

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: August 15, 2023

MEETING DATE: September 18, 2023

SUBJECT: Revised Ordinance 2023-07 and Resolution 2023-12, 1621 Gulf of Mexico Drive – St. Regis Hotel and Residences – Reflecting Applicant’s Revisions to Previously Considered Planned Unit Development/Outline Development Plan and Final Site Plan Amendment Applications

Recommended Action

Forward Ordinance 2023-07 and Resolution 2023-12 to the October 2, 2023, Regular Meeting for second reading and public hearing.

Background

At their June 20, 2023, Special Meeting, the Town Commission (Commission) opened the second reading and public hearing on the Applicant’s proposed Planned Unit Development/Outline Development Plan/Final Site Plan amendments and considered Ordinance 2023-07 and Resolution 2023-12. The Commission was prepared to consider amendments based on the first reading and public hearing on June 5, 2023, where a motion was approved (6-0) to draft an Order of Denial for portions of Ordinance 2023-07 and Resolution 2023-12 related to an amendment requesting removal of the mechanical parking lifts and construction of a proposed parking structure.

At the beginning of the June 20, 2023 hearing, the Commission considered a request by the applicant to continue the public hearings to a Special Meeting on September 18, 2023, for first reading and public hearing, with a second reading and public hearing to be tentatively held at the Commission’s October Regular Meeting (October 2, 2023). The applicant expressed an intent to revise their initially submitted application by removing a previously proposed parking structure and replacing it with additional surface parking. The Commission approved the applicant’s continuance request with the stipulation that the revised application be submitted to the Town by July 6, 2023. The revised application (described below) was submitted timely and subsequently deemed complete.

The primary revision to the Final Site Plan component of the applications is straightforward. A previously proposed parking structure (to provide both required and excess hotel parking) is no longer included and in its place is a proposed expansion of the previously approved 38-space surface parking lot into a 93-space surface parking lot, with an additional 12 parking spaces proposed on an entrance driveway adjacent to the surface parking lot. The revised plans continue the applicant’s prior request to

eliminate 62 mechanical lift parking spaces within the approved hotel podium parking area. These changes, if approved, would result in one net additional parking space.

This single Final Site Plan change creates a number of other related changes to components of the applications that implicate certain Departures and Conditions of Approval (described in detail in the attached Staff Report, Attachment D).

The Staff Report has been updated to include all of the applicable changes associated with the proposed Final Site Plan revisions. The applicant's application materials and Final Site Plans have also been updated (Attachment E).

There are three noteworthy changes associated with the proposed expanded surface parking areas. The first is that the footprint of the 93-space surface parking area, brings the surface of that parking area to within 32.74 feet of the Street Yard (i.e. Gulf of Mexico Drive) property line. The previously approved 38-space parking area met the required 50-foot Street Yard setback requirement. The proposed expanded 93-space parking lot therefore would require a new Departure (identified as Departure #20 in the Staff Report).

The second noteworthy change is that a majority of the proposed expanded parking area would be constructed with pervious paving (a reinforced turf system) that will operate as a pervious surface. Approximately one-third of the parking area will be asphalt pavement, with a net result that the parking area would have 3,203 square feet less impervious area. No changes therefore were determined to be required to the stormwater management system. This change has been reviewed by the Public Works Department and is recommended for approval. An addition to Condition #44 is proposed to require regular monitoring and maintenance of the pervious parking system to ensure that it continues to provide the stormwater management benefits as designed.

The third noteworthy change is that the applicant is proposing to retain additional landscaping (comprised of an additional 60 trees and additional understory plantings, compared to the approved 2021 Final Site Plan) that were associated with the screening that was proposed to mask the now-withdrawn parking structure. The revised plans were again reviewed by an independent third-party landscape architect. Their review indicated that the revised plans meet the Town Code and were recommended for approval. Based on staff's review and the independent landscape architect review, staff has removed two previously proposed Conditions that addressed landscape buffering and tree plantings on site.

As with the prior parking structure proposal, because the proposed amendments would not generate additional traffic, as trip counts and transportation analyses are typically associated with the uses of a site, the Town did not require the submittal of a Traffic Impact Analysis for the amended applications. The proposed amendments primarily include the revising of parking allocations by eliminating mechanical lift spaces within the hotel portion of the first floor parking podium and expanding a surface parking area,

resulting in a net gain of one parking space. These changes would not be expected to generate additional trips beyond the approved uses.

In addition, the Final Site Plan changes have associated impacts to the Departure requests (a summary of the previously approved and revised listing of Departures is included as Attachment 'A') including the following new and revised Departures:

- A new Departure (#19) for the dimension of the parking spaces in the proposed expanded surface parking areas (the 2021 approvals for the surface parking area had spaces that met the parking dimension requirements);
- A new Departure (#20) for the Street Yard setback (the 2021 approvals for the surface parking area met the 50-foot Street Yard setback requirement; the proposed plan would be setback 32.74 feet);
- A new Departure (#21) to allow for vehicular stacking¹ of 31 spaces in the proposed expanded 93-space surface parking area (the 2021 approvals for the surface parking area did not have stacked parking spaces).

Minor revisions are noted in the Departures Summary Table, which outlines the requested Departures and includes highlighting indicating where the Departures have been revised since the initial submittal. The majority of the other Departures will remain as codified in the previous PUD/ODP approval (Ordinance 2021-12).

Minor changes to the Conditions of Approval have been incorporated into Ordinance 2023-07 and Resolution 2023-12. These changes are limited to:

- Condition #1- To reflect the date of the most recent PUD/ODP/Final Site Plan applications submittal and approvals.
- Condition #2- To reflect that the prior obligation to obtain Special Exception approval from the Planning and Zoning Board has been accomplished and that the condition's status is, "Condition Completed."
- Condition #26- To reflect that obligation to preserve prior existing mature trees is not being superseded by a new Condition #63 and that the applicable date of the plan is July 6, 2023.
- Condition #27- To reflect that the applicable date of the landscaping plan is July 6, 2023.
- Condition #32- To reflect that there will be no new Condition #63 and that the landscape buffer installation ("at the earliest point in project") will be consistent with the landscaping plans referenced in Condition #27.
- Condition #44- To add a requirement that the pervious surface parking system shall be monitored and maintained regularly to ensure proper drainage

¹ Stacked Parking means parking in which vehicles are parked immediately in front of, behind, on top of, or adjacent to other vehicles without each vehicle being adjacent to a maneuvering aisle or drive.

performance as part of the stormwater management system maintenance obligations.

- Deletion of Condition #61 (as previously provided for in the Ordinance 2021-21 and Resolution 2021-21) that addressed that the vehicle lift equipment shall not protrude into any drive aisle or parking space in the podium garage.
- Deletion of previously proposed recommended Conditions 62-64, which were associated with landscaping and screening of the proposed parking structure, which is no longer a part of the proposed application amendments.
- Renumbering of previously numbered Condition #65 to become Condition #62, which requires that owners of the two potential tourism units, within the residential towers, register for a Business Tax Receipt and Residential Rental Certificate of Registration, as required by Town Code, if those units are used as tourism units.

Ordinance 2023-07 (approving certain amendments to the St. Regis Hotel and Residences, Planned Unit Development/Outline Development Plan) and Resolution 2023-12 (approving certain amendments to the St. Regis Hotel and Residences, Final Site Plan) have been updated and revised to reflect the proposed changes to the Final Site Plans.

Materials distributed for the June 5, 2023, and June 20, 2023, Public Hearings are a part of the record and are not being distributed again. The applicant has provided updated materials in large meeting binders for the Commission.

Staff Recommendation

Forward Ordinance 2023-07 and Resolution 2023-12 to the October 2, 2023, Regular 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. The P&Z Board's recommendations were associated with the prior version of the application that included plans for a parking structure.

Attachments

- A. Departures Summary Table (Available in Town Clerk's Office)
- B. Ordinance 2023-07 (Available in Town Clerk's Office)
- C. Resolution 2023-12 (Available in Town Clerk's Office)
- D. Staff Report (Available in Town Clerk's Office)
- E. Applicant's Revised Application Materials (Available in Town Clerk's Office)
- F. Correspondence from the public (Available in Town Clerk's Office)

End of Agenda Item