

RESOLUTION 2020-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING MATT VARIO AND ALBERT P. CARRIER TO CONSTRUCT A COMMERCIAL 'CLASS A' DOCK LOCATED AT 7400 BLK SUNSET WAY; INCORPORATING THE CONDITIONS OUTLINED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission supports public or private small-scale marina facilities with transient boat slips in the city's downtown where appropriate; and,

WHEREAS, Matt Vario and Albert P. Carrier have made application to the city for a Commercial 'Class A' dock at 7400 Blk Sunset Way, intended as use for transient boat parking for local restaurants; and,

WHEREAS, the agents, c/o Rahim Jaffer of 929485 Florida, Inc, filed with the City an Application on May 11, 2020, for a Conditional Use for the property located at 7400 BLK Sunset Way, St. Pete Beach, Florida; and,

WHEREAS, the application for Conditional Use Permit was reviewed by the Technical Review Committee on June 3, 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 September 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 with variances, pursuant to the 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 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. Dock encroachment into the northern and southern 10% of the property's waterfront width shall be authorized only in conjunction with the applicant entering into a partnership with the city for the construction of the Fisherman's

Park pier. Should space permit, additional wet slips may be constructed in this southern setback, upon city approval. Should the dock extend beyond the proposed 61' in length from the seawall this permit shall return for City Commission review and amendment. Any future expansion or addition to this dock, including the installation of boat lifts, shall also require amendment to this permit through further review by the City Commission;

2. Downlighting shall be installed at the ends of the dock, as is practical and permitted by the county's water and navigation authority, to provide illumination of the dock. All lighting shall be shielded and cast no glare toward abutting properties;
3. The applicant shall modify the parking lot to provide unobstructed pedestrian striping from the dock walkout to Sunset Way. At the applicant's expense, and at the discretion of the City Manager, the applicant shall continue the pedestrian striping from the parking area across Sunset Way along with transportation safety enhancements such as, but not limited to, stop signs, speed waves, or flashing beacons. Furthermore, at the applicant's expense, the applicant shall install a sidewalk of a width specified by the City Manager from the southern end of the subject parcel to the area of land that abuts the northern portion of the docking facility, crossing or improving City right-of-way as may be required;
4. As space permits, the applicant shall provide a landscaping strip between the parking lot wheel stops facing Sunset Way and the right-of-way. This strip shall contain, at a minimum, groundcover, shrubs and/or a hedge, as well as tree plantings every 30 feet except at entrances to the lot and where planting would cause visibility issues. Where planting is impractical, these requirements may be modified by the City Manager. The applicant shall further install pedestrian-scale lighting fixtures in this landscaping strip at least every 30 feet. Maintenance of these installations shall be the responsibility of the applicant;
5. No permanent speakers or amplifiers of any kind are permitted to be installed on the dock or in the parking lot;
6. When modified, the parking lot shall contain the minimum number of spaces required by ADA;
7. No overnight mooring shall be permitted at the dock. Signage alluding to this shall be installed along the dock walkway in a visible location;
8. Signage prohibiting the removal of open alcohol containers from the premises shall be installed at the exit of any restaurant under common ownership in the vicinity of this dock;


9. The applicant shall install a standpipe and provide fire extinguishers for the dock unless waived by the city's fire marshal;

10. Any violation of these conditions and companion variance shall entitle the City Commission to modify or revoke the Conditional Use and Variance.

SECTION 3. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS 28TH DAY OF SEPTEMBER, 2020.

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




Alan Johnson, Mayor

ATTEST:



Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Andrew Dickman, City Attorney

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Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Pinellas

} ss

Before the undersigned authority personally appeared **Jill Harrison** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: ORD 2020-16, CUP 20019** was published in **Tampa Bay Times: 9/16/20** in said newspaper in the issues of **Tampa Bay Times\Local B\Pinellas**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Jill Harrison

Signature Affiant

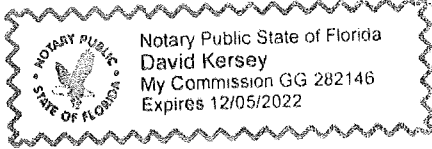
Sworn to and subscribed before me this .09/16/2020

David Kersey

Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



CITY OF ST. PETE BEACH
NOTICE OF VIRTUAL
PUBLIC HEARING

The City of St. Pete Beach City Commission will consider adoption of the following Ordinance:

FINAL READING:

ORDINANCE 2020-16: AN ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING APPENDIX "A" OF THE CODE OF ORDINANCES, PERTAINING TO THE FEE SCHEDULE, TO SET FLAT FEES FOR CERTAIN PROJECT TYPES AND INCREASING THE COST OF PLAN REVISIONS, PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

The City of St. Pete Beach City Commission will consider of the following Conditional Use Permit:

CASE# 20019 (7400 BLK SUNSET WAY): BUOY'S RESTAURANT IS REQUESTING A CONDITIONAL USE PERMIT TO CONSTRUCT A TEN SLIP "CLASS A" DOCK FOR THE USE OF LOCAL BUSINESS PATRONS. THE APPURTENANT PROPERTY IS ZONED CG-2 COMMERCIAL GENERAL AND IS UNDER COMMON OWNERSHIP AND ASSOCIATED WITH BUOY'S RESTAURANT, ZONED TC-2 TOWN CENTER COQUINA WEST.

The above case and Ordinance will be heard on the date and time and at the location below:

NAME OF BOARD	DATE	TIME
City Commission	September 28, 2020	6:30 PM

PUBLIC HEARING LOCATION:
VIRTUAL ATTENDENCE ONLY
Meeting URL: <https://zoom.us/j/89844946062>
Meeting Phone #: 929-205-6099
Meeting ID: 898 4494 6062

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.

A copy of these case applications and plans are on file in the Community Development Department and may be inspected by the public. Any interested party may appear at the hearing and be heard with respect to these cases.

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

AMERICANS 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.

CITY OF ST. PETE BEACH NOTICE OF VIRTUAL PUBLIC HEARING

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