

RESOLUTION NO. 2021-60

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION 21-102 REQUESTING FINAL DEVELOPMENT PLAN APPROVAL FOR ANCLOTE HARBOR RESIDENTIAL PLANNED DEVELOPMENT LOCATED AT 42501 U.S. HIGHWAY 19 NORTH, ON THE EAST SIDE OF U.S. HIGHWAY 19 NORTH; PROVIDING FOR A CERTIFICATE OF CONCURRENCY; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Kamil Salame, Morgan Group Development, LLC (Applicant) has filed an application for Final Development Plan approval for the development of 404 residential apartment units on 64.17 acres M.O.L., of land located at 42501 U.S. Highway 19 North in the Residential Planned Development zoning district; and,

WHEREAS, a Preliminary Planned Development including Rezoning Amendment for the subject property was approved by the Board of Commissioners on November 9, 2021 with the adoption of Ordinance 2021-15, and,

WHEREAS, the City's Technical Review Committee has reviewed the following Final Planned Development documents and found the plans to be consistent with the Preliminary Planned Development and in compliance with the City's Land Development Code:

1. Final Development Plans (includes lift station design, tree mitigation plan, landscaping plan, and photometric lighting plan)
2. U.S. 19 Roadway Improvements Plan
3. Offsite Utility Plans (proposed sewer force main, reclaimed water)
4. Transportation Management Plan
5. Wetland and Upland Buffer Enhancement Plan
6. Architectural Renderings
7. Conservation Easement
8. Lift Station Design Memorandum
9. Analysis of Stormwater Operations
10. Hurricane Response Plan
11. Environmental Assessment Report
12. Geotechnical Exploration
13. Geotechnical Addendum Letter (specific to sink hole activity)
14. Groundwater Monitoring
15. Drainage Report

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

maintain 404 multifamily residential units on the site in reliance of the density from the Plan Amendment Area.

2. The “US 19 Roadway Improvements Plan” (**Exhibit C**) submitted by the applicant is predicated upon approval by the Florida Department of Transportation. Since these items are proposed to be finalized after approval of the Final Development Plan, the applicant is advised that any change in the configuration may trigger a required amendment to the Preliminary and Final Planned Development plans.
3. Upon separate application for construction of any docking facility on the Anclote River the applicant shall also include educational signage related to the natural resources of the Anclote River Watershed, with the approval of the applicable permitting agencies.
4. The applicant shall demonstrate compliance with the wetland mitigation protocol outlined in the City’s Comprehensive Plan Coastal Management Element Policy 1.1.1, Item 2 in the event that the option of mitigating wetland impacts on the project site is rejected by the applicable permitting agencies.
5. The developer is responsible for obtaining applicable permits from all other agencies and meeting the minimum requirements of the Comprehensive Zoning and Land Development Code and for paying all applicable fees.
6. A site work and building permit application with construction plans that are in full compliance with the approved Final Planned Development shall be submitted within one year of the date of Final Planned Development approval.

Items Required to be Verified Prior to Issuance of Any Site Work or Building Permits for the Project:

7. An application for Future Land Use Map (FLUM) amendment and adjustment shall be provided prior to, or at the time of submittal of the site work/building permits along with digital map coverage of all final Recreation/Open Space (R/OS) and Preservation (P) coverage in a format acceptable to the City. The proposed Recreation/Open Space (R/OS) FLUM) category designation shall cover the entire acreage of longleaf pine/xeric oak habitat proposed for preservation (currently estimated at 13.89 acres). The Preservation (P) FLUM designation shall be adjusted to cover the entire acreage of wetlands proposed for preservation (currently estimated at 21.17 acres).
8. National Green Building Standard Bronze-level building features and materials, solar panels and electric vehicle charging network layout.
9. The Wetland Enhancement Plan (**Exhibit D**) details including a tree and vegetation survey, and a planting layout plan.
10. A first finished floor elevation of a minimum of three (3) feet above the required base flood elevation for all occupied buildings.
11. Acceptable flood proofing/mitigation for the sewer lift station and electrical components.
12. Completion of, and State verification of, a Level 1 Cultural Resource Assessment Survey of the entire project site.
13. Other required agency permits:
 - a. Southwest Florida Water Management District and any other applicable agency for wetland impacts and mitigation and stormwater management system;

- b. Permits for the installation of the sewer infrastructure from all applicable agencies including, but not limited to, City of Tarpon Springs right-of-way utilization permits;
 - c. Florida Department of Transportation for roadway improvements;
 - d. Florida Department of State for archaeological resources impacts.
14. Construction management and notice to contractor shall be included directly on the plan set addressing:
- a. Bald eagle impacts avoidance and permit provisions;
 - b. Impacts avoidance and management for other listed species including indigo snake, gopher tortoises and other species as required by applicable jurisdictional agencies;
 - c. Protocol to be followed in the event of disturbance of previously unidentified archaeological resources (including human remains);
 - d. Protocol and code requirements for compliance with the City's noise ordinance.
15. Preliminary discussion of the proposed Public Art project with the City's Public Art Committee to determine feasibility of a project that meets the intent of the Public Art Ordinance in conjunction with a private/gated development. The applicant/developer may elect to pay into the City's public art fund if an acceptable onsite project cannot be provided.
16. Building architecture shall be substantially compliant with the provided Architectural Elevations (**Exhibit E**).

Items Required to be Verified Prior to Issuance of Any Certificate of Occupancy for the Project:

17. The donation to the City in the amount of \$444,000, voluntarily offered by the applicant, shall be provided prior to issuance of a Certificate of Occupancy for the project and shall be deposited into the City's Land Preservation Fund.
18. The Conservation Easement (**Exhibit F**) approved as part of the Preliminary & Final Planned Development shall be recorded in the records of the Pinellas County Clerk prior to issuance of a Certificate of Occupancy for the project.
19. The post-development eagle management plan contained in the "Environmental Assessment Report" (**Exhibit G**) shall be implemented, including signage locations on the plan set and copies of the educational board and the informational inserts.
20. The Transportation Management Plan (**Exhibit H**) strategies shall be implemented / documented, including location of bike storage configuration, documentation of specific methods to be used for demand management / commuter assistance, documentation of wireless network and other features that will support the business center, and the location details and operating documents for the bike share program.
21. The Hurricane Response Plan (**Exhibit I**) shall be implemented, including documentation of written materials to be provided to residents, documentation of a central electronic web site, web application or email listserv for property staff to communicate information to residents, and verification of clubhouse emergency back-up power system.
22. The baseline monitoring report for the completed wetland enhancement plan.
23. Documentation of National Green Building Standard Certification at a minimum Bronze level.

24. Completion of the Public Art project on site that meets the standards of Section 296.00(B)(1) of the Land Development Code (LDC) shall be required prior to the issuance of a Certificate of Occupancy. Alternatively, the Applicant may elect to pay into the City's public art fund.
25. A copy of the leasing provisions prohibiting the parking or storage of recreational vehicles within the project site shall be provided prior to the issuance of a Certificate of Occupancy.
26. Verification of all required tree plantings and exotics eradication associated with the Final Planned Development.
27. All trash and debris shall be removed from the entire property prior to the issuance of a Certificate of Occupancy.

Section 5. EFFECTIVE DATE

This Resolution shall become effective upon adoption.

DRAFT

RESOLUTION 2021-60

EXHIBITS

- A. Legal Description**
- B. Final Development Plans Sealed on Nov 1, 2021**
- C. U.S. 19 Roadway Improvement Plans dated July 2021**
- D. Wetland Enhancement Plan dated Oct. 13, 2021**
- E. Architectural Elevations**
- F. Conservation Easement**
- G. Environmental Assessment Report dated Oct. 13, 2021**
- H. Transportation Management Plan dated Oct. 12, 2021**
- I. Hurricane Response Plan dated Oct. 28, 2021**

DRAFT

Resolution 2021-60. Exhibit A.

ANCLOTE HARBOR LEGAL DESCRIPTION:

A TRACT OF LAND BEING A PORTION OF TAMPA AND TARPON SPRINGS LAND COMPANY AS RECORDED IN PLAT BOOK H-1, PAGE 116 OF THE PUBLIC RECORDS OF PINELLAS (FORMERLY HILLSBOROUGH) COUNTY, FLORIDA, LYING IN AND BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY FLORIDA AND A PORTION OF THE OFFICIAL MAP OF THE TOWN OF TARPON SPRINGS AS RECORDED IN PLAT BOOK 4, PAGE 79 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA LYING IN AND BEING A PART OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND RUN NORTH 85° 40' 26" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 6 FOR A DISTANCE OF 885.46 FEET TO THE POINT OF BEGINNING BEING AT THE SOUTHEAST CORNER OF LOT 42 OF THE TAMPA AND TARPON SPRINGS LAND COMPANY AS RECORDED IN PLAT BOOK H-1, PAGE 116 OF THE PUBLIC RECORDS OF PINELLAS (FORMERLY HILLSBOROUGH) COUNTY, FLORIDA; THENCE RUN NORTH 00° 09' 16" WEST ALONG THE EAST LINE OF THE AFORESAID LOT 42 AND THE EAST LINE OF THE WEST 1/3 OF LOT 41 FOR A DISTANCE OF 1319.40 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 41; THENCE RUN N 85° 42' 06" W ALONG THE NORTH LINE OF LOTS 41 AND 45 FOR A DISTANCE OF 1380.36 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF STATE ROAD 55 (US HIGHWAY 19), RIGHT OF WAY WIDTH VARIES, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 15150-2548; THENCE RUN SOUTH 00° 02' 56" WEST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 1543.63 FEET; THENCE CONTINUE SOUTHERLY ALONG THE RIGHT OF WAY LINE AS PER THE ORDER OF TAKING AS RECORDED IN OFFICIAL RECORDS BOOK 6222, PAGE 2159 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA FOR THE FOLLOWING TWO COURSES; THENCE RUN SOUTH 03° 40' 12" EAST FOR DISTANCE OF 308.34 FEET; THENCE RUN SOUTH 00° 02' 56" WEST FOR A DISTANCE OF 504.19 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE AND RUN NORTH 77° 42' 54" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE AS RECORDED IN OFFICIAL RECORDS BOOK 3268, PAGE 99 AND VACATED PER ORDINANCE 84-07 RECORDED IN OFFICIAL RECORDS BOOK 5746, PAGE 1209, ALL OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA FOR A DISTANCE OF 1956.89 FEET TO A POINT ON THE EAST LINE OF BLOCK 96 OF

THE AFORESAID OFFICIAL MAP OF THE TOWN OF TARPON SPRINGS AS RECORDED IN PLAT BOOK 4, PAGE 79 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE RUN NORTH 14° 38' 46" WEST ALONG THE EAST LINE OF BLOCK 96 AND BLOCK 90 OF THE AFORESAID OFFICIAL MAP OF THE TOWN OF TARPON SPRINGS FOR A DISTANCE OF 474.10 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF A 25 FOOT ROAD RIGHT OF WAY AS DESCRIBED IN THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 2, PAGE 227 OF THE PUBLIC RECORD OF PINELLAS COUNTY, FLORIDA; THENCE RUN NORTH 85° 40' 26" WEST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 431.33 FEET; THENCE RUN NORTH 00° 09' 16" WEST ALONG A SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 42 OF THE TAMPA AND TARPON SPRINGS LAND COMPANY AS RECORDED IN PLAT BOOK H-1, PAGE 116 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA FOR A DISTANCE OF 25.08 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT LAND CONVEYED PURSUANT TO THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 14238, PAGE 1044 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.