

MINUTES OF MEETING OF THE PLANNING AND ZONING BOARD HELD AT TOWN HALL, BELLEIR, FLORIDA ON OCTOBER 6, 2014 AT 5:30 PM

MEMBERS PRESENT: Bonnie Sue Brandvik, Chairman
Gloria Burton, Vice Chairman
Al Acken
Rogers Haydon
James Millspaugh
Peter Marich
Randy Ware

OTHERS PRESENT: Micah Maxwell, Town Manager
Stephen Fowler, Commission Advisor
David Ottinger, Town Attorney
David Healey, Planning Consultant

There was a quorum present with Chairman Brandvik presiding; the meeting was called to order at 5:30 pm.

Persons planning to speak at the meeting were sworn in by the Town Clerk; there were no exparte communications reported by Board Members.

STAFF PRESENTATION

David Healey, Planning Consultant, provided background information for the project; stated that the staff report would identify and examine a series of applications filed on the half of JMC Communities, Inc.; stated that the applications submitted for the Special Certificate of Appropriateness for Demolition of the Hotel included a request for a zoning amendment, approval of a master plan, preliminary development plan and development agreement; a review of the staff report regarding the application for rezoning, master plan, preliminary development plan and development agreement; that applications submitted did meet the required criteria.

Mr. Healey further provided a brief review of the various components of the applications submitted; stated that the applicant would provide specific details of the applications.

Discussions ensued from board members regarding ingress and egress to and from the property; regarding the proposed height bonuses and how they were developed.

PRELIMINARY SITE PLAN REVIEW – BELLEVIEW BILTMORE HOTEL SITE

Ed Armstrong, attorney representing the applicant, JMC, stated that they were seeking approval and recommendations from the board to the commission; that Cindi Teripani would provide the presentation for the preliminary site plan review.

PRELIMINARY SITE PLAN REVIEW (Continued)

Cindi Teripani distributed copies of the revised site plan depicting the proposed location of proposed structures; presented a review of the preliminary site plan for the Belleview Biltmore Hotel Project; commented on the number of proposed town homes and condos and the proposed inn.

Ms. Teripani further provided a review of the proposed master plan to include all phased of the development and as well as roadway areas; commented on the construction of the proposed inn to commence; commented on the density of the proposed development on the 17.5 acres; commented on the height bonuses and proposed parking requirements; commented on the architectural style of the town homes; commented on the historic recognition component for the inn; commented on the proposed reuse of salvaged materials from the hotel.

Mr. Armstrong spoke about the development agreement and enforcement mechanism for the developer to comply with the approved site plan and development agreement.

The board members discussed the proposed site plan; discussions ensued regarding the design and location of the retention pond on the property.

Mr. Armstrong called Mr. Ed Mauser to speak.

Ed Mauser provided his credentials as an engineer to the board members; commented on the proposed retention pond in the area of the proposed town homes; commented on the application to SWFWMD regarding the drainage for the development.

Discussions ensued regarding the capacity of the proposed pond; regarding an additional access point for the development; regarding the existing bridge and the possibility of an additional bridge; regarding the final site plan and the importance of knowing what would be placed on the property.

Discussions further ensued regarding the Development Agreement and the expected time line for the development; regarding the maintenance of the undeveloped land and possible removal of the existing fence around the property; regarding grading of the development area.

Discussions ensued regarding the proposed inn that it be completed before any certificate of occupancy could be issued for any other building; regarding the payment of the code violation fines on the property; regarding the development obligation to meet all code requirements.

AUDIENCE COMMENTS

Jim White, 3 Seaside Lane, spoke as President of the RPD Home Owners Association, expressed the support of the association for the development project.

Steve Johnson, 1717 Indian Rocks Road, stated that he did not feel the town had done everything to preserve the hotel.

PRELIMINARY SITE PLAN REVIEW (Continued)

Rae Claire Johnson, 1717 Indian Rocks Road, felt that certain board members were not qualified to serve on the board; commented on the historic component of the development project.

Discussions ensued regarding the board members as a volunteer advisory board; regarding the qualifications for serving on the board.

There was no rebuttal from the applicant's representative regarding testimony provided.

RECESS: 7:05 PM to 7:15 PM.

Mrs. Brandvik commented on the procedure to be followed by the board members.

CONSIDERATION OF ZONING CHANGE – BELLEVIEW BILTMORE HOTEL SITE

Mr. Maxwell stated that there would be no comment from staff at this point.

Board members asked questions on the applicant.

Discussions ensued regarding the zoning change impact on other properties in Belleair; regarding the positive impact of the recent improvement in economic growth; regarding the support for the development from those most impacted by the current condition of the hotel property; regarding the PMU zoning designation as being a good change that would provide favorable change; regarding the timeliness of the proposed development.

Comments from the audience.

Karla Rettstatt, resident, spoke in favor of the proposed zoning change and the development plan.

Steve Johnson, resident, commented on possible development in other areas of town.

There was no rebuttal from the applicant.

DEVELOPMENT AGREEMENT – BELLEVIEW BILTMORE HOTEL

Discussions ensued regarding favorable comments for the development agreement; regarding final revisions of the agreement; regarding no punitive language contained being contained in the document to protect the town; regarding the construction of the proposed inn as being the first phase of the development project; regarding the procedure for dealing with the uncompleted portions of the project.

AUDIENCE COMMENTS

Rae Claire Johnson, resident, commented on remarks from the offices of Historic Resources.

Mr. Maxwell stated that permits would not be issued by SWFWMD if the required criteria were not accurate.

Tom Kurey, resident, commented on the town's efforts and resources provided to support the hotel over the years; commented on improvement in property values and financial impact on the town by the proposed development.

Comments from the floor were closed and board members would now vote on the matter before them.

Site Plan

Mr. Haydon moved to recommend commission approval of the proposed site plan for the Belleview Biltmore Hotel Development Project with two caveats (1) that the inn be included in the first phase of the development project and (2) delete the Master Plan notes regarding existing code enforcement order. Motion seconded by Mr. Acken

Discussions ensued regarding the remarks for consideration for the motion; regarding the provision for phasing included in the Master Plan; regarding the access to the property and remarks made that would impose such restrictions on the developer; regarding the necessity for the agreement to be compatible with the existing RPD; regarding traffic flows in the area.

Vote on the motion was: ayes, Marich, Acken, Burton, Millspaugh, Haydon, Ware; nays, Brandvik. Motion carried with a vote of 6 to 1.

Zoning

Mrs. Burton moved to recommend commission approval of the zoning designation change for the Belleview Biltmore Hotel Development Project. Motion seconded by Mr. Ware.

Discussions ensued regarding the impact on the existing hotel by approving the requested zoning change.

Vote on the motion was: ayes, Marich, Acken, Burton, Millspaugh, Haydon, Ware; nays, Brandvik. Motion carried with a vote of 6 to 1.

Development Agreement

Mr. Ware moved to recommend the town commission approve the Development Agreement. Motion seconded by Mr. Haydon.

Mrs. Burton moved to amend the motion to include language that would be consistent with any changes on the zoning or master plan and preliminary plan as may be revised by the commission including such provisions as may be required to participate with the RPD.

Development Agreement (Continued)

Motion seconded by Mr. Haydon.

There was no discussion on the amended motion.

Vote on the motion was: ayes, Acken, Burton, Millspaugh, Haydon, Ware: nays; Marich, Brandvik. Motion carried by a vote of 5 to 2.

Mr. Ware moved to withdraw the first motion. Motion to withdraw was seconded by Mr. Haydon and carried unanimously.

ADJOURNEMNT

There being no further action to come before the board the meeting was adjourned in due form at 8:15 pm.

APPROVED:

Chairman