

MINUTES OF SPECIAL MEETING OF THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA HELD AT TOWN HALL ON APRIL 1, 2014 AT 5:30 PM

PRESENT: Mayor Gary Katica
Commissioners
Stephen Fowler
Tom Shelly
Michael Wilkinson
Kevin Piccarreto

Town Manager Micah Maxwell
Town Attorney David Ottinger

Mayor Katica led the Pledge of Allegiance.

Quorum was present on roll call with Mayor Katica presiding; the meeting was called to order at 5:30 pm.

PUBLIC HEARING – SECOND AND FINAL READING – ORDINANCE NO. 495 – AMENDING THE LAND DEVELOPMENT CODE PERTAINING TO HOTEL (H) DISTRICT MINIMUM SIZE

Mr. Ottinger read Ordinance No. 495, by title only, into the record.

Mr. Ottinger reported that the town had been served with a Petition requesting judicial review of the commission's adoption of Ordinance No. 495 at first reading and questioned the procedure of the commission meeting and notice given for that meeting; that after consideration he found that the town did give proper notice and that the consideration at first reading was proper; that the commission could then proceed with the second reading and consideration of the ordinance.

Mr. Maxwell provided a staff report as a matter of background; stated that Belleair Country Club advised the town in December that they held a contract for the purchase of 2.3 acres of the property on the Belleview Biltmore site; that the site was contiguous to the Country Club property on the north side and the intended use was for parking; that it was a private sale of property between property owners and the town had no power to prevent the sale of property; that the town did have the authority to permit the allow the parceling of the property and rezoning of that property; that the owner of record would be required to apply to the town requesting the split the smaller property; that that proceeding would be a quasi-judicial hearing in the future; that the town has reviewed the impact on the issue on a resort hotel site and found that the change would be reasonable.

David Healey, Planning Consultant, stated his qualifications as a planning consultant; that a change in the minimum lot size would not comprise, limit, or otherwise reduce the potential viability of a resort hotel; that the three factors in determining the conclusion were: (1) that there is an interested contract purchaser who has made application (2) that the actual property owners had authorized the contract resulting in the changed acreage on the hotel property (3) that there is a contract purchaser of the remnant piece of the property who concurs with the change; that all three parties of interest had no objection and were supportive of the proposed amendment; that the purchase of the property did not compromise the potential viability of the hotel; commented on the average resort lot sizes for the resort properties inventoried was in the range of 9 to 12 acres with an average number of rooms

SECOND AND FINAL READING – ORDINANCE NO. 495 (Continued)

ranging for 310 to 375; that the average density for each was 38 to 40 units per acre; that the proposed 17.5 acre minimum lot size was some 50% greater than the high end of the average size of the inventoried properties; that irrespective of the findings the minimum size of 17.5 acres, based on current permitted density for hotels of 28 units per acre, potentially would allow for a 490 room hotel and would be a greater number of rooms ever allowed on the property; that the change in lot size did not hamper development of the hotel property.

Mayor Katica commented on a phone call received from former commissioner Gloria Burton and current member of the planning and zoning board advising him that the previous use of the 2.3 acres was that of a dormitory for hotel employees and not as hotel rooms.

Jim White, 3 Seaside Lane, stated that he was present on behalf of the RPD board and expressing their support for the proposed RM-10 zoning designation.

Rae Claire Johnson, 1717 Indian Rocks Road, Friends of the Belleview Biltmore, commented on Mr. Heisenbottle's proposal to purchase the property and renovate the hotel; commented negatively on actions of the commission regarding Ordinance No. 495.

Karla Rettstatt, 308 Roebbling Road N., commented on the continuous false comments and statements regarding residents and members of the Belleair Country Club as being disturbing; stated that the impact of decisions regarding the hotel on Belleair residents; that the gossip was negative and was becoming tiring; encouraged the commission to move forward with Ordinance No. 495

Don Newman, 1 Seaside Lane, spoke in support of the commission's approval of and the purpose of Ordinance No. 495; expressed his appreciation to the commission members for their continued efforts.

Bonnie Sue Brandvik, 1572 Alexander Road, commented on the historic significance of the Belleview Biltmore Hotel; urged the commission to support the historic preservation ordinance and the preservation of the hotel.

Steve Johnson, 1717 Indian Rocks Road, asked why the Belleair Country Club could not build a two story parking garage on property they already own.

Scott Schurz, 50 Coe Road, stated that he was not a voter but a taxpayer; commented on the bad condition of the hotel; stated that he was in support of Ordinance No. 495.

Biller Miller, 201 Garden Circle, commented on the negative actions and comments regarding the hotel supporters; commented on respecting the will of the majority.

Karman Hayes, 220 Belleview Blvd., commented on remarks made by Jim White; commented on the commissioners being elected to represent the citizens of Belleair; stated that she felt there should be a referendum to determine the fate of the hotel.

SECOND AND FINAL READING – ORDINANCE NO. 495 (Continued)

Levon Johnson, 220 Belleview Blvd., commented on the hotels benefit to the town; urged the commission to honor Sam Casella by saving the hotel.

Tom Kurey, 153 Palmetto Road, commented on the need for courtesy to the commissioners, staff and comments by persons with a different point of view; stated that it was not the town's position to obstruct action of private parties; spoke in support of Ordinance No. 495.

Victoria Steinberg, 415 Poinsettia Road, commented on her expertise as a resort manager; spoke in opposition of Ordinance No. 495.

Charlie Miller, 2 Seaside Lane, spoke in support of Ordinance No. 495 and urged approval of the ordinance; commented on the sale of the property as being a private matter.

Ed Shaughnessy, General Manager of Belleair Country Club, commented on the Country Club being a good neighbor to the town and residents; commented on the need for the parking space on the 2.3 acres; urged approval of Ordinance No. 495.

Richard Heisenbottle, BB Partners, stated that they were prepared to benefit the BCC, the town, if they were able to purchase the hotel; that they were also prepared to purchase the golf course from the town.

Gary Rosenberg, BB Partners, commented on his expertise and success as a developer of historic properties; commented on the hotel's benefit to the community.

Mayor Katica stated that the town was out of the picture; that the hotel was a matter between Mr. Cheezum and Mr. Heisenbottle; that the matter was one of private property.

Ed Armstrong, representative for JMC Communities, stated that JMC Communities has a contract to purchase the hotel and property, creditability and cash; urged the commission to approve Ordinance No. 495.

Tom DuPont, 430 St. Andrews Drive, provided comment backing up remarks by Jim White supporting approval of Ordinance No. 495; commented on the open meetings of the Homes Association; urged the commission to move forward with Ordinance No. 495.

T C Hayes, 220 Belleview Blvd., stated that no action by the commission would be the best interest for the town.

Commissioner Piccarreto moved approval of Ordinance No. 495 on second and final reading. Motion seconded by Commissioner Shelly.

SECOND AND FINAL READING – ORDINANCE NO. 495 (Continued)

Discussion: Commissioner Fowler stated that he agreed with remarks of Mr. Shaughnessy regarding the Belleair Country Club; that there was a unanimous vote to deny the approval of Ordinance No. 495 by the planning and zoning board; commented on tax revenue from the hotel vs. tax revenue from a parking lot; commented on the advantages to BCC for having a parking garage rather than open space parking area; discussed the conceptual parking area for BCC and proposed cost for the facility; stated that he would have to vote “no” on Ordinance No. 495.

Mayor Katica stated that a concrete parking garage would be the most unsightly option for BCC.

Commissioner Piccarreto stated that BCC did not want a parking garage; that the matter was a private property issue.

Commissioner Shelly concurred that it was a private property issue; stated that he did not believe the sale of 2.3 acres would hinder and rehabilitation of the hotel.

Commissioner Wilkinson stated that BCC had been a good neighbor to the town and its residents; that he too, felt it was a private property issue; that he did support Ordinance No. 495.

Vote on the motion to approve Ordinance No. 495 on second and final reading was: ayes; Commissioner Piccarreto, Commissioner Shelly, Commissioner Wilkinson, Mayor Katica: nays; Commissioner Fowler. The motion carried with a vote of 4 to 1.

Mayor Katica urged discussion between Mr. Heisenbottle and Mr. Cheezum.

Recess called at 6:35 pm; meeting reconvened at 6:50 pm.

ADJOURNMENT

There being no further business to come before the commission the special meeting was adjourned in due form at 6:50 PM.

Town Clerk

APPROVED:

Mayor

MINUTES OF WORK SESSION OF THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA HELD AT TOWN HALL ON APRIL 1, 2014 AT 5:30 PM

PRESENT: Mayor Gary Katica
Commissioners
Stephen Fowler
Tom Shelly
Michael Wilkinson
Kevin Piccarreto

Town Manager Micah Maxwell
Town Attorney David Ottinger

Quorum present on roll call with Mayor Katica presiding; the meeting was called to order at 6:50 PM.

Mayor Katica suggested changing the order of the agenda to allow for the presentation by PSTA Greenlight representative.

It was the consensus of the commissioner to change the order of the agenda.

PSTA GREENLIGHT PRESENTATION

Commissioner Joe Barkley, Belleair Bluffs, representative to PSTA commented on the benefits of PSTA and endorsing the Greenlight Pinellas Plan; introduced Brad Miller, CEO of PSTA>

Brad Miller, spoke about Greenlight Pinellas Plan; stated that it would be an item on the November ballot; commented on the outreach strategy; commented on use of buses by workers at various tourist areas in Pinellas County; commented on transportation options provided by the bus service; commented on the environmental benefits provided by buses; stated that he would like to come back and ask for support for the program.

Discussions ensued regarding the sales tax and property tax options to support the program.

It was the consensus of the commission to place the item on the agenda for May 6 Special Meeting.

CITIZENS' COMMENTS

No citizens' comments.

TOWN MANAGER'S REPORT

Mr. Maxwell had no report.

TOWN ATTORNEY'S REPORT

Mr. Ottinger provided an update on the Casey Jones code violations for the home located on Cypress Avenue; that a bankruptcy filed by Mr. Jones had been dismissed.

Discussions ensued regarding the current liens and fines on the property.

MAYOR AND COMMISSIONER'S REPORT/BOARD AND COMMITTEE REPORTS

Commissioner Piccarreto stated that in March Mr. Maxwell and he met with a representatives of the Florida Department of State who was the Director of Division of Historical Resources and the Florida Trust of Historic Preservation; that they were here to advise the town in any way or provide assistance to the town; that the Historic Preservation Board met on March 25 to discuss some housekeeping mattes and some citizens' comments; that the Historic Preservation Board would meet again on Tuesday, April 22 at 4:00 pm.

Commissioner Shelly stated that he talked with Ed Hooper recently and asked him if there were any funds allocated for historic properties like the Belleview Biltmore; that he talked with Fire Chief Willis regarding the contract for service; that she would like to speak with the Commission at the May 6 work session; that a Park and Tree Board meeting was scheduled for Tuesday, April 2 at 5:00 pm.

Mayor Katica stated that he had no report; suggested that the commissioners provide the town clerk with their vacation schedules.

Commissioner Fowler stated that the Infrastructure Board had a meeting scheduled for April 7 at 5:00 pm; that a meeting was not yet scheduled for the Planning and Zoning Board.

Commissioner Wilkinson stated that the Recreation Board did have a meeting; that the next concert was scheduled for Sunday April 6th was Elton John and Billy Joel Tribute Band; that Spring Fest was scheduled for Saturday, April 19th; that the annual Golf Tournament was scheduled for May 17th; that the next Recreation Board meeting was scheduled for April 21.

POLICE CHIEF'S REPORT

Chief Edwards commented on two vehicle burglaries that occurred last night; commented on a recent scam on an elderly lady in town; commented on the proposed demolition for structure at 1601 Golfview by the end of April; commented on the code violations for property at 1627 Golfview; that there was a residence on Shirley that has been deemed compliant with recent code violations.

DISCUSSION OF INTERLOCAL AGREEMENT – PPC/MPO

Mr. Maxwell stated that Belleair, along with all of the cities and Pinellas County, had been requested to sign the Interlocal Agreement creating the MPO; that recently the PPC and MPO recently went through a merger; that to reform the MPO the members would need to approve the agreement; that the agreement was provided to the commission for review and discussion; that the approval would be on the agenda for the April 15 meeting.

DISCUSSION OF APPOINTMENT TO REPRESENTATIVE TO PPC/MPO BOARD

Mr. Maxwell stated that upon approval of the Interlocal Agreement for the MPO, Belleair was next in the rotation of the six inland communities sharing a representative; that the term was for a two year term; that both Commissioner Shelly and Commissioner Piccarreto had expressed an interest in the position; that the appointment would be made at the April 15 meeting.

Discussions ensued regarding the PSTA representative as well.

DISCUSSION OF HONORING JOHN OSBORNE

Mr. Maxwell stated that the item was once again placed on the agenda after discussions at the last meeting; that the options were naming of a building, a park, athletic field or street in honor of Mr. Osborne.

Discussions ensued regarding Mr. Osborne's interest in architecture and real estate in Belleair; regarding his interaction with the building department; regarding naming the new public works building in his honor.

It was the consensus of the commissioners to name the new public works building in honor of Mr. Osborne.

ESTABLISHING AGENDA FOR REGULAR MEETING SCHEDULED FOR MARCH 25, 2014 AT 6:30 PM

Mayor Katica announced the following items scheduled for public hearing for the March 25, 2014 regular meeting at 6:30 pm:

1. Second and final reading – Ordinance No. 491 – Amending the Land Development Code.

On motion duly made and seconded the following agenda was established for the April 15, 2014 regular meeting at 6:30 pm:

CITIZENS' COMMENTS

CONSENT AGENDA

1. Approval of Minutes – Work Session – March 4, 2014.
Local Planning Agency - March 25, 2014
Regular Meeting –March 25, 2014

GENERAL AGENDA

Consideration of:

1. Discussion of Mixed Use Zoning District.
2. Palmetto Road FDR Discussion.
3. Request for consideration of reduction of code violation lien fin – 346 Shirley Avenue Dr. Louis Powell.
4. Discussion of Proposed Amendments to Chapter 26 – Environment – Article 5 – Weeds, Overgrowth, Vegetation, Debris.
5. Approval of Interlocal Agreement – PPC/MPO.
6. Appointment of member to PPC/MPO Board.

ADJOURNMENT

There being no further business to come before the commission the meeting was adjourned in due form at 7:35 PM.

Town Clerk

APPROVED:

Mayor