

CITY COUNCIL AGENDA STATEMENT



Meeting Date: June 11, 2019

To: Honorable Mayor and Council Members

From: George Garrett, Planning Director

Through: Chuck Lindsey, City Manager

Agenda Item: **Resolution 2019-66**, Consideration of A Request By Holiday Inn Express & Suites For A Time Extension For Approvals Granted Pursuant To Resolutions 2014-105 And 2015-37 Pertaining To The Granting Of Twenty-Five (25) Transient Residential Units (TRUs) For A Project Approved By The City To Expand The Holiday Inn Express & Suites By A Total Of Twenty-Seven (27) Hotel Units Approved Pursuant To Resolutions 2014-61 And 2014-62 For A Conditional Use Permit And A Development Agreement Respectively; Providing That Said Conditional Use Permit And Development Agreement Were Approved For Time Extensions Pursuant To Resolutions 2017-47 And 2018-65; Providing That The Approval Of This Resolution Makes The Approved Time Frames For The Conditional Use Permit, Development Agreement And The Allocation Of Transient Residential Units (TRUs) Contemporaneous; Providing That Said Extension Request Is Issued For Property Which Is Legally Described As Part Of Government Lot 2, Fat Deer Key, Monroe County, Florida, Having Real Estate Numbers 00100260-000100 And 00100260-000102.

BACKGROUND:

Resolution 2019-02 serves to do the following with regard to the Conditional Use Permit and Development Agreement for the expansion of the Holiday Inn Express:

1. The duration and time line for the Agreement originally memorialized in Resolution 2014-62 is now established as follows:
 - a. All building permits must be obtained by July 10, 2019.
 - b. Certificates of Occupancy for all buildings permitted under the Development Agreement must be obtained by July 10, 2021.
2. So long as the Conditional Use Permit memorialized originally in Resolution 2014-61 and the Agreement memorialized originally in Resolution 2014-62 remain valid and in good standing with the City, then the twenty-five (25) Transient Residential Unit Allocations originally allocated and memorialized in Resolution 2014-105 remain associated with the Holiday Inn Express and Suites project approval, whether in original ownership or another owner.

This request serves only to extend the time frame for obtaining buildings permits currently set at July 10, 2019. The Applicant has submitted a complete set of construction plans. They are currently under review by the City. The Applicant is simply trying to ensure that they meet appropriate deadlines. In as much as the City is reviewing the plans now, this should not be an issue. However, in an abundance of caution, the Applicant wants to make sure that they are not in default. They are requesting a minimal extension. Staff is suggesting that the extension be granted for up to sixty (60) days.

Yes

No

 X
2. Other –Sewer Mandate

 X

FISCAL NOTE:

NA

APPROVED BY FINANCE DIRECTOR:

NA

RECOMMENDATION:

Approval

**CITY OF MARATHON, FLORIDA
RESOLUTION 2019-66**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING A REQUEST BY HOLIDAY INN EXPRESS & SUITES FOR A TIME EXTENSION FOR APPROVALS GRANTED PURSUANT TO RESOLUTIONS 2014-105 AND 2015-37 PERTAINING TO THE GRANTING OF TWENTY-FIVE (25) TRANSIENT RESIDENTIAL UNITS (TRUS) FOR A PROJECT APPROVED BY THE CITY TO EXPAND THE HOLIDAY INN EXPRESS & SUITES BY A TOTAL OF TWENTY-SEVEN (27) HOTEL UNITS APPROVED PURSUANT TO RESOLUTIONS 2014-61 AND 2014-62 FOR A CONDITIONAL USE PERMIT AND A DEVELOPMENT AGREEMENT RESPECTIVELY; PROVIDING THAT SAID CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT WERE APPROVED FOR TIME EXTENSIONS PURSUANT TO RESOLUTIONS 2017-47 AND 2018-65; PROVIDING THAT THE APPROVAL OF THIS RESOLUTION MAKES THE APPROVED TIME FRAMES FOR THE CONDITIONAL USE PERMIT, DEVELOPMENT AGREEMENT AND THE ALLOCATION OF TRANSIENT RESIDENTIAL UNITS (TRUS) CONTEMPORANEOUS; PROVIDING THAT SAID EXTENSION REQUEST IS ISSUED FOR PROPERTY WHICH IS LEGALLY DESCRIBED AS PART OF GOVERNMENT LOT 2, FAT DEER KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00100260-000100 AND 00100260-000102.

WHEREAS, pursuant to Resolution 2019-02, the terms of the Conditional Use Permit, Development Agreement, and allocation of Transient Residential Units (TRUs); now runs contemporaneously; and

WHEREAS, the term of such approvals was determined to be:

- a. All building permits must be obtained by July 10, 2019.
- b. Certificates of Occupancy for all buildings permitted under the Development Agreement must be obtained by July 10, 2021.

WHEREAS, the Applicant has submitted building construction plans which are currently under review by the City; and

WHEREAS, the Applicant is simply trying to ensure that they meet reasonable and essential deadlines; and

WHEREAS, in as much as the City is reviewing the construction plans currently, meeting the existing deadline should not be an issue; and

WHEREAS, in an abundance of caution, the Applicant wants to make sure that they are not in default; and

WHEREAS, staff is suggesting that the extension be granted for up to sixty (60) days; and

WHEREAS, this Resolution serves only to extend the time frame for obtaining buildings permits currently set at July 10, 2019,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The following represent the direction of the City Council:

All building permits pursuant this amendment to Resolution 2019-02 must be obtained by September 10, 2019.

Section 3. This Resolution shall take effect immediately upon execution.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 9th DAY OF JULY, 2019.

THE CITY OF MARATHON, FLORIDA

John Bartus, Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

David Migut, City Attorney