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Planning Board
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, Florida 33706

Submitted to Planning Board Liaison Senior Planner Brandon Berry for Distribution

Mr. Greg Premer, Chair
Mr. Tom DeYampert, Vice Chair
Ms. Tiffany Secka, Member
Ms. Melinda Pletcher, Member
Mr. David Hubbard, Member

SUBJECT: Proposed Sirata Beach Resort Conditional Use

Dear Chair Premer, Vice Chair DeYampert and Honorable Members,

I am writing at the request of Protect St. Pete Beach about an Application for Conditional Use Permit (“CUP”) to allow expansion of the Sirata Beach Resort (“Sirata”) to be considered at the Planning Board hearing on November 13, 2023.

The central goal of Protect St. Pete Beach is to protect the quality of life of residents. More specifically the group seeks to protect against overdevelopment, ensure that all hotel redevelopment projects are done in a way that protects quality of life, beaches, wildlife and environment, and that residents are protected from overcrowding, congestion and traffic.

As a planner with over 45-years of Florida land use planning experience, I have worked with local governments throughout the state on growth and development issues including St. Pete Beach. The comments which follow are my own.

Sirata Request¹

The Sirata site includes approximately 15.45 acres of which 8.62 acres lies landward of the Coastal Construction Control Line within the Large Resort Future Land Use and Zoning categories. The 8.62-acre building area is currently developed with 382 transient lodging units

¹ Planning Board Agenda Package for November 8, 2023

(“units”) equating to 44.3 units per acre. The Sirata site also includes 45,351 square feet of floor area of accessory uses (“floor area”).

The proposed CUP would allow redevelopment of the site by:

- Demolishing an existing 6-story, 98-unit building in the northern portion of the site that currently aligns in an east-west orientation;
- Removing five ancillary buildings;
- Modifying and renovating the remaining 8-story Sirata Resort structure;
- On the northern portion of the site constructing a new 290-unit, 10-story hotel to the north with a height of 115.5 feet and rooftop structures not to exceed 127.5 feet above base flood elevation;
- On the southern portion of the site constructing a new 130-unit, 8-story hotel with an 88.5-foot height and rooftop dining and drinking amenity that includes outdoor music.

The net result would be the allowance of 646 total units, an increase of 264 units or 69.1% over current conditions. The redeveloped density would be 74.9 units per acre. Floor area would be increased to 49,389 square feet or 10.1%.



Existing Sirata Beach Resort

Large Resort Future Land Use

The Comprehensive Plan's ("Plan") Large Resort District allows for intensive redevelopment including transient lodging unit densities of up to 75 units per acre, building heights of up to 116 feet above base flood elevation and as little as 15% impervious surface.

Viewed in isolation the maximum development potential under the Large Resort District is a formula for a massing of ten and eleven story buildings forming a wall between Gulf Boulevard and Gulf of Mexico on about 65-acres along a 0.9-mile stretch.²

Basis of Review

However, the maximum numeric development potential is not guaranteed and must be considered in the context of the overall goals, objective and policies of the Plan. To be consistent means the land uses, densities or intensities, and other aspects of development are compatible with and further the objectives, policies, and uses, and densities in the Plan and if the development order meets all other criterial enumerated by the local government.³

The Plan requires that the Sirata proposal proceed as a CUP since the applicant seeks building heights of greater than 50 feet and a density of greater than 30 Temporary Lodging Units per acre.⁴ CUP's must be consistent with the applicable criteria in the Land Development Code ("LDC") which provide that certain uses are conditional rather than by right because they may have significant adverse effects on the environment public services, the desired character of an area or they may create nuisances.⁵

There is no right to a CUP. It is incumbent upon the applicant to demonstrate consistency with the Plan and LDC. The City of St. Pete Beach is required to review the Sirata CUP with strict scrutiny.

Section 4.4 of the LDC provides Standards of Review, critical to the Sirata proposal as follows:

Sec. 4.4. - Standards for review.

(a) *Standards applicable to all conditional uses. When considering an application for approval of a conditional use, the city commission review shall consider the following standards:*

(1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan, any adopted special area plan and these regulations;

² Plan Policy 15, Large Resort District

³ Section 163.3194(3)(a), Florida Statutes

⁴ Section (c), Standards for the Community Redevelopment District

⁵ Section 4.1, LDC

(2) Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential, commercial and/or service facilities available within the existing area. More specifically:

a. Whether the overall appearance and function of the area will be significantly affected consideration shall be given to the existence of other uses in the area, based on the number, size, and location of the uses and the intensity and scale of the proposed and existing uses in the area;

b. Whether the application will preserve any city, state or federally designated historic, scenic, archaeological, or cultural resources;

c. Whether the application will be compatible with adjacent development, if any, based on characteristics such as size, building style and scale; or whether such incompatibilities are mitigated through such means as screening, landscaping, setbacks, and other design features; and

d. Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues.

(3) Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety;

(4) Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely;

(5) Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;

(6) Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision such improvements and mitigation; and

(7) Whether the proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by

all other applicable requirements of the regulations of the City of St. Pete Beach.

Cumulative Impacts

The Sirata proposal, and a proposed CUP for Tradewinds Islands Resort to be considered at a future date, constitute about half the acreage in the Large Resort Future Land Use District. These are highly significant redevelopment proposals which will lock in the pattern for redevelopment for the Gulf Boulevard Large Resort District.

As such St. Pete Beach should consider the cumulative impacts of a development scenario where all of the Large Resort District maximizes transient unit density as being requested by Sirata.

Should all of the 65-acres of Large Resort redevelop at 75 units per acre it would result in about 4,875 hotel units in that area alone. For context St. Pete Beach currently includes 54 hotels with 3,087 rooms.⁶

An analysis of cumulative impacts should be comprehensive with particular attention to:

- Peak weekend traffic congestion and pedestrian safety;
- Beach overcrowding and sea turtle protection;
- Adequacy of existing water, sewer and drainage facilities;
- Public safety including police, fire, emergency medical and storm evacuation; and,
- Impact on community character and quality of life.

A cumulative analysis would allow the city to manage redevelopment to an appropriate level so as to not impact infrastructure and public services, and community character, to a degree detrimental to the public's health, safety and welfare.

Community Character

Evaluation of the impacts on community character should heavily weigh input from your residents. It is your residents, after all, that are the mainstay of your community who know the character of the community the best. It is your residents who you are to protect.

The Plan references concerns about high density redevelopment and protection of community character in particular:

⁶ Tampa Bay Beaches Chamber of Commerce

- Future Land Use Goal 2 requires that the City’s residential character be maintained and protected;
- Future Land Use Objective 2.1 is to maintain the integrity and quality of life throughout the city including existing neighborhoods; and,
- Future Land Use Objective 2.4 requires that the city’s character be enhanced and protected.

The LDC follows by requiring consideration of whether the proposed CUP would:

- Be compatible with the character of the existing area;
- Significantly affect the overall appearance and function of the area;
- Impose significant adverse impacts on the livability of nearby land due to noise, glare from lights, light-night operations, vehicular traffic, truck and delivery trips, and the location and nature of any outdoor activities;
- Preserve the public health, safety and welfare; and,
- Be consistent with the best interests of the community.

Under current conditions the Large Resort District has been characterized having an “haphazard overall appearance”, “ugly”, “dangerous for pedestrians, both to walk up and down its length and to cross” and “not in character with the innate natural beauty of the community”.⁷

The Planning Board has the duty to determine whether the Sirata CUP complies not just with technical requirements but also the qualitative mandates of the Plan and LDC.

Comprehensive Plan Update

St. Pete Beach is moving ahead with an update to its Plan as presented at First Reading to the City Commission on October 10, 2023. The city is considering additional consulting services to assist with the comprehensive planning. While the update is a step forward for the community it also complicates the review of the CUP which must be based on the Plan which is in-effect. It would be wise during this transition to defer the Sirata CUP until the new Plan has become effective.

While the Plan update will improve structure and clarity, it takes only limited steps to address paramount threats facing St. Pete Beach going forward – hurricane force winds, coastal storm surge and sea level rise – and all but ignores future land use in this context.

⁷ St. Pete Beach Visioning Workshop, July 2022

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St. Pete Beach is highly vulnerable, the city must ask itself how intensive redevelopment on a barrier island make sense in the context of a new era of coastal storms and sea level rise? Should not that issue be confronted prior to a major development approval?

Recommendation

Carefully evaluate both the immediate physical impacts of the proposed Sirata CUP and the broader impacts on the character of St. Pete Beach as a whole.

Should you agree that important issues are not adequately addressed, the Planning Board should recommend to the City Commission that the CUP be sent back to city staff and the applicant for further examination, with opportunities for public consensus building, and appropriate revision. It seems to me that a win-win situation is available.

Attached you will find a consistency evaluation for Sirata. Information regarding the Tradewinds Beach Resort CUP is included so you can begin to consider the cumulative impacts.

I am copying this letter to the City Clerk with a request that it be included in the public record.

Thank you for your consideration.

Sincerely,



Charles Gauthier, FAICP

CC

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Consistency Evaluation

The Sirata CUP request was considered at Technical Review Committee Meetings on July 19 and November 1, 2023; the Tradewinds Island Resort went before the Technical Review Committee on August 2, 2023. The applications are summarized below:

Sirata Beach Resort	Tradewinds Island Resort
<p><u>Request</u></p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, PURSUANT TO SECTIONS 35.3.(b)(1) AND 35.4.(b) OF THE LAND DEVELOPMENT CODE, TO ALLOW THE CONSTRUCTION OF A 290 TEMPORARY LODGING UNIT, TEN STORY, 115’-6”-TALL HOTEL WITH ROOFTOP FEATURES NOT TO EXCEED 127’-6” IN TOTAL HEIGHT FROM BASE FLOOD ELEVATION ON THE NORTHERN PORTION OF THE SITE, AND A 130 TEMPORARY LODGING UNIT, EIGHT STORY, 88’-6”-TALL HOTEL WITH ROOFTOP FEATURES NOT TO EXCEED 100’-6” FROM BASE FLOOD ELEVATION HOTEL ON THE SOUTHERN PORTION OF THE SITE, ALONG WITH ANCILLARY AND ACCESSORY STRUCTURES, AND PERMIT A ROOFTOP DINING AND DRINKING AMENITY THAT INCLUDES THE PLAYING OF OUTDOOR MUSIC.</p>	<p><u>Request</u></p> <p>CUP Permit #23033: 5500 through 6000 Gulf Blvd (Tradewinds Resort) Applicant requests a CUP permit to: 1) Permit total development of 1,596 site-wide transient accommodation units, 629 units greater than existing, and 170,126 square feet of accessory facilities (office, restaurant, and conference space), 67,753 SF greater than existing, on the 25.26 acres of the Property located landward of the Coastal Construction Control Line in accordance with LDC Sec. 35.3(b)(1); 2) Permit development of the Property at a building height 116 feet above the base flood elevation in accordance with Sec. 35.3(b)(1), with allowances for decorative features and rooftop amenities in accordance with Sec. 35.8(a)(3).</p>
<p><u>Land Area</u></p> <ul style="list-style-type: none"> ▪ Approximately 8.62 buildable acres landward of the Coastal Construction Control Line ▪ Linear frontage on Gulf Boulevard approximately 732 feet 	<p><u>Land Area</u></p> <ul style="list-style-type: none"> ▪ Approximately 25.26 acres landward of Coastal Construction Control Line ▪ Linear frontage on Gulf Boulevard approximately 1,750 feet

<p><u>Comment</u></p> <ul style="list-style-type: none"> ▪ Together Sirata and Tradewinds encompass approximately 33.9 acres of the 65.16 acres in the Large Resort District or about 52% of the overall area ▪ Sirata and Tradewinds cover approximately 2,482 feet of frontage on Gulf Boulevard, since the Large Resort District extends about 0.9 miles from north to south the two CUPs would comprise about 52% of its length 	
<p><u>Existing Development</u></p> <ul style="list-style-type: none"> ▪ 382 transient lodging units (“units”) ▪ 44.3 units per acre ▪ 45,351 square feet of floor area for accessory uses (“floor area”) 	<p><u>Existing Development</u></p> <ul style="list-style-type: none"> ▪ 967 units ▪ 38.3 units per acre ▪ 102,373 square feet of floor area
<p><u>Proposed Redevelopment</u></p> <ul style="list-style-type: none"> ▪ 646 units ▪ 74.9 units per acre ▪ Net increase of 264 units (69% increase) ▪ 49,389 square feet of floor area (10.1% increase) ▪ Impervious surface 80% 	<p><u>Proposed Redevelopment</u></p> <ul style="list-style-type: none"> ▪ 1,596 units ▪ 63.2 units per acre ▪ Net increase of 629 units (65% increase) ▪ 170,026 square feet of floor area (66% increase) ▪ Impervious surface 80%
<p><u>Comment</u></p> <ul style="list-style-type: none"> ▪ Sirata seeks to maximize its unit potential; Tradewinds seeks to significantly increase development through a combination of transient units and floor area for accessory uses ▪ If approved they would together consist of units and 219,415 square feet of floor area ▪ Should the entire Large Resort District redevelop similar to the Sirata and Tradewinds proposals the community should expect a hotel district which includes in the order of 4,875 units and 430,000 square feet of floor area; of the 65-acres about 52-acres would consist of impervious surface 	

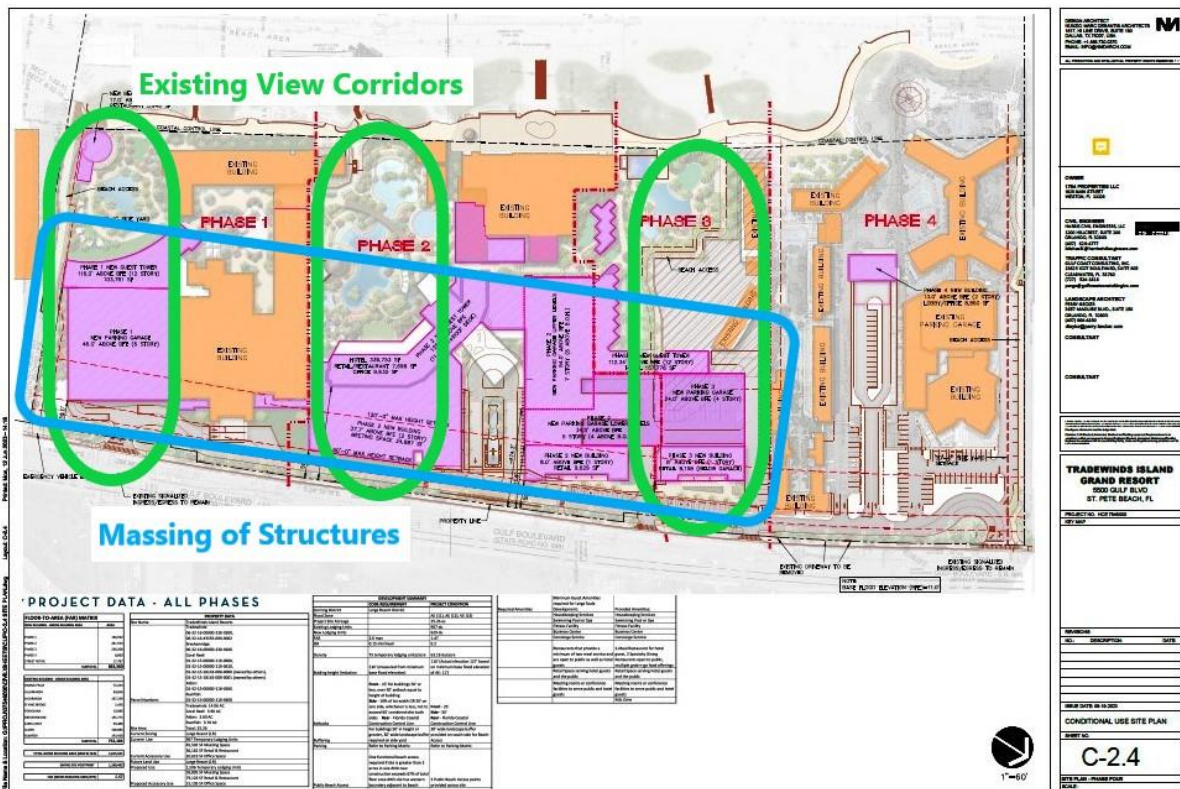
<p><u>Buildings</u></p> <ul style="list-style-type: none">▪ Remove 5 ancillary buildings, renovate existing building and construct a new 10 story and a new 8 story hotel buildings▪ Permit building height of 115.8 feet and roof structure height of 127.5 feet over base flood elevation	<p><u>Buildings</u></p> <ul style="list-style-type: none">▪ Construct 3 new “tower” buildings and a parking garage▪ Permit building heights of 116 feet above base flood elevation
<p><u>Transportation</u></p> <ul style="list-style-type: none">▪ The transportation impact analysis is based on standard peak hour conditions and does not adequately take into account the unique congestion on Gulf Boulevard that occurs during peak weekend conditions▪ The analysis does not address cumulative conditions should maximum buildout of the Large Resort District occur▪ City staff has requested a revised analysis and additional review of background traffic growth▪ The Site Plan would retain 3 unsignalized access points to Gulf Boulevard▪ A 10-foot-wide sidewalk would be provided on Gulf Boulevard	<p><u>Transportation</u></p> <ul style="list-style-type: none">▪ A transportation analysis not available▪ The Site Plan would reduce access points to Gulf Boulevard from 9 to 5▪ 2 of the access points are at existing signalized intersections▪ A 10-foot-wide sidewalk would be provided on Gulf Boulevard

<u>Public Beach Access</u> ⁸	<u>Public Beach Access</u>
<ul style="list-style-type: none">▪ Provide 15-foot-wide public beach access easement through central portion of site▪ Provide 7-foot-wide public beach access easement along south edge of site▪ Proffer 10-foot-wide public beach access easement with boardwalk running north to south proximate to Coastal Construction Control Line▪ Proffer 10-foot-wide public beach access agreement proximate to mean high water line	<ul style="list-style-type: none">▪ Provide public beach access north edge of site▪ Provide public beach access through central portion of the site▪ Provide public beach access south edge of site▪ Proffer a 10-foot easement to the city for unimproved public access landward of the mean high-water line

⁸ Based on Kimley-Horn Public Beach Access Exhibit EX-01



Existing Tradewinds Islands Beach Resort



Tradewinds View Corridors

Comprehensive Plan Requirements

The Planning Board should carefully consider the following goals, objectives and policies from the existing Plan as a part of its CUP review:

1. Section 1 of the Plan identifies ten important factors for community redevelopment based on existing conditions and resident input. These factors, also described as principles, include:

(2) There is strong community objection to high density unmanaged overdevelopment of our coastal Gulf community that will further degrade infrastructure and public services.

Comment

The Plan must be read in the context of strong community objection to high density unmanaged overdevelopment.

(3) There is a strong desire to protect the quiet character of existing residential neighborhoods from encroachment and overdevelopment of non-residential units.

Comment

This factor makes it clear that protection of the quiet character of existing residential neighborhoods is of utmost importance. The Plan must be applied accordingly.

2. The Future Land Use Element includes numerous goals, objectives and policies pertinent to the Sirata proposal. Additionally, it establishes detailed standards for development within the Large Resort District.

- a. Future Land Use Goal 1:

Support rebuilding and maintaining a sustainable carbon-neutral community by adopting and implementing land development and building regulations that: protect and conserve water resources; promote energy efficient buildings; encourage environmentally sensitive site and building design; facilitate recycling of construction materials and debris; support innovative building and site design that recognizes the complexities and environmental sensitivities of our coastal environment and its vulnerability to storms; and protect and enhancement of the overall environmental quality of our City.

Comment

This goal encourages innovative, environmentally sensitive site and building design which recognizes the coastal environment and its vulnerability to storms. In contrast, Sirata proposes high intensity redevelopment in a beachfront location that is highly vulnerable to storms.

b. Future Land Use Policy 1.2.4:

Regulate, maintain and reduce net impervious surfaces, with an emphasis on reducing large expanses of paved parking surfaces, wherever possible, to reduce urban heat and pollution and improve drainage.

Comment

Policy 1.2.4 requires that impervious surfaces be maintained and reduced. Sirata has not clearly demonstrated what changes would occur to the current extent of impervious surfaces.

c. Future Land Use Goal 2:

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

- ***Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.***
- ***Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.***
- ***Maintaining the community's recreation, open space and beaches.***

Comment

A central goal of the Future Land Use Element is to maintain and protect residential character of the overall city. It has not been demonstrated that residential character is being maintained or protected for St. Pete Beach as a whole.

d. Future Land Use Objective 2.1:

The integrity and quality of life throughout the City, including existing residential neighborhoods, as well as core commercial and resort areas, will be maintained through the enforcement of the land development regulations and shall be encouraged to be improved, and for those properties experiencing blighting conditions such as deterioration, degradation, and distress shall be encouraged to

redevelop through the use of land development regulations and other incentives, in accordance with the Future Land Use Element.

Comment

Objective 2.1 is to maintain the integrity and quality of life throughout the city including existing neighborhoods. Consistency with this objective has not been demonstrated.

e. Future Land Use Policy 2.1.5:

Through the enforcement of the land development regulations, existing residential areas shall be protected from the encroachment of incompatible uses; likewise, other land use areas shall be protected from the encroachment of incompatible residential uses.

Comment

Existing residential areas and other land use areas must be protected from encroachment of incompatible uses. However, Sirata would encroach by imposing views of high intensity redevelopment and blocking customary scenic vistas, air movement and sunlight.

f. Future Land Use Policy 2.3.4:

The land development regulations shall ensure that commercial land uses are located in a manner which ensures their compatibility with the type and scale of surrounding land uses and where existing or programmed public facilities shall not be overburdened.

Comment

The transient lodging units proposed by Sirata has not been demonstrated to ensure compatibility with the community as a whole.

g. Future Land Use Objective 2.4:

Consistent with this comprehensive plan, as amended, the City of St. Pete Beach shall enhance and protect the City's character through the encouragement of redevelopment which ensures an orderly and aesthetic mixture of land uses.

Comment

The city's character must not just be protected, it must be enhanced through an orderly and aesthetic mixture of redeveloped land uses. The Sirata proposal has not been demonstrated to enhance and protect the character of St. Pete Beach.

h. Future Land Use Objective 3.3:

The City shall assure that future developments are compatible with the topography, soil conditions and the availability of facilities and services.

Comment

The low topography and beach front location renders the redevelopment site vulnerable to hurricane force winds, storm surge and sea level rise.

The traffic impact analyses does not adequately consider the unique peak season congestion experienced on Gulf Boulevard or the cumulative impacts of maximum redevelopment of the Large Resort District.

- i. Future Land Use Policy 5.1.1:

The City shall adopt and implement land development regulations which recognize the limitations of development on a barrier island, including its location in the 100-year flood plain, its vulnerability to tropical storms, and its topography and soil conditions.

Comment

The Sirata proposal do not respond appropriately to limitations of development on a barrier island.

- j. Future Land Use Policy 5.1.2:

The City shall adopt and implement land development regulations that contain specific and detailed provisions required to implement this comprehensive plan, as amended, which, at a minimum shall:

- ***Ensure the compatibility of adjacent land uses by requiring adequate and appropriate buffering between potentially incompatible uses, temporary lodging uses and existing residential uses in particular when located in separate but adjoining character districts or plan categories;***
- ***Encourage land development which highlights scenic amenities and ensures public access to the waterfront;***

Comment

The Sirata CUP does not highlight or emphasize scenic amenities. Instead, the block existing scenic amenities.

- k. In addition to the general goals, objectives and policies of the Plan, Tradewinds must comply with detailed development standards

applicable to the Large Resort Character District. These include but are not limited to:

- i. Policy 1: *Architectural design features that provide visual interest, are aesthetically pleasing and relate to the human scale are equally important for both the street and water side of buildings.*
 - ii. Policy 2: *At least one functional beach access a minimum of ten (ten) feet average width shall be provided on all temporary lodging use development projects...*
 - iii. Policy 9(c)B.1: *Intensity of temporary lodging units shall not exceed 75 units per acre.*
 - iv. Policy 9(c)B.2: *Intensity of temporary lodging uses shall not exceed a 2.6 floor area ratio.*
 - v. Policy 9(c)B.4: *Maximum imperviously surface ratio shall not exceed a 0.85.*
 - vi. Policy 9(d)C: *Building height for temporary lodging shall not exceed 116 feet.*
- l. As required by the Plan, the Sirata proposal must receive Conditional Use approval pursuant to the general redevelopment guidelines, standards and initiatives applied to the Community Redevelopment District. Specifically:
- (c) *Review and Approval of Conditional Uses. In order to ensure compatibility with adjoining existing uses, to fully evaluate impact on the City's infrastructure, and to ensure the entire development project meets City standards, the City shall amend its Land Development Code to require conditional use approval subject to quasi-judicial public hearings before the Planning Board and City Commission, for any temporary lodging use in the Community Redevelopment District proposed to have a building height greater than fifty (50) feet or a density greater than 30 temporary lodging units per acre as may be allowed by this plan and the City's Land Development Code. This review process shall include, but not be limited to, considerations of:*
 - *Utility infrastructure, including sanitary sewer, reclaimed water, potable water electric, fire, law enforcement, and natural gas services, and data transmission and telecommunications services;*

- *Transportation infrastructure, including ingress and egress from public rights-of-way, traffic control devices and signalization, internal vehicle circulation of the site, design and function of parking areas, loading and unloading areas, pedestrian transit infrastructure and amenities, and public sidewalks and roadways;*
- *Hydrological features and storm water management infrastructure;*
- *Aesthetic and architectural features of the development, including site layout, physical dimensions of structures such as height and massing, design and appearance of building facades, exterior building materials, advertising and directional signage and the provision and maintenance of Gulf and Bay views and vistas;*
- *Site landscaping, open space provision and impervious surface limitations;*
- *Operational and functional requirements of facilities, including hours of operation, provision of required services or amenities, lighting requirements, noise abatement requirements, residency limitations and facilities maintenance;*
- *Fire suppression and facility security;*
- *Emergency management and hurricane evacuation provisions.*
- *The amount of separation provided between the proposed temporary lodging use and any existing buildings on adjoining properties and resulting impact on sunlight and views; and*
- *The proximity of any adjacent residential building to the Florida Coastal Construction Control Line and the degree to which the proposed temporary lodging use and/or any accessory use or structure maintains an open view of the waterfront from neighboring properties.*

LDC Requirements for Conditional Uses

Division 4 of the LDC identifies requirements for Conditional Uses. An evaluation of Sections 4.4 and 4.11 follows.

Section 4.4. Standards for Review.	
Criteria	Analysis
<i>(a) Standards applicable to all conditional uses. When considering an application for approval of a conditional use, the city commission review shall consider the following standards:</i>	
<i>(1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan, any adopted special area plan and these regulations;</i>	The Sirata CUP has not been demonstrated to be consistent with the Plan as enumerated above
<i>(2) Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential, commercial and/or service facilities available within the existing area. More specifically:</i>	The proposed uses may be considered incompatible with the character of the existing area since they would result in highly visible structures which block customary scenic views, interfere with natural air movement, cast shadows, worsen peak season congestion, reduce safety for motorists, bicyclists and pedestrians, and result in beach crowding i.
<i>a. Whether the overall appearance and function of the area will be significantly affected consideration shall be given to the existence of other uses in the area, based on the number, size, and location of the uses and the intensity and scale of the proposed and existing uses in the area;</i>	The overall appearance and function of the area would be significantly affected by intensity of the redevelopment proposals
<i>c. Whether the application will be compatible with adjacent development, if any, based on characteristics such as size, building style and scale; or whether such incompatibilities are mitigated through such means as screening,</i>	The application seeks approval of development that may be considered incompatible based on public comment.

<i>landscaping, setbacks, and other design features; and</i>	
<i>d. Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues.</i>	Peak conditions on Gulf Boulevard would be degraded as a result of the increased intensity of development
<i>(3) Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety;</i>	In addition to the foregoing comments pedestrian safety would be reduced due to increased traffic and turning movements on an off of Gulf Boulevard
<i>(5) Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;</i>	The preservation of the health, safety and welfare of the public would be altered, public comment on this question should be heavily weighed
<i>(7) Whether the proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.</i>	The proposed uses have not been demonstrated to be consistent with the St. Pete Beach Comprehensive Plan, instead of a policy analysis the application materials merely assert consistency

Sec. 4.11. Conditional uses in designated community redevelopment districts.	
Criteria	Analysis
It is the intent of the city that the aesthetic and functional characteristics of new development shall be regulated to insure consistency with the stated objectives of city redevelopment policy and that all new development is undertaken in a manner consistent with the best interests of the community. In instances of development projects which are of significant density or intensity, the complexity of the construction and operation of such projects	Sirata has not demonstrated the CUP is consistent with the best interests of the community The CUP provides for significantly increased transient lodging unit density and thus requires a heightened review to ensure it is in harmony with community character

<p>require a higher than usual level of public security and technical review prior to permitting, and necessitate the articulation of specific requirements on the part of both the developer and the city to ensure that such developments are in harmony with community character and consistent with the policies of the community redevelopment plan. The provisions of this section are intended to supplement the stated requirements of this division and other divisions of the Land Development Code and provide for the incorporation of provisions into conditional use approvals which address issues of public concern.</p>	
<p>(a) Conditional use applications within the community redevelopment district shall be evaluated upon the extent to which the applicant can demonstrate that the following issues are addressed in a manner consistent with the policies established in the community redevelopment plan for the district and that no unreasonable or disproportionately negative impacts are imposed upon adjacent or nearby properties:</p>	<p>The identified issues are only partially addressed</p>
<p>(2) Transportation infrastructure, including ingress and egress from public rights-of-way, traffic control devices and signalization, internal vehicle circulation of the site, design and function of parking areas, loading and unloading areas, pedestrian transit infrastructure and amenities, and public sidewalks and roadways;</p>	<p>See previous comments</p>
<p>(4) Aesthetic and architectural features of the development, including site layout, physical dimensions of structures such as height and massing, design and appearance of building facades, exterior building materials, advertising and directional signage and the provision and maintenance of Gulf and Bay views and vistas;</p>	<p>The proposed massing of tall buildings is does not maintain Gulf vistas</p>