



# CITY OF GULFPORT COMMUNITY REDEVELOPMENT AGENCY MEETING NOTICE AGENDA MEMORANDUM

**FROM:** Michael Taylor, Community Development

**DATE:** October 20, 2020

**AGENDA ITEM:** 3.a

**RESOLUTION NO:** 2020-03

**SUBJECT:** Resolution No.2020-03: A Resolution approving Application OS 20-01; a conditional use site plan amendment for outdoor seating at 3062 Beach Boulevard South; and providing for conditions.

**RECOMMENDATION:** An appropriate action for the Community Redevelopment Agency would be to approve/deny the conditional use site plan amendment application for outdoor seating, subject to any recommended condition.

## **BACKGROUND:**

The subject property is located within the Community Redevelopment District (CRD) land use district. The Waterfront Area Redevelopment Plan contains a land use plan specifically for the CRD. Within the Waterfront Area Redevelopment Plan, the area of the CRD is subdivided into sub-land use districts. The subject property lies within the Mixed Use (MU) district. Likewise, the zoning designation of the CRD is Waterfront Redevelopment District (WRD). Within the WRD, the subject property lies within the Mixed Use (MU) zoning district.

The subject property is located at 3062 Beach Boulevard South. The property received site plan approval by City Council as a mixed-use development in 1987, with a commercial office use on the first story and one residential dwelling unit on the second story. The previous owner illegally converted the downstairs commercial portion to a second dwelling unit without permits. Within the Mixed Use land use area, the maximum density is 10 units per acre for residential uses, which converts to a minimum lot size of 4,356 sq. ft. per dwelling unit. The minimum lot size for a duplex dwelling would be 8,712 sq. ft. The subject property has a total area of 3,236 sq. ft. Therefore, the current use as a duplex dwelling was illegally non-conforming.

The applicant approached the Community Development Department to open a restaurant on the ground floor and keep the dwelling unit on the second floor. This proposal would re-establish the approval of a mixed-use development granted by City Council in 1987. A site plan amendment application was submitted October 14, 2019 to establish a mixed-use development of restaurant and residential uses. Following Site Plan Review Committee meetings held on November 5, 2019, January 13, 2020, February 26, 2020, and March 3, 2020, the application was forwarded to the City Manager for approval, which was granted on March 12, 2020.

## **ANALYSIS:**

Originally, the site was approved by the Community Redevelopment Agency as a mixed use development with a dwelling unit on the second floor and an office use on the ground floor. A previous owner converted the office use to another dwelling unit without permits. The second dwelling unit exceeded the allowable density for this property.

The site data provided is based on the existing structure, which was constructed in 1989:

Land Use: CRD, MU

Zoning: WRD, MU

Area: 3,236 sq. ft. (40.96' x 79')

Floor Area: 2,580 sq. ft. (1,290 sq. ft. commercial; 1,290 sq. ft. residential)

Flood Zone: AE - BFE: 13'

FAR: Code .90 - Project Existing .80

ISR: Code .85 - Project Existing .85

Setbacks:

Front: 0' - Project Existing 0'

Side: 6', or 0' w/fire wall - Project Existing 0'

Secondary Side Street: 12' - Project Existing 0'

Rear: 8' - Project Existing 23.5'

Parking: 2 spaces\* - Project Existing 2

\*Variance granted in 1997 to reduce required spaces from 9 spaces to 2 spaces for a mixed-use development (office/residential).

The current applicant proposed to convert the structure back to a conforming, mixed-use development with a restaurant on the first story and one residential dwelling unit on the second story. A restaurant use and single family residential use are permitted uses within the WRD, MU zoning district. Through a building permit application, the applicant was proposing interior changes to the building and no exterior changes. The applicant submitted a revised site plan application on December 20, 2019. The revised site plan includes both interior and exterior modifications, as well as outdoor seating. The applicant applied for a demolition permit on December 20, 2019 to remove the existing concrete ramp and to add a lift to provide handicapped accessibility to the restaurant. On March 12, 2020, the applicant was granted approval from the City Manager to re-establish a mixed use development that the CRA in 1987 originally granted.

The Site Plan Review Committee's (SPRC) first review was held on November 5, 2019 regarding the conversion of the existing structure from two residential units (one dwelling unit on each floor) back to a residential unit on the second floor with a commercial use on the ground floor. A restaurant is proposed on the ground floor. The applicant was provided a list of changes that were required to be presented before the SPRC. During the third subsequent meeting of the SPRC (March 2, 2020), the Committee determined that the revisions met all requirements and recommended approval to the City Manager. The City Manager approved the site plan amendment on March 12, 2020 to re-establish a mixed use development, originally granted by the CRA in 1987.

With the proposal for the addition of 16 outdoor seats, the Site Plan Review Committee met on September 29, 2020. The Committee identified only one non-significant item to be added to the outdoor site plan. A waiting area with 3 seats had been added to the site plan by the applicant. Since these seats are not service seats, they are not counted as outdoor seats for dining. A label was added to the outdoor seating site plan to identify the wait area.

**FINANCIAL IMPACT:**

The amended site plan dated March 12, 2020 brings the subject structure and use back into compliance with the Mixed Use zoning requirements. Construction changes to the existing ground floor are required for the conversion to the restaurant use. The applicant has hired a contractor to make those changes.

Utility services will not impact the City's infrastructure. Existing water and sewer services will not be significantly impacted by the change in use. A backflow preventer exists from when the structure was constructed. Trash and recycling services will be coordinated with Public Works.

No fiscal impacts to City utilities will occur.

**MOTION:**

An appropriate action for the Community Redevelopment Agency would be to approve/deny the conditional use site plan amendment application for outdoor seating, subject to any recommended condition:

Applicant must provide the outdoor seating as shown on the amended site plan by installing a total of 16 proposed outdoor seats on the balcony and ground level as shown on the amended site plan within one year of conditional use outdoor seating site plan approval by the Community Redevelopment Agency, otherwise the site plan shall expire.

**ATTACHMENTS:**

[Item #3.a - Resolution No. 2020-03.pdf](#)

[Contact City Clerk's Office - Resolution No. 2020-03 - Exhibit.pdf](#)