



**Memorandum**

**Meeting Details:** Board of Commissioners Workshop Meeting May 27, 2026, 4:00 p.m.  
Planning Commission – Local Planning Agency Meeting June 1, 2026, 6:00 p.m.

**Prepared For:** Board of Commissioners / Planning Commission – Local Planning Agency

**From:** Community Development Department

**Subject:** Ordinance 2026-05, John's Pass Village Hotel Planned Development (PD)  
Rezoning

**Request:**

**The applicant is requesting to rezone 1.457 acres from John's Pass Village Activity Center (C-1) to Planned Development (PD) in order to allow for the construction of the following:**

- Hotel: 87 units (24 studios, 32 one-bedroom, 28 two-bedroom, 3 three-bedroom) Retail: 7,550 square feet
- 1st Floor Restaurant: 3,350 square feet
- 1st Floor Cafe: 1,000 square feet
- 6th Floor Restaurant: 3,900 square feet
- Event Space: 2,800 square feet

The applicant is requesting Planned Development (PD) flexibility for the following:

- Building height (roof of main building): 73 feet above DFE instead of 55 feet above DFE.
- Building height (roof of east stair tower): 79 feet above DFE instead of 55 feet above DFE.
- Number of stories: 5 stories over ground level commercial instead of 4 stories over ground level commercial.
- Front setback: 0 feet instead of 10 feet for multi-story buildings.
- Upper floor setbacks: 0 feet instead of 10 feet for lower 5 stories of building.
- Balconies, awnings & roof overhang located over ROW: 6-foot encroachment beyond property line on north and south sides of building.
- Visibility Triangle: New building encroaches into 25' property line visibility triangle at intersection of East End Lane and 129th Avenue East (10.7') and intersection of East End Lane and Fisherman's Alley (2.6').

**Applicant/Property Owner:**

JPV Hotel Property, LLC/ JPV Hotel Property, LLC

**Property Address:**

125 129th Avenue East, Madeira Beach, Florida 33708

**Parcel ID Numbers:**

<b>Parcel ID</b>	<b>Address</b>
15-31-15-58320-001-0020	214 Boardwalk Pl E
15-31-15-58320-001-0040	210 Boardwalk Pl E
15-31-15-58320-001-0050	206 Boardwalk Pl E
15-31-15-58320-001-0060	204 Boardwalk Pl E
15-31-15-58320-001-0070	Boardwalk Pl E
15-31-15-58320-001-0080	Boardwalk Pl E
15-31-15-58320-001-0090	146 Boardwalk Pl E
15-31-15-58320-001-0140	129th Ave E
15-31-15-58320-001-0160	129th Ave E
15-31-15-58320-001-0170	129th Ave E
15-31-15-58320-001-0190	129th Ave E
15-31-15-58320-001-0200	129th Ave E

**Legal Description:**

LOTS 2 THROUGH 9 AND LOTS 14 THROUGH 20, BLOCK 1, MITCHELL'S BEACH JOHNS PASS, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 54, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**Existing Zoning District:**

C-1, John's Pass Village Activity Center

**Future Land Use Category:**

Activity Center

**Proposed Zoning District:**

Planned Development (PD)

**Background:**

In 2024, the City of Madeira Beach adopted Ordinance 2023-01, Ordinance 2023-02, Ordinance 2024-09, Ordinance 2024-10, Ordinance 2024-11, and Ordinance 2024-12. These ordinances adopted the John's Pass Village Activity Center Plan, the John's Pass Village Activity Center Future Land Use Map Designation, and the C-1, John's Pass Village Activity Center Zoning District. These adopted ordinances reflect the community's vision to preserve the character of John's Pass Village and to very specifically regulate redevelopment.

A Planned Development (PD) is a compatible zoning district category for the John's Pass Village Activity Center. A Planned Development (PD) located in the John's Pass Village Activity Center is required to meet the Section D-113. - Design Standards and Guidelines requirements.

City Staff received a request to rezone the properties from C-1, John's Pass Village Activity Center to Planned Development (PD). The proposed associated vacation of right-of-way request, this rezoning, and the associated development agreement, would allow for the construction of a mixed-use hotel project. The proposed mixed-use hotel will have 87 hotel rooms and 10,900 square feet of ground floor leasable retail and restaurant space.

The applicant has provided an application for unity of title and will be consolidating the parcels prior to permitting.

The required Neighborhood Meeting described in Sec. 110-392 of the city's code was held on November 13, 2025 at the Cambria Hotel located at 15015 Madeira Way, Madeira Beach, FL 33708. The city received the required written and video recording of the meeting. Sec. 110-397 of the city's code allows the City Manager to extend the six-month requirement for submittal of completed plans, and on April 14, 2026 acting City Manager Clint Belk extended the deadline by three months. Complete plans including the reviewed Development Agreement were received on April 22, 2026.

**Planned Development (PD) Land Development Regulations:**

The City has two sets of criteria for reviewing Planned Developments as well as a list of required application items. The required items are shown below in *Sec 110-388. Application for PD zoning* and there are two sets of review criteria, the first for the Planning Commission acting as the Local Planning Agency as shown in *Sec. 110-391. Review by local planning agency* and the second set of criteria for review by the City Commission which are shown in *Sec. 110-393. Review by board of commissioners*.

A proposed Planned Development (PD) rezoning must meet the requirements listed below.

**Sec. 110-388. Application for PD zoning.**

(d) The PD preliminary development plan must include all information deemed appropriate, necessary, and relevant by the city to conduct the staff review and, at minimum, must include the following:

(1) A narrative of the PD preliminary development plan (PD report) is required, and must include the following information:

a. How the proposal meets the requirements of the comprehensive plan, land development regulations, and any special area plan standards of the city; and

**Findings: Please see the attached narrative provided by the developer.**

b. How the proposal meets the requirements of the countywide rules; and

**Findings: Please see the attached narrative provided by the developer.**

c. Why the project is requesting flexibility of the land development regulations of the zoning district prior to rezoning to PD; and

**Findings: Please see the attached narrative pages 6 and 7 provided by the developer as to the reasons for the request for flexibility. The applicant is requesting Planned Development (PD) flexibility for the following:**

- **Building height (roof of main building): 73 feet above DFE instead of 55 feet above DFE.**
  - **Building height (roof of east stair tower): 79 feet above DFE instead of 55 feet above DFE.**
  - **Number of stories: 5 stories over ground level commercial instead of 4 stories over ground level commercial.**
  - **Front setback: 0 feet instead of 10 feet for multi-story buildings.**
  - **Upper floor setbacks: 0 feet instead of 10 feet for lower 5 stories of building.**
  - **Balconies, awnings & roof overhang located over ROW: 6-foot encroachment beyond property line on north and south sides of building.**
  - **Visibility Triangle: New building encroaches into 25' property line visibility triangle at intersection of East End Lane and 129th Avenue East (10.7') and intersection of East End Lane and Fisherman's Alley (2.6').**
- d. The impact on neighboring properties in use and development pattern (e.g. setbacks, building heights).

**Findings: Please see the attached narrative provided by the developer.**

- (2) Three hard copies of the signed and sealed preliminary development plan and a digital submission all of which must provide the following:
- a. Legal description, zoning district(s) prior to PD rezoning, future land use (Madeira Beach comprehensive plan) and plan category (countywide plan).

**Findings: Provided. Please see the attached narrative provided by the developer and the cover sheet of the PD Plan Set.**

- b. Existing use(s) and proposed use(s).

**Findings: The existing uses of the property are as a surface parking lot and two retail commercial structures. The parking lot is not approved by the city because the conditions of the previously approved Special Exception Use (SE 2023-01) were not met and the property is subject to daily code enforcement fines. There are two commercial structures with commercial retail uses. The PD Plan Set lists the proposed uses for the project. The proposed uses for the property would include temporary lodging use, commercial retail, restaurant, and off-street parking.**

- c. Site area in square feet and acres.

**Findings: Provided. Provided, see the project data table on the first page of the PD Plan set.**

- d. Signed and sealed survey.

**Findings: A signed and sealed boundary survey has been submitted and is included in the attached drawings.**

- e. Setbacks for zoning district prior to PD rezoning and proposed setbacks.

**Findings: Provided, see the project data table on the first page of the PD Plan set.**

- f. North arrow and scale: engineering scale no smaller than one-inch equals 50 feet.

**Findings: Yes, the scale on the PD Plan set is no smaller than one-inch equals 50 feet.**

- g. Site data table with current standards (for zoning district(s) prior to PD rezoning) and proposed development standards including at a minimum:
  - 1. Gross floor area and heated floor area of existing and proposed (in square feet);

**Findings: Provided, see the PD Plan Set.**

2. Building coverage (in square feet);

**Findings: Provided, see the project data table on the first page of the PD Plan set.**

3. Open space (in square feet);

**Findings: Provided, see the project data table on the first page of the PD Plan set.**

4. Impervious surface area (in square feet) and impervious surface ratio;

**Findings: Provided, see the project data table on the first page of the PD Plan set.**

5. Density and intensity (including ratios for mixed use);

**Findings: Provided, see the project data table on the first page of the PD Plan set.**

6. Quantity and type of parking spaces and parking requirements;

**Findings: Provided, see the project data table on the first page of the PD Plan set.**

7. Building height(s) measured from the design flood elevation and the total number of stories, include the maximum allowable height from the zoning district prior to PD rezoning;

**Findings: Provided, see the project data table on the first page of the PD Plan set.**

8. Preservation area(s) (in square feet);

**Findings: N/A as no preservation areas have been provided.**

h. Buffering standards, e.g., design standards to buffer neighboring properties from commercial activities, construction impacts, vehicular traffic, etc.;

**Findings: Please see the attached narrative provided by the developer.**

i. Solid waste disposal container(s) location and access;

**Findings: Provided, see sheet C3 of the PD Plan set.**

j. Tree survey, indicating the species and size of all existing trees, four inches or greater caliper measured at breast height;

**Findings: Provided, see the Boundary Survey.**

k. Landscape design standards and plans that must, at a minimum meet requirements in chapter 106, article II of this Code.

**Findings: Provided, please see the LA Plan set.**

l. Building envelope and general egress and ingress locations;

**Findings: Provided, see sheet C3 and sheet C4 of the PD Plan set.**

m. Conceptual stormwater drainage plan based on maximum proposed development coverage adequate to meet the minimum standards of SWFWMD and this Code, to ensure no additional off-site impacts, and to resolve existing drainage problems deemed necessary by the city;

**Findings: Provided, see sheet C3 of the PD Plan set.**

n. If a dune system impact is anticipated, the concept plan must address proposed changes, reconstruction, and replanting; and

**Findings: N/A. The proposed Planned Development (PD) is not adjacent to a dune system. No impact on a dune system is anticipated.**

o. Details of any design, performance criteria, or project commitments agreed to at the neighborhood meeting.

**Findings: Preliminary designs were shown at the neighborhood meeting. Commitments made at the meeting include milling and resurfacing Boardwalk Place, a publicly**

**accessible park area, continued access along proposed vacated Fisherman's Alley to two property owners abutting East End Lane, green space on the east end of the building and the provision of public parking. The developer has included these commitments in the Development Agreement.**

p. Mobility and access plan indicating:

1. Proposed curb cuts and off-site traffic access management;

**Findings: Provided, see sheet C3 and sheet C4 of the PD Plan set. The Traffic Study has not identified any required off-site traffic management needs.**

2. Location and function for required sidewalk, bicycle, and other multimodal improvements;

**Findings: Provided, see sheet C4 of the PD Plan set.**

3. On-site circulation; and,

**Findings: Provided, see sheet C4 of the PD Plan set. The proposed on-site circulation is designed to minimize impact on Boardwalk Place since that street can be closed off to cars for events. Primary entrance to the building will come in from 129th Avenue, onto the Pelican Lane private street extension and then exit through the parking garage back to 129th Avenue. There is a minor secondary exit if you do not enter the garage leading to Boardwalk Place. This keeps the major traffic away from Boardwalk Place.**

4. If impacting a collector or arterial road or required by FDOT, a transportation impact study prepared by a registered Florida engineer for submittal and review by city staff and other governing agencies.

**Findings: A traffic study was provided and does not indicate any improvements required on FDOT roadways.**

q. All architectural design standards and guidelines in the comprehensive plan, special area plan or zoning district prior to rezoning PD must be met at a minimum. Additional design specifications can be required as a condition of approval during the public hearing process.

**Findings: Provided, see the PD Plan Set, Narrative, and the Conceptual Images and Elevations attached.**

r. Record of notice of, and transcribed and video record of the required neighborhood meeting.

**Findings: The city has received and posted the transcript of the Neighborhood Workshop meeting on the Agenda and Minutes page. See attached Neighborhood meeting transcript.**

#### **Sec. 110-391. Review by local planning agency.**

The local planning agency (LPA) will review the PD zoning district application and PD preliminary development plan to ensure that the following criteria are met. The LPA must recommend denial if the application fails to meet the following criteria. If the application meets the following criteria, the LPA may recommend approval, approval with conditions, or denial.

- (1) The PD report and preliminary development plan must be consistent with the comprehensive plan, including, but not limited to the future land use map and future land use element goals, objectives, and policies.

**Findings: The PD submitted is consistent with the Comprehensive Plan in regard to the Activity Center uses, future land use map and future land use element goals, objectives, and policies. The proposed project would use by right intensity of 2.0 Floor Area Ratio (FAR) and density of 60 temporary lodging units per acre.**

- (2) The PD report and preliminary development plan must promote the project's compatibility with adjacent land uses.

**Findings: The PD submitted is compatible with adjacent land uses. A majority of the adjacent land uses are related to various commercial uses. The proposed rooftop outdoor uses would face other commercial uses. A small number of residential uses are located adjacent to East End Lane. The proposed project has included a landscape buffer setback, the rooftop outdoor space is facing away from East End Lane, and parking garage shielded from the street to minimize the impact to neighboring properties along East End Lane.**

- (3) The PD report and preliminary development plan must take in consideration the public facilities and services available to reasonably assure the city that the demand for services necessitated by the intensity of uses allowed will not exceed the adopted levels of services for such public facilities and services. Consistency will be verified during the construction permitting phase.

**Findings: The applicant has promised to move any services and public facilities impacted by the vacation of Fisherman's Alley, and any facilities within the abutting rights-of-way that will require relocation for construction. The proposed density and intensity meet what has been adopted in the Madeira Beach Comprehensive Plan. For stormwater, all new development and redevelopment, depending on the magnitude of the impervious surface, must provide stormwater drainage retention and treatment for a 10-year frequency, 60-minute storm event. Tampa Bay Water, the regional water supply authority, provides all the potable water needed by its six member governments, including Pinellas County Utilities as an operational entity within Pinellas County. Through the agreement and contract, "Tampa Bay Water is obligated to meet the current and future water needs of its member governments. For solid waste, the capacity exists to serve the project.**

- (4) The PD report and preliminary development plan must not conflict with the public interest and must promote the public health, safety and welfare.

**Findings: The proposed project would not conflict with public interest, public health, safety, and welfare. The proposed project would be replacing a nonconforming surface parking lot and two pre-FIRM commercial structures with a FEMA compliant mixed-use structure that meets current building code, fire code, and other relevant requirements. The proposed project includes a park that will provide additional green space within John's Pass Village that does not currently exist.**

- (5) The PD report and preliminary development plan must be consistent with the intent and purpose of this Code, specifically the criteria contained in section 110-388 and the general

criteria required of the board of commissioner's review provided in section 110-393 of this Code.

**Findings: In evaluating the submittal requirements in Sec. 110-388 and the Board of Commissioners review criteria in Sec. 110-393 the plans and documentation submitted are consistent with the requirements.**

**Sec. 110-393. Review by board of commissioners.**

The board of commissioners shall consider the recommendation of the local planning agency while analyzing the PD zoning application and preliminary development plan. The board of commissioners shall review the PD preliminary development plan in conformance with the criteria listed in section 110-388 and the following general conditions:

- (1) Land uses within the development shall be appropriate in their proposed location, in their relationships to each other, and in their relationships with uses and activities on adjacent and nearby properties.

**Findings: This development consists of one primary building containing a mix of uses. The ground floor consists of retail and restaurant storefronts to tie into the exiting retail and restaurant uses in the block and surrounding blocks. All hotel rooms are located above the first floor and the garage which includes public parking spaces is hidden behind the other uses, so parking is not seen from the street front. Access to the garage and stacking of traffic are contained within a private street that has an easement for public access, allowing access mid-block.**

- (2) The development shall comply with the comprehensive plan and shall have positive effect on the surrounding area and city as a whole.

**Findings: The proposed project does comply with the Madeira Beach Comprehensive Plan because the project supports various policies. The project does not change character of John's Pass Village and supports the policies to attract compatible mixed-use development.**

- (3) Stipulations of approval of a planned development may include requirements to construct improvements, dedicate property and easements, or contribute money to improvements to public facilities such as roadways, medians, sanitary sewer and water facilities, drainage systems, street lighting, landscaping, signage, parks and recreational facilities, walkways and sidewalks, burying of utility lines along abutting rights-of-way or streetscape improvements.

**Findings: There are areas dedicated to public use in the project. There are two easements provided for public access, a Park Easement Agreement and the Pelican Lane Extension Access Agreement. There is also an agreement for the owners and customers of two parcels located along East End Lane for access through the garage to the remainder of Fisherman's Alley, titled Fisherman's Alley Garage Access Agreement. The intent is to provide access to these two parcels during special events when Boardwalk Place may be closed to vehicular traffic. These Fisherman's Alley Garage Access easements are in favor of Pinellas County Parcel Identification Numbers 15-31-15-58320-001-0010 and 15-31-15-97848-002-0020, whose respective addresses are 224 Boardwalk Place E, Madeira Beach, Florida 33708 and 12801 East End Lane, Madeira Beach, Florida 33708. The three easements are included as Exhibits in the Development Agreement.**

**There are improvements to roadways, sidewalks and pedestrian crossings which are shown on the Mobility Access Plan on sheet C4 of the PD Plan set. These improvements include the milling and resurfacing of Boardwalk Place East, new crosswalks on 129<sup>th</sup> Avenue and Boardwalk Place, and 10-foot sidewalks along all three sides of the project.**

**Utility relocations will be needed as part of this project. The staff report and support materials for the Fisherman's Alley vacation of right-of-way request go into further details. There are also relocation of some utilities in the rights-of-way to facilitate construction of the project. All of these relocations will be completed by the applicant.**

- (4) A minimum of a ten-foot wide sidewalk shall be provided along any street right-of-way or on private property by easement dedication to the city if the right-of-way is of insufficient width. The board of commissioners can reduce the minimum sidewalk width if there are engineering or environmental limitations making a ten-foot wide sidewalk not feasible.

**Findings: Provided. See sheet C4 of the PD plan showing the 10 foot wide sidewalks.**

- (5) The total land area within the development and the area devoted to each functional portion of the development shall be adequate to serve its intended purpose.

**Findings: The land area within the development and the area dedicated to each use are adequate to serve its intended purpose. The proposed project will have adequate loading space, parking, and green space.**

- (6) Streets, utilities, drainage systems, landscaping, recreation areas, building heights, size and scale, and vehicular parking and loading facilities shall be appropriate for the particular use involved, and shall equal or exceed the level of design and construction quality required of similar land development elsewhere in the city.

**Findings: The features of this project meet or exceed the requirements in the city's code.**

- (7) Visual character and community amenities shall be equal or better in quality than that required by a similar development designed with the zoning district standards prior to rezoning to PD.

**Findings: The proposed project includes a park that will be accessible to the public. Normally a mixed-use development in the Commercial Core Character District would not require having a park, but this park is an amenity that the developer has offered to the public. The code allows for one of the side yard setbacks to be the property line or 0 feet, in this case the developer has provided greater setbacks on both side yards.**

- (8) Open space shall be adequate for the type of development being proposed.

**Findings: The proposed project would include adequate open space, including a new park adjacent to the hotel and landscaped side yard along East End Lane.**

- (9) Areas proposed for common ownership shall be subject to a reliable and continuing maintenance guarantee.

**Findings: There are no areas proposed for common ownership at this time. The park would still be privately owned by the hotel that is accessible to the public. If this becomes a condo/hotel, the requirements for maintenance of the common areas will be included in the condominium documents.**

- (10) In the case of developments, which are to be constructed in several phases, the proposed phases shall be shown on the overall development plan. The proposed construction phases shall individually comply with the standards set forth in this section in order that, if for any

reason construction ceases prior to completion of the entire planned development, the resulting partially complete project will adequately serve its purchasers and occupants and will not cause a general public problem. Each phase should be able to be completed entirely such that each phase may be independently provided a certificate of occupancy.

**Findings: There is no phasing proposed for this project.**

Lastly, the board of commissioners must review the preliminary development plan in detail. Such drawings shall define the physical character of the project, including all building and architectural treatments. The board of commissioners' review will ensure conformance with the following design standards:

- (1) Treatment of the sides and rear of all buildings within the planned development shall be compatible in amenity and appearance to treatment given to street frontages of the same buildings.

**Findings: The project has shielded the parking garage on all sides of the structure. Ground floor commercial uses would be along 129th Ave and Boardwalk Place. In the Commercial Core Character District of the John's Pass Village Activity Center, ground floor commercial uses are required to make sure new development is compatible with existing development. The building has been designed to create the appearance of multiple smaller buildings using different materials, fenestration, and building elements such as balconies and awnings.**

- (2) All buildings in the layout and design shall be an integral part of the development and have convenient pedestrian access to and from adjacent uses.

**Findings: The proposed project has included 10 feet wide sidewalks adjacent to the structure, a direct crosswalk from the boardwalk, and a pedestrian arcade along Pelican Lane. These proposed improvements will significantly enhance convenient pedestrian access to and from adjacent uses.**

- (3) Individual buildings shall be related to each other in design, mass, materials, placement and connections to provide a visually and physically integrated development.

**Findings: The proposed project has met the design standard requirement to provide the visual appearance of multiple buildings paralleling to the right-of-way. The proposed project has met all the design standard and design guideline requirements in *Section D-113. - Design Standards and Guidelines*. In this case there is only one primary building and one small accessory building.**

- (4) Landscape treatments for walkways, plazas, arcades, roads, and service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area. The landscape plan submittal shall include the anticipated appearance of the trees and landscape materials after five years of growth to visually provide their size and proportion relative to the proposed buildings, view corridors, curb appeal, pedestrian corridors, etc.

**Findings: The landscape plan includes the various requested details.**

- (5) The project's scale, and the size, color and proportion of building elements, components and materials are appropriate and harmonious with surrounding neighborhood characteristics.

**Findings: The proposed project has met all the design standard and design guideline requirements in *Section D-113. - Design Standards and Guidelines*. The narrative the**

**applicant provided goes through how the project met the requirements using various architectural strategies.**

- (6) All mechanical equipment, electrical equipment, roof top equipment, refuse areas associated with this project shall not be visible from the public right-of-way.

**Findings: All of these elements have been internalized and are located within the building envelope or on the rooftops. The City's Code in Sec. D-113 requires that all equipment is shielded from public rights-of-way.**

- (7) Appropriate building materials are being used. The use or employment of any of the following is generally considered inappropriate and will not be permitted unless appropriately integrated into a project meeting all other criteria, including aesthetic criteria, of this article:
- a. Corrugated metal siding;
  - b. Prefabricated metal buildings or their components;
  - c. Primary colors or black; and
  - d. False windows or doors, unless used on a parking structure or level to blend into the built environment.
  - e. Unmodified formula and trademark buildings and structures.

**Findings: Provided. Appropriate materials and colors are provided. See Conceptual Images and Elevations.**

- (8) The project's location and design adequately protects or enhances unique site characteristics such as those related to scenic views, natural vistas, waterways or similar features.

**Findings: This site itself has currently has no unique features such as scenic views, natural vistas, waterways or similar features, but is located within Commercial Core Character District which consists of multiple types of retail, restaurant, and tourist lodging. The project has been designed to complement the character district and includes street level restaurant and retail spaces to contribute to the continuity of the block. The proposed hotel on the site will have scenic views of the waterways once constructed.**

- (9) The project appropriately integrates landscape elements into the site plan and building design. Plantings shall be of a size to give the appearance that the project is settled into a mature landscape. The landscape submittal shall include a description of each tree and plant proposed on site by type and details relative to maximum height/size and color at maturity.

**Findings: The landscape plan meets the above criteria. There are very few trees currently on the property. There are some existing palm trees within the public right-of-way surrounding the property. There will be utility relocations during construction which would not allow these trees to survive. The applicant has included a landscaping plan, and will replace the previous trees and bring the property into compliance with the landscape requirements in the Madeira Beach Code of Ordinances. See the LA Plan set.**

### **Discussion:**

This item is being reviewed in relation to a request for Vacation of Right-off Way for a portion of Fisherman's Alley and the Development Agreement related to the Planned Development (PD).

Section 110-387 of the city's land development regulations provides for increased flexibility in setbacks, step backs and height prior to a rezoning to Planned Development if the design of the development

includes voluntary provisions for civic or community enhancements such as ground floor retail, expanded setback, enhanced landscaping, sustainable building practices (LEED) and other design enhancements furthering the policies and strategies of the comprehensive plan.

The Developer has agreed to provide:

- 92 parking spaces available to the public at specific limited hourly rates (no more than \$1.00 over the city's current hourly rate);
- A pedestrian arcade has been provided around a portion of the required ground floor retail and restaurant spaces;
- An extension of Pelican Lane as a private street with a public access easement to provide mid-block vehicle and pedestrian access;
- Green space with restrooms with a public access easement;
- Pedestrian improvements including 10' wide sidewalks on the three street frontages;
- New crosswalks on Boardwalk Place and 129<sup>th</sup> Avenue;
- Roadway improvement by milling and resurfacing Boardwalk Place
- Access for two properties located adjacent to East End Lane through the garage on occasions when Boardwalk Place is not open to vehicular or pedestrian traffic.

The applicant is requesting Planned Development (PD) flexibility for the following:

- Building height (roof of main building): 73 feet above DFE instead of 55 feet above DFE;
- Building height (roof of east stair tower): 79 feet above DFE instead of 55 feet above DFE;
- Number of stories: 5 stories over ground level commercial instead of 4 stories over ground level Commercial;
- Front setback: 0 feet instead of 10 feet for multi-story buildings;
- Upper floor setbacks: 0 feet instead of 10 feet for lower 5 stories of building;
- Balconies, awnings & roof overhang located over ROW: 6-foot encroachment beyond property line on north and south sides of building.
- Visibility Triangle: New building encroaches into 25' property line visibility triangle at the intersection of East End Lane and 129<sup>th</sup> Avenue East (10.7') and intersection of East End Lane and Fisherman's Alley (2.6').

When rezoning to Planned Development with the future land use of Activity Center, the project shall conform to the entirety of Section D-113 including design standards and guidelines. This includes items such as materials, finishes, windows and doors, standing seam metal roofs and paint colors. This project is providing these elements which can be seen in the Conceptual Images and Elevations.

The parking garage is designed to be hidden from view by a liner building on the south, east and west sides which includes ground floor retail / restaurant space along both Boardwalk Place and 129<sup>th</sup> Avenue. Access to the parking garage is internal to the project, accessed along the private road which is an extension of Pelican Lane. This private Pelican Lane has an access agreement allowing both vehicular and pedestrian traffic to pass through this mid-block connection. The design of the project also works to minimize the impact on the adjacent small-scale developments on both ends of the project, on the one end by the one-story height at the park and porte-cochere and on the other end by greater setbacks and green

space. The top floor of the building is also further stepped back to minimize the appearance of building height.

These design features are consistent with the city's comprehensive plan, the Countywide Plan, and the John's Pass Village Activity Center Design Standards and Guidelines.

**Fiscal Impact or Other:**

The development agreement related to this requested rezoning requires the applicant to pay for relocating the utilities and for the infrastructure improvements. The city will need to enforce the Development Agreement.

**Recommendation(s):**

Based on criteria allowing flexibility in Section 110-387 and the provisions in the City Code for Planned Developments, Staff recommends approval based on the design features, the items the developer is providing and the flexibility allowed by the land development regulations the City supports the PD flexibility requests.

**Attachments:**

- Ordinance 2026-05, John's Pass Village Hotel Planned Development (PD) Rezoning
- Ordinance 2026-05 Business Impact Statement
- Application
- PD Plan Set
- PD Narrative (PD Report)
- Conceptual Images and Elevations
- LA Plan Set
- Transcript of Neighborhood Meeting
- Transportation Study
- Public Notices