Signature]*  
 \_\_\_\_\_  
 SUNGOLD, LLC

**STATE OF FLORIDA**  
**COUNTY OF Anne**

I, the undersigned Notary Public, do hereby certify that the foregoing instrument was delivered and acknowledged before me. I further certify that the above signature(s) (is, are) legal and (has, have) been executed voluntarily on this date, to the best of my knowledge and belief.

Witness my hand this 7 day of February, 2019.

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Notary Public  
  
 CITY OF ST. PETE BEACH, FLORIDA

July 2, 2021  
My Commission Expires

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Community Development

11 FEBRUARY 2019  
Date