

M E M O R A N D U M

TO: Howard Tipton, Town Manager

FROM: Allen Parsons, AICP,
Director – Planning, Zoning and Building Department

REPORT DATE: May 8, 2023

MEETING DATE: June 5, 2023

SUBJECT: Proposed Ordinance 2023-07 and Resolution 2023-12, 1621 Gulf of Mexico Drive – St. Regis Hotel and Residences - Amendments to previously approved Planned Unit Development/Outline Development Plan and Final Site Plan

Recommended Action

Forward Ordinance 2023-07 and Resolution 2023-12 to the June 20, 2023, Special Meeting for second reading and public hearing.

Background

Unicorp National Development, Inc. (the “Applicant”), on behalf of itself and S.R. LBK, LLC, a Delaware limited liability company and S.R. LBK II, LLC, a Delaware limited liability company (collectively hereinafter “Owners”), is proposing to amend a previously approved Planned Unit Development (PUD)/Outline Development Plan (ODP) and Final Site Plan (FSP) for the redevelopment of the ±17.6 acres former Colony Beach and Tennis Resort site. The proposed amendments, to the mixed-use development called the St. Regis Hotel and Residences, are primarily associated with the proposed addition of a new 2-story parking structure at the northeast corner of the subject site along Gulf of Mexico Drive, with requested new and revised Departures, and requested new and revised Conditions of Approval.

The Final Site Plan component includes several major revisions to the project’s detailed site plans, including changes to the overall building square footage, open space provided and revisions to certain associated amenities that were approved by Resolution 2021-21. The revisions are detailed in the Staff Report included as Attachment C (available in the Town Clerk’s Office).

The initial approval in 2018 and subsequent approved amendments to the project’s PUD/ODP entitlements in 2021, along with an allocation of tourism unit density from the Town’s Tourism Pool (which are not a part of the proposed amendments), converged to create a fairly complex process that includes a continuation of using the Zoning Code provisions that were in effect when the project was initially approved in 2018.

Due to a number of Zoning Code changes that occurred, following the initial 2018 approval of the St. Regis project, there is no mechanism within the 2023 Town Code to amend the Applicant’s PUD/ODP/Final Site Plan approval and meet certain design aspects, such as the previously approved buildings with heights

up to 65 ft. being allowed via PUD approval in the T-6 zoning district in the 2018 Zoning Code.

Similar to the 2021 entitlement approvals, the project is being reviewed in accordance with the Zoning Code provisions that were in effect when the project was initially approved in 2018. This is based on: the project is proposed to be modified and is not proposed to be completely redesigned or otherwise significantly changed; a number of the conditions of the 2018 and 2021 project approval have already been completed; and substantial funds have been expended by the Applicant completing those conditions. This led to a finding in 2021 that there are vested rights in this project that continue to support the proposed amendments to the project being analyzed and reviewed under the 2018 Town Code. Therefore, all Zoning Code references within this staff report are 2018 Town Zoning Code references. Copies of applicable 2018 Zoning Code references are provided as Attachment C (available in the Town Clerk's Office).

The PUD/ODP/FSP amendment applications were initially filed with the Town on January 5, 2023. They were subsequently declared complete after a fifth submission on April 3, 2023, in accordance with Zoning Code Sections 158.036(3) and (4). The Planning & Zoning Board (P&Z Board) held a public hearing on the applications at their April 18, 2023 Regular Meeting, which was the next available meeting. The Town Commission's 1st Reading and Public Hearing on these applications was similarly scheduled for the next available Regular Meeting date (June 5, 2023), where applicable notice provisions (i.e., mailed, advertised and posting) could be met, after receiving the recommendations from the P&Z Board.

Background and Responses to Questions/Assertions the Public has Posed to Town Commissioners

As noted above, and in the attached materials distributed to the P&Z Board, the primary changes are associated with the addition of a proposed 2-story (above an open-air, impervious, surface level of parking) parking structure, located at the northeastern corner of the property, in an area where a previously approved impervious surface parking lot was to be located. The 2nd level of parking will not have a roof. Parking will essentially be on the roof level and will have a 42-inch-high parapet wall around the exterior. The total height of the proposed structure (measured to the top of the parapet wall) is 27 feet 4.5 inches. Structures in the subject property's T-6 zoning district are allowed maximum building heights of 65 feet (in the 2018 Zoning Code, with PUD approval) or 50 feet under the current Zoning Code.

Parking structures are explicitly allowed in the Zoning Code (in the 2018 and current versions). There are specific requirements (Section 158.128(K)(3) of the 2018 Zoning Code) that address a range of methods intended to provide visual screening architecturally or via landscape screening to reduce the negative visual

impact of having blank walls or monolithic structures. The proposed parking structure depicts a number of the screening requirements identified in Town Code including the use of simulated ‘Juliet’ balconies and a series of vertical green screen (i.e., planter boxes that depict vegetation covering vertical portions of the structure) on the façade of the structure and a variety of landscape elements intended to the screen the structure from the Gulf of Mexico Drive street frontage. The proposed parking structure, if approved, would not be the only multi-story parking structure on the island. For example, a multi-story parking structure is associated with the Beaches of Longboat Key Condominium located at 775 Longboat Club Road.

The proposed parking structure is setback from the street fronting property line approximately 54 feet 9 inches (for the approximate southern half of the structure’s frontage due to a 3-ft. right-of-way dedication associated with the development of a southbound turn lane into the project) to 57 feet 9 inches (for the approximate northern half of the structure’s frontage). This setback is from the street fronting property line, which is setback an additional approximate 18 feet from the current sidewalk. The underlying T-6 zoning district allows buildings to be setback 50 feet from the street fronting property line. The proposed setback would not be the only structure of this height developed in the vicinity along Gulf of Mexico Drive. Examples in the vicinity include: a 2-story structure (setback approximately 54 ft.) was recently completed at Aria condominiums (2251 Gulf of Mexico Drive). A structure with a 2nd story feature (setback approximately 45 feet) is located at the En Provence condominiums (2161 Gulf of Mexico Drive). Two, 2-story residential structures (setback approximately 50 ft.) are located near the northernmost entrance to the Sea Place condominiums.

No additional uses, or expansion of existing uses, are proposed as part of the applications. Trip generation studies evaluate estimated numbers of car trips based on characteristics of use. These uses for the St. Regis project include residential units, hotel rooms, and a number of accessory commercial uses such as an approved spa, restaurants, bars and meeting room spaces. Parking in and of itself is not a generator of traffic. The approved uses at the St. Regis project were evaluated for their traffic generating impact. Adding parking spaces, whether in a proposed new parking structure or by other means (such as the mechanical vehicle lifts approved in 2021) would not be expected to increase demand (i.e., traffic).

Attached Materials

Unicorp Strikethrough/underline versions of Ordinance 2023-07 and Resolution 2023-12 are provided in Attachments A and B. A full copy of the materials distributed to the P&Z Board, including the applicant’s materials and a copy of the 2018 Zoning Code can be found in Attachment C. The P&Z Board minutes from the April 18, 2023 meeting are provided in Attachment D, and

correspondence received from the public is provided in Attachment E (Attachments A, B, C, D and E are available in the Town Clerk's Office).

Staff Recommendation

Forward Ordinance 2023-07 and Resolution 2023-12 to the June 20, 2023 Special Meeting for second reading and public hearing.

P&Z Board Recommendation

The P&Z Board voted 5-2 to recommend approval of Ordinance 2023-07, inclusive of all applicant requested Departures and Conditions of Approval, and Resolution 2023-12, inclusive of all applicant requested Conditions of Approval, with minor scrivener's related revisions, which have been incorporated.

Attachments

- A. Proposed Ordinance 2023-07;
- B. Proposed Resolution 2023-12;
- C. Materials Distributed to P&Z Board for April 18, 2023;
- D. Draft April 18, 2023 P&Z Board Regular Meeting Minutes; and
- E. Correspondence from the public.

End of Agenda Item