

RESOLUTION 2020-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING CADDY'S ST. PETE BEACH TO OPERATE AN OUTDOOR SEATING AREA (687 SF) IN THE FRONT OF THE RESTAURANT LOCATED AT 5501 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, Caddy's St. Pete Beach desires to add an outdoor seating (39 seats) area within an existing patio footprint; and,

WHEREAS, **SFMB St. Pete Beach, LLC** / Trenam Law filed with the City an application on December 10, 2019, for a Conditional Use for the property located at 5501 Gulf Boulevard, St. Pete Beach, Florida; and,

WHEREAS, the application for Conditional Use Permit was reviewed by the Technical Review Committee on January 15, 2020, 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; and

WHEREAS, the City Commission held a quasi-judicial public hearing on January 28, 2020, to consider the Conditional Use Permit Application in accordance with all the criteria listed in the City of St. Pete Beach Land Development Code; and

WHEREAS, while the Conditional Use Permit application was reviewed, pursuant to City Land Development Code, this Resolution is for only the Conditional Use Permit approval.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Pete Beach, that:

Section One: The above recitals are true and correct and are incorporated herein by reference.

Section Two: The City Commission hereby incorporates the following conditions into the Conditional Use permit:

1. This approval is for an approximately 42'x16' patio dining area with 39 seats located at the front of the building abutting the parking lot. The patio and stair access shall be screened on the North Side with a fence or wall barrier. The barrier shall extend in height from the patio roof to grade. Any expansion, relocation, or additional seats

placed in this area shall require modification of this approval or a new conditional use permit issued through the City Commission.

2. The hours of operation of the patio seating area shall not extend beyond the hours of operation of the restaurant.
3. Any additional outdoor lighting installed for this use shall be shielded and directed away from adjacent properties.
4. All outdoor amplified music equipment shall be located within the patio footprint and be directed toward the patio. If this equipment is accessible by live musicians or DJs, a governor shall be installed to consistently limit the receiving decibels to abutting residential, institutional or public space properties to 65 dBA during the hours of 7:00 a.m. and 10:00 p.m. and 55 dBA between 10:00 p.m. and 7:00 a.m. Temporary amplified music equipment such as, but not limited to, amplifiers or speakers brought by visiting musicians, shall not be used on the patio. A list of amplified music equipment for use on the patio shall be provided to and approved by the Community Development Department prior to equipment installation.
5. The applicant shall provide the Community Development Department a landscape plan showing newly installed landscaping added to the north area of the site. This plan shall be received and approved prior to final inspection of the associated building permit for the patio roof and bar.
6. Bollards shall be installed between the parking spaces at the front of the building and the outdoor patio area prior to final inspection of the associated building permit for the patio roof and bar.
7. A secondary exit shall be provided from the patio and exit signs with emergency lights shall be provided at exit points, prior to final inspection of the associated building permit for the patio roof and bar.
8. The applicant shall illustrate and provide for two additional parking spaces on the site prior to final inspection of the associated building permit for the patio roof and bar. The dimensions of the parking spaces and conditions for utilization of boat slips as required parking shall comply with the relevant provisions of Land Development Code Division 23 – OFF-STREET PARKING AND LOADING.
9. No outdoor food preparation shall be permitted.
10. The City shall be entitled to revoke or modify this Conditional Use approval if it is found that:
 - a. Any necessary business or health permit has been suspended or revoked; or,
 - b. The operator fails to comply with one or more requirements of this conditional use permit.

Section Three: This resolution will become effective immediately upon adoption.

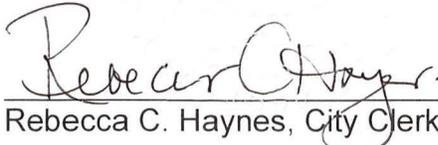
Passed this 28th day of January 2020, by the City Commission of the City of St. Pete Beach, Florida.

* * * * *



Alan Johnson, Mayor

ATTEST:



Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:



Andrew Dickman, City Attorney