Ordinance 2021-04

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 15 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE BOUTIQUE HOTEL/CONDO TEMPORARY LODGING UNIT DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY LOCATED AT 4200 GULF BOULEVARD (MIRAMAR RESORT); PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to facilitate the preservation of independent tourist lodging facilities in areas of the City with an appropriate tradition of such use; and

WHEREAS, the applicant held a noticed public community meeting on September 23, 2020 in the Boca Ciega Ballroom of the St. Pete Beach Recreation Center where the initial redevelopment proposal was presented and comments were solicited; and

WHEREAS, the applicant made application for a Conditional Use Permit on November 9, 2020 to the Community Development Department in order to redevelop the subject property; and

WHEREAS, the application for the Conditional Use Permit was reviewed by the Technical Review Committee on December 2, 2020, and the recommended conditions appropriate to mitigate potential impacts imposed by the use were determined and are outlined in the associated Conditional Use Permit staff report submitted to the City Commission; and

WHEREAS, the application for the Conditional Use Permit was reviewed by the Planning Board sitting as the Local Planning Agency on December 14, 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 finds that the subject proposed redevelopment has met the City’s merit-based criteria for the awarding of units from the Boutique Hotel/Condo District Temporary Lodging Unit Density Pool; and

WHEREAS, notice of this Ordinance has been provided in accordance with applicable law.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:
SECTION 1. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. Kevin Bowden, Managing Partner for Miramar Resort St. Pete LLC, desires to redevelop the 0.78 buildable acre site at 4200 Gulf Boulevard with 54 temporary lodging units and a building height of 76 feet with a non-habitable overrun not to exceed 86 feet. The property is permitted up to 39 temporary lodging units with a Conditional Use Permit, and an additional 15 temporary lodging units from the Boutique Hotel/Condo Temporary Lodging Unit Density Pool as established in the Comprehensive Plan of the City of St. Pete Beach, Florida.

SECTION 3. Upon this Ordinance becoming effective, there shall be 110 tourist lodging units remaining in the Boutique Hotel/Condo Temporary Lodging Unit Density Pool.

SECTION 4. The 15 units awarded by this ordinance shall revert back to the density pool should a building permit not be obtained within one (1) year of the date of the passage of this Ordinance, or should "continual construction" as defined in Division 2 of the Land Development Code cease, unless extended by resolution of the City Commission.

SECTION 5. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 6. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.
FIRST READING: 02/10/2021
PUBLISHED: 04/14/2021
SECOND READING: 04/27/2021
PUBLIC HEARING: 04/27/2021

Alan Johnson, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this ___ day of ___ , 2021.

Amber LaRowe, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

Andrew Dickman, City Attorney
<table>
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<th>District</th>
<th>Total Units Available</th>
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<th>Total Units Remaining</th>
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<tr>
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<tr>
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CITY OF ST. PETE BEACH
NOTICE OF PUBLIC HEARING

The City of St. Pete Beach City Commission consider adoption of the following Ordinance upon final reading on April 27, 2021 at 6:00 P.M. or as soon thereafter in the St. Pete Beach City Commission Chambers, 155 Corey Ave., St. Pete Beach, FL 33706:

Ordinance 2021-04:

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 15 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE BOUTIQUE HOTEL/CONDO TEMPORARY LODGING UNIT DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY LOCATED AT 4200 GULF BOULEVARD (MIRAMAR RESORT): PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

The City of St. Pete Beach City Commission will also hear the following case on April 27, 2021 at 6:00 P.M. or as soon thereafter in the St. Pete Beach City Commission Chambers, 155 Corey Ave., St. Pete Beach, FL 33708:

Conditional Use Permit:
The Miramar Beach Resort is requesting approval to demolish and redevelop the site at 4200 Gulf Blvd to construct a new seven-story transient accommodation hotel. The request requires a Conditional Use permit for (1) the new temporary lodging use to exceed 50 ft in height, (2) a density greater than 30 units per acre, (3) to allocate additional units from the B/HC density pool and (4) a roof dining and drink area, pursuant to Section 39.6(p) and Section 46.4(c) of the Land Development Code. The new temporary lodging use proposed is a 54-room hotel, interior lobby, amenity and dining area, and a rooftop bar and pool. The maximum height of the proposed structure is 76-feet.

NOTE: The above-scheduled public hearing may be continued from time to time pending adjournment. Any written comments that are received on the subject matter will become part of the official record. Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this hearing will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. American with Disabilities Act: Florida Statutes Chapter 286.26. Accessibility of public hearings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a hearing should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the hearing for assistance. Any interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

FOR MORE INFORMATION OR TO VIEW THE FILE ON THIS REQUEST, PLEASE CONTACT: City of St. Pete Beach, Community Development Department, 155 Corey Avenue, St. Pete Beach, Florida 33706 - (727) 363-9253.

April 14, 2021
CITY OF ST. PETE BEACH
NOTICE OF PUBLIC HEARING

The City of St. Pete Beach City Commission will hear final reading and consider adoption of the following Ordinance on March 9, 2021 at 6:00 PM, or as soon thereafter in the St. Pete Beach City Commission Chambers, 155 Corey Ave., St. Pete Beach, FL 33706:

**Ordinance 2021-04**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 15 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE BOUTIQUE HOTEL/CONDO TEMPOARY LODGING UNIT DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY LOCATED AT 4200 GULF BOULEVARD (MIRAMAR RESORT); PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

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A copy of this ordinance is on file in the City Clerk’s Office and may be inspected by the public. Any interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

**FOR MORE INFORMATION OR TO VIEW THE FILE ON THIS REQUEST, PLEASE CONTACT:** City of St. Pete Beach, Community Development Department, 155 Corey Avenue, St. Pete Beach, Florida 33706 - (727) 363-9253.

2/24/2021
LEGAL NOTICE

CITY OF ST. PETE BEACH
NOTICE OF PUBLIC HEARING

The City of St. Pete Beach City Commission will hear final reading and consider adoption of the following Ordinance on March 9, 2021 at 6:00 P.M. or as soon thereafter in the St. Pete Beach City Commission Chambers, 155 Corey Ave., St. Pete Beach, FL 33706:

Ordinance 2021-04

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2/24/2021