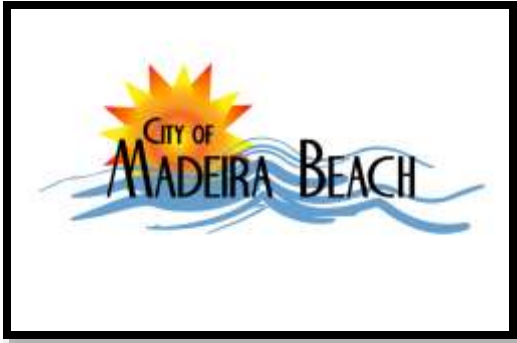




THE CITY OF MADEIRA BEACH, FLORIDA PUBLIC NOTICE

LOCAL PLANNING AGENCY/ PLANNING COMMISSION

The Planning Commission, serving as the Local Planning Agency of the City of Madeira Beach, Florida will meet at the Madeira Beach Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708, to conduct Public Hearings on the following City business.

7:00 PM

MONDAY, FEBRUARY 6, 2017

MADEIRA BEACH PATRICIA SHONTZ COMMISSION CHAMBERS

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **APPROVAL OF THE MINUTES – DECEMBER 12, 2016**
- IV. **NEW BUSINESS**
 - A. **ORDINANCE 2017-04 – REZONE FROM PLANNED DEVELOPMENT (PD) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT**

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 0-150TH AVENUE, 555 – 150TH AVENUE AND 565 – 150TH AVENUE FROM PLANNED DEVELOPMENT (PD) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.
 - B. **TO CONSIDER THE APPLICATION FOR ENTERING INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADEIRA BEACH AND MHH ENTERPRISE, INC. AND C&T ENTERPRISES, INC.**
 - C.
 - D. **ORDINANCE NO. 2017-05**

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 2 (PLANNING COMMISSION), SECTION 2-77 (ORGANIZATION) TO CHANGE THE MEETING DATE OF THE PLANNING COMMISSION FROM THE SECOND MONDAY OF EACH MONTH TO THE FIRST MONDAY OF EACH MONTH, AS NEEDED; AND BY PROVIDING FOR AN EFFECTIVE DATE.
 - E. **TO CONSIDER MOVING THE PLANNING COMMISSION MEETING FROM SECOND MONDAY OF THE MONTH TO FIRST MONDAY OF THE MONTH**
- V. **PLANNING COMMISSION DISCUSSION**
- VI. **OLD BUSINESS – N/A**
- VII. **REPORTS**
 - CITY MANAGER
 - CITY ATTORNEY
 - PLANNING AND ZONING DIRECTOR
- VIII. **NEXT MEETING : MARCH 13, 2017**
- IX. **ADJOURNMENT**

Any person who decides to appeal any decision of Planning Commission serving as the Local Planning Agency with respect to any matter considered at this meeting 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 to be based. The law does not require the City Clerk to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 391-9951 or fax a written request to (727) 399-1131.

POSTED JANUARY 20, 2017

REVISED FEBRUARY 03, 2017



THE CITY OF MADEIRA BEACH, FLORIDA PUBLIC NOTICE

LOCAL PLANNING AGENCY/ PLANNING COMMISSION

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7:00 PM

MONDAY, FEBRUARY 6, 2017

MADEIRA BEACH PATRICIA SHONTZ COMMISSION CHAMBERS

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **APPROVAL OF THE MINUTES – DECEMBER 12, 2016**
- IV. **NEW BUSINESS**
 - A. **ORDINANCE 2017-04 – REZONE FROM PLANNED DEVELOPMENT (PD) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT**
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 - B. **TO CONSIDER THE APPLICATION FOR ENTERING INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADEIRA BEACH AND MHH ENTERPRISE, INC. AND C&T ENTERPRISES, INC.**
 - C. **ORDINANCE NO. 2017-05**
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- V. **PLANNING COMMISSION DISCUSSION**
- VI. **OLD BUSINESS – N/A**
- VII. **REPORTS**
 - CITY MANAGER
 - CITY ATTORNEY
 - PLANNING AND ZONING DIRECTOR
- VIII. **NEXT MEETING : MARCH 13, 2017**
- IX. **ADJOURNMENT**

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POSTED JANUARY 20, 2017



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

I. CALL TO ORDER



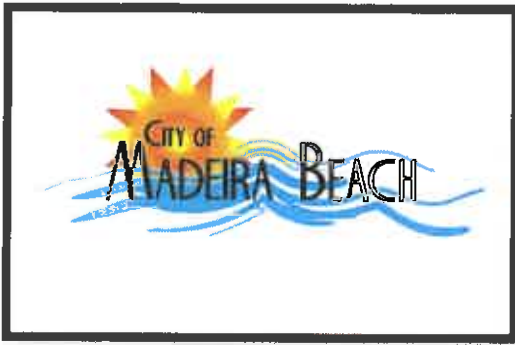
**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

II. ROLL CALL



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

III. APPROVAL OF THE MINUTES-DECEMBER 12, 2016



THE CITY OF MADEIRA BEACH, FLORIDA

PUBLIC NOTICE

LOCAL PLANNING AGENCY PLANNING COMMISSION MINUTES

The Planning Commission, serving as the Local Planning Agency of the City of Madeira Beach, Florida will meet at the City of Madeira Beach Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708, to conduct Public Hearings on the following City business.

7:00 P.M.

MONDAY, DECEMBER 12, 2016

COMMISSION CHAMBERS

I. CALL TO ORDER The meeting was called to order at 7:00pm by Commissioner David Lawrence

II. ROLL CALL

Chairperson (None)

1st Vice-Chair (None)

2nd Vice-Chair Mike Noble (Absent)

Commissioner Dennis Carr (Present)

Commissioner Robin Biloski (Present)

Commissioner Ann Rasmussen (Present)

Commissioner Ingrid Spilde (Present)

Commissioner Sonny Flynn (Present)

Commissioner David Lawrence (Present)

Staff Representatives:

Shane Crawford, City Manager

Michelle Orton, Planning and Zoning Director

Tom Trask, City Attorney

III. ELECTION OF OFFICERS- CHAIRMAN, 1ST VICE CHAIRMAN AND 2ND VICE CHAIRMAN

Commissioner David Lawrence appointed Mike Noble to be declared as the elected Chairman

Commissioner David Lawrence appointed himself to be declared as the elected 1st Vice Chairman

Commissioner David Lawrence appointed Sonny Flynn to be declared as the elected 2nd Vice Chairman

The vote was 6-0 with all members voting, "aye".

IV. APPROVAL OF THE MINUTES

Planning Commission Meeting, July 11, 2016 & September 12, 2016

2nd Vice-Chair Flynn provided a motion to approve the minutes for July 11, 2016 and September 12, 2016.

Commissioner Rasmussen provided the second to the motion. The vote was 6-0 with all members voting "aye".

V. NEW BUSINESS

A. Ordinance 2017-01

Rezone From Planned Development (PD) To
Planned Development (PD)

Applicant: Madeira Beach Town Center, LLC and Madeira Commons, Inc.

Location: City-Wide

Request: To consider the application for the rezoning of the Planned Development (PD)

City Attorney Tom Trask presented the case discussing the summary of the application and explained the quasi-judicial proceeding of this meeting.

The City attorney also announced petitions that were filed as being an affected party and announced them in the order by date and time the petitions were received by the City of Madeira Beach, City Clerk's office.

John Lipa, VP of Madeira Cove Condo Assoc., 970 Lake Carillon Dr., Suite 102, St. Petersburg, FL 33716

Larry Roelofs, Board Member Madeira Cove Condo Assoc., 970 Lake Carillon Dr., Suite 102, St Petersburg, FL 33716

William Gay, Homeowner, 423 150th Avenue, # 1503, Madeira Beach, FL 33708

Steven Miller, Homeowner, 15329 Harbor Drive, Madeira Beach, FL 33708

Sam Baker, Homeowner, 742 Pruitt Drive, Madeira Beach, FL 33708

All whom will be speaking at tonight's meeting were sworn in under oath by City Attorney Tom Trask.

The applicant's Attorney Cate Wells, Shumaker, Loop & Kendrick, LLP Bank of America Plaza, 104 E. Kennedy Blvd. Suite 2800, Tampa, FL 33602 presented case and objected to the petitions by **Steven Miller** and **Sam Baker**, two of the five petitioners. Attorney Cate Wells stated that they do not reside near the notice area, nor are they impacted by the said development; therefore they are not affected parties and do not meet the standard by Madeira Beach Code.

The City Attorney discussed the City's Code State Statue Sec. 2.7

Attorney Cate Wells made the presentation to the Planning Commission for Madeira Beach Town Center, LLC. She introduced on behalf of the applicant Madeira Beach Town Center, LLC. Bill Karnes, Kevin Bowden and Scott Brainard.

Consulting team Tim Clemmons, Registered Architect w/ Mesh Architecture, Robert Pergolizzi, Professional Transportation Planner w/ Gulf Coast Consulting and Cyndi Tarapani, Professional Urban Planner w/ Florida Design Consultants, Inc.

Attorney Cate Wells discussed the previous Commission recommendation of approval in March/April 2016 for the Rezoning Application & Development agreement that resulted in a final approval by the Board of Commissioners on June 14, 2016. It was for a project that allowed two-eleven story hotels with up to 430 rooms, two-eight story condominium buildings with up to ninety units, a marina development up to 50,000 Sq. Ft. of retail and or restaurant uses.

Cate also mentioned Karnes Enterprises made changes in response to concerns expressed by members of the community and made a business decision to re-design the project to comply with standards of development permitted prior to the 2014 Amendments to the Comprehensive Plans and Special Area Plan. The applicant is seeking to rezone the property from planned development to planned development and to enter into a new development agreement. If approved by the Board of Commissioners they will supersede & replace the development rights granted on June 14, 2016.

Since starting the process a new and complying with the City's Code, two neighborhood meetings were held.

Finally Cate explained the purpose of this hearing is to determine that they have complied with the City's standards.

She asked that the decision be made based on the compliance to the codes. She submitted to the Planning Commission resumes of Timothy Clemmons, Robert Pergolizzi and Cindi Tarapani.

Timothy Clemmons, AIA Leed AP Principal w/Mesh Architecture made the presentation for the Madeira Beach Town Center, LLC project.

He spoke of improvements to the community, zoning changes and provisions. Six story condos, retail restaurant space, hotels, retail, public amenities, two hotels and marina. Comparison to prior special area plan is the property is divided into 5 parcels which represent the 5 phases of the project.

Condo A commercial core district will be left and the causeway district will be to the right according to the 2009 Special Area Plan provisions and will be blending the two properties per the zoning change.

Condo B 6 story east, 4 levels of condo units with 2 levels of parking on Madeira Way N. to the right is Hotel A across is Hotel B. Previous plans showed dock master building between Condo A and Condo B.

The new plan Dock Master is adjacent to Causeway Park in response to a regulatory requirement. Overall two hotel buildings are similar and the biggest change is Madeira Way parallel parking. The new plan preserved diagonal parking is discussed on public improvement and amenities for 50th avenue is widened and extends from property line to property line. Showed current proposal and previous proposal. Intersection of Gulf Blvd. 50th Ave to the South of Hotel B will be a public park and ½ acre from Causeway Park down to Madeira Way creating a 12ft. wide pedestrian & bicycle trail on the water side they are creating a 8 ft. wide walkway along the marina slips open to the public. Two previous condo buildings had a total of 90 condos. Currently there are 80 condo units, previously there were 8 story buildings with 6 levels of condo units with two levels of parking. Currently 6 story buildings, 4 levels of condo units over two levels of parking.

Condo A (right) 36 condo units and Condo B (left) 44 condo units a total of 80.

Reduced size from 1800 sq. ft. to 1600 sq. ft. illuminated 2 floors to reduce the height with Condo A further to the west. Two hotel buildings are 8 stories in height, previously they were 11 stories reduced by 3 stories.

Coming over Tom Stuart Causeway looking down 150th Ave towards the Gulf of Mexico on the right is a bicycle & pedestrian trail 12ft. wide and 150th Ave Hotel A previously 11 stories, 180 rooms, retail, lobby, parking 148 rooms with 8 stories. Hotel B previously 11 stories, 250 rooms, 168 rooms added 10 condo units from Condo A.

City attorney asked the Planning Commission if there are any questions.

Commissioner Spilde questioned will parking on Madeira Way still be free?

Mr. Clemons responded that the parking fees are up to the City.

Commissioner Biloski questioned will the triangle public area be made for public use only and not for hotel use?

Mr. Clemons responded it will be public use.

Commissioner Rasmussen questioned who will maintain the landscaping for the triangle public area?

Cate Wells responded it will be owned by the development but maintained by the City per the City's request.

Robert Pergolizzi, AICP, PTP w/Gulf Coast Consulting made the presentation for the Madeira Beach Town Center, LLC project. He discussed a traffic study was conducted in Feb. 2016. All new counts were adjusted to peak season conditions as a standard engineering practice. That report and development agreement findings were approved in June 2016 by the Board of Commissioners. The practice was conducted to reflect the reduction to the project intensity that Mr. Karnes implemented. A revised traffic study was done in November. Modifications to the traffic signal at 150 Ave. / Madeira Way and the Holton Project is currently undergoing reduction study.

Mr. Pergolizzi discussed proposing to remove the left turns from Madeira Way on to 150th Ave. Traffic signals will be green for 150th Ave but will maintain a pedestrian crossing across 150th Ave. that will be activated by a pedestrian to cross. Proposing to make modifications to the medians to lengthen the left turn lanes or to add left turn lanes. He spoke on safety and capacity improvements. The Madeira Beach Town Center Project analyzed traffic revised project will result in 2,958 daily vehicle trips of which 224 would occur during the PM peak hour. That represents a 24% reduction that was approved in June modifications. In addition a proposal is to make modifications to the medians on 150th Ave. to lengthen the left turn lanes where none presently exist.

Those are both safety and capacity improvements on 150th Ave. Removal of several driveways on the North side of 150th Ave consolidate two locations one that aligns with the median opening opposite Madeira Cove and other that aligns with median opening opposite Boca Vista from 8 driveways to 2 which increases safety and reduces conflict points. Regards to level of service, 150th Ave will still operate as level C. The City's adopted level of service standard as level service D. the expected volume with both projects (Holton and Karnes) 2700.93 vehicles per hour during PM peak hour. Gulf Blvd would still operate at level service D.

Median modifications were discussed with FDOT and will have many more moving forward through the permitting stages. The permits will be required.

Commissioner Lawrence asked if there are any questions to the Commission.
Commissioner Biloski questioned turning on to Madeira Way from Tom Stuart.

Mr. Pergolizzi responded they want it to be more pedestrian friendly for crossing.

Cynthia Tarapani, Vice President, Planning w/ Florida Design Consultants made the presentation for the Madeira Beach Town Center, LLC project. She discussed the revised rezoning and development agreement. The site at 6.7 acres, 2 hotels, 2 condominiums, Marina with 42 slips, retail and restaurant. The intensity of the development has declined significantly. The intensity amount and height has been reduced. Compared the approved plan and the proposed site plan. Residential units remain the same 10 units are on top of Hotel B. Hotel rooms reduced from 430 to 316 rooms, retail remains the same, Marina slips also remain the same. Hotel A reduced 25 feet in height. The parcel numbers changed but the site remains at 6.7 acres. She also discussed the 5 criteria's from the LPA review which are the comprehensive plan (PRMU) special area plan amendments, Land Use Compatibility, Adequate Public Facilities, Public Interest and Consistency with the Land Development Regulations from the code of PD Zoning and how the project complies with each one.

Commissioner Lawrence asked if there are any questions to the Commission.

There was no comment from the Commission.

Cate Wells concluded the presentations for Tim Clemmons, Mr. Pergolizzi and Cynthia Tarapani. She asked that all be entered into record as respective expert witnesses.

Commissioner Lawrence accepted presentations into record and considered all the presenters as expert witnesses.

Michelle Orton, Planning and Zoning Director for the City of Madeira Beach made presentation. She discussed the background of the Madeira Beach Special Area Plan. She also discussed the Consistency with the Comprehensive Plan, Land Use Compatibility, Adequate Public Facilities, Public Interest and Consistency with Land Development Regulations. Staff recommends approval.

B. To Consider The Application For Entering Into A Development Agreement Between The City Of Madeira Beach And Madeira Beach Town Center, LLC

Applicant: City of Madeira Beach

Location: City-Wide

Request: Consideration of an Approval of the draft Development Agreement

Michelle Orton, presented the case discussing the Developer's Agreement. She discussed the Addendum to the Staff Report. Staff recommends approval.

Commissioner Lawrence asked if there are any comments from the City Staff.

There were no comments from the staff.

The City Attorney asked that the affected parties present their case.

John Lipa, 399 150th Ave, Madeira Beach, FL 33708 spoke of his concerns regarding the Madeira Beach Comprehensive Plan, Amendments and Special Area Plan. He also discussed the overview of Madeira Beach Town Center master plan and meeting with the developers. He also discussed the Impact of MBTC proposed changes. Commended the developers on the changes they made to accommodate the citizens of Madeira Beach. He mentioned the Madeira Way before and after revised plan and Developers Agreement Approval, Current view of Madeira Beach Town Center, Project Data, 150th Ave, Traffic and Pedestrian Safety Initiatives. His concern is traffic, he feels it is an issue on 150th Ave. He asking that a traffic light be added to the new intersection.

Commissioner Lawrence asked if there are any questions to the Commission.

There were no comment from the Commission.

Larry Roelofs, 399 150th Ave, Madeira Beach, FL 33708. He spoke of his concerns of the traffic on 150th Ave. He asked the final development agreement include a traffic signal at 150th Avenue. And he also thanked the developers for all their considerations to accommodate the residence.

Commissioner Lawrence asked if there are any questions to the Commission.

There were no comment from the Commission.

William Gay, 423 150th Ave, (Snug Harbor Condominiums), Madeira Beach, FL 33708. He spoke of his concerns regarding the Madeira Beach Town Center Project traffic. He spoke of his concerns leaving and entering into Madeira Cove condominiums entrance. He ask that the traffic issue be taken into consideration using an independent traffic study.

The City Attorney introduced Steven Miller, who has been challenged as an affected party.
The City Attorney read the definition of an affected party.

Steven Miller, resident of Redington Beach explained to the Commission Board why he believes he is an affected party.

He spoke of safety and transportation facilities. He spoke on the problem of traffic flow. He is asking is there can be a better solution

Attorney Cate Wells said Steven Miller can be allowed to speak during public comment but no as an affected party. Said he isn't impacted as an affected party.

Commissioner Lawrence denied Steven Miller affected party status but can speak as a resident.

The City Attorney introduced Sam Baker who has been challenged as an affected party.

Sam Baker, resident of Madeira Beach, spoke of his concern of the traffic from Madeira Beach to the VA because he is a veteran. He said the extra traffic will affect his commute.

Attorney Cate Wells said Sam Baker is not seen as an affected party because his home is over 4,000 feet from the project.

Commissioner Lawrence denied Sam Baker affected party status.

The City Attorney called a 5 minute break and to presume at 9:37PM

Commissioner Lawrence opened the floor for public comment.

Public Comment:

Steve Miller, Harbor Drive, Madeira Beach, FL 33708 spoke on his concerns of the traffic caused by the development and access to the mainland.

Durwin Smith, Business Owner, Madeira Beach Market Place spoke and discussed the parking issue and having parking with public access. He is very pleased with the new development.

Mark Calebra, resident on Harbor Drive, Madeira Beach spoke and stated he is very pleased with the proposed development. He asked that the Commission not delay the development process any longer.

Cheryl Baginski, resident on 148th Street, Madeira Beach spoke on Madeira Way traffic. Ask that the Commission reconsider getting a stop light. Ask that the park at Madeira Way be more pedestrian friendly, and the height restrictions.

Pete Trott, resident on 145th , Madeira Beach supports the development and said that the hotels will bring the City back to where they can support the businesses within the city.

Rick Copkal, Business Owner in Madeira Beach agrees to the development and said he is looking forward to the growth of tourism back in the city. Pleased with the developers changes to please the community.

Jim Everett, 15458 1st St E, Madeira Beach agrees to the development. Spoke on the benefits and improvement the development will have on the city. It's a huge advancement and safety for our city. Encouraged the Commission to move forward.

Jeff Beggins, Business owner Century 21, Madeira Beach spoke on the codes are being followed and agrees to the development. Real-Estate market is good now, strong enough to absorb the development and it is important to move forward with the project no.

Terri Wilthong, resident of Madeira Beach. She support the city getting an independent traffic study.

Luis Cammaggio, Business Owner 392 150th Ave said he supports the new development after meeting with the developer and that it is a wonderful thing for the city. He feels that the traffic problem can be fixed.

The City Attorney announced the rebuttal for the applicant.

Attorney Cate Wells spoke on the concerns for the traffic flow and that the improvements will be addressed with the FDOT and has to be approved by the FDOT.

She spoke on non-relevant parking speculations. She asked that Mr. Pergolizzi speak on Mr. William Gay's comments/concerns.

Robert Pergolizza, Gulf Coast Consulting presented a rebuttal on the statements that were made by Mr. Gay. He discussed traffic studies and the expected changes that will occur for roadway improvement plans. The FDOT will make the final decision.

Commissioner Lawrence asked if there are any questions to the Commission.

There were no comment from the Commission.

Attorney Cate Wells closed presentations in behalf of the applicant and requested approval for both applications

Michelle Orton presented the case discussing the rezoning ordinance. Staff recommends approval

Commissioner Flynn made a motion to recommend approval to move forward. Commissioner Rasmussen provided the second to the motion. The vote was 6-0 with all members voting, "aye".

Commissioner Rasmussen made a motion to recommend approval on the development agreement. Commissioner Biloski provided the second to the motion. The vote was 6-0 with all members voting, "aye".

C. Ordinance 2017-02

Annual Update Of The Capital Improvement Projects

Applicant: City of Madeira Beach

Location: City- Wide

Request: Update of the Capital Improvement

Michelle Orton presented the case discussing the Capital Improvement program. Staff recommends approval.

Commissioner Lawrence opened the floor for public comment.

There were no comments from the public.

Commissioner Spilde made a motion to recommend approval of Ordinance 2017-02.

Commissioner Flynn provided the second to the motion. The vote was 6-0 with all members voting, "aye".

VI. PLANNING COMMISSION DISCUSSION None

VII. OLD BUSINESS None

VIII. REPORTS

- **CITY MANAGER** – Discussed a proposed January Meeting to schedule Jan. 9 tentatively.
- **CITY ATTORNEY**- Told the board members they can contact him with any questions or concerns
- **PLANNING AND ZONING DIRECTOR** - reminded everyone of Feb 14th meeting and discussed the Planning Commission handbook that has already been provided to all of the Commission as a helpful guide.

IX. NEXT MEETING January 9, 2017

X. ADJOURNMENT – Commissioner Biloski made a motion to adjourn. Commissioner Spilde provided the second to the motion. The Vote was 6-0 with all members voting, "aye".

Meeting adjourned at 10:30 PM

Date Approved: February 6, 2017

Respectfully submitted:

Mike Noble, Chairperson

Date

Gwen Sinkfield, Administrative Assistant to Planning/Zoning

Date



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

IV. NEW BUSINESS

- A. **STAFF REPORT FOR REZONING REQUEST** AND ORDINANCE 2017-04 – REZONE FROM PLANNED DEVELOPMENT (PD) DISTRICT TO PLANNED DEVELOPMENT (PD)
- B. **STAFF REPORT FOR DEVELOPMENT AGREEMENT** AND TO CONSIDER THE APPLICATION FOR ENTERING INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADEIRA BEACH AND MHH ENTERPRISES, INC. AND C&T ENTERPRISES, INC.
- C. ORDINANCE 2017-05- AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE 111 (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 2 (PLANNING COMMISSION), SECTION 2-77 (ORGANIZATION) TO CHANGE THE MEETING DATE OF THE PLANNING COMMISSION FROM THE SECOND MONDAY OF EACH MONTH TO THE FIRST MONDAY OF EACH MONTH, AS NEEDED, AND BY PROVIDING FOR AN EFFECTIVE DATE.



REZONING APPLICATION



PLANNING COMMISSION/LOCAL PLANNING AGENCY

Rezoning Request – Staff Report

February 6, 2017

FROM: Luis N. Serna, AICP – Planning and Zoning Consultant
Calvin Giordano & Associates, Inc.

SUBJECT: Holiday Isles Marina – Request to Rezone from PD (Planned Development) to PD (Planned Development)

I. General Information

Request: The applicants are seeking to rezone 4.59 acres that are located on the southeast side of 150th Avenue (Tom Stuart Causeway) just south of the bridge, from PD (Planned Development) to PD (Planned Development). This request is for the development of a mixed-use project that will include 150 temporary lodging units, 31 condominium units, and a marina.

Property Owner:

C&T Enterprises, Inc.
900 4th Street North
Suite 200
St. Petersburg, Florida 33702

MHH Enterprises, Inc.
150 153rd Avenue
Suite 203
Madeira Beach, Florida 33708

Property Address:

555 and 565 150th Avenue

Applicant:

C&T Enterprises, Inc.
900 4th Street North
Suite 200
St. Petersburg, Florida 33702

MHH Enterprises, Inc.
150 153rd Avenue
Suite 203
Madeira Beach, Florida 33708

Parcel ID Numbers:

09-31-15-00000-110-0100
09-31-15-00000-140-0100
09-31-15-00000-140-0120
09-31-15-00000-110-0200*(Not included on the application)
09-31-15-00000-140-0110*

*Submerged land lease; not being rezoned

Land Use Designation/Current Zoning:

Planned Redevelopment Mixed Use/
PD (Planned Development)

Site Area:

4.59 acres

Present Use: Boat storage, open and covered boat slips, marine related commercial uses, and vacant land

Proposed Use: This proposal is for a major change to a previously approved Planned Development Concept Plan for a mixed-use project known as Holiday Isles Marina. The revised Concept Plan includes a maximum of 150 temporary lodging units, 31 condominium units, and a marina. The project will consist of two primary buildings (a hotel and a condominium building); surface parking, including parking under each building; and an expanded marina. Proposed building heights for the project are up to 75 feet, with a maximum of five stories above parking.

II. Background

The subject site was approved by the City for rezoning from C-4 (Marine Commercial) to PD (Planned Development) on May 10, 2016 through Ordinance 2016-18. The corresponding Development Agreement was approved on June 14, 2016. The original approval included a Concept Plan and Development Agreement which established the parameters of the development as well as specific conditions governing the development and obligations of the developer and the City. The applicant is requesting a modification to the approved Concept Plan which is a significant decrease in the density and intensity of the proposed development. A comparison of the original approval and the proposed Concept Plan revision is indicated in the table below.

	Original PD Concept Plan	Proposed PD Concept Plan
Temporary Lodging Units	272 units 59.3 units/ac. ¹	150 units 32.7 units/ac. ¹ 60 units/ac. ²
Condominium Units	68 units 14.8 units/ac. ¹	31 units 6.8 units/ac. ¹ 15 units/ac. ²
Commercial	18,000 sq. ft.	12,000 sq. ft. restaurant (ancillary to the hotel)
Maximum Building Height	93 feet	75 feet

1. For purposes of comparing gross density, land uses have not been allocated to the portion of the site they occupy.

2. Density includes allocation of land uses to the portion of the site they occupy.

The Planning Commission reviewed the original PD Concept Plan on February 8, 2016 and recommended approval of the rezoning to PD (Planned Development). As shown above, the current request is a significant decrease in the density and intensity of the project.

The proposed PD development is located within the Planned Development Mixed Use Future Land Use district which is implemented through the Madeira Beach Town Center Special Area Plan (SAP). According to the SAP, all proposed development and redevelopment in the SAP should be reviewed using the Planned Development (PD) process to ensure that the proposed uses and designs are consistent with the Town Center SAP. Land proposed for development under the PD district may contain a mixture of temporary lodging, residential, commercial, recreational, and other uses as permitted by the Future Land Use Map designation on the site. The PD rezoning process further requires the submittal and approval of a concept plan and a development agreement to ensure compliance with the proposed development standards. Future development on the site will be subject to staff level review and will require more

detailed site plans which will be reviewed for consistency with the PD conceptual plan and the development agreement.

Within the Town Center SAP, the proposed PD is located within the Causeway District. Development in this district requires inter-parcel vehicular access and allows for the utilization of shared parking. Additional standards for the SAP and the Causeway District address building setbacks, outdoor dining and display, parking lot location and size, parking lot landscaping, off-street service and loading areas, and architectural guidelines.

III. Review Criteria

As required by Section 110-391 of the Land Development Regulations, review of the rezoning application by the Local Planning Agency (LPA) is required to ensure that the following zoning standards are met and shall recommend denial of the application if the standards are not met. The following criteria shall be used to make such assignments and to make changes in assignments, whether initiated by the City or by a property owner:

- (1) *Consistency with the comprehensive plan.*** All zoning district assignments shall be consistent with the comprehensive plan, including the future land use map and future land use element goals, objectives, and policies. The zoning district assigned shall be consistent with the land use category of the future land use map.

The subject parcels are located in the Planned Redevelopment Mixed-Use Future Land Use category which is further implemented through the Madeira Beach Town Center Special Area Plan (SAP). One of the stated objectives of the SAP is to increase the number of temporary lodging units and enhance the tourist industry for Madeira Beach and its local businesses. The Future Land Use district establishes a maximum density of 15 units per acre for residential units and up to 125 units per acre for temporary lodging. The district further permits a maximum Floor Area Ratio of 4.0 and a maximum Impervious Surface Area ratio of 0.95. The proposed Planned Development has been determined to be consistent with the Future Land Use district and the SAP objectives and standards.

- (2) *Land use compatibility.*** The assigning of zoning districts shall promote the compatibility of adjacent land uses.

The subject parcels are surrounded on three sides by water and is in an area that includes other residential, water based commercial, and tourism related commercial uses. The proposed development will be consistent with the existing and planned developments for the area.

- (3) *Adequate public facilities.*** The assigning of zoning districts shall be consistent with the public facilities available to set the types of uses allowed in the proposed zoning districts. The level of service standards shall be considered in assigning zoning districts and there shall be reasonable assurance that the demand for services allowed in the proposed zoning district can be met.

The applicants have coordinated the conceptual development plans with Pinellas County Engineering, the Florida Department of Transportation, and the Southwest Florida Water Management District. The applicants have submitted a letter of water and sanitary sewer availability from Pinellas County and a traffic study for the development.

The submitted traffic study does not include the impacts on traffic from the nearby Town Center Planned Development. The traffic analysis that was originally submitted for the Town Center project included the approved Holiday Isles Planned Development which would have had greater transportation impacts than the proposed conceptual plan modification. Because the Holiday Isles traffic study concluded that the combination of both projects would not result in a decrease below the adopted roadway Level of Service (LOS) standard, the proposed revision is also not expected to result in a decrease in roadway capacity below the adopted LOS standard. However, the traffic study should be revised to include the roadway impacts of the approved Town Center Planned Development project.

It should be noted that the concurrency analysis submitted for the project references transportation and public school facilities concurrency which were eliminated by the City in October of 2016. However, transportation and public school facilities concurrency were in place at the time of the original Concept Plan approval, and this updated analysis is useful for comparison purposes.

Certificates of concurrency, mobility management review, and outside agency permitting will need to be obtained prior to any development taking place on the site.

- (4) *Public interest.* Zoning district designations shall not be in conflict with the public interest and will promote the public health, safety, and welfare.**

The proposed development has been determined to be consistent with and will promote the sort of development that is encouraged in the Town Center Special Area plan.

- (5) *Consistency with the land development regulations.* Zoning district designations shall be consistent with the purpose and intent of these land development regulations.**

The PD zoning district allows for flexibility and is intended to accommodate integrated and well-designed developments in accordance with approved development plans. The district is intended to offer flexibility of design and to encourage imaginative, functional, high-quality land planning development for those uses consistent with the applicable Future Land Use Plan category and which are compatible with adjacent and nearby lands and activities.

The proposed rezoning and conceptual site plan have been determined to be consistent with the standards and requirements of the Land Development Regulations, the Comprehensive Plan, and the Madeira Beach Town Center Special Area Plan.

IV. Recommendation

Based on our findings in regard to the review criteria listed above, staff recommends that the Planning Commission **recommend approval** of the proposed rezoning from PD (Planned Development) to PD (Planned Development) for the Holiday Isles Marina subject to the following conditions:

1. This rezoning shall be subject to and based upon approval by the Board of Commissioners of the site Concept Plan as provided for in the Development Agreement.

2. This rezoning shall be subject to the provisions contained in the development agreement and its subsequent approval by the Board of Commissioners.
3. The Land Use Data (Page 002) shall be revised to include the proposed 12,000 square foot restaurant as an ancillary use to the proposed hotel.
4. For consistency purposes, the Land Use Data (Page 002) shall be modified to include the higher maximum permitted densities and intensities permitted under the Causeway District as provided in the submitted project narrative.
5. The traffic study shall be revised to include transportation impacts from the approved Town Center Planned Development.

V. Exhibits

1. Application package
2. Notification
3. Public Comments

Agenda Item: _____

CITY OF MADEIRA BEACH PLANNING DETAIL

Planning Information

Planning No: 20160000

Type: Plan Review

Date Granted: 00/00/0000

SetBack 1:

SetBack 3:

Property Use:

Status: In Progress

Description: RESIDENTIAL APARTS & DEVELOPMENT AGREEMENT

Property No: 0000

Review Type: Review

Expiration Date: 7/31/00/0000

SetBack 2:

SetBack 4:

Date Denied: 00/00/0000

Address: James Hilton
Oakley Isles Marina
650 150th Ave
Madeira Beach, FL 32138

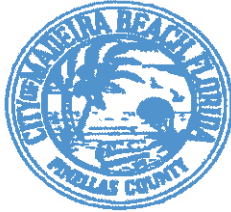
Comments:

REVIEWS

Order	Revision	Received	Due	Completed	Status	Comments
1	Order Policy	12/12/2016	12/19/2016	12/19/2016	In Progress	

FEES

Fee Date	Type	Fee	Amount Paid	Date Paid
12/12/2016	Reviewing	\$1,000.00	\$1,000.00	12/12/2016
12/12/2016	Developer Agreement	\$300.00	\$300.00	12/12/2016
Total:		\$1,300.00	\$1,300.00	



CITY OF MADEIRA BEACH

PLANNING AND ZONING DEPARTMENT
300 MUNICIPAL DRIVE • MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 255 • FAX (727) 399-1131
EMAIL TO: planning@madeirabeachfl.gov



REZONING APPLICATION FOR PLANNED DEVELOPMENT

☐ Zoning Change.....\$1,000.00

☐ Land Use Change.....\$1,000.00

*(If Applicant is NOT the property owner, signed and notarized authorization of this rezoning application from the land owner must be submitted with the rezoning application materials)

*Applicant: Name and Address

*Property Owner: Name and Address

MHH Enterprises & C&T Enterprises
9800 4th St North, Suite 200
St Petersburg, Florida 33702-2462

Same

Telephone: 727-201-5452
Email: jim@holtoncompanies.com

Telephone: Same
Email: Same

Application for the property located at: (Street Address or location of the vacant lot)

See attached Exhibit "A"

Legal Description:

See attached Exhibit "A"

Approximate Lot Area: 4.59 ac Width: 660 ft. Depth: 331 ft.

Present Use:

Marina

Proposed Use:

Mixed use planned development

***REQUIRED:** Please attach required supporting materials (i.e. Survey, Narrative Response to the criteria upon which a rezoning to Planned Development is determined (see attached page), and any other materials the applicant wishes to present.*

DISCLAIMER: According to Florida Statutes, Chapter 119, it is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency. All documents and information not specified in F.S. 119.071 and 119.0713 are subject to public record requests.

Please review the below section on Reimbursement of expenses, the applicant will be responsible for all fees listed below:

Madeira Beach Code of Ordinances

Sec. 110-390. - Reimbursement of expenses.

The applicant shall provide for reimbursement of all expenses incurred by the city, deemed necessary by the city manager or his/her designee, to review and process a planned development (PD) district.

Expenses may include, but are not limited to any technical, engineering, planning, landscaping, surveying, legal or architectural services, and advertising.

Within 30 days of the date of receipt of any invoice for such services, the applicant shall reimburse the city for such costs. Failure by the applicant to make such reimbursement when due shall delay the recording of the approved development order, until paid.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1072, § 6, 3-28-06)

Continue to next page...

**ALL REZONING APPLICATIONS FOR PLANNED DEVELOPMENT DISTRICT SHALL SUBMIT A RESPONSE TO
THE CRITERIA LISTED BELOW:**

1. *Consistency with the Comprehensive Plan.* All zoning district assignments shall be consistent with the comprehensive plan, including the future land use map and future land use element goals, objectives and policies. The zoning district assigned shall be consistent with the land use category of the future land use map.

See attached Exhibit "B"

2. *Land Use Compatibility.* The assigning of zoning districts shall promote the compatibility of adjacent land uses.

See attached Exhibit "B"

3. **Adequate Public Facilities.** The assigning of zoning districts shall be consistent with the public facilities available to set the types of uses allowed in the proposed zoning district. The level of service standards shall be considered in assigning zoning districts and there shall be reasonable assurance that the demand for services allowed in the proposed zoning district can be met.

See attached Exhibit "B"

4. **Public Interest.** Zoning district designations shall not be in conflict with the public interest and will promote the public health, safety and welfare.

See attached Exhibit "B"

5. **Consistency with Land Development Regulations.** Zoning district designations shall be consistent with the purpose and intent of these Land Development Regulations

See attached Exhibit "B"

DISCLAIMER: According to Florida Statutes, Chapter 119, it is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency. All documents and information not specified in F.S. 119.071 and 119.0713 are subject to public record requests.

CERTIFICATION

I hereby certify that I have read and understand the contents of this application, and that this application, together with all supplemental data and information, is a true representation of the facts concerning this request; that this application is made with my approval, as owner and applicant, as evidenced by my signature below.

It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request; and further, if the request is approved, I will obtain all the necessary permits and comply with all applicable orders, codes, conditions, rules and regulations pertaining to the subject property.

I have received a copy Ordinance 1040 (attached), read and understand the reasons necessary for granting this application and the procedure, which will take place at the Public Hearing.

Property Owner's Signature: _____

Date: 12/5/16

STATE OF Florida
COUNTY OF Pinellas

Before me, this 5th day of December, 2016, appeared in person

James W. Holton who, being sworn, deposes and says that the forgoing
(name of property owner)

is true and correct certification and who is _____ personally know to me or has
produced HID as identification.

Margarita Kelly
(notary signature)

Commission Expires: Jan 10 2020
Stamp



NOTICE: Persons are advised that, if they decide to appeal any decision made at this hearing, they will need a record of the proceedings, and for such purpose, they 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 to be based.

ORDINANCE NO. 2017-04

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 0 150TH AVENUE, 555 – 150TH AVENUE AND 565 – 150TH AVENUE FROM PLANNED DEVELOPMENT (PD) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE THREOF.

WHEREAS, the applicant has requested that said property be rezoned to become a Planned Development (PD) District; and

WHEREAS, The City of Madeira Beach Comprehensive Plan has been amended to establish the need and basis to further the tourism industry and provide additional flexibility for other types of land use; and the PD, Planned Development District is intended to accommodate integrated and well-designed developments in accordance with approved development plans; and

WHEREAS, the PD, Planned Development District is also intended to offer flexibility of design and to encourage imaginative, functional, high-quality land planning development for mixed uses and multiple buildings, which is compatible with adjacent and nearby lands and activities; and

WHEREAS, the land proposed for development under the PD, Planned Development District may contain a mixture of residential, commercial, recreational and other uses, as permitted by the land use designation on the site; and

WHEREAS, the zoning designation of PD, Planned Development District is compatible to the Planned Redevelopment Mixed use (PR-MU) Future Land Use Category; and

WHEREAS, the property owners of the subject property are currently under two related ownerships. Parcels 09-31-15-020000-140-0100 and 09-31-15-00000-140-0120 are owned by MHH Enterprises, Inc. and Parcel 09-31-15-00000-110-0100 is owned by C&T Enterprises, Inc.; and

WHEREAS, the property owners of the referenced parcels have applied for a change in zoning from PD, Planned Development District to PD, Planned Development District.; and

WHEREAS, the Planning Commission serving as the Local Planning Agency of the City of Madeira Beach has duly considered the type of zoning on said real property, and has recommended that the zoning request be granted; and

WHEREAS, the Board of Commissioners has reviewed this rezoning request and finds that a rezoning of the subject property from PD, Planned Development District, to PD, Planned Development District through an approved Development Agreement is consistent with the Comprehensive Plan and the Town Center Special Area Plan.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1: That the following described properties be rezoned from PD, Planned Development District, to PD, Planned Development District, and that any

subsequent development of the following described properties development be regulated through the Development Agreement process:

Parcel 09-31-15-00000-140-0100

Parcel 09-31-15-00000-110-0100

Parcel 09-31-15-00000-140-0120

SECTION 2: That the provisions of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

SECTION 3: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

SECTION 4: That this Ordinance shall be in full force and effect upon adoption in the manner provided by law, and concurrent with an approved Development Agreement.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS ____ DAY OF _____, 2017

APPROVED AS TO FORM:

Thomas J. Trask
City Attorney

Travis Palladeno
Mayor

ATTEST:

Aimee Servedio
City Clerk



EXHIBIT "A"

Exhibit "A"

OWNER	PARCEL ID	ADDRESS
MHH Enterprises, Inc.	09-31-15-00000-140-0100	0 150 th Ave.
C&T Enterprises, Inc.	09-31-15-00000-110-0100	565 150 th Ave.
MHH Enterprises, Inc.	09-31-15-00000-140-0120	555 150 th Ave.
MHH Enterprises, Inc., Lessee	09-31-15-00000-140-0110	0 Welch Causeway

Legal Description

DESCRIPTION:

PARCEL I: A PARCEL OF LAND SITUATED, LYING AND BEING IN SECTIONS 9 AND 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 662, PAGE 44, RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 43°51'28" EAST, 1918.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE SOUTH 46°08'32" E., 50 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233 AND THE POINT OF BEGINNING; THENCE SOUTH 46°08'32" EAST, 50 FEET; THENCE NORTH 43°51'28" EAST, 25 FEET; THENCE SOUTH 46°08'32" EAST, 550 FEET; THENCE NORTH 43°51'28" EAST, 331.0 FEET; THENCE NORTH 46°08'32" WEST, 300 FEET; THENCE SOUTH 43°51'28" WEST, 125.00 FEET; THENCE NORTH 46°08'32" WEST, 250.0 FEET; THENCE SOUTH 43°51'28" WEST, 40.0 FEET; THENCE NORTH 46°08'32" WEST, 50.0 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE SOUTH 43°51'28" WEST, 191.0 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING.

PARCEL II: A PARCEL OF LAND SITUATED, LYING AND BEING IN SECTIONS 9 AND 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 662, PAGE 44, RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 43°51'28" EAST, 2099.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE SOUTH 46°08'32" EAST, 50 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233 AND THE POINT OF BEGINNING; THENCE SOUTH 46°08'32" EAST, 300 FEET; THENCE NORTH 43°51'28" EAST, 175 FEET; THENCE NORTH 46°08'32" WEST, 300 FEET TO THE EXTENSION OF THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE SOUTH 43°51'28" WEST, 175 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING

4.59 ACRES MORE OR LESS.

FLOOD STATEMENT:

THIS PROPERTY LIES IN FLOOD ZONE AE (EL 10), ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP 12103C0191G, EFFECTIVE DATE SEPTEMBER 3, 2003.

Exhibit "A"

LEGAL DESCRIPTION (con't)

DESCRIPTION: SUBMERGED LAND LEASE PARCEL

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD NO. 233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 622, PAGE 44 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N.43°51'28"E., 1918.18 FEET ALONG THE CENTERLINE OF STATE ROAD NO. 233; THENCE S.46°08'32"E., 100 FEET TO THE POINT OF BEGINNING; THENCE N.43°51'28"E., 25.00 FEET; THENCE S.46°08'32"E., 559.67 FEET; THENCE N.43°46'38"E., 331.00 FEET; THENCE N.46°08'32"W., 309.20 FEET; THENCE N.43°51'28"E., 62.32 FEET; THENCE S.46°29'21"E., 82.50 FEET; THENCE N.43°54'19"E., 82.19 FEET; THENCE S.46°05'41"E., 182.19 FEET; THENCE S.44°32'35"W., 119.87 FEET; THENCE S.46°08'32"E., 29.93 FEET; THENCE S.89°38'48"E., 100.25 FEET; THENCE S.00°26'39"E., 68.50 FEET; THENCE S.89°33'21"W., 76.28 FEET; THENCE S.43°46'38"W., 188.05 FEET; THENCE S.45°50'05"E., 172.29 FEET; THENCE S.43°42'27"W., 121.13 FEET; THENCE N.45°30'56"W., 212.45 FEET; THENCE S.43°46'38"W., 39.93 FEET; THENCE N.46°08'32"W., 569.70 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 89,849.65 SQUARE FEET

AND:

DESCRIPTION:

THAT PORTION OF SUBMERGED LAND IN BOCA CIEGA BAY AND BEING IN SECTION 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 622, PAGE 44 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N.43°51'28"E., 2099.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE S.46°08'32"E., 50.00 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE S.46°08'32"E., 300.00 FEET; THENCE N.43°51'28"E., 175.00 FEET; THENCE N.46°08'32"W., 183.20 FEET TO THE POINT OF BEGINNING; THENCE N.43°51'28"E., 19.00 FEET; THENCE S.46°08'32"E., 156.00 FEET; THENCE N.43°51'28"E., 30.00 FEET; THENCE N.46°08'32"W., 151.00 FEET; THENCE N.43°51'28"E., 39.00 FEET; THENCE N.46°08'32"E., 50.00 FEET; THENCE S.43°51'28"W., 88.00 FEET; THENCE S.46°08'32"E., 45.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,835 SQUARE FEET OR 0.2 ACRES, MORE OR LESS.

Affidavit to Authorize Agent/Representative

1. James Holton, Owner, is the President of the entities who are the record title holders as shown on Exhibit "A", attached hereto.
2. That this property constitutes the property for which applications for an amendment to a Planned Development plan, rezoning to Planned Development, Site Plan Approval, and Development Agreement approvals are being submitted to the City of Madeira Beach.
3. Pursuant to this Affidavit, the Owner authorizes Katherine E. Cole, Esq., of Hill Ward Henderson, to serve as authorized agent, and, if necessary, execute any application or other documents necessary to affect such applications.
4. That this Affidavit has been executed to induce the City of Madeira Beach, Florida to consider and act on the above described property.
5. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

IN WITNESS WHEREOF, the parties hereto have set their hands and their respective seals affixed as of this 5 day of June, 2016.

In the Presence of:

Print Name ROSANNA N. MEZARONA

Print Name Margaret Kelly

Print Name ROSANNA N. MEZARONA

Print Name Margaret Kelly

C & T Enterprises, Inc., a Florida corporation

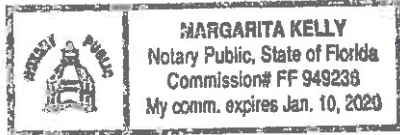
By: [Signature]
James Holton, President

MHH Enterprises, Inc., a Florida corporation

By: [Signature]
James Holton, President

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 5th day of December, 2016 by James W. Holton as President of C & T Enterprises, Inc., a Florida corporation, on behalf of the Corporation, who is [] personally known to me or who has [] produced FIDC as identification.



Margarita Kelly
Notary Public
Print Name: Margarita Kelly
My Commission Expires: Jan. 10 2020

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 5th day of December, 2016 by James W. Holton as President of MHH Enterprises, Inc., a Florida corporation, on behalf of the Corporation, who is [] personally known to me or who has [] produced FIDC as identification.



Margarita Kelly
Notary Public
Print Name: Margarita Kelly
My Commission Expires: Jan. 10 2020



EXHIBIT "B"

Exhibit "B"

Holiday Isles Marina

Zoning Application - Planned Development

BACKGROUND:

Site Size 4.59 acres

Character District Causeway

Desired Land Uses Temporary Lodging (Hotel), Residential and Restaurant

This property was rezoned to Planned Development (PD) pursuant to Ordinance 2016-18. That ordinance was challenged and the lawsuit is still under appeal. Until otherwise determined by the courts, the property has a zoning designation of PD; however, the applicant is proposing significant changes to the concept plan which could, under the Code sec. 110-396, trigger a new PD approval. Therefore, the applicant is requesting the PD zoning category specific to this revised, proposed concept plan. The applicant proposes the approval of a new development agreement which will reflect this updated plan. Upon adoption of the new Development Agreement, the prior agreement will be terminated.

The property is located in the Causeway District of the Town Center Special Area Plan. The Causeway district states that it is characterized by land uses that are oriented to the water, such as residential and temporary lodging. Permitted uses are residential, temporary lodging, tourist facilities, recreation/open space; and preservation. This proposed project provides for residential and temporary lodging facilities as well as a marina.

1. Consistency with the Comprehensive Plan.

The Holiday Isle Marina site is designated as PR-MU, Planned Redevelopment Mixed Use plan category on the City's *Future Land Use Map*. The *Future Land Use Element* states that the purpose of the PR-MU plan category is as follows:

"...This category should facilitate infill and redevelopment of these areas to create a desirable mix of non-residential and residential uses by promoting aesthetically pleasing, safe environments, and buildings that are compatible with the area's character, uses, and transportation facilities."

The development is consistent with the PR-MU plan category since the project requests approval of a redevelopment for residential, temporary lodging, and a marina as a mixed use project. The Applicant has submitted conceptual architectural plans to demonstrate the high quality design of the project as an integrated development that is consistent with the existing and planned uses in the vicinity of the site.

The site is located within the *Madeira Beach Town Center Special Area Plan* which was adopted by the City in 2009 and amended in 2014. The *Special Area Plan* contains the goals, objectives and policies for this area as well as allowable uses and intensity/density standards. The *Special Area Plan* established five character districts within the 95-acre Plan boundary. The site is located within the Causeway Character District which encompasses both sides of 150th Avenue/ Tom Stuart Causeway and “is characterized by a variety of land uses that are oriented to the water, such as residential and temporary lodging” (*Special Area Plan*, Page 27). Allowable uses in this character district are residential, temporary lodging, recreation/ open space and preservation. The FAR for nonresidential uses is 0.55 and the residential density is 15 units per acre. The density for temporary lodging units for this site is 125 units per acre due to the site’s size of over three acres. This temporary lodging density is based on the *Special Area Plan*’s provision that allows that use in the C-3 and C-4 districts of the Causeway District to be subject to the Resort Facilities High plan category provisions for density that ranges from 75 to 125 units per acre, based on the size of the site. This provision aligns with that which is included in the Forward Pinellas Countywide Rules. The *Special Area Plan* requires the property to be zoned Planned Development. The Applicant has requested the Planned Development zoning district and has also submitted a Development Agreement, consistent with this requirement.

The proposed development consists of residential uses, temporary lodging units, ancillary restaurants and a marina, all of which are permitted uses in the Causeway District, in which the site is located. The PD rezoning application and site plan propose the following uses and density/ intensity measures as shown in the table below.

**Holiday Isle Marina
Allowable and Proposed Development**

Proposed Use	Special Area Plan Density & Intensity	Proposed Density & Intensity
Temporary Lodging	125 units/ acre	60 units/ acre 150 units
Residential	15 units/ acre	15 units/ acre 31 units
Marina	Permitted	Permitted

As is shown in the table above, the proposed development is substantially lower than the maximum development potential allowed in the 2009 and 2014 versions of the *Special Area Plan*. Therefore, the project complies with and is within the allowable density and intensity of the Causeway District and is consistent with the *Special Area Plan*.

In addition to creating a signature gateway development for the City of Madeira Beach, the development will significantly increase the City’s ad valorem tax base, the sales tax

and hotel room tax, thus creating positive benefits for the City as a whole. Additionally, the Holiday Isle Marina project will redevelop an underutilized site with a cohesive well-designed mix of uses centered on a new public place for both tourists and residents to enjoy.

The proposed Holiday Isle Marina development is also consistent with the following objectives of the *Special Area Plan* shown in bold below followed by an explanation of the project's compliance with the objective:

- **Create a unique sense of place for the Town Center, and create a sense of arrival for those entering the area.**

As the first development to be seen when traveling across the Tom Stuart Causeway, the Holiday Isle Marina will be an extremely visible project. The development has been designed to create a sense of arrival when entering Madeira Beach with a high quality of architectural design. The variety of building shapes, heights and design features creates architectural interest for the project site which is partially obscured by the Bridge.

- **Promote a wide variety of uses to create an activity center for both local residents and tourists.**

The proposed development proposes a variety of uses including temporary lodging, residential uses, and a marina that will create a waterfront activity center on the site. The proposed development will encourage visitation and permanent living by both tourists and residents alike. Additionally, the proposed marina will also attract residents and tourists for this water-related use. The bike/ pedestrian connection proposed to be located under the Bridge allows access from the condominiums in the development on the north side of 150th Street to the commercial components of Holiday Isle Marina and from the guests and residents of Holiday Isle to the proposed marina and commercial development on the north side of 150th Street at Madeira Way.

- **Set a standard for urban design so that new development and redevelopment in the Town Center contributes to the public realm.**

The buildings within the Holiday Isle Marina are organized around an esplanade in the center of the site that serves both as the circulation through the project as well as a public plaza with access to all of the uses. Therefore, this redevelopment project will contribute to the public realm through the creation of a new public plaza serving as a destination.

- **Increase the number of temporary lodging units and maintain existing residential units in the Town Center that have the quality characteristics included in the Special Area Plan.**

The proposed project will increase the number of temporary lodging units by 272 units in a hotel and a condo-hotel, thus making a major contribution towards supporting the tourist segment of the City's economy. Additionally, the project will create 31 new residential units consistent with this objective of the *Special Area Plan*.

- **Improve pedestrian and bicycling access to all major destinations within the Town Center, including the parks, the beach, retail properties and civic destinations.**

The development proposes to create a pedestrian passage under the Bridge to connect this project to Causeway Park and ultimately to the Town Center, Gulf Boulevard and the Beach.

- **Increase the connections and access to parks, ensuring that views of the Gulf and the Boca Ciega Bay are preserved.**

A major tenet of the project's design theme is to create and maintain views of Boca Ciega Bay and the Gulf of Mexico from the site. The architectural concept plans submitted with the rezoning application demonstrate that each building has been carefully sited for the most advantageous view and to minimize intrusions within the site. As described above, the proposed pedestrian walkway under the bridge will allow visitors and residents a complete connection from this site to the Beach. Further, the site is designed with several taller, thinner buildings which helps to preserve the views of the bay that are currently enjoyed by the residents in the condominium closest to the site, which is more than 500 feet distant from the Holiday Isle Marina site.

- **Develop parking and access strategies that help to make the most efficient use of scarce land and contribute to the quality of the public realm in the Town Center.**

The development proposes parking garages for substantially all of its parking, with a minimal amount of parking provided within the esplanade/ public plaza level. The development also proposes to relocate the entry and create a new access road to the development.

In summary, the proposed development is consistent with the allowable uses, the allowable density for temporary lodging and residential uses, the allowable intensity for non-residential uses, and with the applicable objectives of the *Special Area Plan*.

2. **Land Use Compatibility.** The property is within a *Special Area Plan*, as are the surrounding properties. The proposed mixed use is compatible with the surrounding land uses which include the City Marina. The Causeway District is specifically contemplated to host a mix of uses that support the residential and tourism communities including water-oriented areas.
3. **Adequate Public Facilities.** Please find enclosed with this application a concurrency analysis prepared by Florida Design Consultants demonstrating the adequate public facilities.
4. **Public Interest.** The proposed plan is not in conflict with the public interest and it promotes public health, safety and welfare in a variety of ways. The proposed concept plan, in conjunction with the PD zoning, allows for the City to approve a specific project. The proposed Concept Plan includes pedestrian improvements, transportation improvements, landscaping, and redevelops a parcel which is currently underutilized and in need of redevelopment. This property is the only predominantly undeveloped property in the Causeway District – except for the existing marina use.
5. **Consistency with the Land Development Regulations.** The project is consistent with the purpose and intent of the land development regulations. The City adopted the planned development zoning category to provide specific approval of proposed plans for certain project in the *Town Center Special Area Plan*. While the proposed project does not utilize the additive density/intensity provided for in the *Special Area Plan*, it does promote the purpose of the PD in that this zoning district provides flexibility of design and high-quality land planning development for uses consistent with the future land use plan category. As shown on the site data table, the dimensional standards, parking and setbacks are all within the permitted code regulations. The proposed plan is consistent with the Land Development Regulations in that it meets the submittal requires set forth in section 110-388. Furthermore, it meets the purpose and intent as evidenced in the response to Criteria 1, set forth above.



SITE DATA TABLE

LAND USE PLAN CATEGORY ZONING DISTRICT USE	EXISTING	PROPOSED	CRITERIA (MIN/MAX)
	PLANNED REDEVELOPMENT MIXED USE	PLANNED REDEVELOPMENT MIXED USE	
	PD	PD	N/A
	MARINA (57 SLIPS)	HOTEL RESIDENTIAL MARINA	N/A
LOT AREA	199,850 SF 4.588 ACRES	199,850 SF 4.588 ACRES	N/A
DENSITY	0	HOTEL: 150 DU RESIDENTIAL: 31 DU MARINA: 69 LEASEABLE SLIPS 55 ACCESSORY SLIPS	60 DU/AC 15 DU/AC N/A
GROSS FLOOR AREA (BUILDING)	0	HOTEL: 134,080 SF RESIDENTIAL: 90,405 SF TOTAL: 224,485 SF	N/A
GROSS FLOOR AREA (UNDER BLDG PARKING)	0	UNDER BLDG. PARKING: 34,895 SF	
IMPERVIOUS SURFACE	133,470 SF ISR: 0.69	139,892 SF ISR: 0.70	ISR: 0.7 MAX
DISTANCE TO			
NORTHWEST (FRONT)	BUILDING	BUILDING	BUILDING
NORTHEAST (SIDE)		15 FT	N/A
SOUTHWEST (SIDE)		15.0 FT	N/A
SOUTHEAST (REAR)		113.6 ft 14.5 FT	N/A
BUILDING HEIGHT		HOTEL: 75' HEIGHT 5 FLOORS OVER PARKING	N/A
BUILDING NUMBER OF FLOORS		RESIDENTIAL: 75' HEIGHT 5 FLOORS OVER PARKING	
PAVED VEHICULAR AREAS	137,470 SF 69%	88,754 SF 44%	N/A
PARKING	0	HOTEL: 165 TOTAL (160 REG., 6 H.C.) RESIDENTIAL: 62 TOTAL (59 REG., 3 H.C.) MARINA: 69 TOTAL TOTAL: 296 SPACES	HOTEL: 1 SPACE/ROOM=150 SPACES RESIDENTIAL: 2 SPACES/UNIT=62 SPACES MARINA: 1 SPACE PER LEASEABLE SLIP = 69 SPACES TOTAL: 281 SPACES



PROJECT LOCATION



PROJECT LOCATION - HOLTON MADEIRA BEACH SITE

PROJECT NO:
14-048



Gulf Coast Consulting, Inc.
Land Development Consulting

DATE:
9/2014

DRAWN BY:
MKC

FIGURE:

1



PUBLIC NOTICE

Mailed
1-19-17



CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE
**PLANNING COMMISSION/
LOCAL PLANNING AGENCY**
PUBLIC HEARING

MONDAY, FEBRUARY 6, 2017 AT 7:00 P.M.

**MADEIRA BEACH CITY HALL LOCATED AT
300 MUNICIPAL DRIVE, MADEIRA BEACH, FLORIDA 33708
THE MADEIRA BEACH PATRICIA SHONTZ COMMISSION CHAMBERS**

**PROPERTY OWNERS/
APPLICANTS** **MHH Enterprises, Inc.**
9800 4th Street North, Suite 200
St. Petersburg, FL 33702

C & T Enterprises, Inc.
9800 4th Street North, Suite 200
St. Petersburg, FL 33702

LOCATION: **0 150th Avenue**
09-31-15-00000-140-0100

555 150th Avenue
09-31-15-00000-140-0120

565 150th Avenue
09-31-15-00000-110-0100

0 Welch Causeway*
09-31-15-00000-140-0110
*Submerged land lease; not being rezoned

The Planning Commission is meeting on February 6, 2017 to consider **ENTERING INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADEIRA BEACH AND MHH ENTERPRISES, INC and C&T ENTERPRISES, INC.**; and to consider **AN APPLICATION FOR THE REZONING OF THE PROPERTY LOCATED AT 0 150TH AVENUE (PAREL ID NO. 09-31-15-00000-140-0100), 565 150TH AVENUE (PARCEL ID NO. 09-31-15-00000-110-0100) AND 555 150TH AVENUE (PARCEL ID NO. 09-31-15-00000-140-0120), MADEIRA BEACH, FLORIDA 33708 FROM PD (PLANNED DEVELOPMENT) DISTRICT TO PD (PLANNED DEVELOPMENT) DISTRICT**; and to consider **ORDINANCE 2017-04 PROVIDING FOR THAT REZONING**. The **DEVELOPMENT AGREEMENT, APPLICATION FOR REZONING AND ORDINANCE 2017-04 PROVIDING FOR THAT REZONING** may be viewed in the City Clerk's Office located at City Hall, 300 Municipal Drive, Madeira Beach, Florida 33708 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday or on the City website www.madeirabeachfl.gov on the Planning and Zoning webpage. For further information, call the City Clerk at (727) 391-9951.

Any person affected may become a party to such proceeding entitled to present evidence at the hearing including sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a Notice of Intent to be a party with the City Clerk not less than 5 days prior to the hearing.

The Board of Commissioners, in approving a Development Agreement, is authorized, without limitation, to grant relief from any provision of the Land Development Regulations that is otherwise authorized to be waived, varied or granted by the Land Development Regulations.

Any person who decides to appeal any decision at this Public Hearing with respect to any matter considered at this meeting 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 to be based. The law does not require the City Clerk to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private Reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.

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BUILDING NUMBER OF FLOORS	5 FLOORS OVER PARKING	5 FLOORS OVER PARKING RESIDENTIAL: 75' HEIGHT 5 FLOORS OVER PARKING	
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MAILING LABELS

MC KENNA, RICHARD P
MC KENNA, LAURA A
425 150TH AVE APT 2206
MADEIRA BEACH, FL 33708-2076

MEROLA, DOMINIC
MEROLA, VICTORIA CUSARE
423 150TH AVE APT 1301
MADEIRA BEACH, FL 33708-2074

MERRILL, THOMAS H
MERRILL, CONSTANCE J
902 BAY POINT DR
MADEIRA BEACH, FL 33708-2319

MICHAELS, SARAH
423 150TH AVE APT 1203
MADEIRA BEACH, FL 33708-2074

PADDOCK, TIMOTHY A
PADDOCK, BONNIE B
425 150TH AVE UNIT 2404
MADEIRA BEACH, FL 33708-2076

PARKER, JENNIFER M
423 150TH AVE APT 1501
MADEIRA BEACH, FL 33708-2074

PATNODE, CHRIS D
NUNTA, TATPICHA
1430 CHERRY PL
MOUND, MN 55364-9708

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PAXTON, JUDY J
5559 ROCKPOINTE DR
CLIFTON, VA 20124-0953

PEREIRA, WILLIAM
PEREIRA, ANNA
180 DUNBLAINE AVE
NORTH YORK ON M5M 2S5, CANADA

POIRIER, PAULETTE
MOWAT, DANNY
425 150TH AVE APT 2302
MADEIRA BEACH, FL 33708-2076

POOLE, SUZANNE E
BARJAK, GEORGE
425 150TH AVE APT 2306
MADEIRA BEACH, FL 33708-2076

PRILEPOK, MILAN
PRILEPOK, MIROSLAWA M
425 150TH AVE APT 2202
MADEIRA BEACH, FL 33708-2076

PRUITT, DEAN A
PRUITT, MARIA L
1336 BAYVIEW DR
CLEARWATER, FL 33756-1232

RILEY, MITCH
RILEY, SUSAN
425 150TH AVE APT 2505
MADEIRA BEACH, FL 33708-2076

ROBINSON, MARK D
423 150TH AVE APT 1505
MADEIRA BEACH, FL 33708-2074

ROLIZ J PROPERTIES INC
7058 4TH LN
TOTTENHAM ON L0G 1W0, CANADA

ROSENCRANS, GARY
ROSENCRANS, JUDITH A
3210 DEER RD
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SANDS, JOHN L
SANDS, SUSAN MARIE
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SCHMELING, JUDY A
SCHMELING, DONALD W
13624 DIAMOND HEAD DR
TAMPA, FL 33624-2527

SHAVLAN, CYNTHIA
425 150TH AVE APT 2501
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SHOLES, JOSEPH E
SHOLES, JACQUELINE A
2620 SE 22ND AVE
OCALA, FL 34471-1010

SNUG HARBOUR CONDO ASSN
C/O CONDOMINIUM ASSC INXC
3001 EXECUTIVE DR
CLEARWATER, FL 33762-2260

SOUTHARD, ROBERT R JR
SOUTHARD, SUSAN B
425 150TH AVE APT 2204
MADEIRA BEACH, FL 33708-2076

STACY, J THOMAS
425 150TH AVE APT 2502
MADEIRA BEACH, FL 33708-2076

STEIN, MARY ALICE
423 150TH AVE APT 1402
MADEIRA BEACH, FL 33708-2074

THOMAS, ELIZABETH R REVOCABLE
TRUST
THOMAS, ELIZABETH R TRE
425 150TH AVE APT 2506
MADEIRA BEACH, FL 33708-2076

ALI, NURAN SEN
ALI, NURAY GULEN
18 HOLLYWOOD AVE APT 1500
NORTH YORK ON M2N 6P5, CANADA

BROOKS, JEFFREY S
425 150TH AVE APT 2205
MADEIRA BEACH, FL 33708-2076

CONTINELLI, GRACE
CONTINELLI, TONY
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9800 4TH ST N STE 200
ST PETERSBURG, FL 33702-2462

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MADEIRA BEACH, FL 33708-2074

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SHAFFER, PAUL DOUGLAS
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HORDER, DIANE J TRE
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LEE, KIMBERLY M
1139 MYRTLE RD
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300 MUNICIPAL DR
MADEIRA BEACH, FL 33708-1916~~

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BLACK, MARGARET A
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MADEIRA BEACH, FL 33708-2076

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GIDEON, LEILA F
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HART, HAZEL DAWN
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KRAWCZYK, ROBERT J
KRAWCZYK, DARLENE M
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MADEIRA BEACH, FL 33708-2076

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SEMINOLE, FL 33772-3145

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MANNING, CANDACE
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BRAZEAU, ELIZABETH R
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C/O CHRISTOPHER, ROSS
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DAMMERON VALLEY, UT 84783-5177

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GOGLIA, RONALD J
GOGLIA, JOANNE T
2063 SHERBROOKE DR
BETHLEHEM, PA 18015-5545

HITTERMAN, DAVID A
CALKINS, BRIAN J
423 150TH AVE APT 1504
MADEIRA BEACH, FL 33708-2074

LANT, REGINALD ANTHONY
HERGOTT, ELIZABETH LOUISE
7 ARNIES CHANCE
STOUFFVILLE ON L4A 1M1, CANADA

~~MADEIRA BEACH, CITY OF
300 MUNICIPAL DR
MADEIRA BEACH, FL 33708-1916~~

MARTIN, JOSEPH J
MARTIN, BARBARA MARY
PO BOX 99
BEAVERTON ON L0K 1A0, CANADA



CONCURRENCY ANALYSIS

**HOLIDAY ISLE MARINA
PD REZONING APPLICATION**

CONCURRENCY ANALYSIS

Submitted to:
**City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708**

Prepared for:
**C & T Enterprises, Inc.
and
MHH Enterprises, Inc.
9800 4th Street North, Suite 200
St. Petersburg, Florida 33702**

Prepared by:



**Cynthia Tarapani, Vice President, Planning
Florida Design Consultants
3030 Starkey Boulevard
New Port Richey, Florida 34655**

HOLIDAY ISLE MARINA PD REZONING APPLICATION

CONCURRENCY ANALYSIS

I. INTRODUCTION

The City of Madeira Beach has established Levels of Service and Concurrency requirements for the following public facilities and services:

- Transportation
- Potable Water
- Sanitary Sewer
- Solid Waste
- Stormwater Management
- Parks and Recreation
- Public Schools

Objective 1.12 of the *Future Land Use Element* requires concurrency for all projects as stated below:

Objective 1.2

All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet the level-of-service standards adopted pursuant to this comprehensive plan are available concurrent with the impacts of development.

The applicable Elements of the Comprehensive Plan establish the level of service standard for each type of facility. **Section II** of this Analysis states the level of service for each facility as established in the *Comprehensive Plan* followed by an analysis of how the project is in compliance with the standards.

Since the site is located within the *Madeira Beach Town Center Special Area Plan (SAP)*, an Infrastructure Analysis was prepared by the City as part of the original adoption of this *Plan* and was updated in 2014. In determining concurrency for this project, we have also relied on the SAP's Infrastructure Analysis and its results are included in the Analysis below as it applies to the relevant public facilities.

II. ANALYSIS OF COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES FOR CONCURRENCY

A. Transportation Element

Goal 1: A safe, convenient, and efficient motorized and non-motorized transportation system shall be available for all residents and visitors to the City.

Objective 1.1:

The operational level-of-service (LOS) "D" peak hour shall be the standard for all roads within the City.

Policy 1.1.1:

The City shall review all proposed development or redevelopment for consistency with this element and impacts upon the adopted LOS standard.

- All development orders and permits shall be issued only when it is documented by the developer's transportation analysis that such development is consistent with the level-of-service standards for the affected public facilities adopted by this comprehensive plan.
- The transportation analysis will utilize the latest and best methodology available at the time.
- In addition, no development orders or permits that affect access to state roads shall be issued until Florida Department of Transportation completes a review and gives conceptual approval of the development site access plan.

Analysis: A Traffic Analysis has been prepared for the project by the project's traffic consultant Gulf Coast Consulting, Inc. dated December 5, 2016. The results of that Traffic Analysis demonstrate that SR 666/ Tom Stuart Causeway, the only road that provides access to the project, is currently operating at LOS C during the PM Peak hour. When the project's traffic is considered, SR 666 will continue to operate at LOS C during the PM Peak hour.

The current and anticipated LOS C operation on SR 666 means that the road operates and will continue to operate at a level-of-service that is better than the adopted LOS D outlined in Policy 1.1.1 above. Therefore, since SR 666 will continue to operate at LOS C that is consistent with the adopted LOS D standard, the project is concurrent with regard to transportation and the Rezoning application is consistent with this Goal, Objective and Policy. Please refer to the complete Traffic Analysis prepared by Gulf Coast Consulting, Inc. which is included in the Rezoning submittal package.

B. Infrastructure Element

Goal 1: The City shall ensure that needed sanitary sewer, solid waste, and potable water services be provided by a safe and efficient system which maintains adequate facilities and provides for orderly growth and expansion.

Objective 1.1

Development permits shall be issued only when adequate facility capacity is available to serve the development, based on the level-of-service standards established within this element.

Policy 1.1.1

The adopted potable water, sanitary sewer, and solid waste level-of-service standards for the City of Madeira Beach shall be:

<u>Facility</u>	<u>Year</u>	<u>Level- of- Service Standard</u>
Sanitary Sewer	2025	111 gallons per day, per capita
Solid Waste	2005	7.1 pounds per day, per capita
Potable Water	2015	120 gallons per day, per capita
	2025	115 gallons per day, per capita

Analysis: Please see the attached letters from Pinellas County demonstrating that service is available and concurrent for Sanitary Sewer, Solid Waste and Potable Water.

Additional detailed information is contained in the SAP Infrastructure Analysis which evaluated the changes in Sewer and Water demand as a result of redevelopment in the SAP and is summarized below.

Sanitary Sewer: The Infrastructure Analysis states that redevelopment in the SAP is expected to result in an increase in demand for Sanitary Sewer and that sewer treatment is provided by Pinellas County. The City's sewerage is treated by the County's South Cross Bayou Wastewater Treatment Plan that is currently operating at approximately 65% of capacity and has the ability to treat the estimated increase in demand resulting from the redevelopment in the SAP.

Potable Water: The Infrastructure Analysis states that redevelopment in the SAP is expected to result in an increase in demand for Potable Water and that the water supply, treatment and distribution is provided by Pinellas County. Through the interlocal agreement with Pinellas County, other member governments and Tampa Bay Water, the regional water supply authority, Tampa Bay Water is obligated to meet the current and future needs of the governments who are parties to the interlocal agreement. Therefore, the additional water demand can be provided through Tampa Bay Water and the City's agreement with Pinellas County.

Based on confirmation of availability of services and the SAP Infrastructure Analysis, the Rezoning site is concurrent with regard to Sanitary Sewer, Solid Waste and Potable Water and is consistent with this adopted Goal, Objective and Policy.

Goal 4: Stormwater shall be managed to provide flood protection for residents and businesses and to preserve, protect, and enhance the water quality of receiving water bodies.

Objective 4.2

The City shall ensure that adopted level-of-service standards for flood control are maintained.

Policy 4.2.1

The adopted level of service for drainage shall be the 10- year frequency, 60-minute storm event and city land development regulations shall contain provisions which ensure that all stormwater management systems shall be designed to meet or exceed that standard.

Analysis: The proposed Rezoning site will be designed to meet the above City criteria for its stormwater management system which compliance will be confirmed when the project is submitted to the City for construction plan review. Additionally, the project will submit and obtain SWFWMD and City of Madeira Beach permits for its stormwater management system and demonstrate compliance with Policy 4.2.1 above. Therefore, based on compliance with the adopted level of service for drainage, the Rezoning site is consistent with this Goal, Objective and Policy.

C. Recreation and Open Space Element

Goal 1: The City shall ensure the provision, protection, and maintenance of a coordinated, efficient, and accessible system of recreational parks and facilities which shall meet the needs of current and future residents, visitors, and tourists.

Objective 1.1

The City shall, in cooperation with other governmental agencies, continue to provide and maintain a system of open space, parks, and recreation facilities, including access to the same and to beaches and shores, meeting the needs of current and future residents, visitors, and tourists.

Policy 1.1.1

The level-of-service (LOS) standard shall be based on the acreage of land for recreation and open space. The adopted LOS for the City is 6.5 acres per 1000 residents.

Analysis: The SAP Infrastructure Analysis states that there is a current total supply of 52 acres of recreation and open space land in the City (29.6 acres of Parks and 22.4 acres of Preservation/Beach). Based on the City's adopted level of service standard of 6.5 acres per 1,000 residents, the current supply of 52 acres would meet the LOS for up to 8,000 residents, confirming that the City currently exceeds its LOS for recreation and open space.

According to the 2010 Census, the current population of the City is 4,263 persons. The Infrastructure Analysis estimates that a maximum of 257 additional residential units could be constructed under the SAP. Based on the current Pinellas County person per household ratio of 2.16, the additional 257 dwelling units could result in a maximum of 555 additional residents. Therefore, the estimated new population of the City when considering the potential redevelopment within the SAP is calculated to be the 2010 population of 4,263 residents plus the estimated new SAP population of 555 residents for a total estimated future population in the City of 4,818 persons.

Since the existing park land will meet the service level of up to 8,000 residents and the estimated future population is estimated to be 4,818 residents, the available recreation and open space land exceeds the City's LOS by a substantial amount of acreage. Therefore, redevelopment within the SAP is consistent with this Goal, Objective and Policy with regard to recreation and open space; and the proposed Rezoning site within the SAP is also consistent with this Goal, Objective and Policy and is concurrent with the recreation and open space standard.

D. Capital Improvements Element

Goal 1: The City shall undertake fiscal actions necessary to provide and maintain public facilities for all residents, within its jurisdiction, at the adopted levels-of-service.

Objective 1.5: Concurrency Management System

The City of Madeira Beach shall provide or require provision of, needed infrastructure for development and redevelopment concurrently with their impacts through the use of a concurrency management system, implementation monitoring of the comprehensive plan and enforcement of development regulations.

Policy 1.5.4

The City of Madeira Beach shall use the following levels-of-service to determine the impacts of development and redevelopment.

Roads:

The operational level-of-service (LOS) D peak hour shall be the standard for all roads within the City.

Sanitary Sewer:

The adopted sanitary sewer level-of-service standard to extend throughout the time frame of this comprehensive plan is 111 gallons per capita per day.

Solid Waste:

The adopted solid waste level-of-service standard to extend throughout the time frame of this comprehensive plan is 4.9 pounds per capita per day of nonrecyclable waste.

Drainage:

The City shall require the first one inch of runoff from impervious surfaces to be retained on the site of the development. The adopted level-of-service shall be the 10- year frequency, 60- minute storm event.

Potable Water:

The adopted potable water Level-of-service standard is as follows:

Year	2005	2015	2020	2025
Gallons per capita per day (gpcd)	137	134	132	130

Source: Regional Water Supply Plan, Chapter 4, Appendix 4, Table 34-A.

Parks and Recreation:

The level-of-service standard for parkland is 6.5 acres per 1,000 people.

Public Schools:

Madeira Beach hereby adopts, consistent with Section 11 of the *Public Schools Interlocal Agreement*, the following level-of-service standard, which shall be applied consistently district-wide by all partner local governments within Pinellas County and by the School District. District-wide level-of-service standard: Student enrollment plus vested students divided by *Florida Inventory of School Houses (FISH) School Capacity* plus additional capacity does not exceed 100 percent. This level-of-service standard shall apply to each type of public school facility.

Analysis: For the analysis of the proposed Rezoning's concurrency with regard to the above services, please see **Section II.A** of this Analysis for Roads; **Section II.B** of this Analysis for Sanitary Sewer, Potable Water, Solid Waste, Drainage and Potable Water; and **Section II.C** of this Analysis for Parks and Recreation, all of which demonstrate that the Rezoning site is concurrent for all services and therefore, complies with this Goal, Objective and Policy.

With regard to Public Schools, Policy 1.5.4 above references the *Public Schools Interlocal Agreement* among the School Board and all local governments in Pinellas County as the method by which school concurrency is met. This Rezoning will be required to demonstrate compliance with the Interlocal Agreement upon detailed construction plans and therefore, the Rezoning application is concurrent for Public Schools and is consistent with this Goal, Objective and Policy. It should be noted however, that the Rezoning application proposes only 31 new residential dwelling units that might result in new school children. Due to the type of residential development, the number of new children generated as a result of the project is expected to be minimal and it is expected that the School Board can easily serve any potential new children.

III. SUMMARY

Based on the Applicant's submitted Traffic Analysis, letters from service provider Pinellas County, the *Special Area Plan* Infrastructure Analysis and our evaluation contained in this Analysis, the proposed Rezoning is concurrent for all public services and is consistent with the City's Comprehensive Plan for these services.



**BOARD OF COUNTY
COMMISSIONERS**

Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
John Murrone
Karen Williams Seel
Kenneth T. Welch



April 7, 2016

Sean Cashen, P.E.
Gulf Coast Consulting
13825 Icot Boulevard, Suite 605
Clearwater, Florida 33760

Re: **Letter of Availability – Potable Water and Sanitary Sewer**
Holiday Isles Project – Madeira Beach
Parcel ID: 09/31/15/00000/140/0100 & 0120; 09/31/15/00000/110/0100
Map Page 14-DN

Dear Mr. Cashen:

Pinellas County has potable water and sanitary sewer facilities available to serve the referenced project. Pump Station # 163 has the capacity for the estimated wastewater flows of 50,000 to 70,000 gallons per day, and the South Cross Bayou Water Reclamation Facility has adequate treatment capacity. The potable water infrastructure comprises 20-inch concrete and 16-inch ductile iron mains within Tom Stuart Causeway right-of-way.

As part of the utility plan approval process, an engineering analysis and report on the wastewater collection system and water and fire distribution systems for this project must be submitted to Pinellas County Utilities for review. The report must contain hydraulic calculations, and be signed and sealed by a Professional Engineer.

If you have any questions, feel free to call me at (727) 464-4068.

Sincerely,

PINELLAS COUNTY UTILITIES

Sandra L. McDonald, P.E.
Professional Engineer



**BOARD OF COUNTY
COMMISSIONERS**

Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
John Morroni
Karen Williams Seel
Kenneth T. Welch



December 6, 2016

Mr. Alfonso Belluccia, P.E.
Florida Design Consultants, Inc.
3030 Starkey Boulevard
New Port Richey, FL 34655

RE: Letter of Availability; Bridgeway Acres Landfill
Holiday Isles
Parcel ID: 09/31/15/00000/140/0100 & 0120; 09/31/15/00000/110/0100

Mr. Belluccia,

This letter confirms the ability of the Bridgeway Acres Landfill and Pinellas County Resource Recovery Facility to take solid waste associated with the development of the Holiday Isles Project referenced above.

If you have any questions, please feel free to contact me at (727) 464-7500.

Sincerely,

Beth Burns
Environmental Program Manager
Pinellas County Solid Waste Department

Pinellas County Solid Waste
3095 114th Ave. N.
St. Petersburg, FL 33716
Main Office: (727) 464-7500
FAX: (727) 464-7713
V/TDD: (727) 464-4062

www.pinellascounty.org





December 9, 2016

Holiday Isle's Development Project
555 150th Avenue
Madeira Beach, FL 33708

Construction Cost Estimate for Hotel, Commercial, Retail and Restaurant

Site work	\$ 728,000
Hotel	\$ 24,134,000
(134,080 sq. ft. @ \$180 per sq. ft.)	
Condominium building	\$ 18,081,000
(90,405 sq. ft. @ \$200 per sq. ft.)	

These estimates are based off original designs. They are subject to change when final construction drawings are submitted.

Respectfully Submitted,



William Karns
President



FDOT TRAFFIC ANALYSIS

**FDOT PERMIT TRAFFIC ANALYSIS
FOR
HOLTON HOLIDAY ISLE SITE
TOM STUART CAUSEWAY (S.R. 666)**

**PREPARED FOR:
HOLTON COMPANIES**

**PREPARED BY:
GULF COAST CONSULTING, INC.
REVISED DECEMBER 2016
PROJECT # 14-048**

TABLE OF CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. FUTURE CONDITIONS WITH DEVELOPMENT
- IV. CONCLUSIONS AND RECOMMENDATIONS



Robert Pergolizzi, AICP/PTP
AICP # 9023 / PTP #133



Octavio Cabrera, P.E.
FL. Reg. #14663

Octavio Cabrera

DEC 05 2016

FL P.E. No. 14663

I. INTRODUCTION

The applicant proposes to improve its property located on the southeast side of Tom Stuart Causeway (SR 666) in the City of Madeira Beach (See Figure 1) The property is adjacent to the Madeira Beach Municipal Marina and access is via an existing right-in/right-out driveway and via the full median opening that serves the city property. Subsequent to the June 14, 2016 Madeira Beach City Commission approval, the applicant revised the plan and application to reduce the height and intensity of the development to address neighbor concerns. The applicant now intends to develop 31 condominium units, a 150 room hotel which includes a 12,000 square foot restaurant that will be ancillary to the hotel. In addition, there will be a small marina with 68 additional slips that will be available to condominium owners, hotel guests, and restaurant patrons that wish to arrive by boat. The potential site improvements include relocating the frontage road and extending the left turn lane at the project west entrance. This traffic analysis was prepared to evaluate the traffic impacts at the driveways and to aid in driveway design.

II. EXISTING CONDITIONS

The Tom Stuart Causeway (SR 666) is a four-lane divided arterial roadway with a posted speed of 40 MPH and is controlled by a traffic signal at Duhme Road east of the drawbridge and Madeira Way to the west. SR 666 is an Access Class 7 roadway per FDOT Rule 14-97, with a minimum driveway spacing requirement of 125 feet, and a full median opening spacing of 660 feet.

Existing conditions were established by obtaining PM peak period (4-6 PM) intersection turning movement counts at the SR 666/Full Median Opening intersection and the existing right-in/right-out driveway intersection with SR 666 in September 2015. These counts were seasonally adjusted to peak season equivalents using FDOT seasonal adjustment factors. Intersection analysis was performed using the HCS software. The existing (2015) peak hour traffic volumes are shown in Figure 2 and the HCS printouts are included in Appendix A.

At the full access to SR 666 (Drive A), a total of 16 vehicles entered and 13 vehicles exited the site during the PM peak hour. Westbound left turns operate at LOS B with 11.1 seconds delay, and the exiting vehicles operate at LOS C with 17.9 seconds delay for the exiting motorists.

At the eastern driveway (Drive B) to SR 666 access is limited to right-in/right out movements due to proximity to the drawbridge. During the PM peak hour there were 6 entering vehicles and 11 exiting vehicles. The exiting vehicles operate at LOS B with 12.9 seconds average delay.

Based on the adjusted traffic counts, roadway segment volumes were calculated and analyzed using FDOT Generalized Capacity Tables. The adjacent segment of SR 666 carries 2,108 vehicles during the PM peak hour which represents LOS C on a 4-lane divided roadway.

III. FUTURE CONDITIONS WITH DEVELOPMENT



PROJECT NO:
14-048

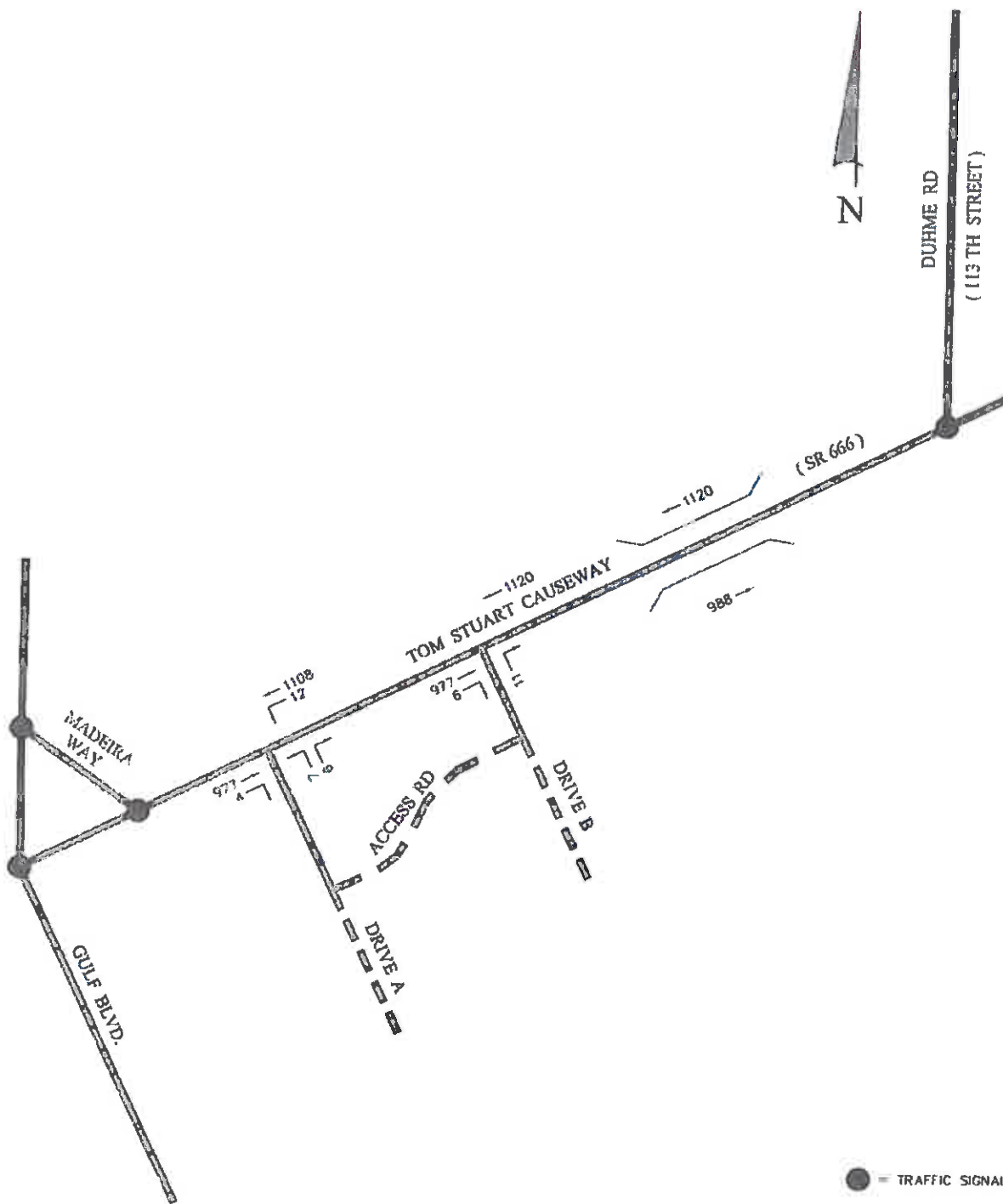


DATE: 9/2014

DRAWN BY:
MKC

FIGURE:

1



EXISTING PM PEAK HOUR/PEAK SEASON TRAFFIC

PROJECT NO:
14-048



Gulf Coast Consulting, Inc.
Land Development Consulting
ENGINEERING TRANSPORTATION PLANNING PERMITTING
13825 ICOT BLVD., SUITE 605
Clearwater, Florida 33760
Phone: (727) 524-1815 Fax: (727) 524-6090
www.gulfcoastconsultinginc.com

DATE:

10/2015

DRAWN BY:

GJS

FIGURE:

2

Trip generation estimates of the additional traffic caused by the proposed development were made using ITE Trip Generation, 9th Edition rates. Although the restaurant space is ancillary to the hotel, to be conservative, trip generation for the restaurant was calculated separately as shown below:

Land Use	Amount	ITE LUC	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips (in/out)
High-Rise Condominium	31 units	232	130	11	12 (8/4)
Marina	68 slips	420	201	5	13 (8/5)
Hotel	150 rooms	310	1,225	80	90 (46/44)
Quality Restaurant	12,000 SF	931	1,079	10	90 (60/30)
Total			2,635	106	205 (122/83)

The additional traffic caused by the development is expected to be 2,635 daily trips of which 205 would occur during the PM peak hour (122 entering / 83 exiting). This represents a 25% reduction in traffic generation as compared to the previously approved development levels. This would classify as a Category "D" permit application with FDOT. Consistent with prior approvals, project traffic was distributed to the surrounding roadway system based on the following percentages which were derived from traffic counts at the existing median opening and driveway.

30% west on SR 666 (150th Avenue) +61 PM trips
 70% east on SR 666 (Tom Stuart Causeway) +144 PM trips

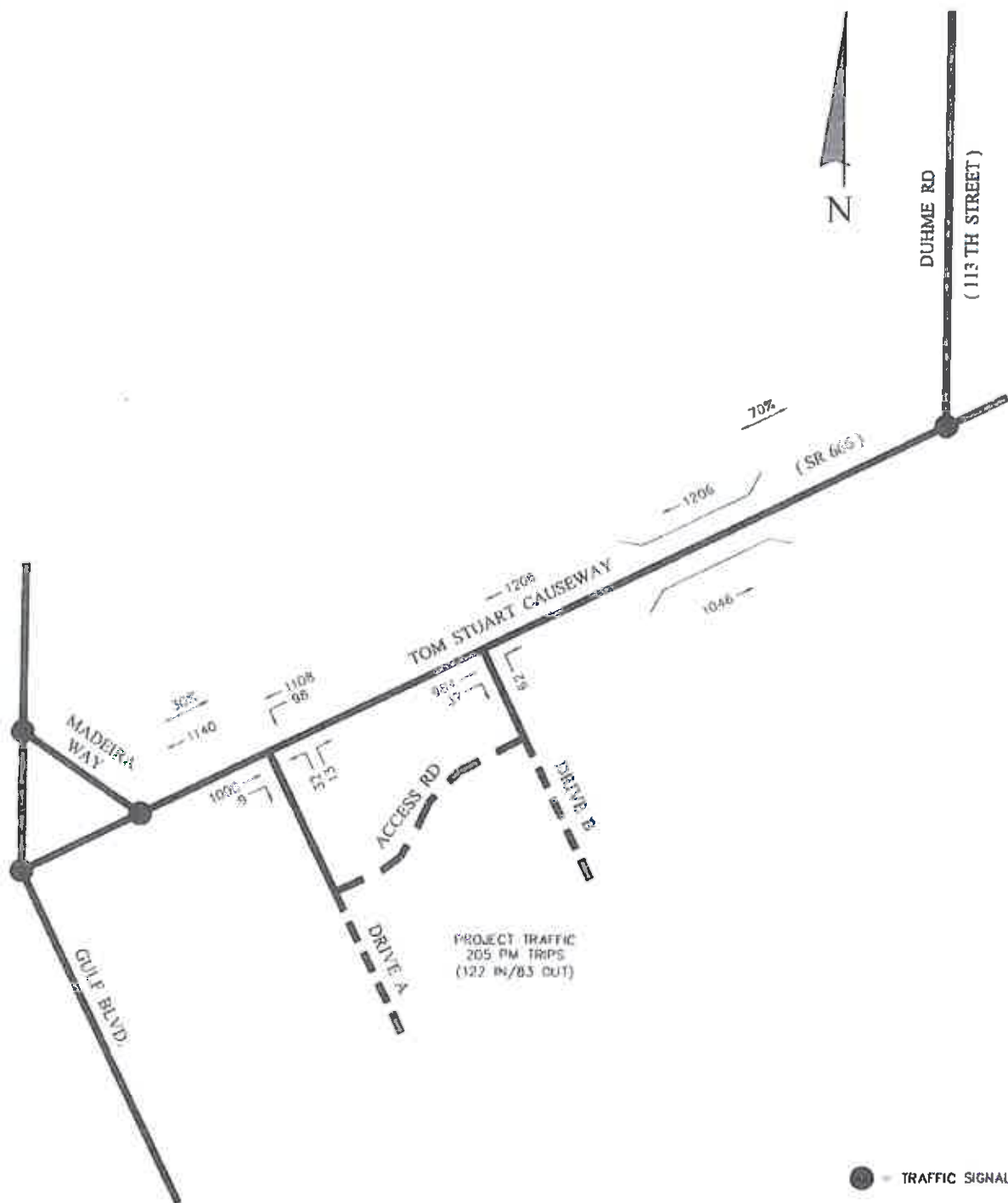
The intersection and driveway were analyzed to consider future operations with the project development in place. Expected future traffic is shown in Figure 3 and the HCS printouts are included in Appendix B.

At the full access to SR 666 (Drive A), westbound left turns would operate at LOS B with 12.6 seconds delay and the northbound approach exiting would operate at LOS C with delay increasing to 24.5 seconds. Two exiting lanes are recommended to separate left and right turning vehicles. At the eastern driveway (Drive B) to SR 666 which is limited to right turn access, the exiting vehicles would continue to operate at LOS B with 14.6 seconds average delay.

The adjacent segment of SR 666 would continue to operate at LOS C with volume increasing to 2,252 vehicles east of the site and 2,157 vehicles west of the site during the PM peak hour. This represents acceptable levels of service.

IV. CONCLUSIONS AND RECOMMENDATIONS

The proposed development of this property to contain condominiums, a condo/villa, a limited service hotel and a restaurant with dedicated marina slips is expected to generate 2,635 daily trips and an additional 205 PM peak hour trips. With the impacts of the proposed development, all movements at the driveways would operate at acceptable levels of service and SR 666 would continue to operate at LOS C. The left turn lane should be lengthened to include a minimum of 100 feet of queue storage plus 185 feet deceleration distance per FDOT Index #301 for a 45 MPH design speed urban condition. This may require median modifications and relocation of the median opening further west. The design will be finalized with FDOT as part of an access permit for the project.



FUTURE PM PEAK HOUR/PEAK SEASON TRAFFIC

PROJECT NO:
14-048



Gulf Coast Consulting, Inc.
Land Development Consulting
ENGINEERING TRANSPORTATION PLANNING PERMITTING
13825 ICOT BLVD., SUITE 605
Clearwater, Florida 33760
Phone (727) 524-1818 Fax. (727) 524-6090
www.gulfcoastconsultinginc.com

DATE:

12/2016

DRAWN BY:

GJS

FIGURE:

3

APPENDIX A

2014 Peak Season Factor Category Report - Report Type: ALL
Category: 1500 FINELLAS COUNTYWIDE

MOCF: 0.95

Week	Dates	SF	PSCF
1	01/01/2014 - 01/04/2014	1.03	1.08
2	01/05/2014 - 01/11/2014	1.05	1.11
3	01/12/2014 - 01/18/2014	1.07	1.13
4	01/19/2014 - 01/25/2014	1.05	1.11
5	01/26/2014 - 02/01/2014	1.03	1.08
6	02/02/2014 - 02/08/2014	1.00	1.05
7	02/09/2014 - 02/15/2014	0.98	1.03
* 8	02/16/2014 - 02/22/2014	0.96	1.01
* 9	02/23/2014 - 03/01/2014	0.95	1.00
*10	03/02/2014 - 03/08/2014	0.95	1.00
*11	03/09/2014 - 03/15/2014	0.94	0.99
*12	03/16/2014 - 03/22/2014	0.93	0.98
*13	03/23/2014 - 03/29/2014	0.93	0.98
*14	03/30/2014 - 04/05/2014	0.94	0.99
*15	04/06/2014 - 04/12/2014	0.94	0.99
*16	04/13/2014 - 04/19/2014	0.94	0.99
*17	04/20/2014 - 04/26/2014	0.95	1.00
*18	04/27/2014 - 05/03/2014	0.96	1.01
*19	05/04/2014 - 05/10/2014	0.97	1.02
*20	05/11/2014 - 05/17/2014	0.98	1.03
21	05/18/2014 - 05/24/2014	0.99	1.04
22	05/25/2014 - 05/31/2014	0.99	1.04
23	06/01/2014 - 06/07/2014	0.99	1.04
24	06/08/2014 - 06/14/2014	0.99	1.04
25	06/15/2014 - 06/21/2014	0.99	1.04
26	06/22/2014 - 06/28/2014	1.00	1.05
27	06/29/2014 - 07/05/2014	1.00	1.05
28	07/06/2014 - 07/12/2014	1.00	1.05
29	07/13/2014 - 07/19/2014	1.01	1.06
30	07/20/2014 - 07/26/2014	1.01	1.06
31	07/27/2014 - 08/02/2014	1.01	1.06
32	08/03/2014 - 08/09/2014	1.02	1.07
33	08/10/2014 - 08/16/2014	1.02	1.07
34	08/17/2014 - 08/23/2014	1.02	1.07
35	08/24/2014 - 08/30/2014	1.04	1.09
36	08/31/2014 - 09/06/2014	1.05	1.11
37	09/07/2014 - 09/13/2014	1.06	1.12
38	09/14/2014 - 09/20/2014	1.07	1.13
39	09/21/2014 - 09/27/2014	1.06	1.12
40	09/28/2014 - 10/04/2014	1.06	1.12
41	10/05/2014 - 10/11/2014	1.05	1.11
42	10/12/2014 - 10/18/2014	1.05	1.11
43	10/19/2014 - 10/25/2014	1.05	1.11
44	10/26/2014 - 11/01/2014	1.05	1.11
45	11/02/2014 - 11/08/2014	1.06	1.12
46	11/09/2014 - 11/15/2014	1.06	1.12
47	11/16/2014 - 11/22/2014	1.06	1.12
48	11/23/2014 - 11/29/2014	1.06	1.12
49	11/30/2014 - 12/06/2014	1.05	1.11
50	12/07/2014 - 12/13/2014	1.04	1.09
51	12/14/2014 - 12/20/2014	1.03	1.08
52	12/21/2014 - 12/27/2014	1.05	1.11
53	12/28/2014 - 12/31/2014	1.07	1.13

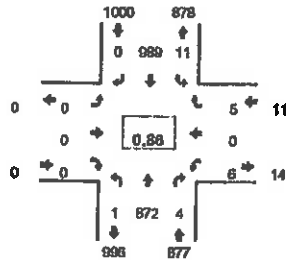
* Peak Season

Type of peak hour being reported: Intersection Peak

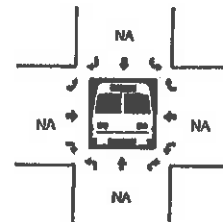
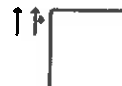
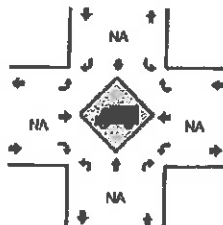
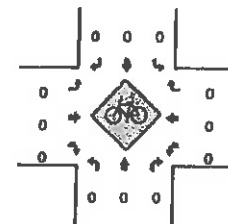
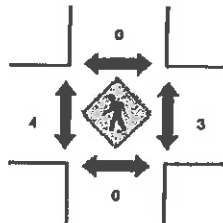
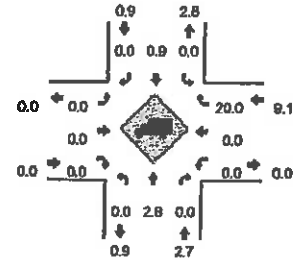
Method for determining peak hour: Total Entering Volume

LOCATION: Tom Stuart Causeway -- Marina Main Dwy
CITY/STATE: Madeira Beach, FL

QC JOB #: 13605602
DATE: Tue, Sep 29 2015



Peak-Hour: 4:45 PM -- 5:45 PM
Peak 15-Min: 5:30 PM -- 6:45 PM

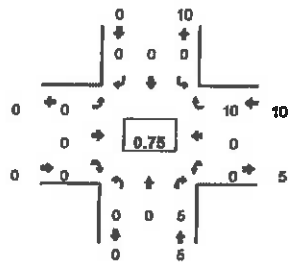
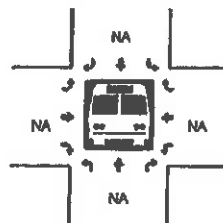
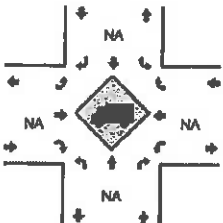
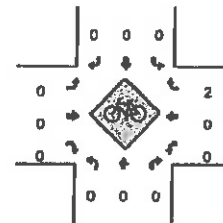
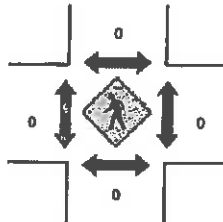
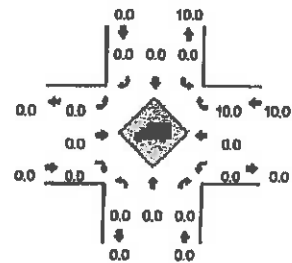


15-Min Count Period Beginning At	Tom Stuart Causeway (Northbound)				Tom Stuart Causeway (Southbound)				Marina Main Dwy (Eastbound)				Marina Main Dwy (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	0	229	1	1	3	235	0	0	0	0	0	0	0	0	3	0	472	
4:15 PM	0	211	4	0	4	243	0	1	0	0	0	0	3	0	3	0	469	
4:30 PM	0	207	0	0	2	229	0	1	0	0	0	0	0	0	0	0	439	
4:45 PM	0	223	0	0	3	244	0	0	0	0	0	0	0	0	0	0	470	1860
5:00 PM	0	234	2	0	2	237	0	0	0	0	0	0	3	0	2	0	480	1866
5:15 PM	0	201	2	1	3	178	0	0	0	0	0	0	1	0	2	0	388	1776
5:30 PM	0	234	2	0	2	234	0	1	0	0	0	0	3	0	1	0	552	1886
5:45 PM	0	176	2	0	1	274	0	0	0	0	0	0	3	0	2	0	457	1875
PSCF = 1.12 1108 12 977 7 6																		
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	856	0	0	8	1328	0	4	0	0	0	0	8	0	4	0	2268	
Heavy Trucks	0	20	0	0	0	12	0	0	0	0	0	0	0	0	0	0	32	
Pedestrians	0	0	0	0	0	0	0	0	0	12	0	0	0	0	0	0	12	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Railroad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Stopped Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

Comments:

Type of peak hour being reported: Intersection Peak

Method for determining peak hour: Total Entering Volume

LOCATION: Tom Stuart Causeway – Dwy to Marina
CITY/STATE: Madeira Beach, FLQC JOB #: 13805601
DATE: Tue, Sep 29 2015Peak-Hour: 4:45 PM -- 5:45 PM
Peak 15-Min: 5:00 PM -- 5:15 PM

15-Min Count Period Beginning At	Tom Stuart Causeway (Northbound)				Tom Stuart Causeway (Southbound)				Dwy to Marina (Eastbound)				Dwy to Marina (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	2	
4:15 PM	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	2	
4:30 PM	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	2	
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	3	9
5:00 PM	0	0	2	0	0	0	0	0	0	0	0	0	0	0	1	0	3	13
5:15 PM	0	0	2	0	0	0	0	0	0	0	0	0	0	0	1	0	3	13
5:30 PM	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3	0	3	15
5:45 PM	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2	0	3	15
$PSCF = 1.12$ ← 1120 977 → 6 → 11																		
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	6	0	0	0	0	0	0	0	0	0	0	0	12	0	20	
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	4	
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Railroad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Stopped Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

Comments:

Report generated on 10/6/2015 1:43 PM

SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>) 1-877-580-2212

HCS 2010 Two-Way Stop Control Summary Report

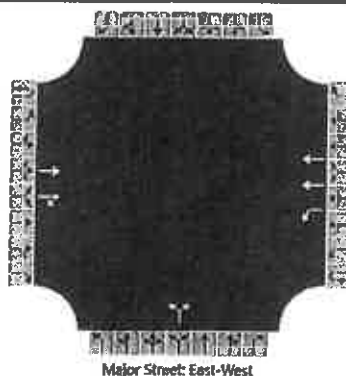
General Information

Analyst	RP
Agency/Co.	GCC
Date Performed	10/14/2016
Analysis Year	2015 EXISTING
Time Analyzed	PM PEAK
Intersection Orientation	East-West
Project Description	

Site Information

Intersection	SR 666 / DRIVE A
Jurisdiction	FDOT
East/West Street	SR 666
North/South Street	DRIVE A - Main Access
Peak Hour Factor	0.86
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	0	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			977	4		12	1108			7		6				
Percent Heavy Vehicles						2				2		2				
Proportion Time Blocked																
Right Turn Channelized	No				No				No				No			
Median Type	Left + Thru															
Median Storage	2															

Delay, Queue Length, and Level-of-Service

Flow Rate (veh/h)						14					15					
Capacity						608					295					
v/c Ratio						0.02					0.05					
95% Queue Length						0.1					0.2					
Control Delay (s/veh)						11.1					17.9					
Level of Service (LOS)						B					C					
Approach Delay (s/veh)					0.1				17.9							
Approach LOS									C							

HCS 2010 Two-Way Stop Control Summary Report

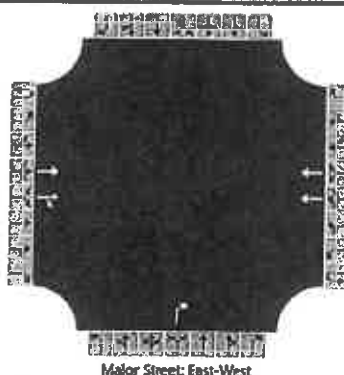
General Information

Analyst	RP
Agency/Co.	GCC
Date Performed	10/14/15
Analysis Year	2015 EXISTING
Time Analyzed	PM PEAK
Intersection Orientation	East-West
Project Description	

Site Information

Intersection	SR 666 / DRIVE B (RIRO)
Jurisdiction	FDOT
East/West Street	SR 666
North/South Street	DRIVE B (RIRO ONLY)
Peak Hour Factor	0.86
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	0	2	0		0	0	1		0	0	0
Configuration			T	TR			T					R				
Volume (veh/h)			977	6			1120					5				
Percent Heavy Vehicles												2				
Proportion Time Blocked																
Right Turn Channelized	No				No				No				No			
Median Type	Left Only															
Median Storage	1															

Delay, Queue Length, and Level of Service

Flow Rate (veh/h)												6				
Capacity												463				
v/c Ratio												0.01				
95% Queue Length												0.0				
Control Delay (s/veh)												12.9				
Level of Service (LOS)												B				
Approach Delay (s/veh)									12.9							
Approach LOS									B							

TABLE 4

Generalized Peak Hour Two-Way Volumes for Florida's
Urbanized Areas¹

12/18/12

12/18/12

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Class I (40 mph or higher posted speed limit)					
Lanes	Median	B	C	D	E
2	Undivided	*	1,510	1,600	**
4	Divided	*	3,420	3,580	**
6	Divided	*	5,250	5,390	**
8	Divided	*	7,090	7,210	**

Class II (35 mph or slower posted speed limit)					
Lanes	Median	B	C	D	E
2	Undivided	*	660	1,330	1,410
4	Divided	*	1,310	2,920	3,040
6	Divided	*	2,090	4,500	4,590
8	Divided	*	2,880	6,060	6,130

Non-State Signalized Roadway Adjustments

(After corresponding state volumes
by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
2	Divided	Yes	No	+5%
2	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
			Yes	+5%

One-Way Facility Adjustment

Multiply the corresponding two-directional
volumes in this table by 0.6

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Lanes	B	C	D	E
4	4,120	5,540	6,700	7,190
6	6,130	8,370	10,060	11,100
8	8,230	11,100	13,390	15,010
10	10,330	14,040	16,840	18,930
12	14,450	18,880	22,030	22,860

Freeway Adjustments

Auxiliary Lanes	Ramp Metering
Present in Both Directions + 1,800	+ 5%

UNINTERRUPTED FLOW HIGHWAYS

Lanes	Median	B	C	D	E
2	Undivided	770	1,530	2,170	2,990
4	Divided	3,300	4,660	5,900	6,530
6	Divided	4,950	6,990	8,840	9,790

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
2	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

BICYCLE MODE²

(Multiply motorized vehicle volumes shown below by number of
directional roadway lanes to determine two-way maximum service
volumes.)

Paved Shoulder/Bicycle

Lane Coverage	B	C	D	E
0-49%	*	260	680	1,770
50-84%	190	600	1,770	>1,770
85-100%	830	1,770	>1,770	**

PEDESTRIAN MODE²

(Multiply motorized vehicle volumes shown below by number of
directional roadway lanes to determine two-way maximum service
volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	250	850
50-84%	*	150	780	1,420
85-100%	340	960	1,560	>1,770

BUS MODE (Scheduled Fixed Route)³

(Buses in peak hour in peak direction)

Sidewalk Coverage	B	C	D	E
0-84%	> 5	≥ 4	≥ 3	≥ 2
85-100%	> 4	≥ 3	≥ 2	≥ 1

*Values shown are presented as peak hour two-way volumes for levels of service and are for the automobile mode unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.

² Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicycles or pedestrians using the facility.

³ Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

⁴ Cannot be achieved using table input value defaults.

⁵ Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achieved because there is no maximum vehicle volume threshold using table input value defaults.

Sources:

Florida Department of Transportation
Systems Planning Office

www.dot.state.fl.us/bureau/systems/spl/default.htm

¹Values shown are presented as peak hour two-way volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.

²Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.

³Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achieved because there is no maximum vehicle volume threshold using table input value defaults.

Source:
Florida Department of Transportation
Systems Planning Office
www.dot.state.fl.us/planning/systems/km/default.shtml

APPENDIX B

High-Rise Residential Condominium/Townhouse (232)

Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

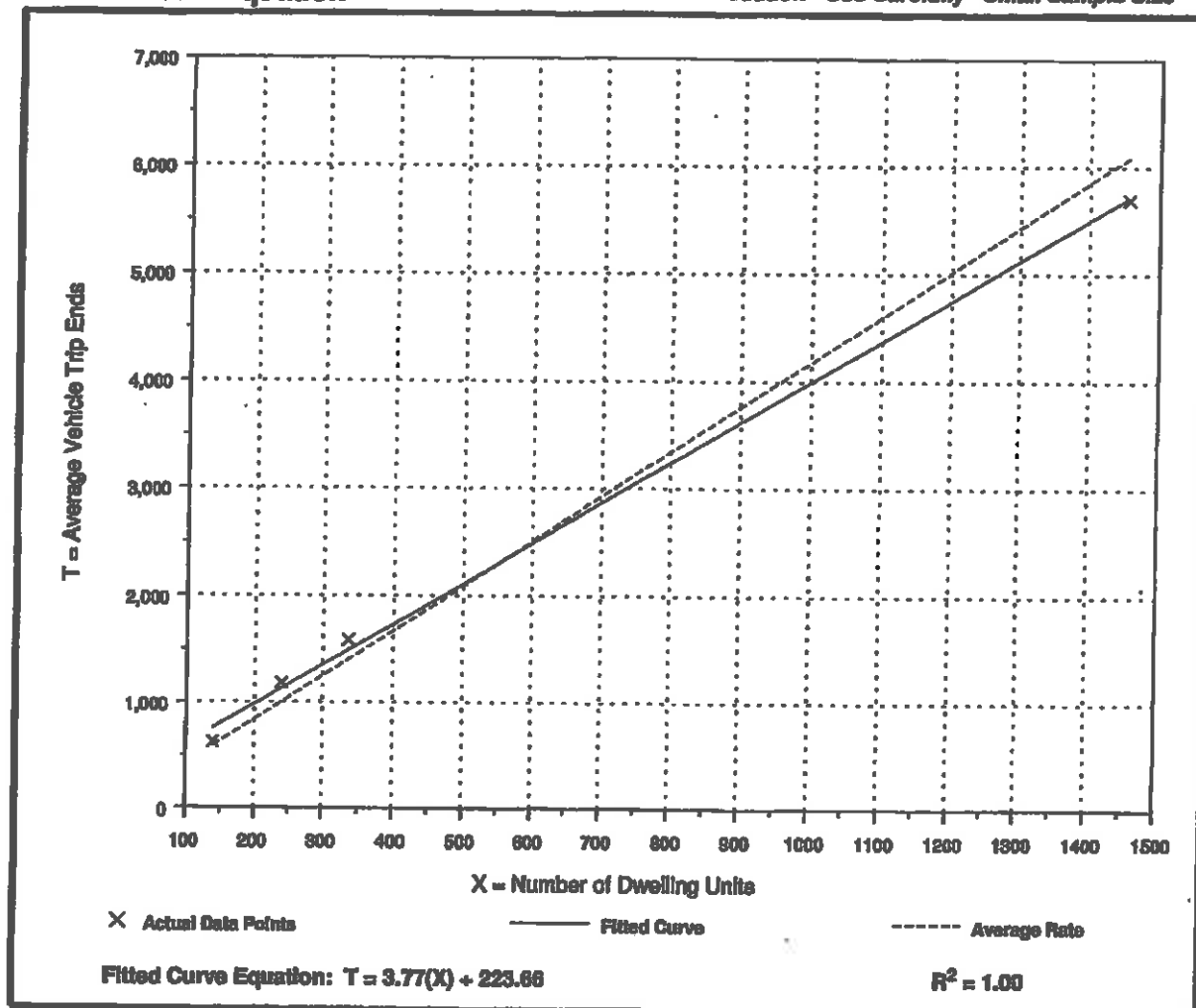
Number of Studies: 4
Avg. Number of Dwelling Units: 543
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
4.18	3.91 - 4.93	2.08

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



High-Rise Residential Condominium/Townhouse (232)

Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

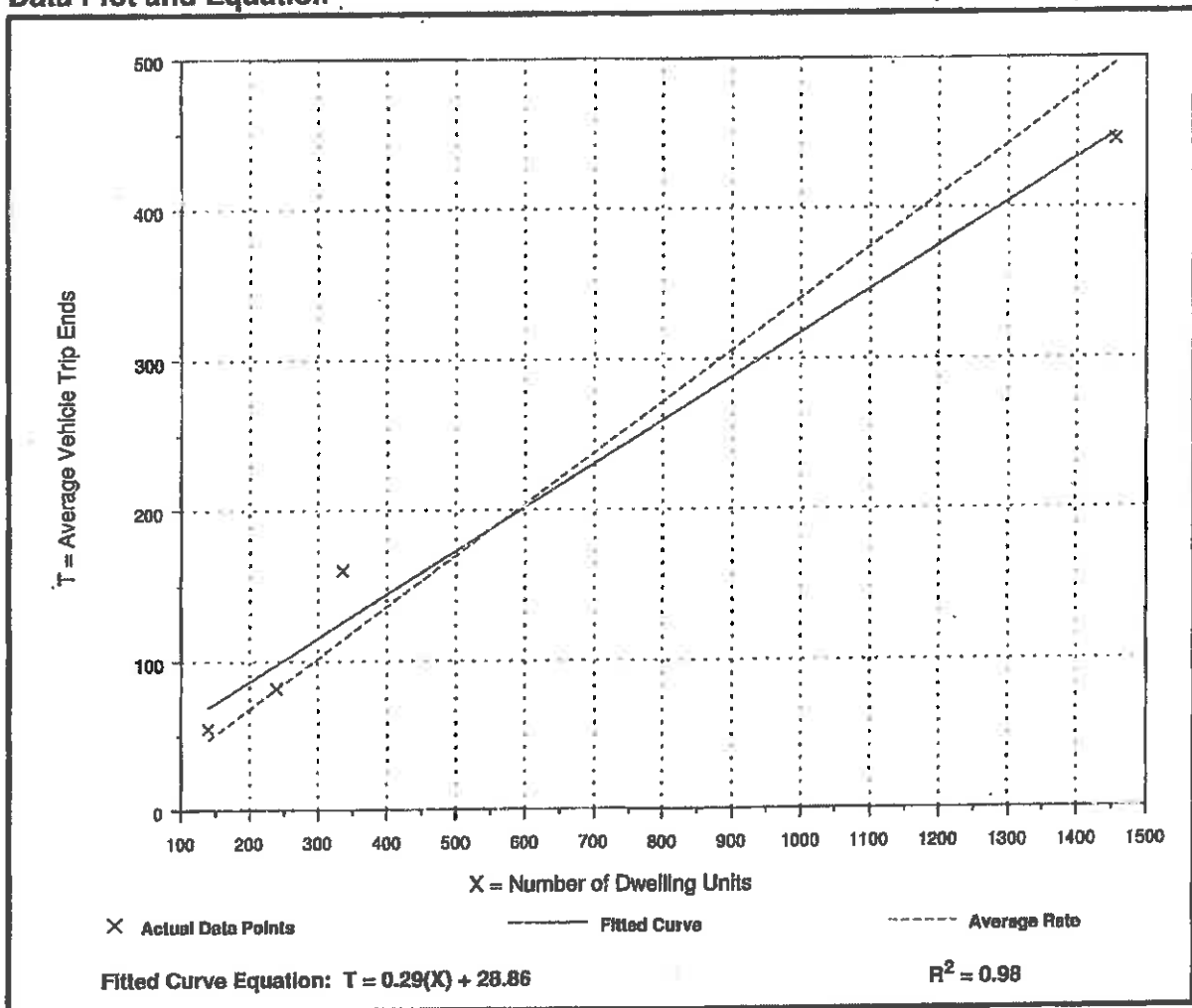
Number of Studies: 4
 Avg. Number of Dwelling Units: 543
 Directional Distribution: 19% entering, 81% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.34	0.31 - 0.48	0.59

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



High-Rise Residential Condominium/Townhouse (232)

Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

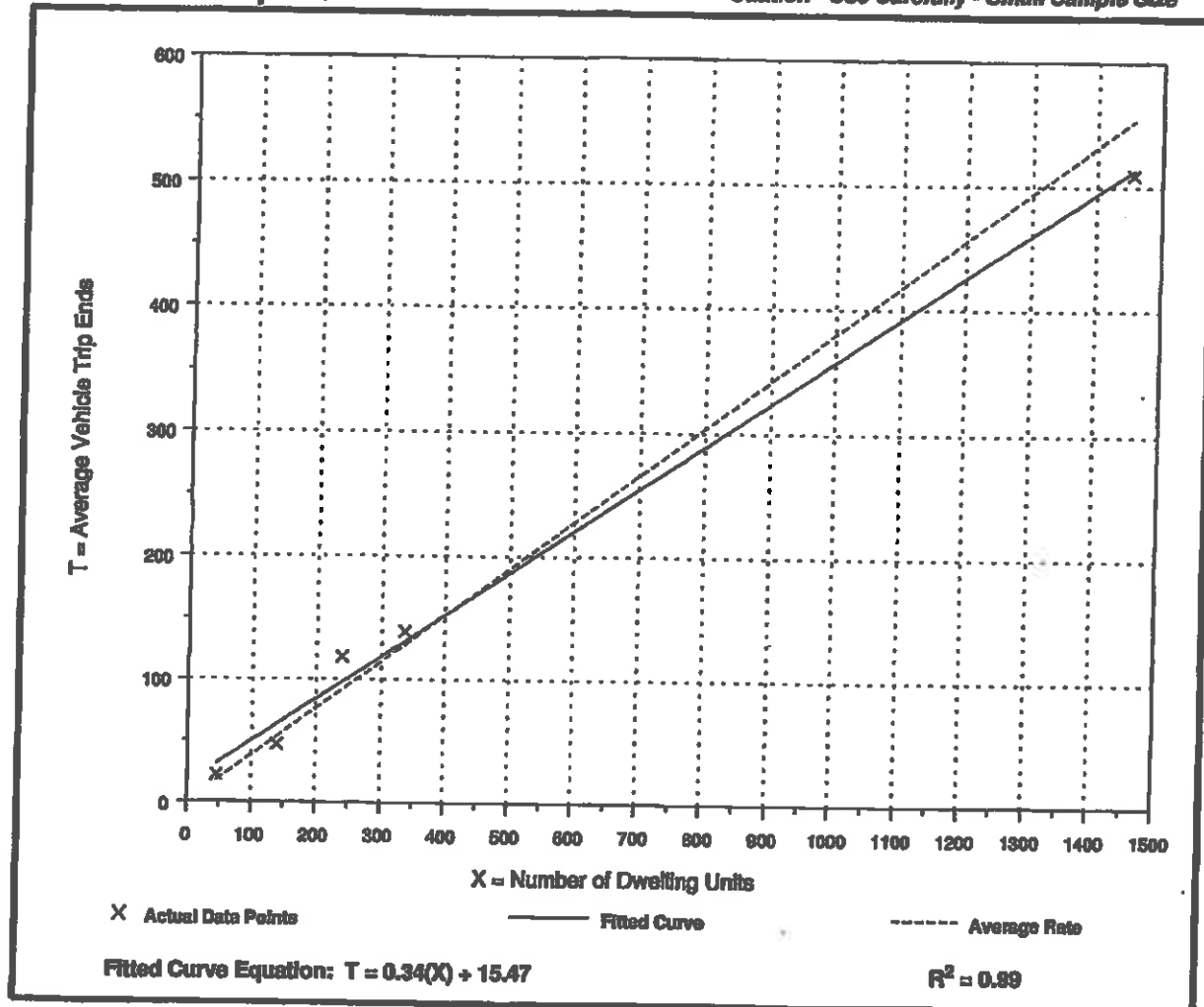
Number of Studies: 5
 Avg. Number of Dwelling Units: 444
 Directional Distribution: 62% entering, 38% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.38	0.34 - 0.49	0.62

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



Hotel (310)

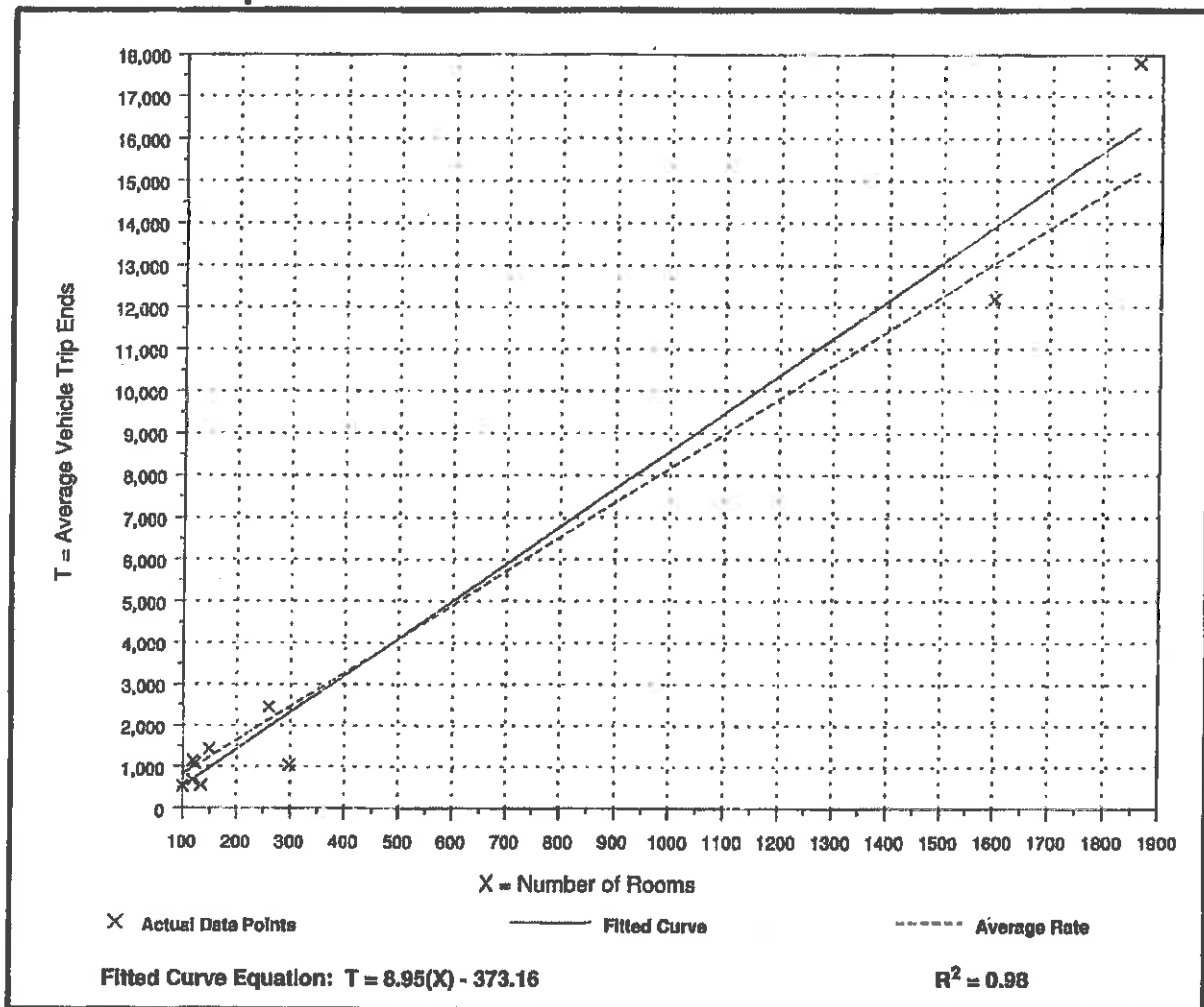
Average Vehicle Trip Ends vs: Rooms
On a: Weekday

Number of Studies: 10
Average Number of Rooms: 476
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
8.17	3.47 - 9.58	3.38

Data Plot and Equation



Hotel (310)

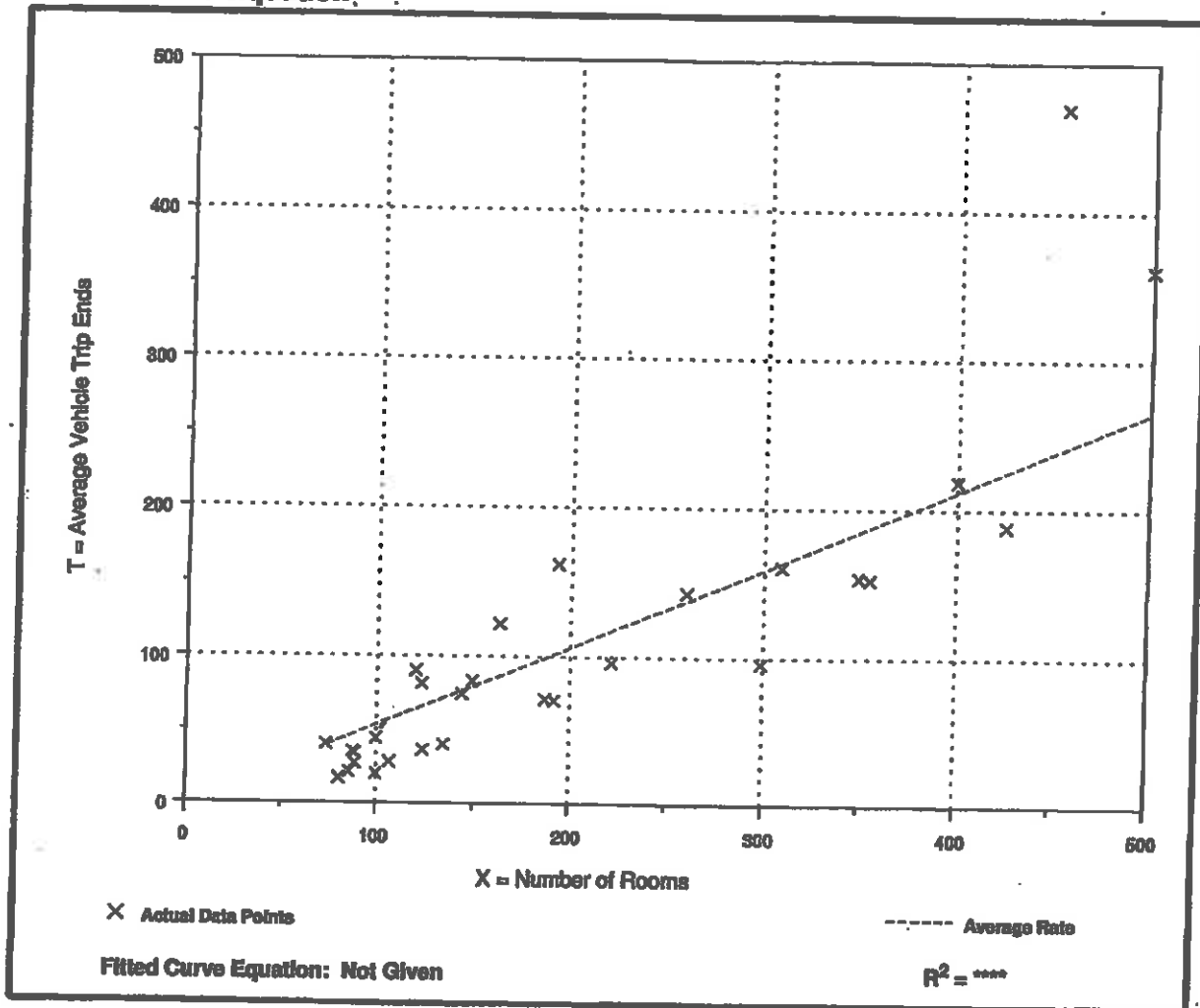
Average Vehicle Trip Ends vs: Rooms
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 29
 Average Number of Rooms: 204
 Directional Distribution: 59% entering, 41% exiting

Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.53	0.20 - 1.03	0.76

Data Plot and Equation



Hotel (310)

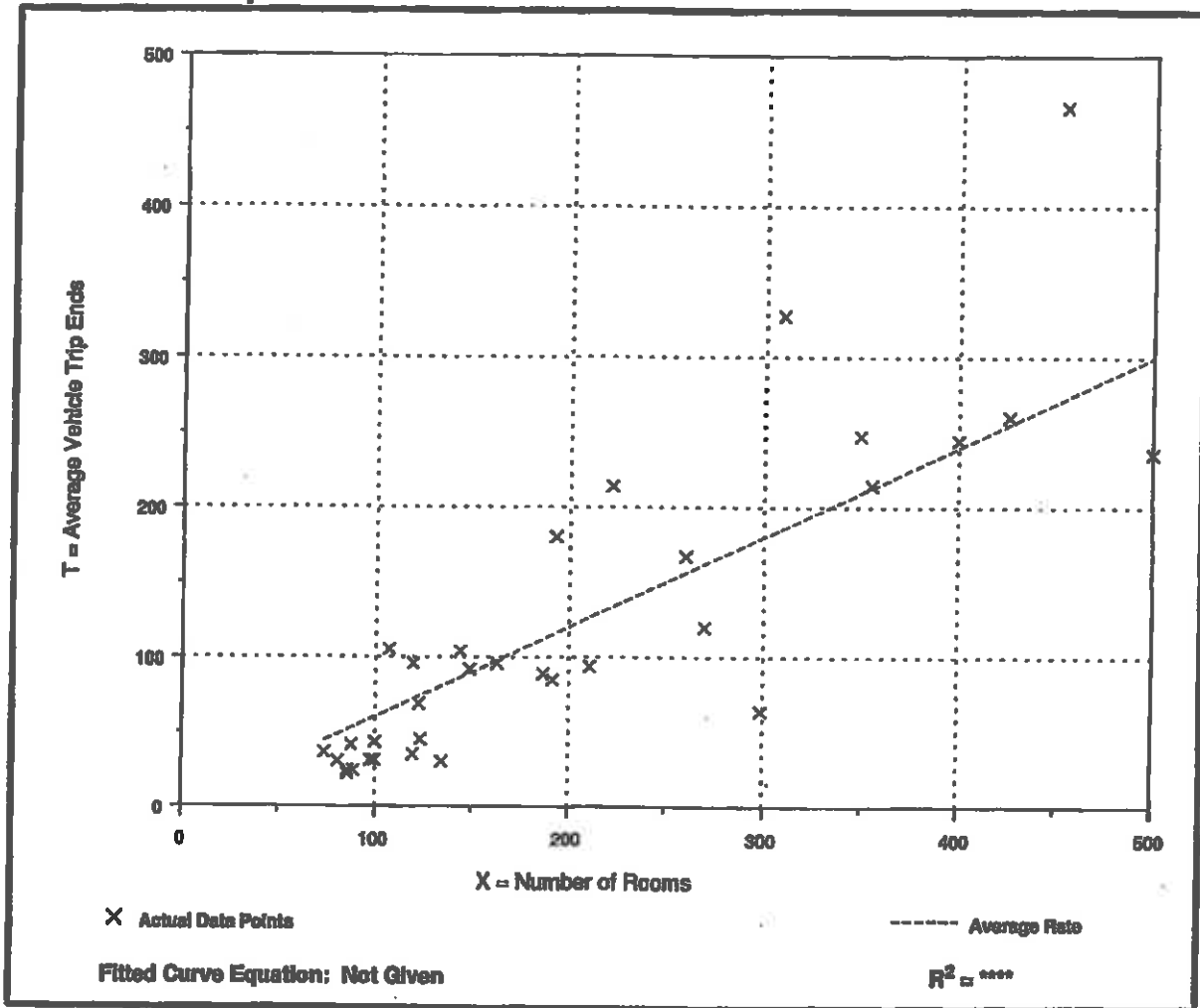
Average Vehicle Trip Ends vs: Rooms
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 33
 Average Number of Rooms: 200
 Directional Distribution: 51% entering, 49% exiting

Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.60	0.21 - 1.06	0.81

Data Plot and Equation



Quality Restaurant (931)

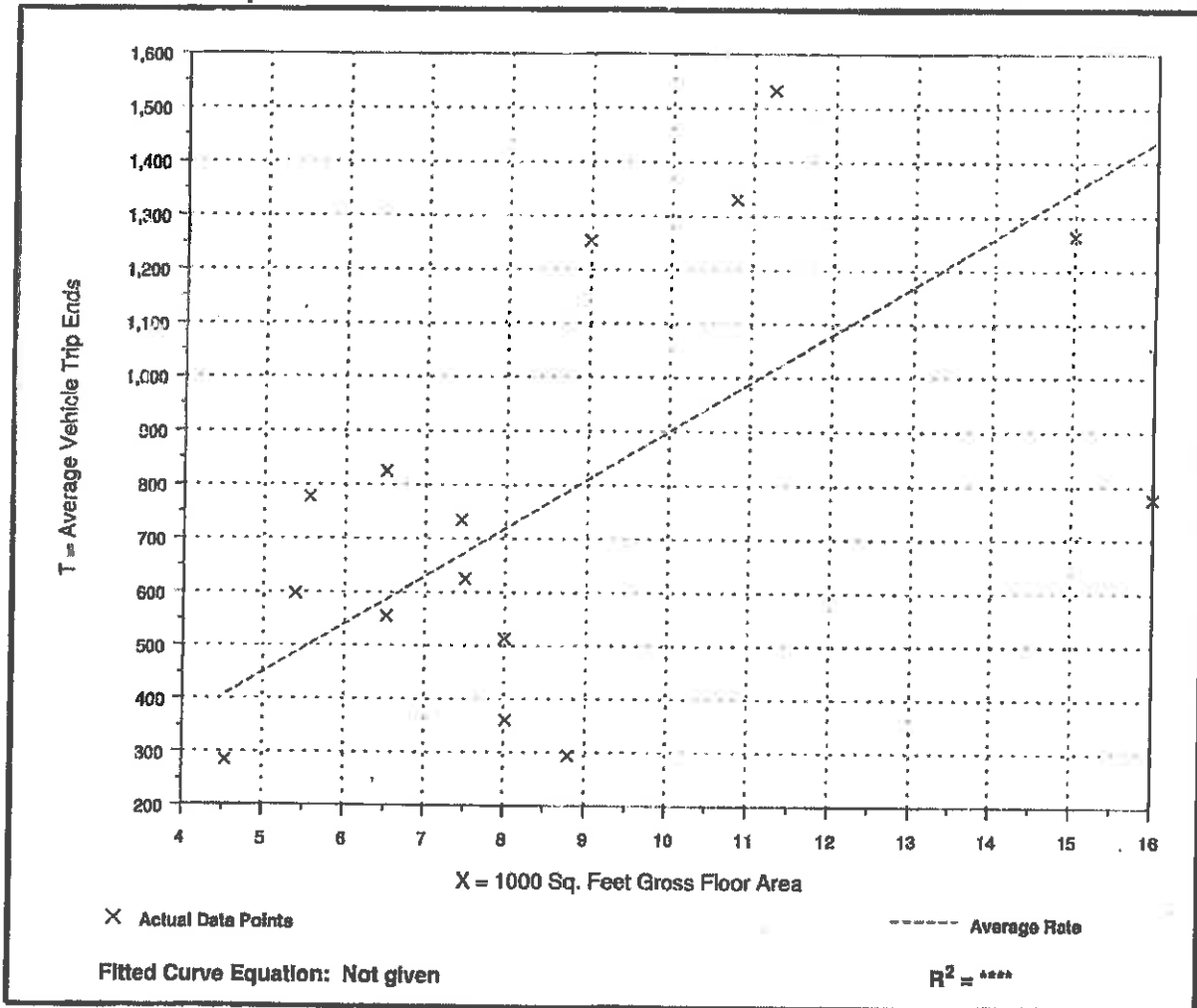
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday

Number of Studies: 15
Average 1000 Sq. Feet GFA: 9
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
89.95	33.41 - 139.80	36.81

Data Plot and Equation



Quality Restaurant (931)

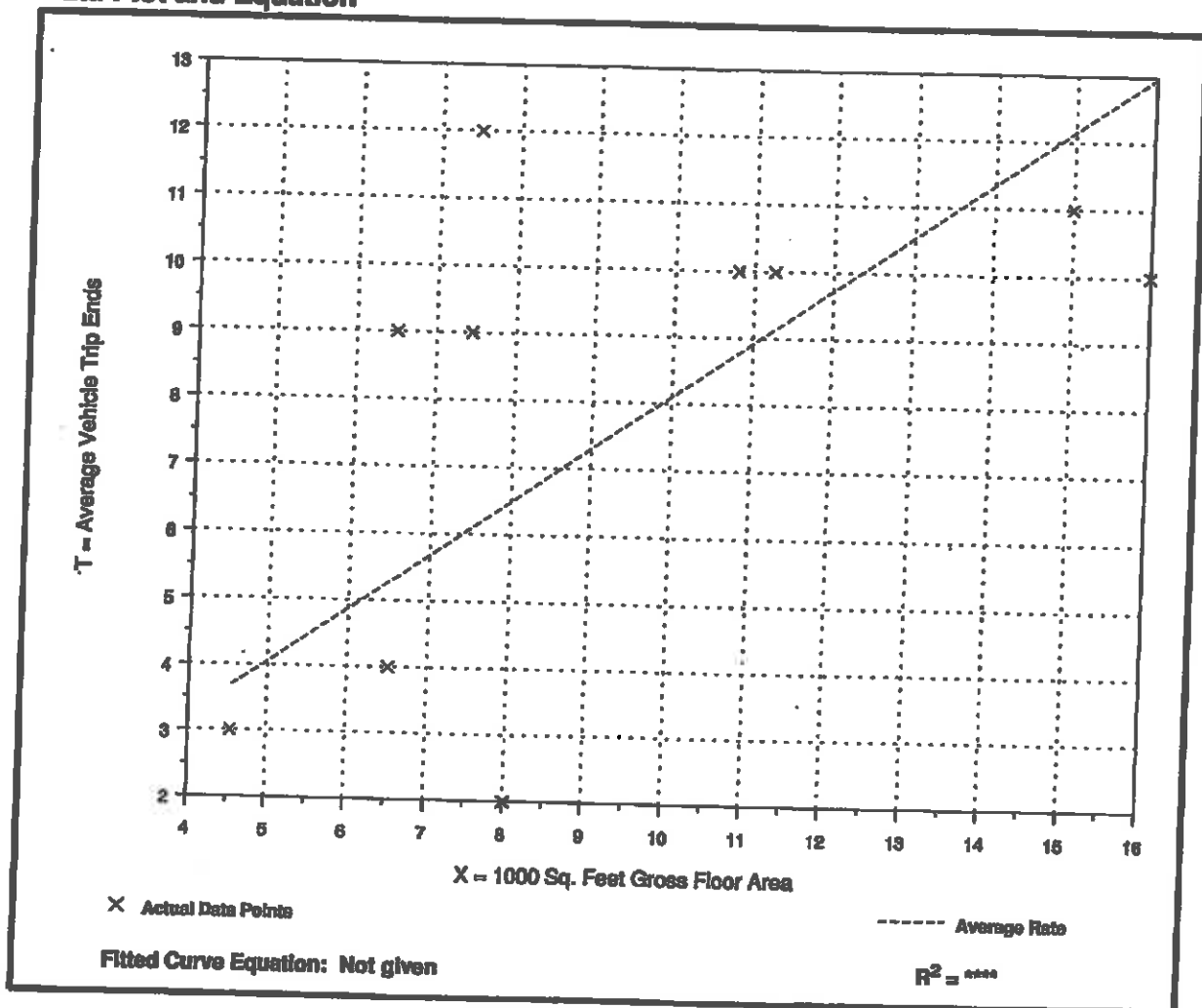
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 11
 Average 1000 Sq. Feet GFA: 9
 Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
0.81	0.25 - 1.60	0.93

Data Plot and Equation



Quality Restaurant (931)

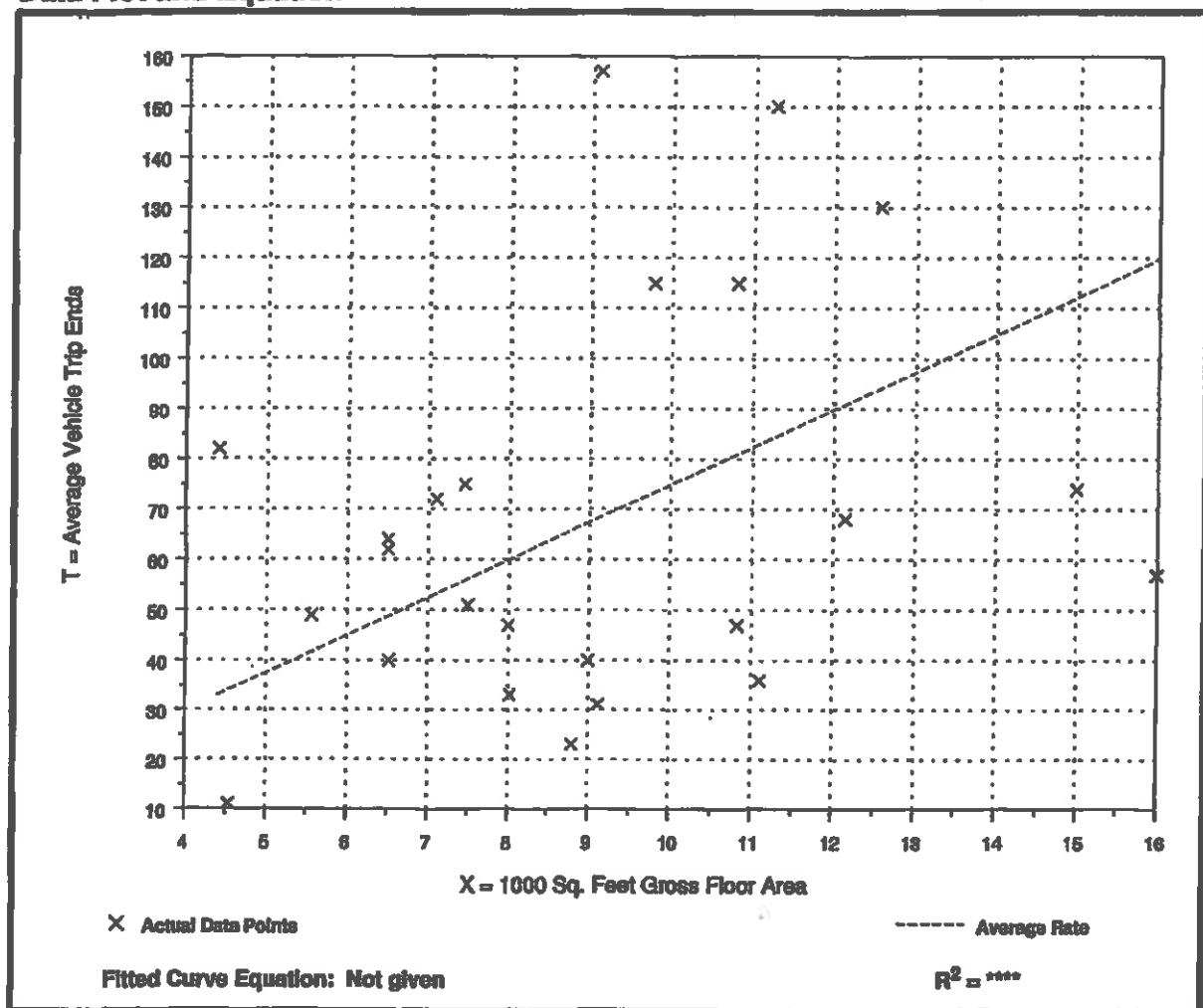
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 24
 Average 1000 Sq. Feet GFA: 9
 Directional Distribution: 67% entering, 33% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
7.49	2.42 - 18.64	4.89

Data Plot and Equation



Marina (420)

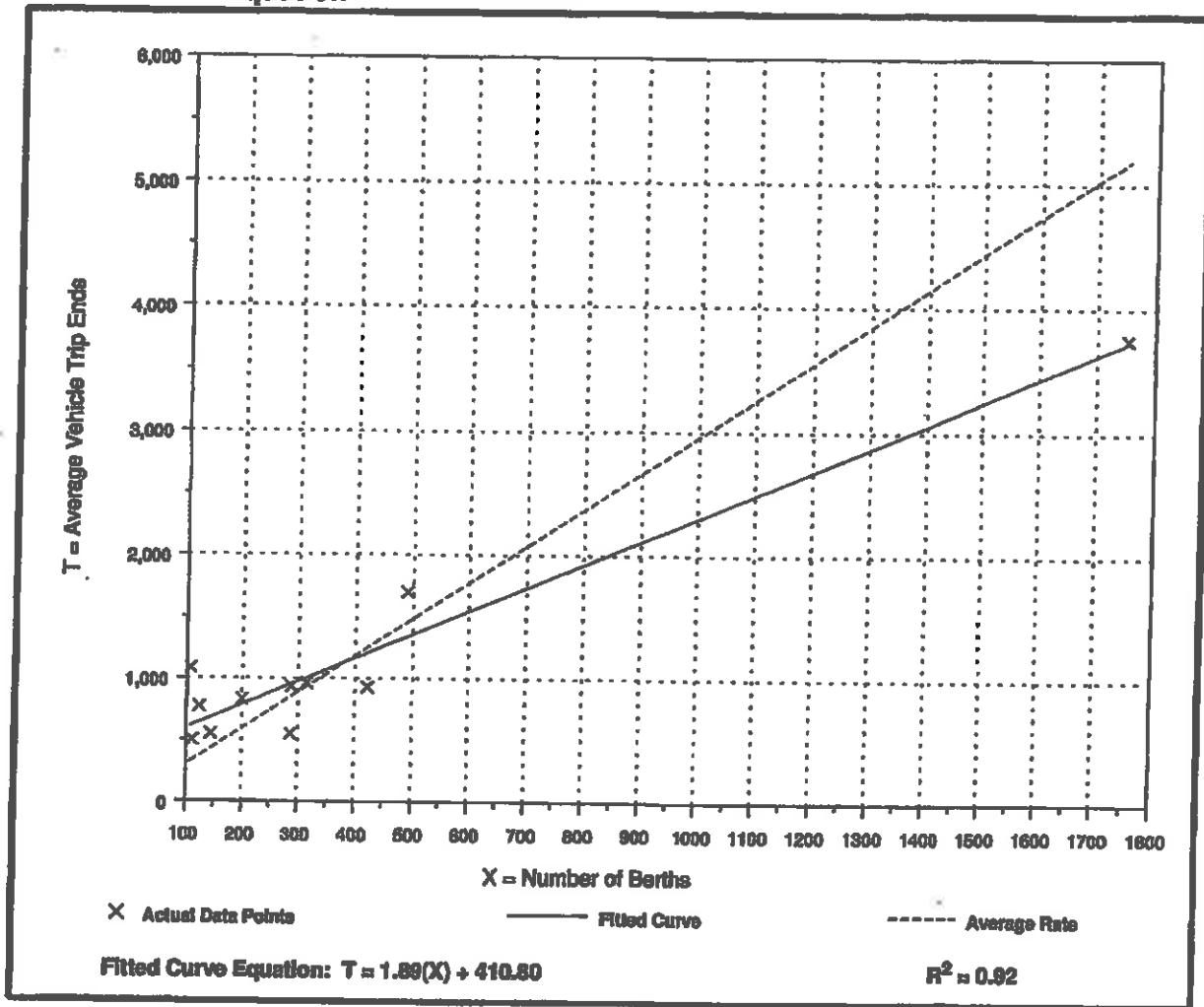
Average Vehicle Trip Ends vs: Berths
On a: Weekday

Number of Studies: 11
Average Number of Berths: 386
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Berth

Average Rate	Range of Rates	Standard Deviation
2.96	1.91 - 10.04	2.26

Data Plot and Equation



Marina (420)

Average Vehicle Trip Ends vs: Berths
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

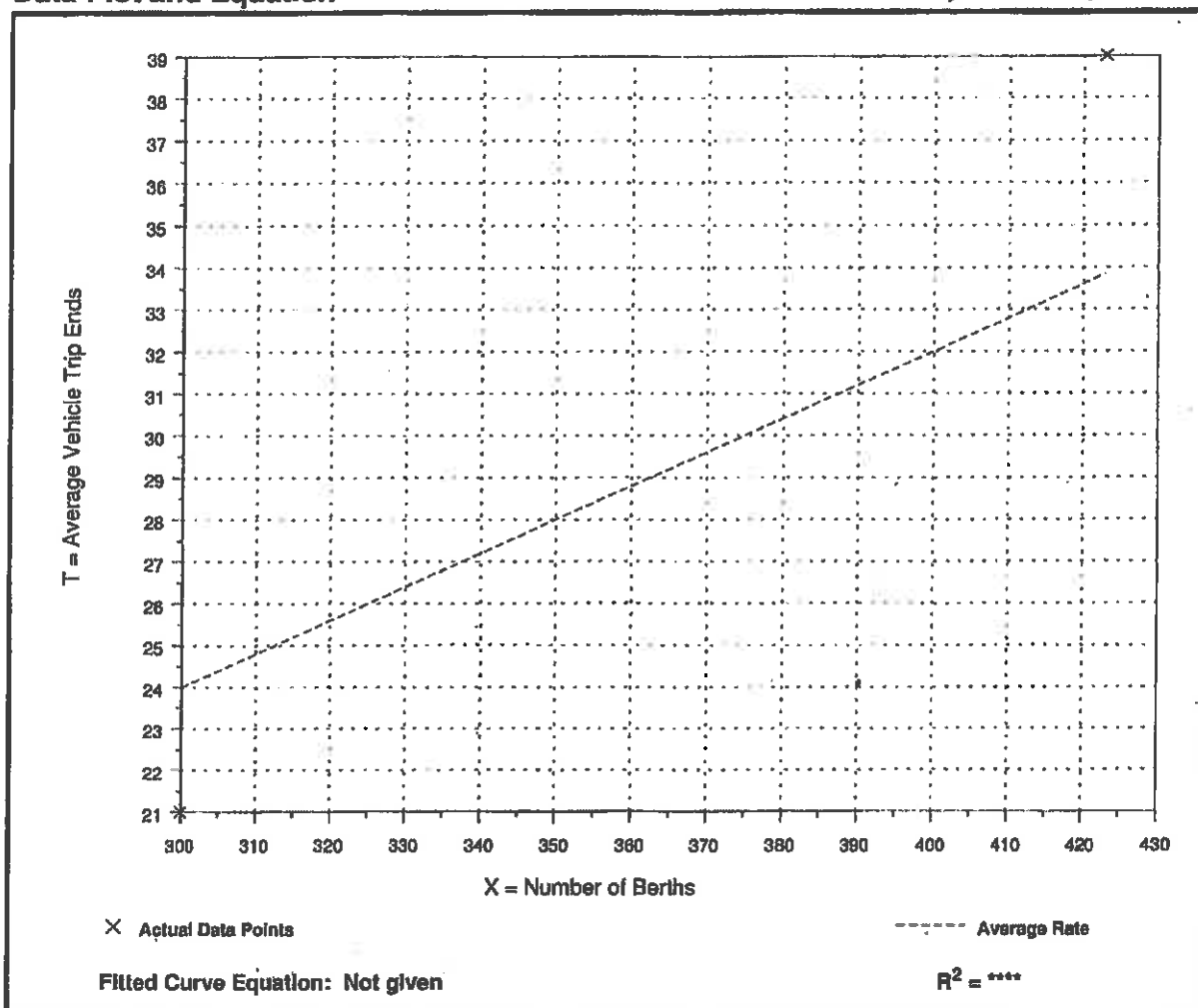
Number of Studies: 2
Average Number of Berths: 362
Directional Distribution: 33% entering, 67% exiting

Trip Generation per Berth

Average Rate	Range of Rates	Standard Deviation
0.08	0.07 - 0.09	.

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



Marina (420)

Average Vehicle Trip Ends vs: Berths
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

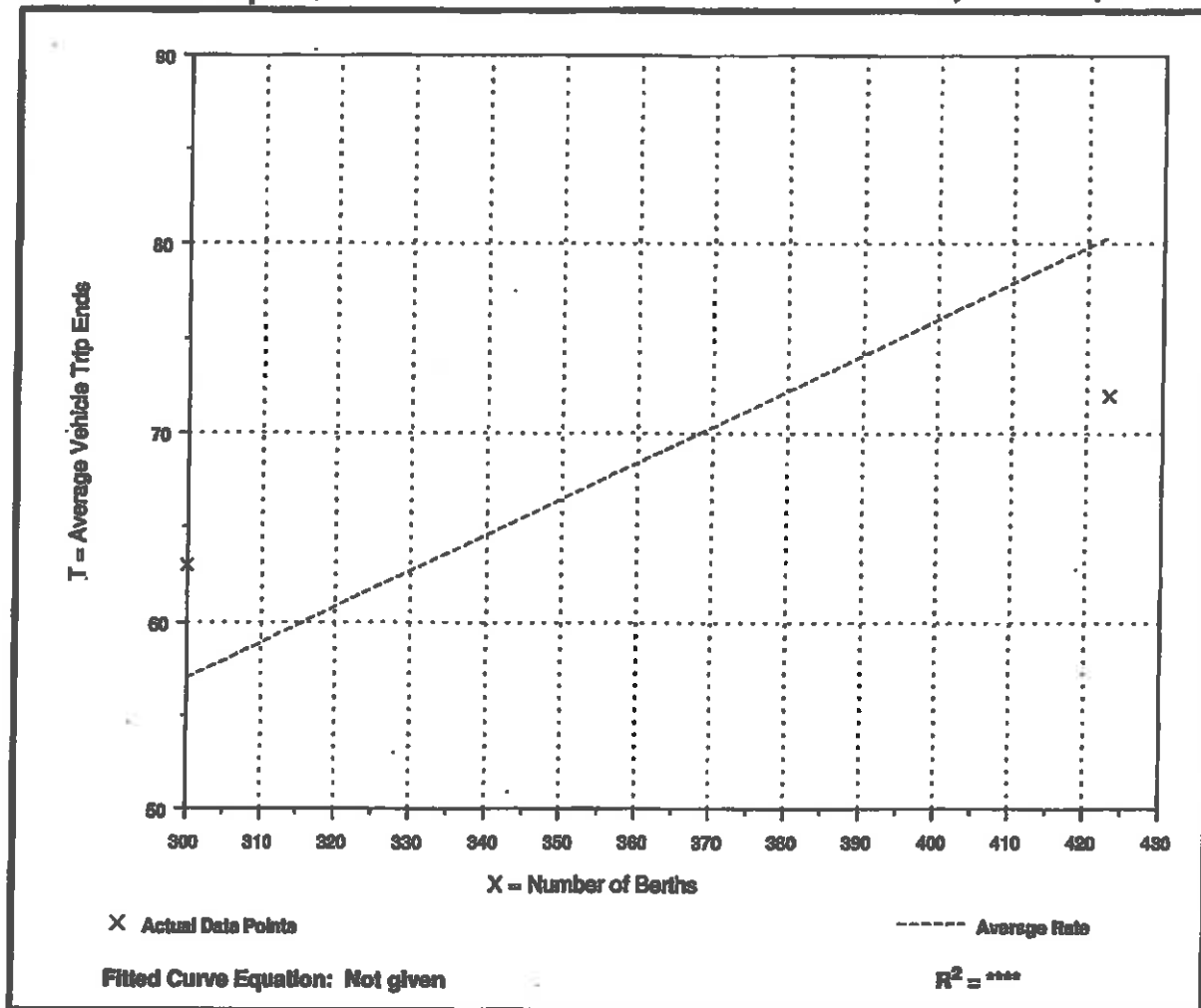
Number of Studies: 2
 Average Number of Berths: 362
 Directional Distribution: 60% entering, 40% exiting

Trip Generation per Berth

Average Rate	Range of Rates	Standard Deviation
0.19	0.17 - 0.21	

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



HCS 2010 Two-Way Stop-Control Report

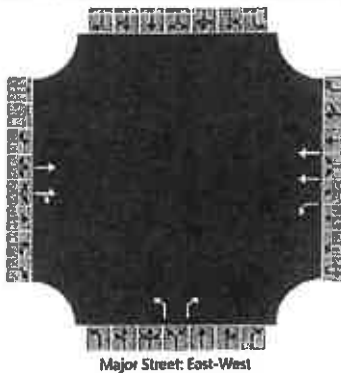
General Information

Analyst	RP
Agency/Co.	GCC
Date Performed	12/5/16
Analysis Year	2017
Time Analyzed	PM PEAK
Intersection Orientation	East-West
Project Description	FUTURE WITH PROJECT

Site Information

Intersection	SR 666 / DRIVE A
Jurisdiction	FDOT
East/West Street	SR 666
North/South Street	DRIVE A - Main Access
Peak Hour Factor	0.86
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		1	0	1		0	0	0
Configuration			T	TR		L	T			L		R				
Volume, V (veh/h)			1008	9		98	1108			32		13				
Percent Heavy Vehicles (%)						2				2		2				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized		No				No				No				No		
Median Type/Storage						Left + Thru						2				

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.14				6.80		6.94				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.22				3.50		3.30				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						114				37		15				
Capacity, c (veh/h)						587				186		452				
v/c Ratio						0.19				0.20		0.03				
95% Queue Length, Q ₉₅ (veh)						0.7				0.7		0.1				
Control Delay (s/veh)						12.6				29.0		13.2				
Level of Service, LOS						B				D		B				
Approach Delay (s/veh)						1.0				24.5						
Approach LOS										C						

HCS 2010 Two-Way Stop-Control Report

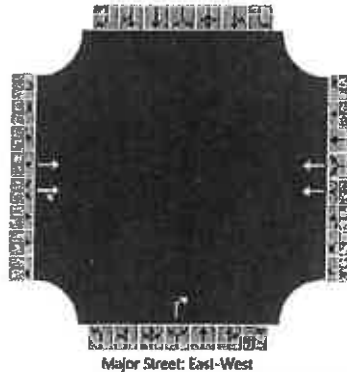
General Information

Analyst	RP
Agency/Co.	GCC
Date Performed	12/5/16
Analysis Year	2017
Time Analyzed	PM PEAK
Intersection Orientation	East-West
Project Description	FUTURE WITH PROJECT

Site Information

Intersection	SR 666 / DRIVE B (RIRO)
Jurisdiction	FDOT
East/West Street	SR 666
North/South Street	DRIVE B (RIRO ONLY)
Peak Hour Factor	0.86
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	0	2	0		0	0	1		0	0	0
Configuration			T	TR			T					R				
Volume, V (veh/h)			984	37			1206					62				
Percent Heavy Vehicles (%)												2				
Proportion Time Blocked																
Percent Grade (%)											0					
Right Turn Channelized			No				No				No				No	
Median Type/Storage				Left Only								1				

Critical and Follow-up Headways

Base Critical Headway (sec)												6.9				
Critical Headway (sec)												6.94				
Base Follow-Up Headway (sec)												3.3				
Follow-Up Headway (sec)												3.32				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)												72				
Capacity, c (veh/h)												448				
v/c Ratio												0.16				
95% Queue Length, Q ₉₅ (veh)												0.6				
Control Delay (s/veh)												14.6				
Level of Service, LOS												B				
Approach Delay (s/veh)												14.6				
Approach LOS												B				



LEGAL AD

NOTICE OF ZONING CHANGE AND
NOTICE OF DEVELOPMENT AGREEMENT IN
CITY OF MADEIRA BEACH, FLORIDA

NOTICE IS HEREBY GIVEN that the LOCAL PLANNING AGENCY/THE PLANNING COMMISSION of the City of Madeira Beach will hold a PUBLIC HEARING to consider a Development Agreement between the City of Madeira Beach and MHH Enterprises, Inc. and C&T Enterprises, Inc. and Ordinance 2017-04 to amend the Planned Development (PD) District to Planned Development (PD) District, in the Madeira Beach Patricia Shortz Commission Chambers located at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on Monday, February 6, 2017 at 7:00 p.m.

NOTICE IS HEREBY GIVEN, the BOARD OF COMMISSIONERS of the City of Madeira Beach will conduct the first reading of Ordinance 2017-04 to rezone from Planned Development (PD) District to Planned Development (PD) District, in the Madeira Beach Patricia Shortz Commission Chambers located at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on Tuesday, February 14, 2017 at 6:00 p.m.

Upon the passage of the first reading of Ordinance 2017-04, NOTICE IS HEREBY GIVEN, the BOARD OF COMMISSIONERS of the City of Madeira Beach will consider approval of the Development Agreement between the City of Madeira Beach and MHH Enterprises, Inc. and C&T Enterprises, Inc. and will conduct the second and final reading of Ordinance 2017-04 to rezone from Planned Development (PD) District to Planned Development (PD) District, in the Madeira Beach Patricia Shortz Commission Chambers located at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on Thursday, March 7, 2017 at 6:00 p.m. Notice of such hearing will be provided as prescribed by Florida Statutory requirements and the Madeira Beach Code of Ordinances. The title of the Development Agreement and said Ordinance are as follows:

DEVELOPMENT AGREEMENT between the City of Madeira Beach and MHH Enterprises, Inc. and C & T Enterprises, Inc., for the property located at 0 150th Avenue and 565 150th Avenue, 565 150th Avenue, Madeira Beach, Florida 33708

ORDINANCE 2017-04

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 0 150TH AVENUE 565 - 150TH AVENUE AND 565 - 150TH AVENUE FROM PLANNED DEVELOPMENT (PD) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT PROVIDING FOR HEARING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

DESCRIPTION:
PARCEL I, A PARCEL OF LAND SITUATED, LYING AND BEING IN SECTIONS 9 AND 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 622, PAGE 44, RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 43°51'28" EAST, 1918.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE SOUTH 46°08'32" E, 50 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; AND THE POINT OF BEGINNING; THENCE SOUTH 46°08'32" E, 50 FEET; THENCE NORTH 43°51'28" EAST, 25 FEET; THENCE SOUTH 46°08'32" EAST, 550 FEET; THENCE NORTH 43°51'28" EAST, 331.0 FEET; THENCE NORTH 46°08'32" WEST, 300 FEET; THENCE SOUTH 43°51'28" WEST, 125.00 FEET; THENCE NORTH 46°08'32" WEST, 250.0 FEET; THENCE SOUTH 43°51'28" WEST, 40.0 FEET; THENCE NORTH 46°08'32" WEST, 50.0 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE SOUTH 43°51'28" WEST, 191.0 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING.

PARCEL II, A PARCEL OF LAND SITUATED, LYING AND BEING IN SECTIONS 9 AND 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 622, PAGE 44, RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 43°51'28" EAST, 1918.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE SOUTH 46°08'32" E, 50 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; AND THE POINT OF BEGINNING; THENCE SOUTH 46°08'32" E, 50 FEET; THENCE NORTH 43°51'28" EAST, 25 FEET; THENCE SOUTH 46°08'32" EAST, 550 FEET; THENCE NORTH 43°51'28" EAST, 331.0 FEET; THENCE NORTH 46°08'32" WEST, 300 FEET; THENCE SOUTH 43°51'28" WEST, 125.00 FEET; THENCE NORTH 46°08'32" WEST, 250.0 FEET; THENCE SOUTH 43°51'28" WEST, 40.0 FEET; THENCE NORTH 46°08'32" WEST, 50.0 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE SOUTH 43°51'28" WEST, 191.0 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING.

4.58 ACRES MORE OR LESS

FLOOD STATEMENT:

THIS PROPERTY LIES IN FLOOD ZONE AE (EL. 10), ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP 12108C0191G, EFFECTIVE DATE SEPTEMBER 3, 2003

DESCRIPTION: SUBMERGED LAND LEASE PARCEL

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD NO. 233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 622, PAGE 44 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N 43°51'28" E, 1918.18 FEET ALONG THE CENTERLINE OF STATE ROAD NO. 233; THENCE S 46°08'32" E, 100 FEET TO THE POINT OF BEGINNING; THENCE N 43°51'28" E, 25.00 FEET; THENCE S 46°08'32" E, 559.67 FEET; THENCE N 43°46'38" E, 381.00 FEET; THENCE N 46°08'32" W, 309.20 FEET; THENCE N 43°51'28" E, 62.32 FEET; THENCE S 46°08'32" E, 82.50 FEET; THENCE N 43°54'19" E, 82.19 FEET; THENCE S 46°06'41" E, 182.19 FEET; THENCE S 44°32'35" W, 118.97 FEET; THENCE S 46°08'32" E, 25.93 FEET; THENCE S 46°08'32" E, 100.25 FEET; THENCE S 00°28'38" E, 68.50 FEET; THENCE S 46°08'32" E, 12.28 FEET; THENCE S 43°46'38" W, 18.95 FEET; THENCE S 46°08'32" E, 72.28 FEET; THENCE S 43°51'28" E, 121.13 FEET; THENCE N 43°30'30" W, 212.43 FEET; THENCE S 43°46'38" W, 38.93 FEET; THENCE N 46°08'32" W, 568.70 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 89,848.66 SQUARE FEET

AND:

DESCRIPTION:

THAT PORTION OF SUBMERGED LAND IN BOCA CIEGA BAY AND BEING IN SECTION 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 622, PAGE 44 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N 43°51'28" E, 2098.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE S 46°08'32" E, 50.00 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE S 46°08'32" E, 300.00 FEET; THENCE N 43°51'28" E, 175.00 FEET; THENCE N 46°08'32" W, 183.20 FEET TO THE POINT OF BEGINNING; THENCE N 43°51'28" E, 19.00 FEET; THENCE S 46°08'32" E, 136.00 FEET; THENCE N 43°51'28" E, 30.00 FEET; THENCE N 46°08'32" W, 191.00 FEET; THENCE N 43°51'28" E, 38.00 FEET; THENCE N 46°08'32" E, 50.00 FEET; THENCE S 43°51'28" W, 88.00 FEET; THENCE S 46°08'32" E, 45.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,835 SQUARE FEET OR 0.2 ACRES, MORE OR LESS.

The Board of Commissioners, in approving a Development Agreement, is authorized, without limitation, to grant relief from any provision of the Land Development Regulations that is otherwise authorized to be waived, varied or granted by the Land Development Regulations

The proposed uses, the proposed population densities, the proposed building intensities and proposed height of the buildings are set forth in the following chart:

LAND USE PLANNING CATEGORY ZONING DISTRICT USE	EXISTING PD MARINA (67 SLPS)	PLANNED REDEVELOPMENT MIXED USE PD HOTEL RESIDENTIAL MARINA	PROPOSED PD HOTEL RESIDENTIAL MARINA	CRITERIA (MIN/MAX)
LOT AREA	198,860 SF 4.588 ACRES	198,860 SF 4.588 ACRES	198,860 SF 4.588 ACRES	N/A
DENSITY	0	0	HOTEL: 150 DU RESIDENTIAL: 31 DU MARINA: 68 LEASEABLE SLIPS 35 ACCESSORY SLIPS	80 DU/AC 15 DU/AC N/A
GROSS FLOOR AREA (BUILDING)	0	0	HOTEL: 134,080 SF RESIDENTIAL: 90,405 SF TOTAL: 224,485 SF	N/A
GROSS FLOOR AREA (UNDER BLDG PARKING)	133,470 SF ISS: 0.69	133,470 SF ISS: 0.70	138,892 SF ISS: 0.7 MAX	
IMPERVIOUS SURFACE				
DISTANCE TO				
NORTHWEST (FRONT)	BUILDING	BUILDING	BUILDING	
NORTHEAST	15 FT	15 FT	15 FT	N/A
SOUTHWEST (SIDE)	15.0 FT	15.0 FT	15.0 FT	N/A
SOUTHEAST (REAR)	14.3 FT	14.3 FT	14.3 FT	N/A
BUILDING HEIGHT			HOTEL: 70' HEIGHT 5 FLOORS OVER PARKING RESIDENTIAL: 75' HEIGHT 5 FLOOR OVER PARKING	N/A
BUILDING NUMBER OF FLOORS				
PAVED VEHICULAR AREAS	137,470 SF 60%		28,754 SF 44%	N/A
PARKING			HOTEL: 158 TOTAL TYPICAL 140 DU RESIDENTIAL: 67 TOTAL (50 FEEL, 3 H.C.) MARINA: 60 TOTAL	HOTEL: 1 SPACE/ROOM = 158 SPACES RESIDENTIAL: 2 SPACES/UNIT = 62 SPACES MARINA: 1 SPACE PER LEASEABLE SLIP = 69 SPACES TOTAL: 281 SPACES

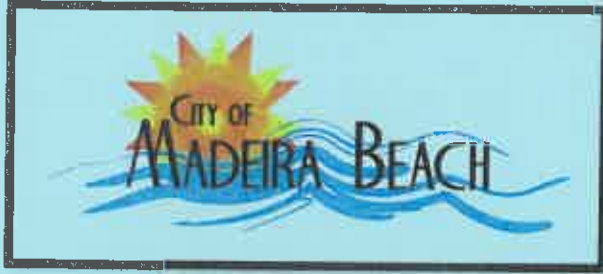


Copies of the proposed Development Agreement and Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

Any affected person may become a party to such proceeding entitled to present evidence at the hearing including sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a Notice of Intent to be a party with the City Clerk not less than 5 days prior to the hearing

All persons are hereby advised that any presentation they make to the Planning Commission/Local Planning Agency or the Board of Commissioners will be encouraged to be as concise as possible and the Planning Commission/Local Planning Agency and/or Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who desires to appeal any decision of the Planning Commission/Local Planning Agency and/or the Board of Commissioners with respect to any matter considered at these hearings will need to ensure a record of proceedings, and for such purpose, 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 to be based-per Florida Statute 286.0105

Cheryl McGrady, Executive Assistant to the City Manager
Planning and Zoning Coordinator
City of Madeira Beach
01/23/2017



CIVIL DRAWINGS

HOLIDAY ISLE MARINA

555, 556 1/2, and 565 150th Avenue, Madeira Beach, Florida 33708

PLANNED DEVELOPMENT REZONING SITE PLAN

SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST

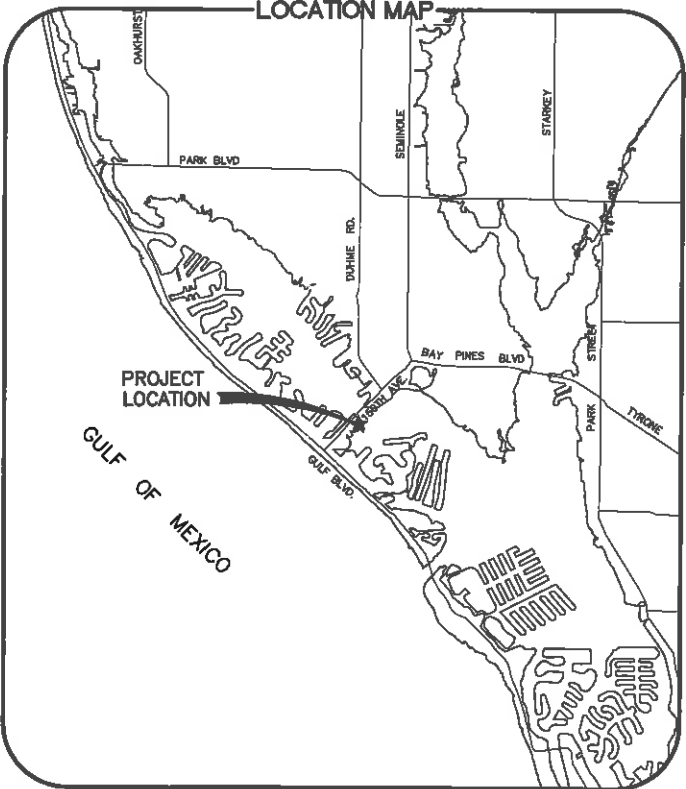
PINELLAS COUNTY, FLORIDA

PARCELS 09-31-15-0000-110-0100 / 09-31-15-0000-140-0100 / 09-31-15-0000-140-0120

LAND USE DATA

	EXISTING	PROPOSED	CRITERIA (MIN/MAX)
LAND USE PLAN CATEGORY	Planned Redevelopment Mixed Use PD	Planned Redevelopment Mixed Use PD	N/A
ZONING DISTRICT	Marina (57 Slips)	Hotel Residential Marina	N/A
USE			
LOT AREA	199,850 sf 4.588 acres	199,850 sf 4.588 acres	N/A
DENSITY	0	Hotel: 150 du Residential: 31 du Marina: 69 Accessible slips 55 Accessory slips	80 du/ac 15 du/ac N/A
GROSS FLOOR AREA (Building)	0	Hotel: 134,080 sf Residential: 80,408 sf Total: 224,488 sf	N/A
GROSS FLOOR AREA (Under Bldg. Parking)	0	Under Bldg. Parking: 34,885 sf	
IMPERVIOUS SURFACE	137,470 sf ISR: 0.69	139,882 sf ISR: 0.70	ISR: 0.70
DISTANCE TO			BUILDING
NORTHWEST (FRONT)	-----	15.0 ft	N/A
NORTHEAST (SIDE)	-----	15.0 ft	N/A
SOUTHWEST (SIDE)	-----	113.6 ft	N/A
SOUTHEAST (REAR)	-----	14.5 ft	N/A
BUILDING HEIGHT		Hotel: 75' Height 5 Floors Over Parking Residential: 75' Height 5 Floors Over Parking	N/A
BUILDING NUMBER OF FLOORS			
PAVED VEHICULAR AREAS	137,470 sf 89%	88,754 sf 44%	N/A
PARKING	0	Hotel: 185 Total (180 Reg., 5 H.C.) Residential: 82 Total (59 Reg., 3 H.C.) Marina: 69 Total Total: 296 Spaces	Hotel: 15space/Room=150 Spaces Residential: 2 Spaces/Unit=82 Spaces Marina: 1 Space per Accessible Slip = 69 Spaces Total: 261 Spaces

LOCATION MAP



DRAWING INDEX

SHEET	TITLE
1	COVER SHEET
2	EXISTING CONDITIONS
3	SITE PLAN

LEGAL DESCRIPTION

LEGAL DESCRIPTION PARCEL I

A PARCEL OF LAND SITUATED, LYING AND BEING IN SECTIONS 9 AND 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

(OR 6870, PG. 1371)
FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 882, PAGE 44, RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 43°51'28" EAST, 1918.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE SOUTH 46°08'32" EAST, 50 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233 AND THE POINT OF BEGINNING; THENCE SOUTH 46°08'32" EAST 50 FEET; THENCE NORTH 43°51'28" EAST, 25 FEET; THENCE SOUTH 46°08'32" EAST, 850 FEET; THENCE NORTH 43°51'28" EAST 331.0 FEET; THENCE NORTH 46°08'32" WEST, 125.00 FEET; THENCE NORTH 46°08'32" WEST, 250.0 FEET; THENCE SOUTH 43°51'28" WEST, 40.0 FEET; THENCE NORTH 46°08'32" WEST, 50.0 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE SOUTH 43°51'28" WEST, 191.0 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 3.88 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL II

A PARCEL OF LAND SITUATED, LYING AND BEING IN SECTIONS 9 AND 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

(OR 8383, PG. 446)
FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 882, PAGE 44, RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 43°51'28" EAST, 2099.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE SOUTH 46°08'32" EAST, 50 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233 AND THE POINT OF BEGINNING; THENCE SOUTH 46°08'32" EAST 300 FEET; THENCE NORTH 43°51'28" EAST, 175 FEET; THENCE NORTH 46°08'32" WEST, 300 FEET; THENCE NORTH 43°51'28" EAST 175 FEET; THENCE NORTH 46°08'32" WEST, 300 FEET TO THE EXTENSION OF THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE SOUTH 43°51'28" WEST, 175 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING.

C & T ENTERPRISES, INC.

11000 W. BAYVIEW BLVD., SUITE 100
PETERSBURG, FLORIDA 33702
PHONE: (727) 201-1462

HOLIDAY ISLE MARINA

COVER SHEET

FLORIDA DESIGN
CONSULTANTS, INC.

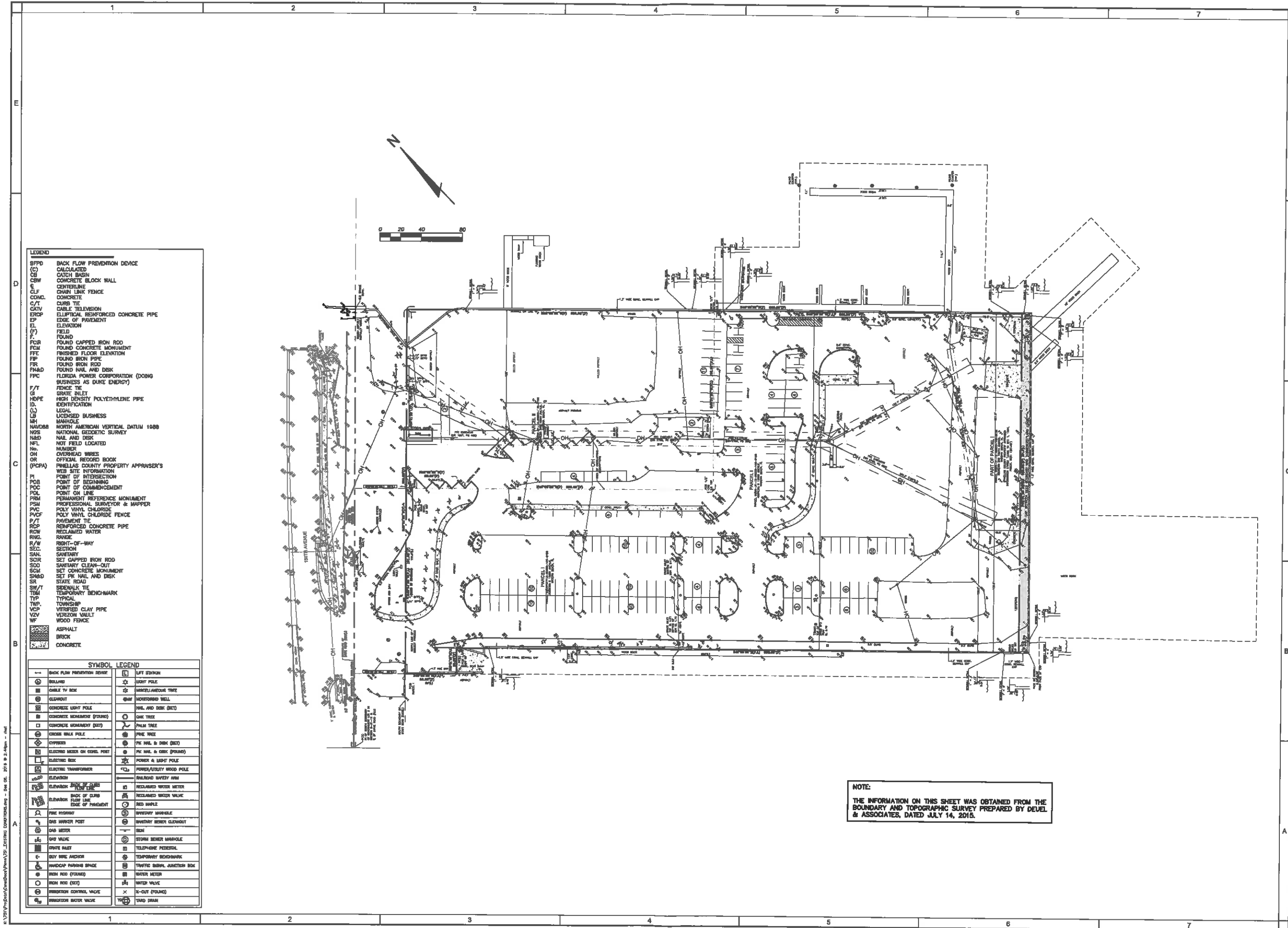
— THINK IT. ACHIEVE IT. —

3030 STARKEY BOULEVARD, NEW PORT RICHEY, FLORIDA 34865
PHONE: (800) 552-1047 FAX: (727) 848-3148 WWW.FLORIDADCS.COM C.A. NO. 7421



PLANNED DATE
December 7, 2016

SHEET
1 of 3



LEGEND	
BFPD	BACK FLOW PREVENTION DEVICE
(C)	CATCH BASIN
CBW	CONCRETE BLOCK WALL
CLF	CENTERLINE
CLF	CHAIN LINK FENCE
CONC.	CONCRETE
C/T	CABLE TIE
CATV	CABLE TELEVISION
EROP	ELLIPITICAL REINFORCED CONCRETE PIPE
EP	EDGE OF PAVEMENT
EL	ELEVATION
(F)	FIELD
F	FOUND
FOIR	FOUND CAPPED IRON ROD
FCM	FOUND CONCRETE MONUMENT
FYE	FINISHED FLOOR ELEVATION
FIP	FOUND IRON PIPE
FIR	FOUND IRON ROD
FN&D	FOUND NAIL AND DISK
FPC	FLORIDA POWER CORPORATION (DOWNS BUSINESS AS DUKE ENERGY)
F/T	FENCE TIE
GI	GRATE INLET
HDPE	HIGH DENSITY POLYETHYLENE PIPE
ID	IDENTIFICATION
(L)	LEGAL
LB	LOCKED BUSINESS
MB	MANHOLE
NAV08B	NORTH AMERICAN VERTICAL DATUM 1988
NBS	NATIONAL GEODETIC SURVEY
N&D	NAIL AND DISK
NFL	NOT FIELD LOCATED
Nu	NUMBER
OH	OVERHEAD WIRES
OR	OFFICIAL RECORD BOOK
(PCSA)	PHILLAS COUNTY PROPERTY APPRAISER'S
PI	POINT OF INTERSECTION
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
POL	POINT ON LINE
PRM	PERMANENT REFERENCE MONUMENT
PSM	PROFESSIONAL SURVEYOR & MAPPER
PVC	POLY VINYL CHLORIDE
PVCF	POLY VINYL CHLORIDE FENCE
P/T	PAVEMENT TIE
RCP	REINFORCED CONCRETE PIPE
RWD	RECLAIMED WATER
RNG	RANGE
R/W	RIGHT-OF-WAY
SEC.	SECTION
SAN	SANITARY
SCIR	SET CAPPED IRON ROD
SDO	SET CONCRETE MONUMENT
SCH	SET CONCRETE MONUMENT
SN&D	SET NAIL AND DISK
SR	STATE ROAD
SW/T	SEWAGE TIE
TBM	TEMPORARY BENCHMARK
TYP	TYPICAL
TWP	TOWNSHIP
VCP	VERTICAL CLAY PIPE
VZV	VERIZON VAULT
WF	WOOD FENCE
ASPHALT	ASPHALT
BRICK	BRICK
CONCRETE	CONCRETE

SYMBOL LEGEND	
BACK FLOW PREVENTION DEVICE	LEFT SIGN
BOLLARD	LEFT POLE
CABLE TV BOX	MANHOLE/ACCESS TIME
ELEVATION	MANHOLE/WELL
CONCRETE LIGHT POLE	NAIL AND DISK (DET)
CONCRETE MONUMENT (FOUND)	OAK TREE
CONCRETE MONUMENT (DET)	PALM TREE
CROWN BULK POLE	PINE TREE
CYPRESS	PK NAIL & DISK (DET)
ELECTRIC METER ON CONCRETE POST	PK NAIL & DISK (POLAR)
ELECTRIC BOX	POWER & LIGHT POLE
ELECTRIC TRANSFORMER	POWER/UTILITY WOOD POLE
ELEVATION	RECLAIMED WATER METER
ELEVATION BACK OF CURB	RECLAIMED WATER VALVE
ELEVATION FLOW LINE	RED MANHOLE
EDGE OF PAVEMENT	SEWAGE MANHOLE
PIPE MONUMENT	SEWAGE MONUMENT ELEVATION
ONE WAY SIGN POST	SEW
GAS METER	STORM SEWER MANHOLE
GAS VALVE	TELEPHONE PEDestal
GRATE INLET	TEMPORARY BENCHMARK
GUY WIRE ANCHOR	TRAFFIC SIGNAL JUNCTION BOX
HAZARDOUS WASTE SPACE	WATER METER
IRON ROD (FOUND)	WATER VALVE
IRON ROD (DET)	X-CUT (FOUND)
PROTECTION CONTROL VALVE	YARD SIGN
PROTECTION WATER VALVE	

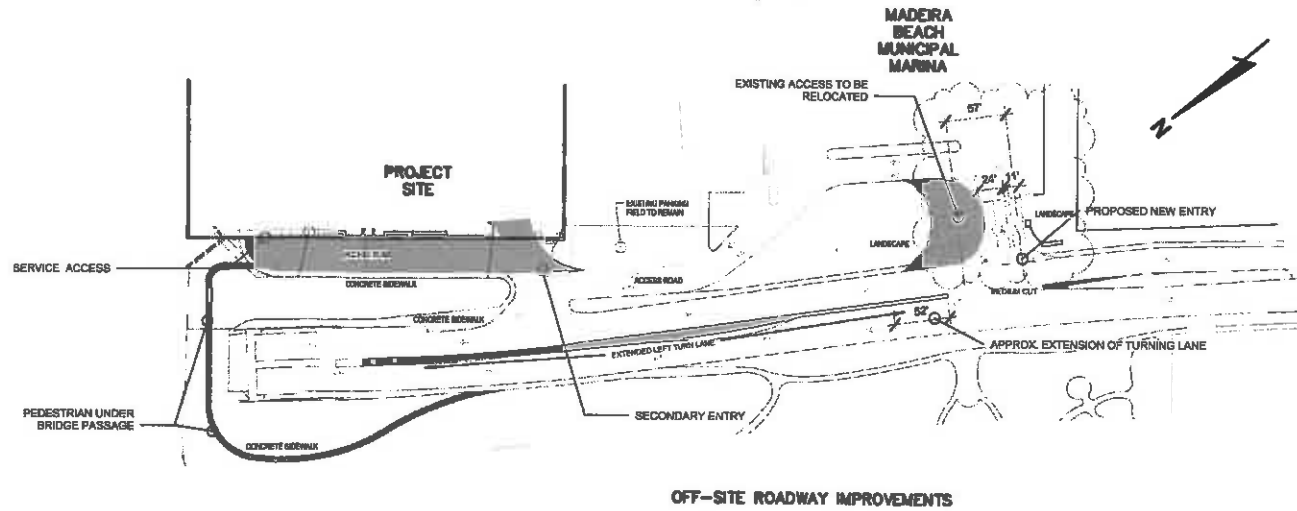
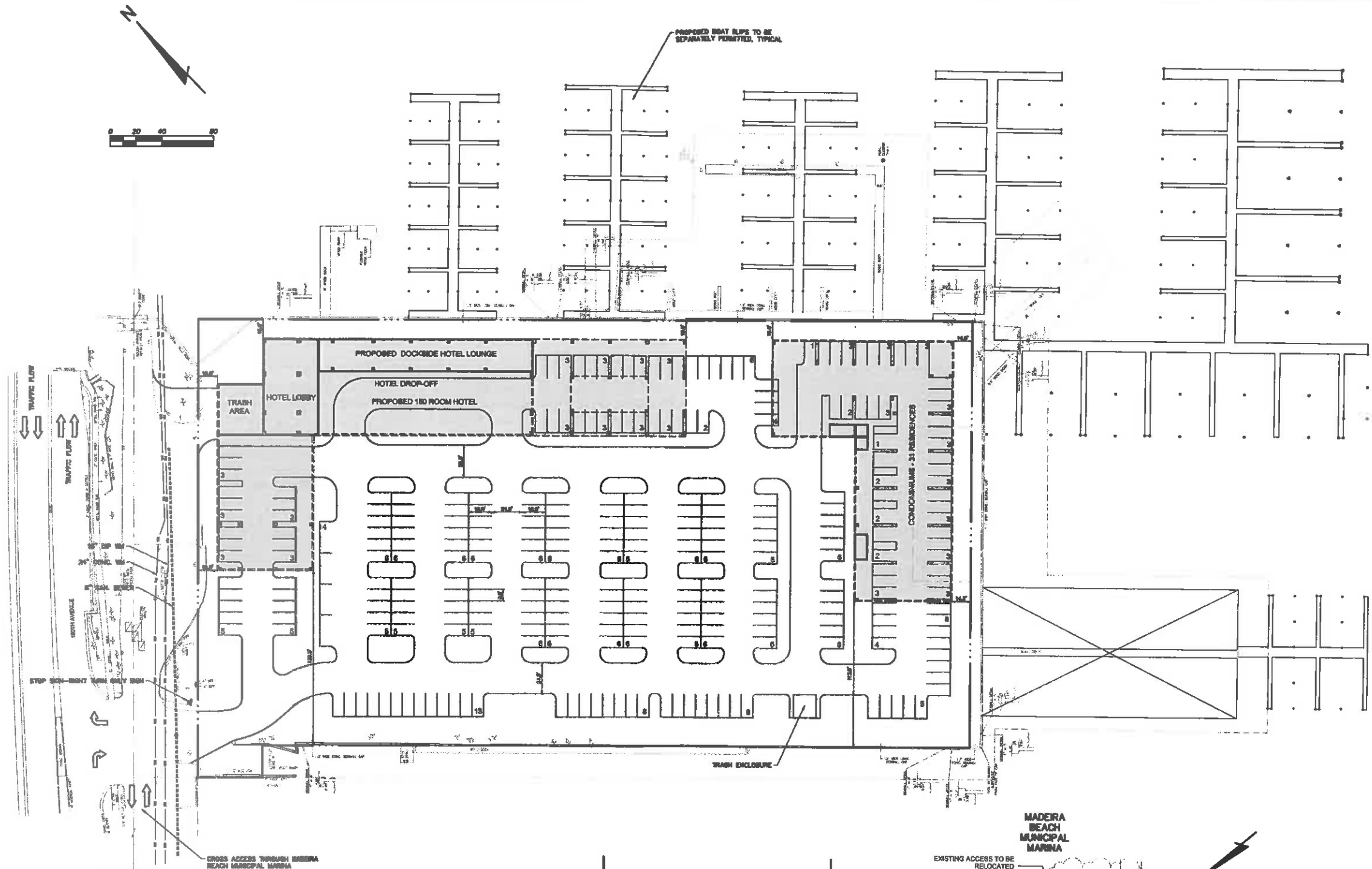
NOTE:
THE INFORMATION ON THIS SHEET WAS OBTAINED FROM THE
BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY DEVEL
& ASSOCIATES, DATED JULY 14, 2015.

PROJECT NO.	2016-0032	DATE	12-7-2016	BY	RAH	CHK	AB
FLORIDA DESIGN CONSULTANTS, INC. 3030 STANLEY BOULEVARD, NEWPORT RICHEY, FLORIDA 34865 PHONE: (850) 552-1647 FAX: (727) 848-3446 WWW.FLORIDADCS.COM CA. NO. 7421							
C & T ENTERPRISES, INC. 1000 4TH STREET NORTH, SUITE 200 ST. PETERSBURG, FLORIDA 33704 PHONE: (727) 391-1462							
HOLIDAY ISLE MARINA							
EXISTING CONDITIONS							
PLAN SET DATE December 7, 2016							
2 of 3							

15/10/2016 10:00 AM C:\Users\jdoyle\OneDrive\Documents\Projects\151016_Holiday Isle Marina\151016_Holiday Isle Marina.dwg - jdoyle

NOTES:

1. WATER AND WASTEWATER SERVICE WILL BE PROVIDED BY PHILLAS COUNTY. SERVICE POINTS OF CONNECTION FOR THE PROJECT WILL BE THE EXISTING WATER MAIN AND SANITARY SEWER LINE WITHIN THE NORTH AVE RIGHT-OF-WAY.
2. SOLID WASTE SERVICE WILL BE PROVIDED BY PHILLAS COUNTY.
3. ON-SITE STORMWATER TREATMENT FOR PROJECT RUNOFF WILL BE PROVIDED IN ACCORDANCE WITH CITY OF MADRID BEACH AND SUPPLEMENTAL STORMWATER DESIGN REQUIREMENTS AND WILL CONSIST OF UNDERGROUND EXFILTRATION CHAMBERS LOCATED BELOW PARKING AREAS.
4. THE PROJECT IS LOCATED WITHIN FLOOD ZONE AE (EL. 10) ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 1506000101G, EFFECTIVE DATE: SEPTEMBER 3, 2003.
5. ALL HABITABLE BUILDING AREAS WILL BE ABOVE FLOOD PLAIN ELEVATION 10.0.
6. THESE PLANS ARE PRELIMINARY AND SUBJECT TO CHANGE DURING DETAILED DESIGN PERMITTING.



DESIGNED FOR: C & T ENTERPRISES, INC.

151016_Holiday Isle Marina.dwg

12/7/2016

10:00 AM

10:00 AM

10:00 AM

10:00 AM

10:00 AM

10:00 AM

10:00 AM

10:00 AM

FLORIDA DESIGN
CONSULTANTS, INC.
THINK IT. ACHIEVE IT.



3885 STARKLEY BOULEVARD, NEW PORT RICHEY, FLORIDA 34885
PHONE: (813) 922-1847 FAX: (727) 447-5800 WWW.FLORIDACONS.COM C.A. NO. 7421

DATE: December 7, 2016

3 OF 3



CONCEPTUAL DRAWINGS



h BeharPeteranecz
9 December 2016

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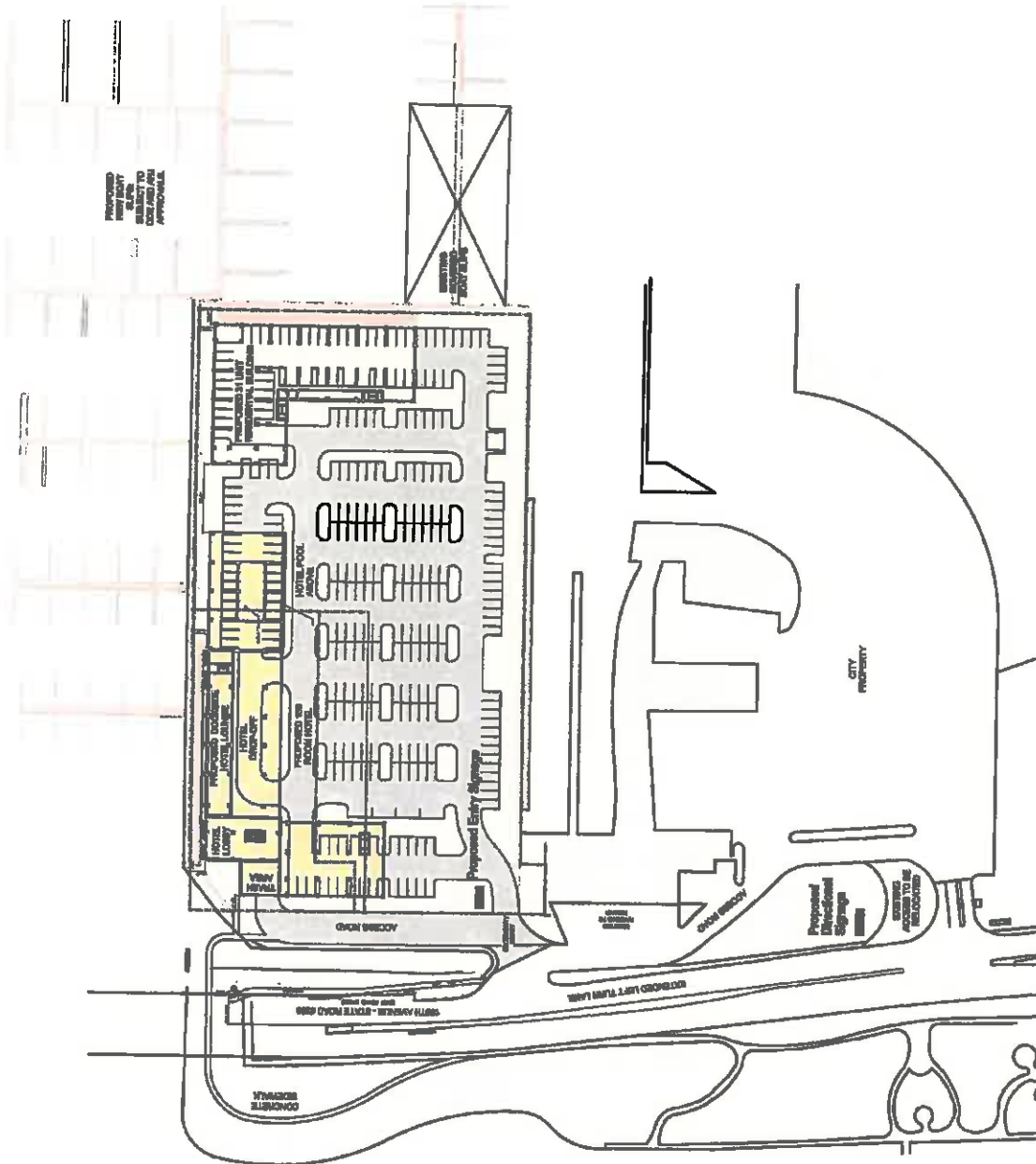
Holiday Isle Resort - Planned Development
City of Madeira Beach, Florida

SITE DATA TABLE

EXISTING (168/11/16)

PROPOSED

LAND USE PLAN CATEGORY ZONING DISTRICT USE	Planned Redevelopment Mixed Use PD Marina (57 Steps)	Planned Redevelopment Mixed Use PD Hotel Residential Marina	Planned Redevelopment Mixed Use PD Hotel Residential Marina
LOT AREA	188,850 sf 4.388 acres	188,850 sf 4.388 acres	N/A
DENSITY	0	Hotel: 150 du Residential: 31 du Marina: 89 Leaseable slips 55 Accessory slips	N/A
GROSS FLOOR AREA (Building)	0	Hotel: 124,080 sf Residential: 90,405 sf Total: 224,485 sf	N/A
GROSS FLOOR AREA (Under Bldg. Parking)	0	Under Bldg. Parking: 34,895 sf Hotel: 0.78 Condominium: 0.48 Total: 124 acres	N/A
BUILDING COVERAGE	0	120 acres	N/A
OPEN GREEN SPACE		215 ACRES	N/A
PAVING AREA		137,470 sf ISR: 0.69	ISR: 0.70 max
IMPERVIOUS SURFACE		BUILDING	BUILDING
DISTANCE TO		150 ft 150 ft 113.8 ft 14.5 ft	N/A N/A N/A N/A
NORTHWEST (FRONT)		Hotel: 78 Height 5 Floors Over Parking Residential: 75 Height 5 Floors Over Parking	N/A
NORTHEAST (SIDE)		68,754 sf 44%	N/A
SOUTHWEST (SIDE)		Hotel: 155 Total (160 Reg., 5 H.C.) Residential: 62 Total (59 Reg., 3 H.C.) Marina: 89 Total	Hotel: 15 Space/Room 150 Spaces Residential: 2 Space/Unit=62 Spaces
SOUTHEAST (REAR)		Total: 298 Spaces	Marina: 1 Space per Leaseable Slip = 89 Spaces Total: 281 Spaces
BUILDING HEIGHT			
BUILDING NUMBER OF FLOORS			
PAVED VEHICULAR AREAS	137,470 sf 69%	137,470 sf 69%	N/A

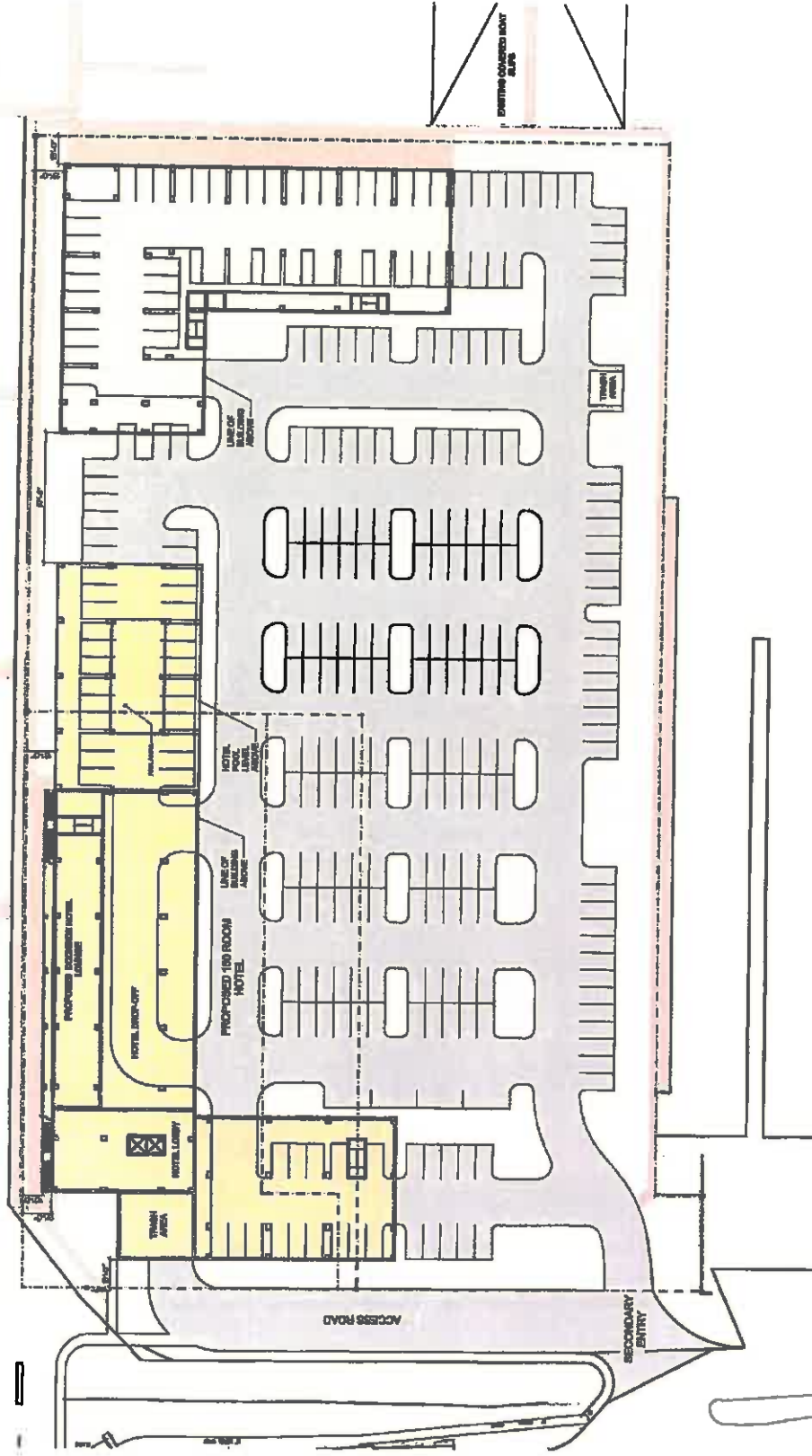


OVERALL SITE PLAN
SCALE: 1"=100'

Holiday Isle Resort - Planned Development
City of Madeira Beach, Florida

BeharPeteranecz
9 December 2016

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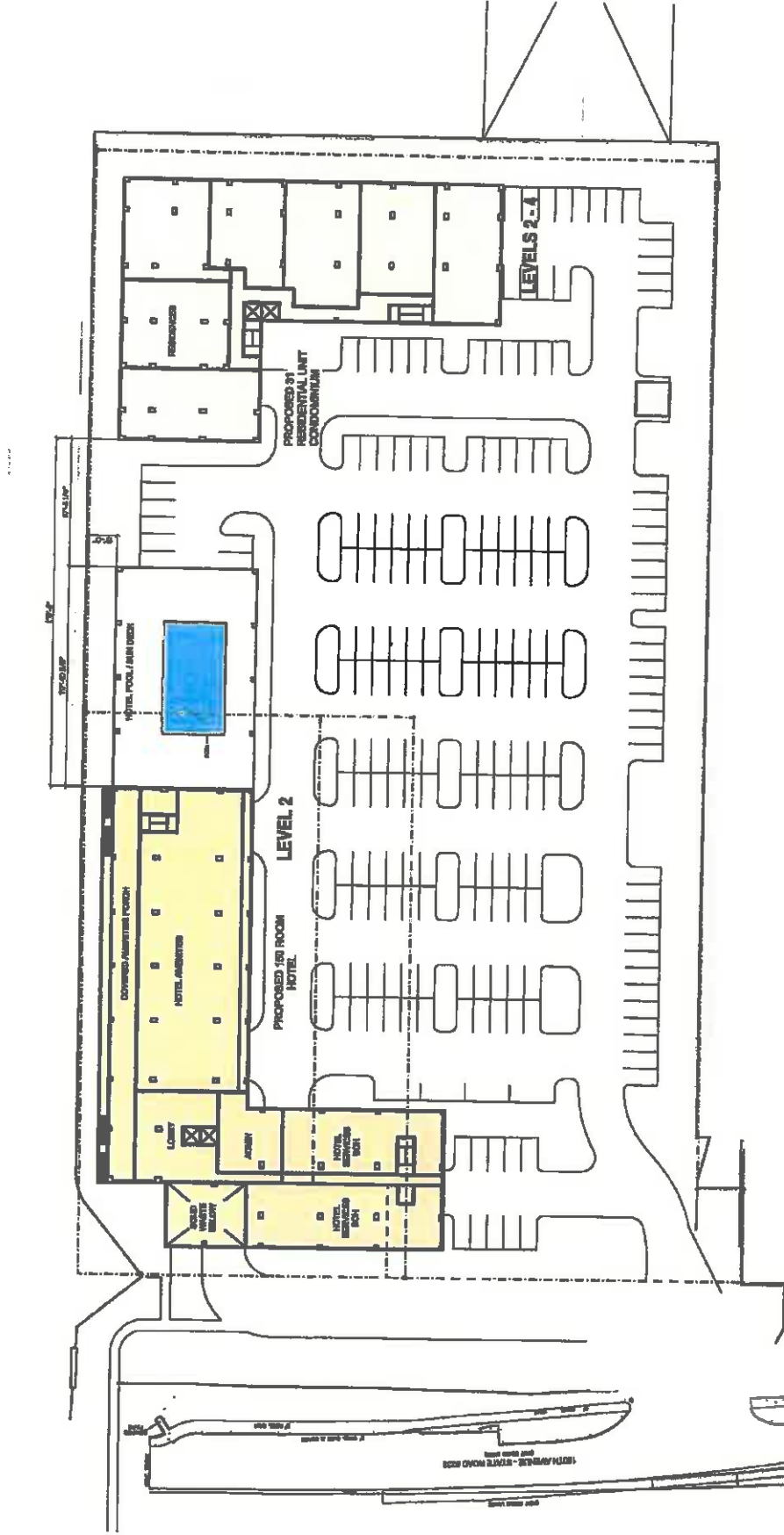
Holiday Isle Resort - Planned Development
 City of Madeira Beach, Florida



GROUND LEVEL PLAN
 SCALE: 1"= 50'

BeharPeteranecz
 9 December 2018

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Holiday Isle Resort - Planned Development
City of Madison, ~~Beach~~, Florida

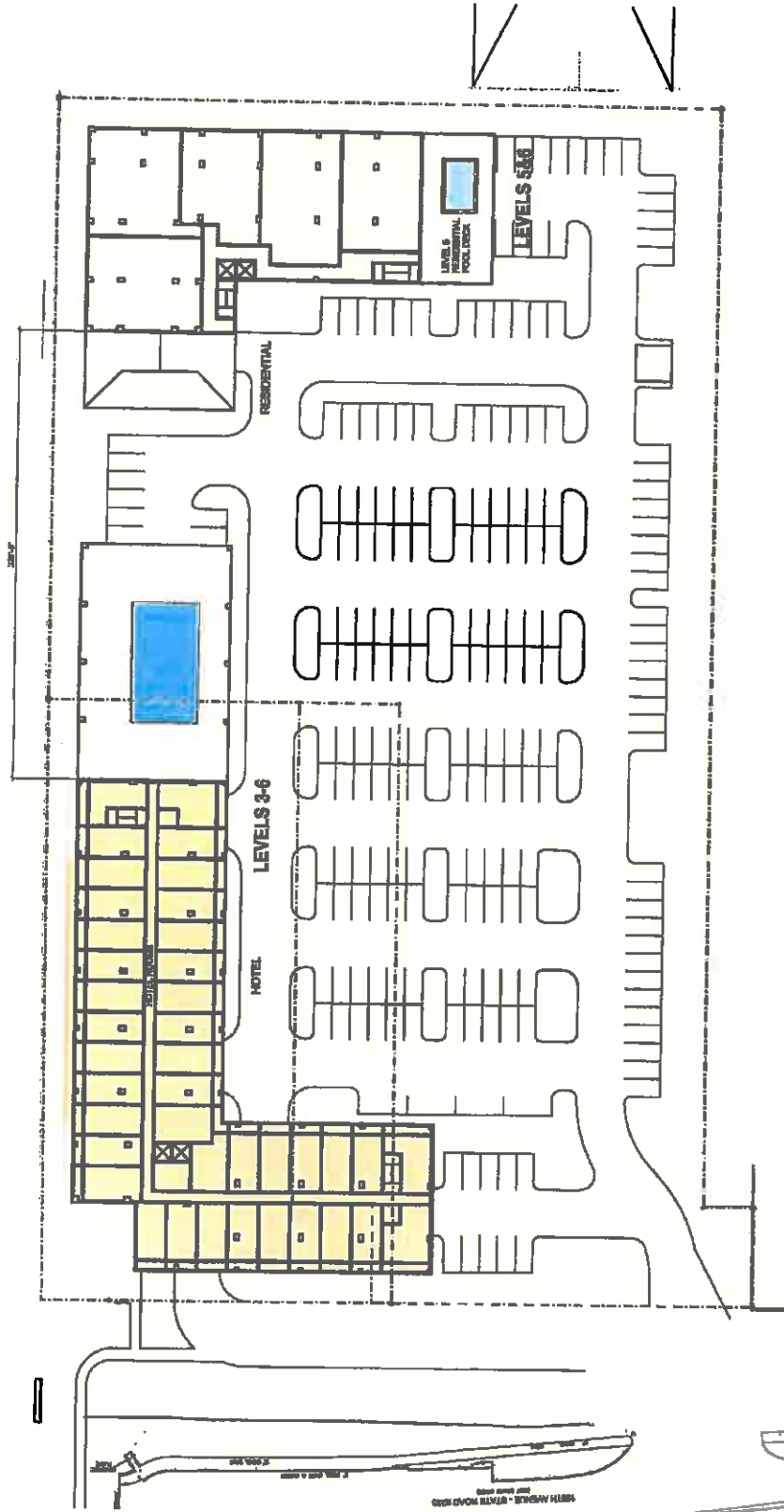


LEVEL TWO PLAN
SCALE 1"= 50'

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9 December 2016

005

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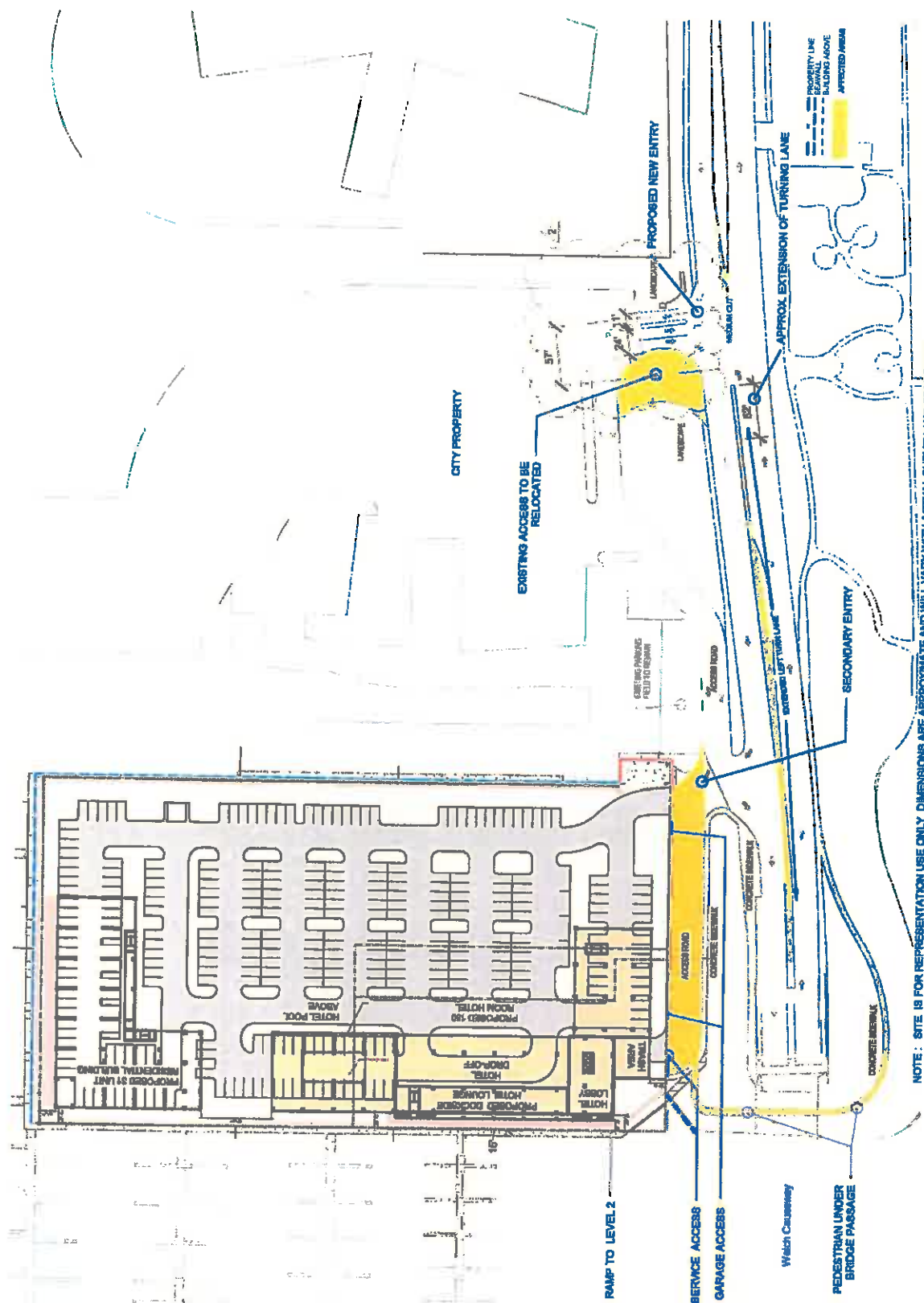
TYPICAL FLOOR PLAN
SCALE: 1" = 50'

Holiday Isle Resort - Planned Development
City of Maitland - Beach, Florida

h BeharPeteranecz
P 9 December 2016

006

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NOTE: SITE IS FOR REPRESENTATION USE ONLY. DIMENSIONS ARE APPROXIMATE AND WILL VARY WITH ACTUAL SURVEY AND CIVIL PLANS.

Holiday Isle Resort - Planned Development
City of Madeira: Madeira, Florida

City of Madeira Beach, Florida



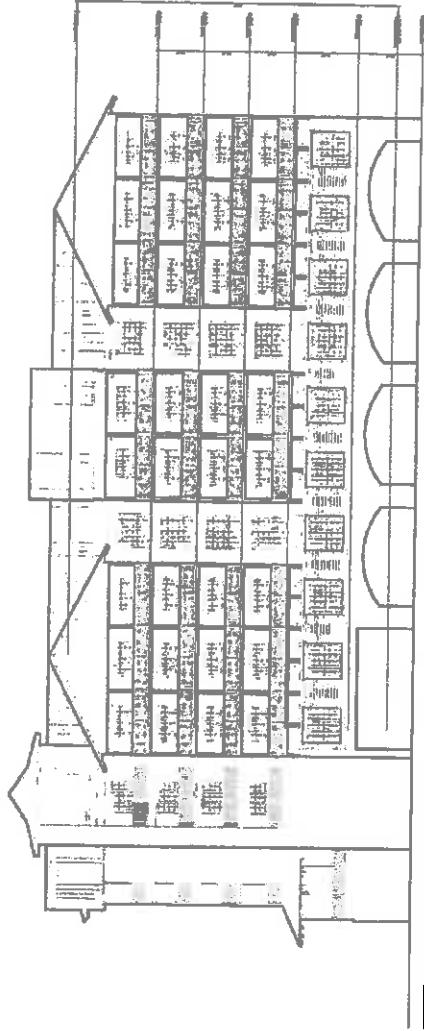
OFFSITE IMPROVEMENTS

SCALE: NTS

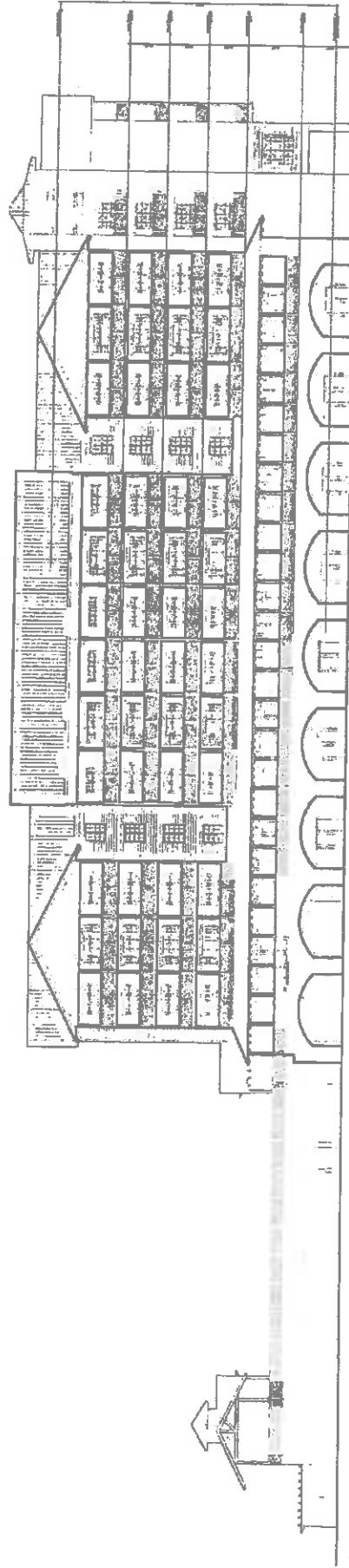


9 December 2016

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Northwest Elevation



Northeast Elevation

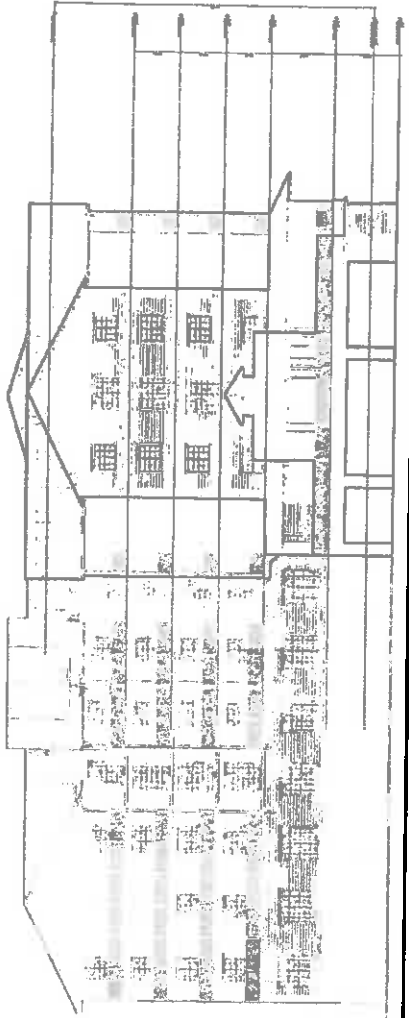
Holiday Isle Resort - Planned Development
City of Madeira Beach, Florida

Exterior Elevations- Hotel
SCALE: 1/25

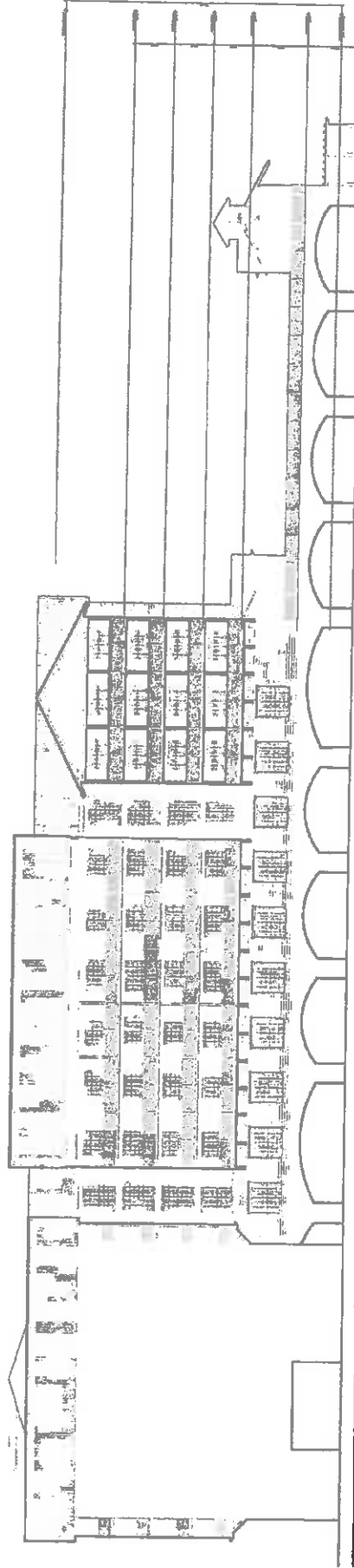
BeharPeteranecz
9 December 2016

008

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Southeast Elevation



Southwest Elevation

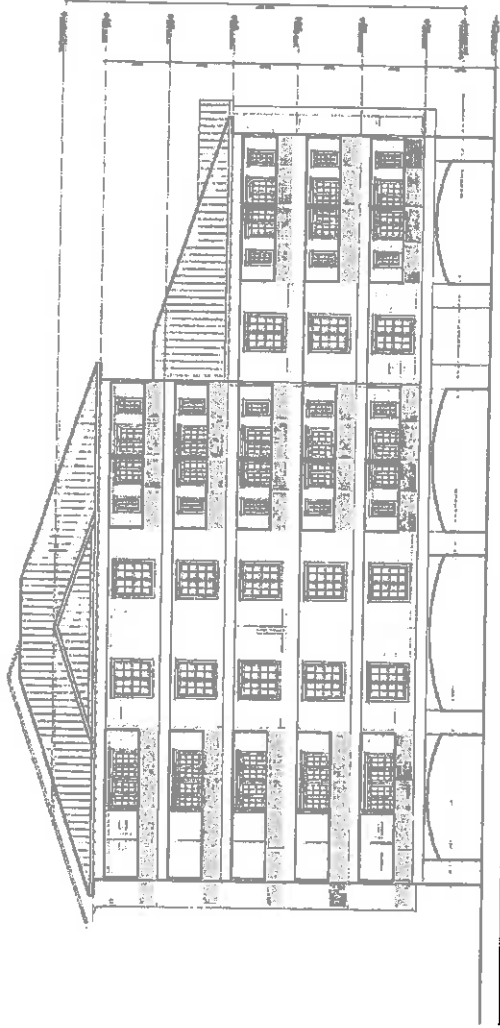
Holiday Isle Resort - Planned Development
City of Madeira Beach, Florida

Exterior Elevations- Hotel
SCALE: 1/25

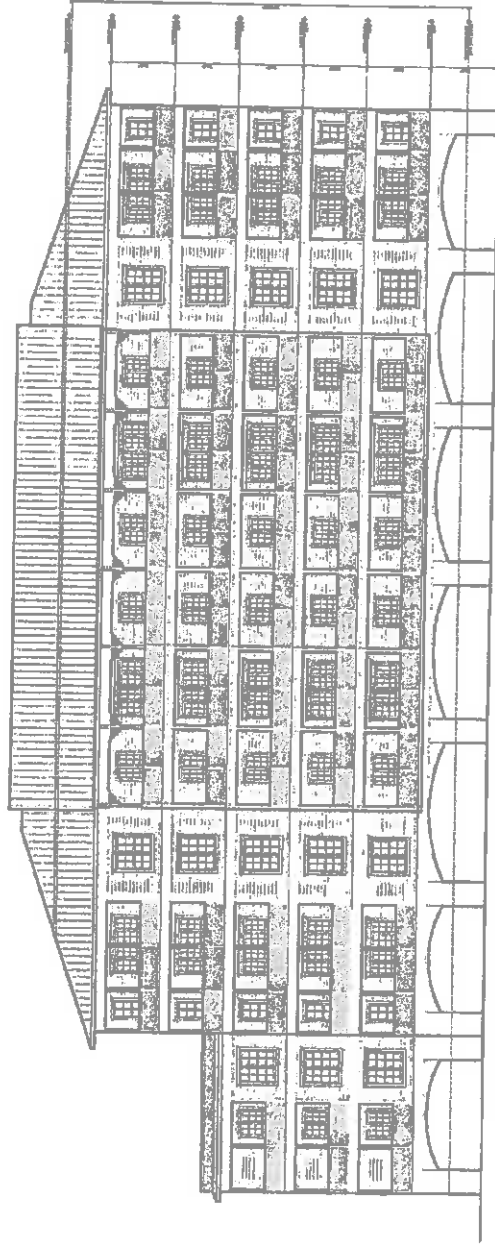
h BeharPeteranecz
9 December 2016

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Northeast Elevation



Southeast Elevation

Holiday Isle Resort - Planned Development
City of Madeira Beach, Florida

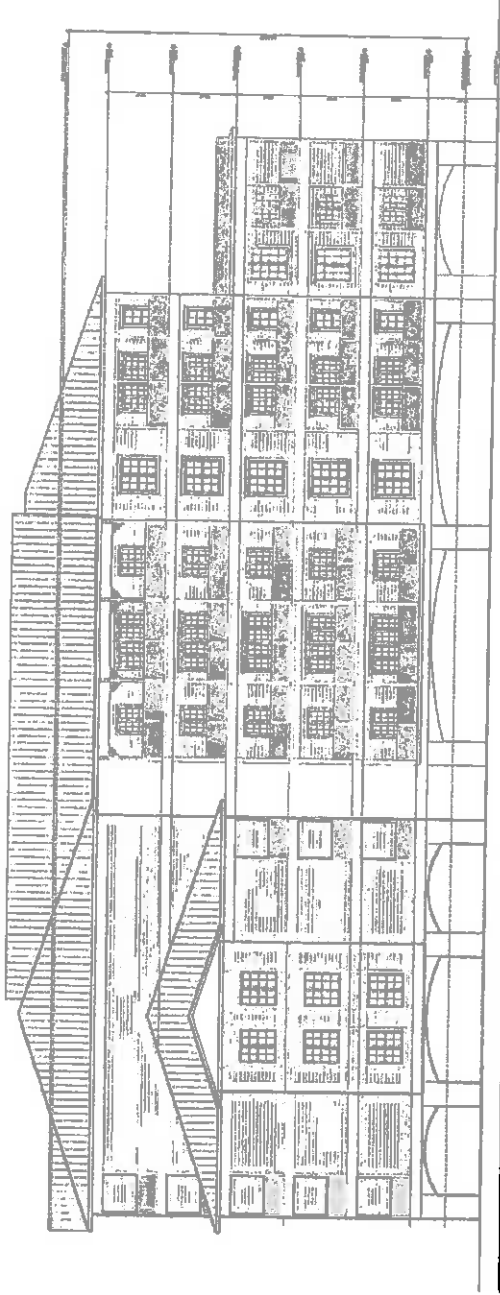
EXTERIOR ELEVATIONS-CONDO

SCALE 1:20

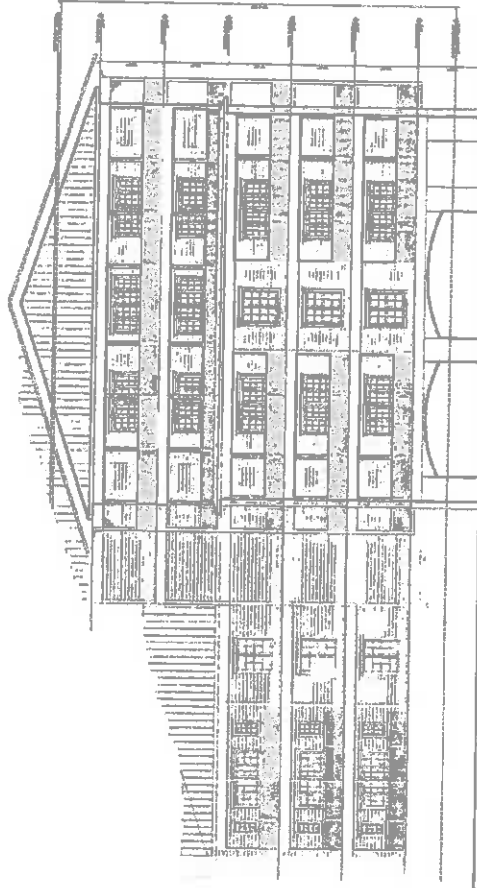
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Northwest Elevation



Southwest Elevation

Holiday Isle Resort - Planned Development
City of Madeira Beach, Florida

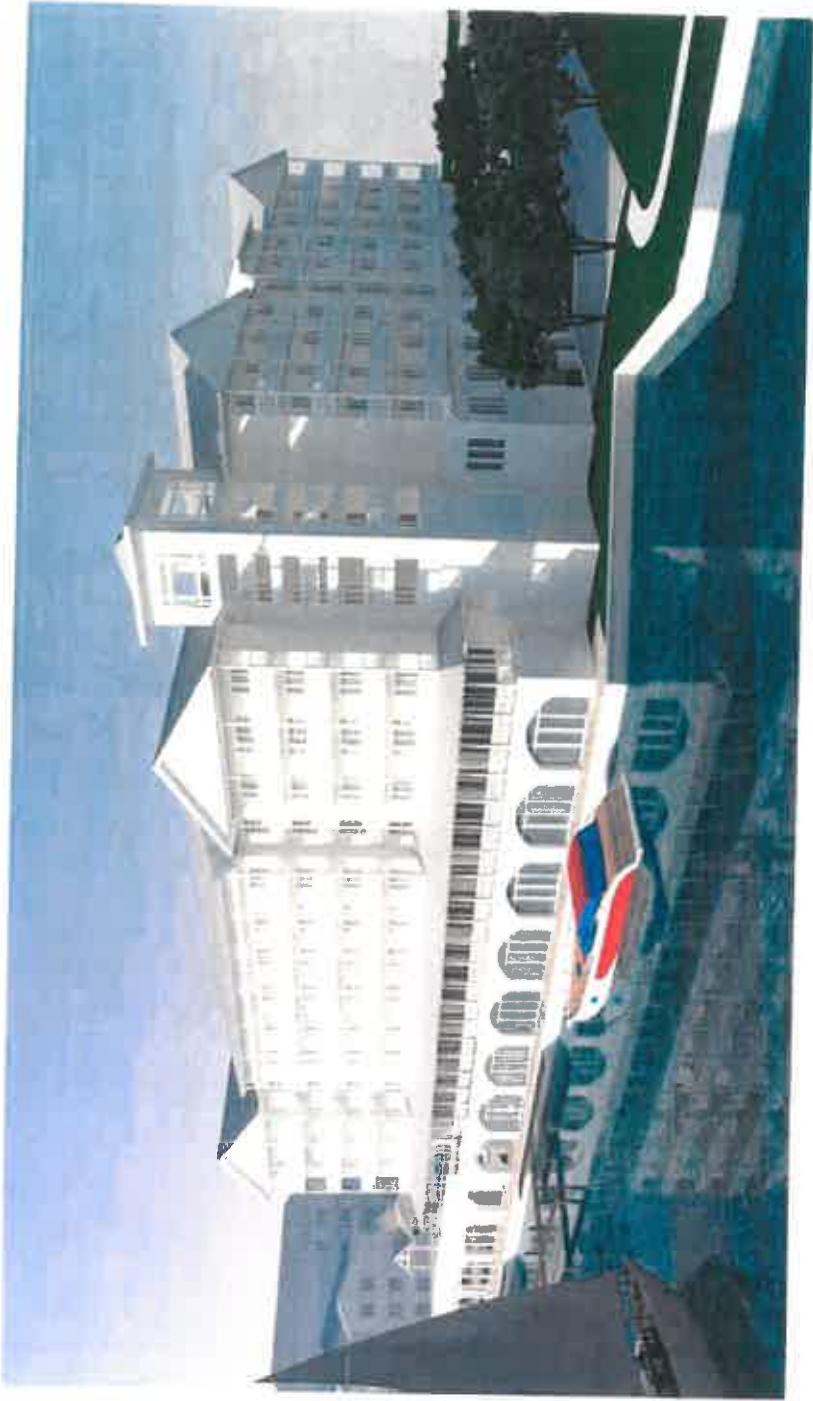
EXTERIOR ELEVATIONS- CONDO
SCALE: 1/20

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CONCEPTPLAN



HOLIDAY ISLE MARINA
MADERIA BEACH, FLORIDA

NORTHEAST HOTEL VIEW
SCALE: NTS

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010

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CONCEPT PLAN



HOLIDAY ISLE MARINA
MADERIA BEACH, FLORIDA

SOUTHWEST HOTEL VIEW
SCALE: NTS

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9 December 2016

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CONCEPT PLAN



HOLIDAY ISLE MARINA
MADERIA BEACH, FLORIDA

SOUTHEAST CONDOMINIUM VIEW
SCALE: NTS

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CONCEPT PLAN



HOLIDAY ISLE MARINA
MADERIA BEACH, FLORIDA

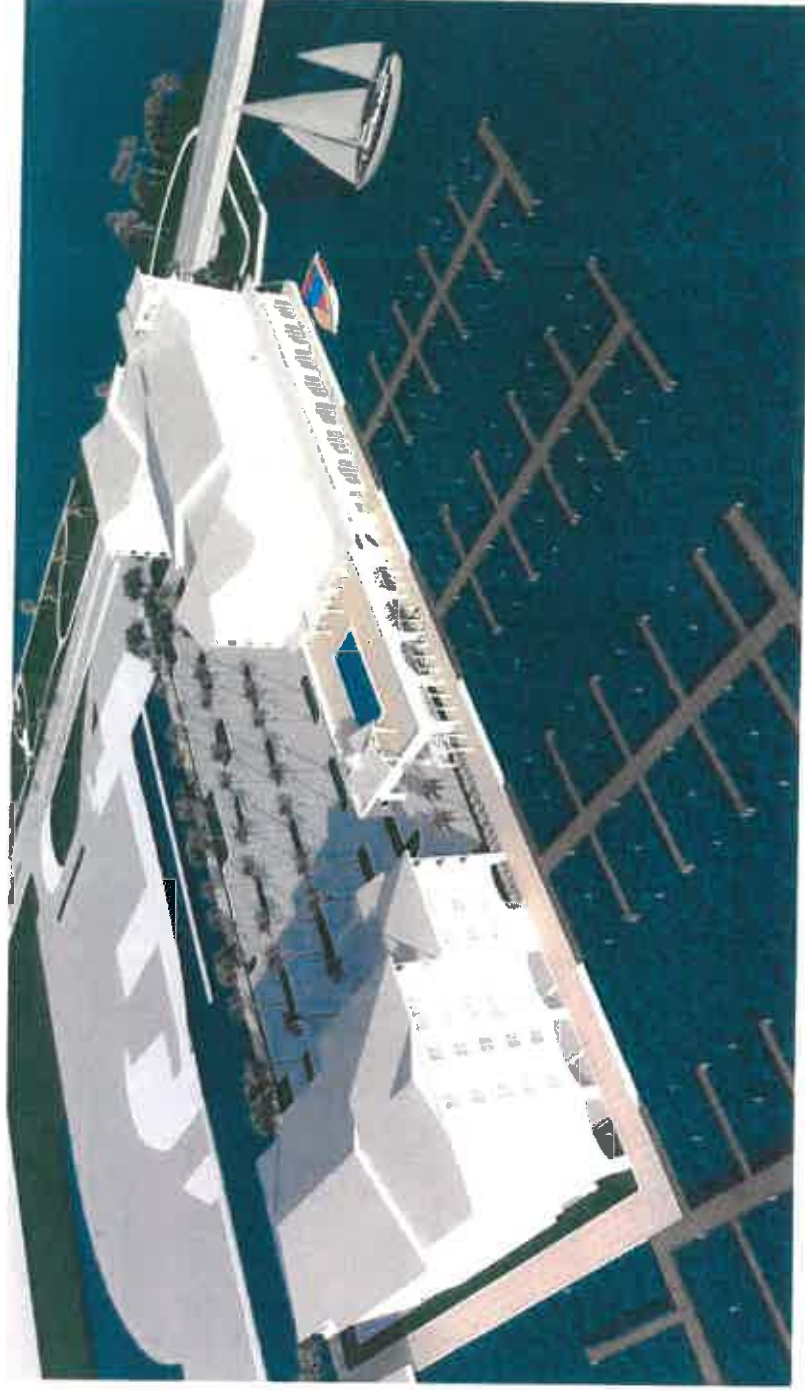
NORTHWEST CONDOMINIUM VIEW
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CONCEPTPLAN



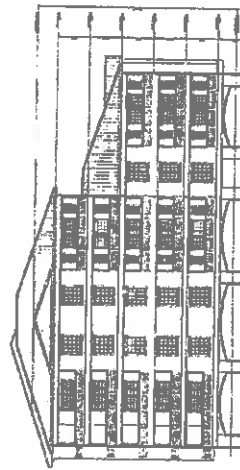
HOLIDAY ISLE MARINA
MADERIA BEACH, FLORIDA

AERIAL VIEW
SCALE: NTS

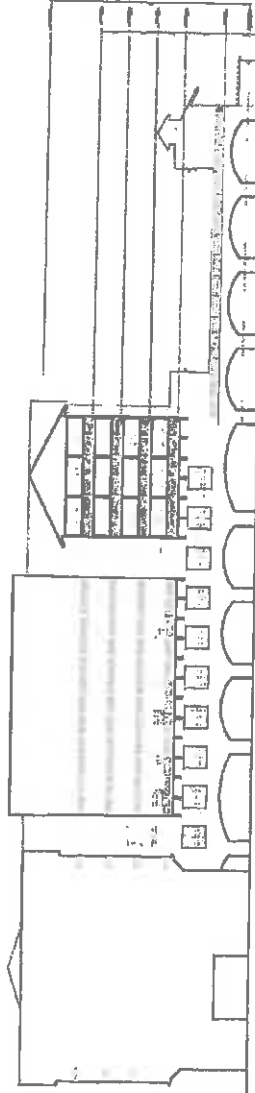
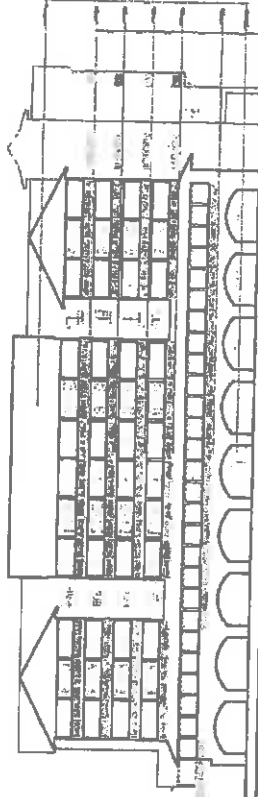
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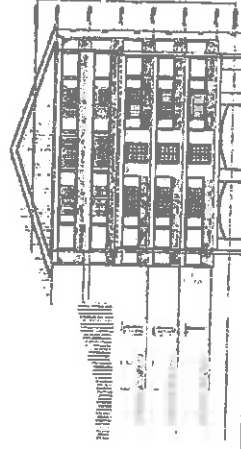
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Northeast Elevation



Southwest Elevation



Hoiiclay Isle Resort - Planned Development
City of Madeira Beach, Florida

OVERALL ELEVATIONS

SCALE: 1/50

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9 December 2016

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PROOF OF MAILINGS NEIGHBORHOOD
INFORMATION MEETING BY THE DEVELOPER

December 19, 2016

RE: Holiday Isle Marina
0, 555 & 565 150th Street, Madeira Beach, FL
A portion of submerged lands along Welch Causeway
Consisting of Parcel Nos. 09-31-15-00000-140-0100; 09-31-15-00000-110-0100 &
09-31-15-00000-140-0120 and 09-31-15-00000-140-0110

NEIGHBORHOOD INFORMATION MEETING

You are hereby notified in accordance with Madeira Beach Code Section 110-392 of a neighborhood meeting regarding the above referenced proposed development, to be held:

**Wednesday, January 4, 2017
6:00 p.m.**

**Madeira Beach City Hall
300 Municipal Drive
Madeira Beach, FL 33708**

The applicant's agent will be present to review the proposed project. A copy of the application is on file with the City.

For more information:
Katie Cole
Hill Ward Henderson
(727) 259-6791
Agent to C&T Enterprises, Inc. & MHH Enterprises, Inc.



Name and Address of Sender
Hill Ward Henderson
ATTN: Katie Cole
600 Cleveland Street, Ste 800
Clearwater, FL 33755

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1. 09-31-15-83800-001-1504 HITTERMAN, DAVID A CALKINS, BRIAN J 423 150TH AVE APT 1504 MADEIRA BEACH FL 33708-2074												
2. 09-31-15-83800-001-1404 ROLIZ J PROPERTIES INC 7058 4TH LN TOTTENHAM ON L0G 1W0 CANADA												
3. 09-31-15-83800-002-2503 DANIEL, KATHY E PO BOX 830 PINELLAS PARK FL 33780-0830												
4. 09-31-15-83800-002-2401 DICKINSON, DIANE A PO BOX 1332 DUNEDIN FL 34697-1332												
5. 09-31-15-83800-001-1405 ROSENCRANS, GARY ROSENCRANS, JUDITH A 3210 DEER RD WISCONSIN RAPIDS WI 54494-7431												
6. 09-31-15-83800-002-2402 LANT, REGINALD ANTHONY HERGOTT, ELIZABETH LOUISE 7 ARNIES CHANCE STOUFVILLE ON L4A 1M1 CANADA												
7. 09-31-15-83800-002-2306 POOLE, SUZANNE E BARLAK, GEORGE 425 150TH AVE APT 2306 MADEIRA BEACH FL 33708-2078												
8. 09-31-15-83800-002-2201 GOGULA, RONALD J GOGULA, JOANNE T 2063 SHERBROOKE DR BETHLEHEM PA 18015-5545												
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2. 09-31-15-83800-001-1302	MEROLA, VICTORIA CUSARE 423 150TH AVE APT 1301 MADEIRA BEACH FL 33708-2074												
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4. 09-31-15-00000-140-0120	M H H ENTERPRISES INC C/O HAMMER & CO PA 8373 SEMINOLE BLVD SEMINOLE FL 33772-3145												
5. 09-31-15-00000-140-0110	FL INT IMP FLUND TRE M H H ENTERPRISES INC LSE 150 153RD AVE STE 205 MADEIRA BEACH FL 33708-1856												
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8. 09-31-15-00000-140-0410	CITY OF MADEIRA BEACH ATTN: Mayor & City Commission 300 Municipal Drive Madeira Beach, FL 33708-1918												
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3.	THOMAS, ELIZABETH R REVOCABLE TRUST THOMAS, ELIZABETH R TRE 425 150TH AVE APT 2506 MADEIRA BEACH FL 33708-2076												
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2. 09-31-15-83800-002-2304	☐ PATNODE, CHRIS D NUNTA, TATPICHIA 1430 CHERRY PL MOUND MN 55364-9708													
3. 09-31-15-83800-002-2301	☐ SCHMELING, JUDY A SCHMELING, DONALD W 13824 DIAMOND HEAD DR TAMPA FL 33624-2627													
4. 09-31-15-83800-002-2303	☐ CHRISTOPHER, GAIL EST C/O CHRISTOPHER, ROSS 368 NORTH PINON HILLS DR DAMMERON VALLEY UT 84783-5177													
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6. 09-31-15-83800-002-2205	☐ BROOKS, JEFFREY S 425 150TH AVE APT 2205 MADEIRA BEACH FL 33708-2076													
7. 09-31-15-83800-002-2203	☐ HAMILTON, LESLIE L SHAFFER, PAUL DOUGLAS 2710 BELFOREST CT APT 208 VIENNA VA 22180-7334													
8. 09-31-15-83800-002-2204	☐ SOUTHARD, ROBERT R JR SOUTHARD, SUSAN B 425 150TH AVE APT 2204 MADEIRA BEACH FL 33708-2076													

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6. 09-31-15-83800-001-1503	GAY, WILLIAM GAY, CAROL 12015 SUGARLAND VALLEY DR HERNDON VA 20170-2604												
7. 09-31-15-83800-001-1401	MANNING, JOHN MANNING, CANDACE 5007 LOREAN CT FLOYDS KNOBS IN 47119-9324												
8. 09-31-15-83800-000-0001	SNUG HARBOUR CONDO ASSN C/O CONDOMINIUM ASSC INXC 3001 EXECUTIVE DR CLEARWATER FL 33782-2260												

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2. 09-31-15-83800-002-2501	SHAVLAN, CYNTHIA 425 150TH AVE APT 2501 MADEIRA BEACH, FL 33708-2076												
3. 09-31-15-83800-002-2406	BRAZEAU, RONALD F & ELIZABETH R. BOX 723, 2743 Lake Shore Road Brights Grove ON N4N 1C0 Canada												
4. 09-31-15-83800-001-1202	GIDEON, WILLIAM C GIDEON, LEILA F 4829 ROCK ISLAND COURT WINALUMA, FL 33598-4019												
5. 09-31-15-83800-001-1406	MARTIN, JOSEPH J MARTIN MARTIN, BARBARA MARY PO BOX 98 BEAVERTON ON L0K 1A0 CANADA												
6. 09-31-15-83800-002-2403	BLACK, JAMES R BLACK MARGARET A BLACK 425 150TH AVE APT 2403 MADEIRA BEACH FL 33708-2076												
7. 09-31-15-83800-001-1201	SANDS, JOHN L SUSAN MARIE SANDS 423 150TH AVE APT 1201 MADEIRA BEACH FL 33708-2074												
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5. 09-31-15-83800-001-1501	PARKER, JENNIFER M 423 150TH AVE APT 1501 MADEIRA BEACH FL 33708-2074												
6. 09-31-15-83800-002-2206	MC KENNA, RICHARD P MC KENNA, LAURA A 425 150TH AVE APT 2206 MADEIRA BEACH FL 33708-2076												
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8. 09-31-15-00000-110-0200	FL INT INSP FUND TRE C/O C & T ENTERPRISES INC 9800 4TH ST N STE 200 ST PETERSBURG FL 33702-2462												
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DEVELOPMENT AGREEMENT



PLANNING COMMISSION/LOCAL PLANNING AGENCY

Development Agreement – Staff Report

February 6, 2017

FROM:

Luis N. Serna, AICP
Planning Director, Calvin Giordano & Associates, Inc.

SUBJECT:

Holiday Isles Marina – Development Agreement

BACKGROUND:

The applicants have submitted a request to rezone 4.59 acres that are located on the southeast side of 150th Avenue (Tom Stuart Causeway) just south of the bridge, from PD (Planned Development) to PD (Planned Development) for a modification to a previously approved Concept Plan. This request is for approval of the corresponding Development Agreement required to implement the Planned Development/Site Plan in accordance with Section 110-394 of the Code of Ordinances.

The development agreement establishes the development rights and conditions for the project, and establishes the concept plan as a basis for reviewing future development proposals on the site. Conditions contained in the agreement help ensure that the development will not adversely affect the City of Madeira Beach or the public. Important conditions include requirements for local and other governmental agency permitting for the project, and the requirement for the developers to construct off-site roadway and pedestrian facilities prior to the issuance of a Certificate of Occupancy for the first phase of the project.

SUMMARY
DESCRIPTION:

The proposed development agreement under consideration is between the City and the owners of the property on which the Holiday Isles project is proposed. The agreement establishes the rights and responsibilities of the parties to the agreement. Some of the important features in this agreement include the following:

- It is valid for a period of up to 10 years from its effective date, or until all phases of construction are complete.
 - It is tied to a specific concept plan for the site which is attached as an exhibit to the agreement.
 - It includes the requirement for future site plan approval of each phase of the project consistent with Chapter 110, Article II of the Land Development Code.
-

- It details the specific off-site improvements that will need to be completed prior to the issuance of Certificates of Occupancy for the project.
- It specifies that permitting and design costs for the required off-site improvements will be paid by the developer.
- It specifies that the City will dedicate the transportation impact fees collected from this project for the design and construction of these improvements. Any costs that are not covered by the City's contribution will be paid by the developer.
- It allows for reductions in height, density, or intensity by up to 40 percent. Any increases height, density, or intensity, or any reductions greater than 40 percent require approval by the Board of Commissioners.

RECOMMENDATION: The draft development agreement was reviewed for compliance with Article IV, Chapter 86 of the Code of Ordinances. Staff recommends that the Planning Commission **recommend approval** of the Development Agreement subject to the following conditions:

1. The Land Use Data in Paragraph 10 of the Development Agreement shall be revised to include the proposed 12,000 square foot restaurant as an ancillary use to the proposed hotel.
2. For consistency purposes, the Land Use Data in Paragraph 10 of the Development Agreement shall be modified to include the higher maximum permitted densities and intensities permitted under the Causeway District as provided in the submitted project narrative.

ATTACHMENT(S): Draft Development Agreement

Agenda Item: _____

**DEVELOPMENT AGREEMENT
(HOLIDAY ISLE MARINA)**

THIS AGREEMENT (the "**Agreement**") made and entered into this ____ day of _____, 2017 by and between the **CITY OF MADEIRA BEACH**, a municipal corporation of the State of Florida ("**City**") and **C&T Enterprises, Inc.**, a Florida corporation ("**C&T**") and **MHH Enterprises Inc.**, a Florida corporation ("**MHH**"), (collectively, C&T and MHH are hereinafter referred to as "**Owner**".)

RECITALS

1. Owner (sometimes, Owner is referred to herein as "Developer") is the current fee simple owner or lessor and developer of that certain tract of land located within the City of Madeira Beach, Pinellas County, Florida, hereinafter referred to as the "Property" and more particularly described in Exhibit "A" attached hereto and made a part hereof.
2. Owner desires to develop the Property consistent with the concept plan attached hereto as Exhibit "B" ("Concept Plan");
3. The Property is approximately 4.58 acres in size and currently has PR-MU land use designations and a zoning of Planned Development (PD) and is located in the Madeira Beach Town Center Special Area Plan – Causeway District adopted pursuant to Ordinance 2016-18 on or before May 10, 2016;
4. The validity of Ordinance 2016-18 was challenged in the Circuit Court of Pinellas County after adoption.
5. Without admission of any invalidity, Developer has requested for the City to adopt a zoning map amendment for a new Planned Development zoning with a substantially different Development Plan, consistent with Section 110-389 and Section 110-396 of the City's Land Development Regulations.
6. The Owner is requesting the City to amend the zoning designation so that the Property has a land use of PR-MU and a zoning of Planned Development (PD) to facilitate development of the Concept Plan, as provided for in the City's Town Center Special Area Plan;
7. The Concept Plan shows a development of hotel(s), condominium, restaurant, and marina uses with associated, ancillary uses ("Project");
8. The development rights of the Project are subject to the conditions of the development rights approval as set forth below.

9. The City has determined that the Concept Plan is consistent with the City's Comprehensive Plan, the Town Center Plan and Land Development Regulations as provided for herein.

10. The following development rights are hereby approved pursuant to this Agreement on the Property and as more particularly shown on the Concept Plan attached hereto and made part hereof:

LAND USE DATA			
	EXISTING	PROPOSED	CRITERIA (MIN/MAX)
LAND USE PLAN CATEGORY	Planned Redevelopment Mixed Use	Planned Redevelopment Mixed Use	N/A
ZONING DISTRICT	PD	PD	N/A
USE	Marina (57 Slips)	Hotel Residential Marina	N/A
LOT AREA	199,850 sf 4.588 acres	199,850 sf 4.588 acres	N/A
DENSITY	0	Hotel: 150 du Residential: 31 du Marina: 89 Leaseable slips 55 Accessory slips	60 du/ac 15 du/ac N/A
GROSS FLOOR AREA (Building)	0	Hotel: 134,080 sf Residential: 90,405 sf Total: 224,485 sf	N/A
GROSS FLOOR AREA (Under Bldg. Parking)	0	Under Bldg. Parking: 34,895 sf	
IMPERVIOUS SURFACE	137,470 sf ISR: 0.69	139,892 sf ISR: 0.70	ISR: 0.70 max
DISTANCE TO	BUILDING	BUILDING	BUILDING
NORTHWEST (FRONT)	-----	15.0 ft	N/A
NORTHEAST (SIDE)	-----	15.0 ft	N/A
SOUTHWEST (SIDE)	-----	113.6 ft	N/A
SOUTHEAST (REAR)	-----	14.5 ft	N/A
BUILDING HEIGHT	-----	Hotel: 75' Height 5 Floors Over Parking	N/A
BUILDING NUMBER OF FLOORS		Residential: 75' Height 5 Floors Over Parking	
PAVED VEHICULAR AREAS	137,470 sf 69%	88,754 sf 44%	N/A
PARKING	0	Hotel: 165 Total (160 Reg., 6 H.C.) Residential: 62 Total (58 Reg., 3 H.C.) Marina: 89 Total Total: 298 Spaces	Hotel: 1Space/Room=150 Spaces Residential: 2 Spaces/Unit=62 Spaces Marina: 1 Space per Leaseable Slip = 89 Spaces Total: 281 Spaces

11. The development rights set forth in this Agreement approval are subject to the following conditions:

- a) Approval of this Agreement pertaining to the site development of the subject property as described and depicted in the Concept Site Plan attached as Exhibit "B".

- b) Final approval of the City's consulting engineer of the civil and utility site plan and construction plans for each phase of the development consistent with the Land Development Regulations, Ch. 110, Art. II requirements for Site Plan Approval.
- c) Where necessary to accommodate proposed development, the applicant shall be responsible for the removal and/or relocation of any and all existing public utilities located on the subject site, including the granting of easements located outside the building footprint as may be required. This is regardless of whether the public utilities are known at the time of site plan approval or discovered subsequent to such approval. Any required relocation will be subject to approval from the City's Public Works Department.
- d) All construction associated with this project shall be subject to the current requirements of the Florida Building Code. Madeira Beach's land development regulations, the Florida Fire Prevention Code, all other technical codes adopted by the City of Madeira Beach, and FEMA.
- e) All on-site construction activities related to erosion control shall be applied as required by the Florida Building Code and the Madeira Beach Code of Ordinances.
- f) Proof of SWFWMD Environmental Resource permit approval or exemption of the drainage requirements is required prior to the initial Certificate of Occupancy being issued.
- g) Proof of FDOT Access/Driveway permit approval for the ingress and egress to 150th Avenue (Tom Stuart Causeway – S.R. 666) is required prior to the initial Certificate of Occupancy being issued.
- h) Proof of FDOT Drainage Connection permits required prior to the initial Certificate of Occupancy being issued.
- i) Proof of availability of potable water and sanitary sewer from Pinellas County; if available, the project should also avail itself to reclaimed water service.
- j) Final approval of the City's Public Works Department of the plans for solid waste collection prior to building permits being issued.
- k) Final approval of the Fire Chief of the site plan as it relates to the National Fire Protection Association code issues prior to building permits being issued.
- l) Final approval of the Community Services Department for the site's compliance with this Agreement, prior to each Certificate of Occupancy being issued.
- m) Receipt of the appropriate FDOT permits, after diligent efforts by both the Developer and City, for the construction of the Off-site Roadway Improvements,

attached hereto as Exhibit "C" and as further defined hereinafter, and utility extensions as defined hereafter.

- n) Final approval by the City Engineer of the parking count which shall be dependent upon the mix of uses, including parking associated with the proposed boat slips.
- o) Final approval of a phasing plan by the Community Development Department which shall show that each phase shall meet the minimum parking requirements, ISR and FAR as provided for by code.
- p) The Developer may adjust the number of boat slips from that which is shown on the Concept Plan so long as proper permits are secured from the County and State, as applicable, and sufficient parking is provided pursuant to the Land Development Regulations.
- q) Developer shall be responsible for the construction of the Offsite Roadway Improvements, including the proposed walkway under the Bridge, prior to Certificate of Occupancy of the first phase.
- r) The Developer may subdivide the Property, as it deems appropriate, consistent with the following:
 - i) The proposed Project is contemplated to include multiple components including, without limitation, hotel, residential, condominium, condominium hotel, timeshare, retail, restaurant, marina, parking, and associated and ancillary uses. The Property currently consists of three (3) separate lots of record plus leased submerged land. In order to facilitate the overall development of the Property, Developer may find it appropriate to pursue lot line adjustments without replatting pursuant to Section 86-26, City of Madeira Beach Land Development Regulations. Similarly, Developer may find it appropriate to pursue the division of single lots of record into two separate lots, either in connection with or separate from, Developer's lot line adjustment applications. The sale of one or more lots of record to third parties is expressly permitted under this Agreement; provided, however, for so long as this Agreement remains in effect, the Property may only be developed in accordance with this Agreement.
 - ii) In connection with the development of the Project, and to facilitate the orderly development of the Property by one or more separate owners, Developer may find it appropriate to utilize one or more property regimes to implement the development plans, to provide for ownership of the project components, and to provide for the continued cooperative operation and maintenance of the Project. It is presently anticipated that the Project will be developed utilizing a master set of covenants, conditions, easements, and restrictions applicable to the entirety of the Property, with a separate declaration of condominium utilized for the creation of each of the separate components

intended to be declared to condominium ownership; provided, however, nothing in this Agreement shall preclude Developer from utilizing a master condominium, land condominium, homeowners association, or other structures to create and provide for the ownership, operation, and maintenance of the overall Project and the separate Project components.

FOR AND IN CONSIDERATION of the mutual promises made and agreed to be kept hereunder and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the approval of certain uses by the City and conditioned on the performance in all respects of this Agreement by each of the parties, it is hereby agreed between the parties as follows:

THE AGREEMENT BETWEEN THE PARTIES

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference. All exhibits to this Agreement are incorporated by reference and deemed to be part hereof.

2. Authority. This Agreement is authorized by Section 163.3221, et seq. F.S. (2015) and Sections 86-141 through 86-149 of the Land Development Regulations of the City of Madeira Beach.

3. Effective Date. This Agreement shall be effective as of the day after it is fully executed and recorded in the Pinellas County public records ("Effective Date"). In the event that there is an appeal or legal proceeding challenging this Agreement or challenging the other matters affecting the purpose, intent, or the rights of the Developer or the City to develop the Property as contemplated hereby, the deadlines included in this Agreement shall be extended and shall commence upon the conclusion of such litigation, including appeals and upon all rights of appeal having expired. In the event that a Court decision materially changes any aspect of this Agreement or has made the performance of a portion of this Agreement impossible or unacceptable to one of the parties, either party may choose to terminate this Agreement upon thirty (30) days written notice to the other party and the parties shall assist each other in returning each party to the positions and legal status that it enjoyed immediately prior to the date of the entry into this Agreement; or, alternatively, the parties shall work together to restore the material benefit if such is reasonably possible.

In the event that this Agreement is subject to termination pursuant to the provisions hereof, either party may record an affidavit signed by all parties hereto or their respective successors and assigns in the Public Records of Pinellas County, Florida reflecting that such termination has occurred and that this Agreement is thereby terminated and by such affidavit, notice that the termination provisions of this Agreement pursuant to this paragraph have occurred. The party recording such affidavit shall send a copy of the recorded affidavit to the other party and this Agreement shall be

terminated and shall be deemed void and of no further force and effect. In the event that the Developer's fee simple title is encumbered by any mortgages, liens or other rights of third persons which are not subordinated to the terms, conditions, covenants and restrictions set forth in this Agreement, said third party encumbrances shall be of no force and effect as to the provisions of this Agreement.

This Agreement shall be superior to any mortgages, liens or other rights of third Persons. Any mortgages or liens or encumbrances on the Property created contemporaneously or after the effective date of this Agreement shall be subject to and subordinate to the terms of this Agreement.

In the event that this Agreement is not executed by the Developer on or before 5:00p.m. on March 15, 2017, this Agreement shall be null and void and of no further force and effect and any development permissions granted pursuant hereto shall no longer be valid.

4. Duration of Agreement. This Agreement shall terminate upon the earlier of the following dates: (i) the date on which all phases of construction of the Project is complete and issuance of a valid Certificate of Occupancy for the Project; or (ii) ten (10) years from the Effective Date. So long as there is active construction activity on the Property consistent with this Agreement, the Agreement shall be deemed effective. This time period may be extended by mutual agreement of the parties. The recordation of a valid Certificate of Occupancy for the last phase of construction by any party hereto or their successor in interest shall be conclusive evidence of the termination of this Agreement.

Notwithstanding anything in Code, Sec. 110-397 to the contrary, the parties agree that the Owner shall have three (3) years to commence initial construction from the effective date hereof. The Owner shall initiate the application process for the Offsite Roadway Improvements no later than one year from the Effective Date hereof.

5. Third Party Rights. The parties represent, to their respective best knowledge, that nothing herein is barred or prohibited by any other contractual agreement to which it is a party, or by any Statute or rule of any governmental agency, or any third party's rights or by the rights of contract vendees, lien holders, mortgage holders or any other party with a direct or contingent interest in the Property, whether legal or equitable.

Any lienholder or mortgagee shall have the right to perform any term, covenant or condition and to remedy any default hereunder, and City shall accept such performance with the same force and effect as if furnished by Developer.

6. Law and Ordinance Compliance. The ordinances, policies and procedures of the City concerning development of the Property that are in existence as of the approval of this Agreement shall govern the development of the Project, and the same shall be in compliance with the applicable regulations of County, State and Federal agencies. No subsequently adopted ordinances, policies, or procedures shall

apply to the Project except in accordance with the provisions of Section 163.3233(2), Florida Statutes (2015). Notwithstanding the foregoing, the City shall have the absolute discretion to amend and/or adopt life safety codes such as but not limited to fire codes, that may conflict with the provisions herein or may impose additional burdens on the Developer as is otherwise authorized by State Statutes or the regulations of governmental administrative agencies, provided that such life safety codes retroactively apply to all development similar to the Project in the City. The parties agree that such codes may be adopted without any special notice to the Developer and that the Developer shall not be entitled to any special hearing relative to the adoption of such codes. Failure of this Agreement to address a particular permit, condition, term, restriction, or to require a development permission shall not relieve the Developer of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions in any matter or thing required under existing Ordinances of the City or regulations of any other governmental agency, or any other entity having legal authority over the Property. Except as provided in this Agreement, all applicable impact fees, development review fees, building permit fees and all other fees of any type or kind shall be paid by Developer in accordance with their terms and in such amount applicable as they become due and payable.

7. No Estoppel. The parties agree that prior to the approval of this Agreement by the City Commission, the City's interest in entering into this Agreement, the studies, surveys, environmental studies, consultant plans or investigations, the expenditure of substantial funds, the staff approval or recommendation relative to the proposed development and any other act in furtherance of this Agreement, shall not be used by the Developer or its successors in title in any way whatsoever as committing the City legally through a theory of equitable estoppel, action in reliance, or any other legal theory as to the approval of such proposed development in the event that this Agreement is not approved by the City Commission or for any other reason does not take effect in all material respects. The parties further agree that any and all action by the Developer or its representatives in negotiation of this Agreement, including all acts or expenditures in the implementation of this Agreement or submittals to other governmental bodies shall in no way be deemed to be an action in reliance giving rise to an equitable estoppel.

8. No Partnership or Joint Venture. The City and Owner agree that the matters contained in this Agreement shall under no circumstances constitute a joint venture, partnership or agency between them. No third party shall be deemed to have any beneficial interest in this Agreement or any expectation of benefit or property rights or any other rights of any kind arising from this Agreement.

9. Concept Plan. In order to avoid any adverse impacts from the development of the Property on the abutting property owners and on the residents of the City of Madeira Beach, the parties agree that the Property will be developed in substantial conformance with the Concept Plan as such Concept Plan may be modified by the requirements of other state and county governmental agencies having jurisdiction over the development of the Property and consistent herewith. The

appearance and use of the Property after development are the reasons that the City Commission exercised its legislative authority and to enter into this Agreement. Except as may be authorized by the parties hereto, any material deviation from the commitments made by the parties herein shall be considered material defaults in this Agreement unless otherwise approved by the City or contemplated herein. The City shall not consent to any modification unless it deems that such is in the best interest of the public and in its discretion in reaching such decision it shall be deemed to be acting in a legislative capacity and within its sole and absolute discretion taking into account the public health, safety and welfare. The following specific requirements shall also be met:

i) The Property shall be developed and landscaped in substantial accordance with the Concept Plan except as provided for herein. The landscaping within the Property shall be maintained by the Developer. The purpose of landscaping and the continued development and care of the landscaping on the Property is, in part, for the benefit of the abutting property owners and to screen light, noise and other possible negative aspects of the development. Such landscaping shall be provided prior to a certificate of occupancy being issued and will be maintained in good and healthy conditions at all times by the Developer.

ii) There shall not be any material deviation from the provisions of the Concept Plan except as provided for herein unless such is approved by the City Commission of the City of Madeira Beach at a public hearing conducted for such purpose and this Agreement is modified in writing by the parties thereto for the purpose of agreeing to such deviation.

iii) Ingress and egress to the Property shall be substantially as shown on the Concept Plan unless, a modification is approved by FDOT and the City. Off-site Roadway Improvements shown on attached Exhibit C are made apart hereof.

iv) Building heights, architectural style and location will be as shown on the Concept Plan. The architectural style reflected as an attachment to or being part of the Concept Plan shall be complied with in all material respects during the development of the Project. Notwithstanding anything herein to the contrary, the Developer may reduce the height of any building(s) up to 40% without an amendment of this Agreement, as provided for herein.

v) This Agreement and the Concept Plan attached hereto specify certain minimum setbacks, building heights, and similar dimensional requirements and agreements. No substantial changes may be made in these agreed upon dimensional requirements or in any matter that is reflected on the Concept Plan or addressed specifically in this Agreement unless otherwise provided for herein except by an amendment to this Agreement which revised amendment is legislatively considered by the City Commission

and agreed to by the City Commission, set forth in writing as an amendment to this Agreement and executed by the parties hereto or their successors or assigns. The Developer, and its successors and assigns specifically waive and relinquish any right to change the terms of this Agreement through any administrative or legal process, including a decision by a court of competent jurisdiction, unless agreed to by the parties. Notwithstanding the foregoing, minor modifications to the dimensional requirements, changes (including increases) in the number of permitted boat slips, and, reductions in height, density or intensity that do not exceed 40% of the permitted dimensional requirements are not contrary to the purpose and intent of this agreement may be included in the final site plan process without an amendment hereto so long as the minimum parking requirement is maintained pursuant to the Land Development Regulations.

vi) Marina and boat slips shown on the Concept Plan may be modified as required by the state and federal permitting agencies without amendment hereto (and without amendment to the approved Planned Development Plan) so long as the minimum parking requirement pursuant to the Land Development Regulations is met prior to construction thereof.

vii) Phasing Plan. This Project may be constructed in phases. Each phase shall be approved by the City pursuant to Art. II of Chapter 110 of the Land Development Regulations and include sufficient parking for each phase. The Off-Site Roadway Improvements shall be constructed in conjunction with the first phase.

viii) Prior to the issuance of a Certificate of Occupancy for any building that includes a Temporary Lodging Use, the Owner shall record in the public records of Pinellas County a restrictive covenant requiring evacuation and closure as soon as possible after a hurricane watch that includes Madeira Beach is posted by the National Hurricane Center.

ix) The residential units constructed as part of the planned development shall not be limited or restricted by this Agreement with respect to short-term or transient rentals.

x) Additional Off-Site Improvements. The Owner, in coordination with the City, shall diligently pursue the following action items to enhance access to the Project and to other residential communities with access along 150th Avenue. Such action items are not required to satisfy transportation concurrency requirements nor is approval of this Agreement contingent upon approval of any such action items by the FDOT.

(a) Owner and City shall coordinate efforts to lobby FDOT, and any other agency with regulatory authority over same, to modify the

opening schedule for the Bridge on Tom Stuart Causeway to no more than twice per hour preferably at :15 and :45 past the hour.

(b) Owner and City shall coordinate efforts to lobby FDOT to prohibit any right turns from Gulf Boulevard to 150th Avenue while the traffic signal is red.

(c) Developer and City shall coordinate efforts to lobby FDOT to allow a traffic signal to be installed at Madeira Cove and 150th Avenue.

(d) Upon completion of the first phase of development Developer will retain an independent transportation engineer to complete a Traffic Signal Warrant Analysis ("Analysis") to commence in February and conclude at the end of July. Nothing herein shall limit the Developer from meeting this obligation through a contribution to a study in partnership with another developer, so long as the Analysis takes place within 12 months of the completion of the first phase of development. The obligation hereunder is limited to the Analysis only and shall not extend to or require any other improvements not otherwise required in this Agreement.

10. Public Infrastructure. The Developer or its successor in title, as appropriate, at its sole cost, shall design, construct and maintain, until acceptance by the City and conveyance by recordable instrument or bill of sale, as appropriate, to the City, all public infrastructure facilities and lands necessary to serve the Project which are shown on the Concept Plan, provided that said public infrastructure facilities have received construction plan approval and that all applicable review procedures have been complied with fully, inspected and accepted by the City. Public infrastructure facilities shall include those facilities to be located in rights-of-way or easement areas conveyed to the City, as shown on the approved engineering construction drawings.

Public infrastructure facilities shall be complete, and approved for acceptance by the City prior to the issuance of any certificate of occupancy on the Property, or the Developer shall provide the appropriate letter of credit in a form satisfactory to the City Attorney, drawable on or through a local Pinellas County bank. Said letter of credit shall be deposited with the City to guarantee the completion of public infrastructure facilities prior to the time that certificates of occupancy are issued on the Property and public access and facilities to serve the proposed structures are available in accordance with City regulations.

The City shall use diligent efforts and cooperation to facilitate the issuance of permits for the Off-site Roadway Improvements, as defined below; however, any permitting and design costs associated with those improvements shall be the sole cost of the Developer.

Public Facilities, which serve the Project are presently available as follows: (i) solid waste, potable water and sewer by Pinellas County and (ii) fire service by Madeira Beach Fire Department

11. Permits. Development permits, which may need to be approved and issued, include, but are not limited to the following:

- a) City of Madeira Beach building permits.
- b) Southwest Florida Water Management District.
- c) City of Madeira Beach Engineering construction permit.
- d) Pinellas County.
- e) Florida Department of Transportation.
- f) Florida Department of Environmental Protection.
- g) U.S. Army Corp of Engineers.
- h) All other approvals or permits as required by existing governmental regulations as they now exist.

Except as set forth in this Agreement, all development permits required to be obtained by the Developer for the Project will be obtained at the sole cost of the Developer and in the event that any required development permissions issued by entities other than the City are not received, no further development of the Property shall be allowed until such time as the City and the Developer have reviewed the matter and determined whether to modify or terminate this Agreement.

12. Impact fees. The City has estimated the impact fees that the Developer shall pay to the City as follows, subject to credits issued for prior development of property as stated below. Nothing herein shall bind the parties to these amounts but rather this shall be used as an estimate only.

150 hotel/condo-hotel units = \$264,000.00

31 multifamily residential units = \$39,370.00

Additional boat slips to marina = \$56,166.00

Rough estimate of total impact fees = \$359,536.00

In consideration for the mutual benefits provided by the design and construction of the improvements to 150th Street as shown on the Concept Plan and the new proposed access road and pedestrian boardwalk as shown subject to FDOT approval and final engineering ("Off-site Roadway Improvements"), the City shall dedicate 100% from its share of the Project's total collected Transportation Impact Fees for the design and construction of the Off-site Roadway Improvements ("City's Contribution") less any amounts provided for herein. In the event the Off-site Roadway Improvements are not paid in full by the City's share, the City will seek additional funding from alternative sources of funding and shall diligently work to secure the additional funding from Pinellas County's share of the transportation impact fee, or some other source. The Developer shall be responsible for all costs associated with the engineering, permitting

and construction of the Off-Site Roadway Improvements that exceed the City's Contribution.

The City may otherwise utilize the Transportation Impact Fee in conjunction with this project to pay a traffic circulation and mobility study for the Town Center Special Area Plan area.

13. Recycling. The Developer and its successors-in-title will cooperate with City to encourage and promote recycling activities within the Project and such commitment will be reflected in a covenant running with the Project lands.

14. Annual Review. The City shall review the Project once every twelve (12) calendar months from the Effective Date.

15. Recordation. Not later than fourteen (14) days after the execution of this Agreement, the City shall record this Agreement with the Clerk of the Circuit Court in Pinellas County, Florida, and a copy of the recorded Agreement shall be submitted to the Florida Department of Economic Opportunity within fourteen (14) days after the Agreement is recorded. The burdens of this Agreement shall be binding upon, and the benefits of the Agreement shall inure to, all successors and assigns in interest to the parties to this Agreement.

16. Agreement as Covenant. This Agreement shall constitute a covenant running with the Property for the duration hereof and shall be binding upon the Developer and upon all persons deriving title by, through or under said Developer and upon its successors and assigns in title. The agreements contained herein shall benefit and limit all present and future owners of the Property, and the City for the term hereof.

17. Legislative Act. This Agreement is agreed to be an legislative act of the City in furtherance of its powers to regulate land use and development within its boundaries and, as such, shall be superior to the rights of existing mortgagees, lien holders or other persons with a legal or equitable interest in the Property and this Agreement and the obligations and responsibilities arising hereunder as to the Developer shall be superior to the rights of said mortgagees or lien holders and shall not be subject to foreclosure under the terms of mortgages or liens entered into or recorded prior to the execution and recordation of this Agreement. The execution of this Agreement or the consent to this Agreement by any existing mortgage holder, lien holder or other persons having an encumbrance on the Property shall be deemed to be in agreement with the matters set forth in this paragraph.

18. Entire Agreement. This Agreement constitutes the entire agreement and understanding between the parties and no modification hereof shall be made except by written agreement executed with the same formality as this Agreement. The parties agree that there are no outstanding agreements of any kind other than are reflected herein and, except as is otherwise specifically provided herein, for the term of the Agreement the Property shall be subject to the laws, ordinances and regulations of the

City of Madeira Beach as they exist as of the date of this Agreement. Any reference in this Agreement to "Developer" contemplates and includes the fee simple title owners of record of the Property their heirs, assigns or successors in title and interest. Any oral agreements, agreements created by written correspondence or any other matter previously discussed or agreed upon between the parties are merged herein.

19. Enforcement. The parties agree that either party may seek legal and equitable remedies for the enforcement of this Agreement, provided however that neither the City nor the Developer may seek or be entitled to any monetary damages from each other as a result of any breach or default of this Agreement. In any litigation arising out of this Agreement, the prevailing party shall be entitled to recover its costs and attorney's fees at mediation, trial and through any appellate proceedings.

Except as provided above, the parties agree that any legislative and quasi-judicial decisions, if any are required, by the City regarding the appropriate land use or other development regulations impacting the Property shall, in no event or under any conditions, give rise to a claim for monetary damages or attorney fees against the City and any claim for such damages or fees by the Developer or its successors or assigns are specifically waived.

20. Execution. The Developer represents and warrants that this Agreement has been executed by all persons having equitable title in the subject Property. The City represents that the officials executing this Agreement on behalf of the City have the legal authority to do so, that this Agreement has been approved in accordance with the ordinances and Charter of the City and applicable State law, that appropriate approval of this Agreement has been received in a public hearing and that the City Commission of the City of Madeira Beach has authorized the execution of this Agreement by the appropriate City officials.

21. Severability. In the event that any of the covenants, agreements, terms, or provisions contained in this Agreement shall be found invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the validity of the remaining covenants, agreements, terms, or provisions contained herein shall be in no way affected, prejudiced, or disturbed thereby.

22. Estoppel Certificates. Within twenty (20) days after request in writing by either party or any lender, the other party will furnish a written statement in form and substance reasonably acceptable to the requesting party, duly acknowledging the fact that (a) this Development Agreement is in full force and effect, (b) there are no uncured defaults hereunder by City or Developer, if that be the case, and (c) additional information concerning such other matters as reasonably requested. In the event that either party shall fail to deliver such estoppel certificate within such twenty (20) day period, the requesting party shall forward such request directly to the City Manager and the City Attorney or to the Developer with copies to the Developer's general counsel by certified mail, return receipt requested or by Federal Express or other delivery service in which delivery must be signed for. In the case where the Developer is the requesting

party, the Developer may in its sole discretion but without obligation, appear at a public meeting and request the estoppel certificate to insure that the City Manager and staff are aware of the request and the Developer may rely on the statement of the City Manager at such public meeting or may request that the City Manager be directed by the City Commission to respond to the estoppel certificate request in a timely manner.

23. Venue. Venue for the enforcement of this Agreement shall be exclusively in Pinellas County, Florida.

24. Default. Upon default or breach of any substantive portion of this Agreement by any party, the non-defaulting party shall provide written notice via overnight, traceable delivery service of the default and opportunity to cure within sixty (60) days to the defaulting party. Upon the failure of the Developer to cure such defaults, the City shall provide notice via overnight traceable delivery service to Developer of its intent to terminate this Agreement on a date not less than sixty (60) days from the date of such notice and upon the expiration of such period, the City, unless ordered otherwise by a court of competent jurisdiction, may revoke the then existing development permits issued by it and the Developer shall have no claim for damages against the City arising from such revocation. Alternatively, the City may proceed in court to obtain any legal or equitable remedies available to it to enforce the terms of this Agreement. In the event of any default or breach of any substantive portion of this Agreement by the City, the Developer may: (i) give written notice via overnight traceable delivery service to the City of said default with an opportunity to cure within sixty (60) days of receipt of such notice. In the event City fails to cure within said time period, the Developer may thereafter proceed in a court of competent jurisdiction to institute proceedings for specific performance or to obtain any other legal or equitable remedy to cure the default of this Agreement by the City. In any litigation arising hereunder, the prevailing party shall be entitled to recover its costs and attorney's fees at mediation, trial and through any appellate proceedings.

25. Notices. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be mailed by certified or registered mail, postage prepaid or by Federal Express, Air Borne Express or similar overnight delivery services, addressed as follows:

To the Developer:
MHH Enterprises
9800 4th Street North, Suite 200
St. Petersburg, FL 33702
ATTN: Jim Holton

With copies to:
Katherine E. Cole, Esq.
Hill Ward Henderson
600 Cleveland Street, Suite 800
Clearwater, FL 33755

To the City:
Shane Crawford, City Manager
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 34698

With copies to:
Thomas J. Trask, Esq.
Trask Daigneault, LLP
1001 S. Ft. Harrison Ave., Ste 201

Clearwater, FL 33756

Notice shall be deemed to have given upon receipt or refusal.

26. Binding Effect. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors and assigns in interest to the parties of this Agreement.

27. Third Party Beneficiaries. There are no third party beneficiaries to this Agreement.

Signature page to follow

SIGNATURE PAGE TO DEVELOPMENT AGREEMENT

IN WITNESS WHEREOF, the parties hereto have set their hands and their respective seals affixed as of this _____ day of _____, 2017.

In the Presence of:

C & T Enterprises, Inc., a Florida corporation

Print Name _____

By: _____
James R. Holton, President

Print Name _____

MHH Enterprises, Inc., a Florida corporation

Print Name _____

By: _____
James R. Holton, President

Print Name _____

City of Madeira Beach

By: _____
Shane Crawford
City Manager

Attest:

Aimee Servedio, City Clerk

Approved as to Form:

Countersigned:

Thomas J. Trask, Esq.
City Attorney

Travis Palladeno, Mayor

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _____ day
of _____, 2017 by James R. Holton as President of C & T Enterprises, Inc., a
Florida corporation, on behalf of the Corporation, who is [] personally known to me or
who has [] produced _____ as identification.

Notary Public

Print Name: _____

My Commission Expires: _____

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _____ day
of _____, 2017 by James R. Holton as President of MHH Enterprises, Inc., a
Florida corporation, on behalf of the Corporation, who is [] personally known to me or
who has [] produced _____ as identification.

Notary Public

Print Name: _____

My Commission Expires: _____

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _____ day
of _____, 2017 by Travis Palladeno, as Mayor of the City of Madeira Beach,
Florida, who is [] personally known to me or who has [] produced
_____ as identification.

Notary Public

Print Name: _____

My Commission Expires: _____

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _____ day
of _____, 2017 by Shane Crawford as City Manager of the City of Madeira
Beach, who is [] personally known to me or who has [] produced
_____ as identification.

Notary Public
Print Name: _____
My Commission Expires: _____

Exhibit "A"
Legal Description

DESCRIPTION:

PARCEL I: A PARCEL OF LAND SITUATED, LYING AND BEING IN SECTIONS 9 AND 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 662, PAGE 44, RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 43°51'28" EAST, 1918.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE SOUTH 46°08'32" E., 50 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233 AND THE POINT OF BEGINNING; THENCE SOUTH 46°08'32" EAST, 50 FEET; THENCE NORTH 43°51'28" EAST, 25 FEET; THENCE SOUTH 46°08'32" EAST, 550 FEET; THENCE NORTH 43°51'28" EAST, 331.0 FEET; THENCE NORTH 46°08'32" WEST, 300 FEET; THENCE SOUTH 43°51'28" WEST, 125.00 FEET; THENCE NORTH 46°08'32" WEST, 250.0 FEET; THENCE SOUTH 43°51'28" WEST, 40.0 FEET; THENCE NORTH 46°08'32" WEST, 50.0 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE SOUTH 43°51'28" WEST, 191.0 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING.

PARCEL II: A PARCEL OF LAND SITUATED, LYING AND BEING IN SECTIONS 9 AND 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 662, PAGE 44, RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 43°51'28" EAST, 2099.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE SOUTH 46°08'32" EAST, 50 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233 AND THE POINT OF BEGINNING; THENCE SOUTH 46°08'32" EAST, 300 FEET; THENCE NORTH 43°51'28" EAST, 175 FEET; THENCE NORTH 46°08'32" WEST, 300 FEET TO THE EXTENSION OF THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE SOUTH 43°51'28" WEST, 175 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING

4.59 ACRES MORE OR LESS.

FLOOD STATEMENT:

THIS PROPERTY LIES IN FLOOD ZONE AE (EL 10), ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP 12103C0191G, EFFECTIVE DATE SEPTEMBER 3, 2003.

Exhibit "A" (con't)
LEGAL DESCRIPTION

DESCRIPTION: SUBMERGED LAND LEASE PARCEL

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD NO. 233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 622, PAGE 44 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N.43°51'28"E., 1918.18 FEET ALONG THE CENTERLINE OF STATE ROAD NO. 233; THENCE S.46°08'32"E., 100 FEET TO THE POINT OF BEGINNING; THENCE N.43°51'28"E., 25.00 FEET; THENCE S.46°08'32"E., 559.67 FEET; THENCE N.43°46'38"E., 331.00 FEET; THENCE N.46°08'32"W., 309.20 FEET; THENCE N.43°51'28"E., 62.32 FEET; THENCE S.46°29'21"E., 82.50 FEET; THENCE N.43°54'19"E., 82.19 FEET; THENCE S.46°05'41"E., 182.19 FEET; THENCE S.44°32'35"W., 119.87 FEET; THENCE S.46°08'32"E., 29.93 FEET; THENCE S.89°38'48"E., 100.25 FEET; THENCE S.00°26'39"E., 68.50 FEET; THENCE S.89°33'21"W., 76.28 FEET; THENCE S.43°46'38"W., 188.05 FEET; THENCE S.45°50'05"E., 172.29 FEET; THENCE S.43°42'27"W., 121.13 FEET; THENCE N.45°30'56"W., 212.45 FEET; THENCE S.43°46'38"W., 39.93 FEET; THENCE N.46°08'32"W., 569.70 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 89,849.65 SQUARE FEET

AND:

DESCRIPTION:

THAT PORTION OF SUBMERGED LAND IN BOCA CIEGA BAY AND BEING IN SECTION 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE NORTH BOUNDARY OF GOVERNMENT LOT 2, SECTION 9, TOWNSHIP 31 SOUTH, RANGE 15 EAST, AND THE CENTERLINE OF STATE ROAD #233 AS SHOWN ON THE PLAT FILED IN DEED BOOK 622, PAGE 44 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N.43°51'28"E., 2099.18 FEET ALONG THE CENTERLINE OF STATE ROAD #233; THENCE S.46°08'32"E., 50.00 FEET TO THE SOUTHERLY BOUNDARY OF STATE ROAD #233; THENCE S.46°08'32"E., 300.00 FEET; THENCE N.43°51'28"E., 175.00 FEET; THENCE N.46°08'32"W., 183.20 FEET TO THE POINT OF BEGINNING; THENCE N.43°51'28"E., 19.00 FEET; THENCE S.46°08'32"E., 156.00 FEET; THENCE N.43°51'28"E., 30.00 FEET; THENCE N.46°08'32"W., 151.00 FEET; THENCE N.43°51'28"E., 39.00 FEET; THENCE N.46°08'32"E., 50.00 FEET; THENCE S.43°51'28"W., 88.00 FEET; THENCE S.46°08'32"E., 45.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,835 SQUARE FEET OR 0.2 ACRES, MORE OR LESS.

Exhibit "B"
CONCEPT PLAN

INSERT FINAL PLAN AFTER STAFF REVIEW OF PD PLAN

Exhibit "C"
OFF-SITE ROADWAY IMPROVEMENTS



ORDINANCE

ORDINANCE NO. 2017-05

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 2 (PLANNING COMMISSION), SECTION 2-77 (ORGANIZATION) TO CHANGE THE MEETING DATE OF THE PLANNING COMMISSION FROM THE SECOND MONDAY OF EACH MONTH TO THE FIRST MONDAY OF EACH MONTH, AS NEEDED; AND BY PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Administration is recommending that the Board of Commissioners of the City of Madeira Beach, Florida, amend Section 2-77 to change the monthly meeting date of the Planning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 2 (Administration), Article III (Boards, Committees, Commissions), Division 2 (Planning Commission), Section 2-77 (Organization) of the Code of Ordinances of the City of Madeira Beach, Florida, be hereby revised to hereinafter be and read as follows:

Sec. 2-77. – Organization.

(a) The Planning Commission shall be appointed pursuant to the Charter upon the tally of votes cast by the Board of Commissioners. The term of office for each person appointed shall be staggered so that not more than three terms expire within any one year. Any Planning Commission member may be reappointed upon the tally of votes cast by the Board of Commissioners. Appointments to fill vacancies shall be for the unexpired term of office.

- (b) Qualifications of the members of the Planning Commission shall be as provided in the Charter at the time of their appointment and throughout the term of office. Any member who is no longer qualified to be a member shall be automatically removed, and that vacancy filled as provided in this section.
- (c) Members of the Planning Commission shall be suspended or removed for cause upon the filing of written charges by the Mayor. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the Board of Commissioners. If the charges are appealed, the member being charged shall be afforded a prompt public hearing on the matter. The member shall be retained, suspended or be removed by majority vote of the Board of Commissioners.
- (d) The failure of any member of the Planning Commission to attend three consecutive meetings of the Planning Commission or failure to attend four meetings of the Planning Commission in any contiguous 12-month period shall be cause for removal. However, the Board of Commissioners may take into consideration the reason for such absences, and may excuse the member for a reason deemed valid by the Board of Commissioners.
- (e) Appointments shall be made, consistent with the Charter [§ 12.2](#) on the basis of demonstrated experience or interest in the subject matter.
- (f) The members of the Planning Commission shall, in October of each year, elect a chairman, first vice-chairman and a second vice-chairman from among its members who shall be voting members.

(g) Members of the Planning Commission shall meet on the first Monday of each month, as necessary. In addition, the Planning Commission, by request of the chairman, or the city staff, may schedule special meetings or workshops as needed, provided a quorum has indicated that they can attend such meeting. All meetings of the Planning Commission shall be public.

(h) The presence of four or more members shall constitute a quorum.

(i) Planning Commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by Board of Commissioners or as otherwise provided by law.

Section 2. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 3. If any section, subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid or unconstitutional by court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 4. This Ordinance shall be in full force and effect from and after its adoption and approval in the manner approved by law.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2017.

TRAVIS PALLADENO, Mayor

ATTEST:

AIMEE SERVEDIO, City Clerk

PASSED ON FIRST READING:

PASSED ON SECOND READING:



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

V. PLANNING COMMISSION DISCUSSION



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

VI. OLD BUSINESS – N/A



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

VII. REPORTS

- **CITY MANAGER**
- **CITY ATTORNEY**
- **PLANNING AND ZONING DIRECTOR**



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

VIII. NEXT MEETING – MARCH 13, 2017



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
February 6, 2017

IX. ADJOURNMENT