THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE

LOCAL PLANNING AGENCY
PLANNING COMMISSION
MINUTES

The Planning Commission, serving as the Local Planning Agency of the City of Madeira Beach, Florida will meet at the Madeira Beach City Centre Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708, to conduct Public Hearings on the following City business.

7:00 P.M.	THURSDAY, APRIL 28, 2016	COMMISSION CHAMBERS

A. CALL TO ORDER- *The meeting was called to order at 7:00pm by Chairperson Jim Everett*

B. ROLL CALL-

Roll was called by Executive Administrative Assistant Cheryl McGrady

Members present: Commissioners Everett, Noble, Carr, Brown, Lawrence, Rasmussen and Spildie

C. APPROVAL OF THE MINUTES – *MARCH 14, 2016*

Motion made by Vice Chairperson Brown seconded by 2nd Chairperson Noble motion passed 7-0.

D. NEW BUSINESS

Chairperson Everett asked the City Attorney Tom Trask to be recused from the first two items on the agenda under new business. Chairperson Everett owns an insurance company with his wife and Mr. Karns is a client of Mrs. Everett. Chairperson Everett will conduct the meeting after items one and two under new business have been completed.

1. **TO CONSIDER THE APPLICATION FOR THE REZONING OF 0, 15000, 15006, 15015, 15040, 15042, 15026 MADEIRA WAY AND 0, 15023, 15031 GULF BLVD AND 0, 200, 206, 210, 212, 352, 388, 390, 410, 420 150TH AVENUE FROM C-3 COMMERCIAL RETAIL TO PD PLANNED DEVELOPMENT, ORDINANCE 2016-01.**
2. **TO CONSIDER THE APPLICATION FOR ENTERING INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADEIRA BEACH AND MADEIRA BEACH DEVELOPMENT CO., LLC.**

The new business was read by Vice-Chair Jeff Brown, he then asked the City Attorney to read the general information request of the applicant to the board and the audience.

The City Attorney stated this this is a continuance of the meeting on March 14, 2016.

The City Attorney swore everyone that would be speaking at tonight's meeting.

The City Attorney explained the order of presentation, first the applicant then the City. The two affected parties will then be able to give testimony and be heard at the time.

The City Attorney explained the additional information on the Dais to the board and the audience.

Attorney Kate Wells, gave her presentation for the applicant Madeira Beach Development Company. Attorney Kate Wells stated that because this is a continuance from the March 14, 2016 meeting that the presentation all the evidence and testimony have been incorporated in tonight's meeting so that the applicant does not have to the presentation again for tonight's meeting.

Attorney Kate Wells stated to the Board and the audience that this development is being built and designed as to the City of Madeira Beach Master Plan created in 2001, thereafter in 2005 the City created PD zoning the Planned Development Zoning District districts which allows the City to bury the dimension standards and created the flexibility for developers and property owners. In 2009 the Special Area Plan was created and amended in 2014. The Special Area Plan created special tools and strategies to guide re development in the City downtown corridor.

Attorney Kate Wells informed the board and the audience that her client Madeira Beach Development did make one modification to the existing site plan which includes angle parking along Madeira Way, everything else remains the same. Attorney Kate Wells, stated that the FDOT upon the request of the developer to relocate the traffic light from Madeira Way to Madeira Cove denied such request stating that their studies did not warrant moving the traffic signal at this time.

Attorney Kate Wells stated that they want to be able to discuss the rezoning and Development Agreement at one time they go hand and hand so the second application on the agenda is the development agreement. The Development Agreement is good for up to 15 years or until all phases or the project are complete it allows for the project to be completed in phases. Attorney Kate Wells stated that her client to make amendments to the Development Agreement, such as the opening schedule for the bridge at the Tom Stuart Causeway, and the FDOT lights.

David Healy, FAICP of Calvin, Giordano & Associates, Inc., presented the staff report to the Planning Commission, as he stated in the March 14, 2016 meeting staff recommends approval for both the re-zoning and the Development Agreement. The Developer will need to meet the concurrency test for each phase of the project as they are completed. Mr. Healey explained the exhibits that are attached to the development agreement to both the board and the audience. The staff conclusion and recommendation is that all criteria have been meet and recommends approval.

City Attorney asked the affected party Mr. Pete Trott if he would like to speak as an effected party. Attorney Kate Wells had objection to Mr. Trott being heard. The City Attorney asked Mr. Trott to explain how he is more effected more than any other person. The City Attorney then asked Vice Chairperson Brown if he wanted to allow Mr. Trott to be heard, Chairperson Brown stated that he would allow Mr. Trott to be heard. Mr. Trott made his presentation to the board, the attorneys and the audience. Mr. John Lipa the other affected party then gave his presentation to the board, the attorneys and the audience. After all testimony was heard from both parties with no cross examination from Madeira Beach Developments Attorney, the City Manager addressed amendment 9.11 to the board, the attorneys and the audience.

Vice Chair Brown opened the floor to the public.

Several citizens voiced their concerns about the height of the building and the traffic flow.

Vice-Chair Brown closed the floor for public discussion.

Motion was by Commission Noble to the Board of Commissioners to accept and recommend the application from C-3 to PD Planned Development motion was seconded by Commissioner Rasmussen motion carried 6-0.

Motion was made by Commissioner Noble to recommend to the City Board of Commissioners to accept and approve the Development Agreement between the City of Madeira Beach and Madeira Beach Development with the addendum motion was seconded by Commissioner Lawrence motion carried 6-0.

Vice-Chair Brown has given the gavel back to Chairperson Everett to finish the meeting.

3. TO CONSIDER PINES MADEIRA, LLC'S APPLICATION FOR ENTERING INTO AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADEIRA BEACH AND PINES MADEIRA, LLC.

City Attorney explained to the board members and the public that this is an amendment to an existing development and was brought before you for the sole purpose of installing an ATM for Wells Fargo.

Planning Consultant Luis Serna, explained that this is simply an amendment to remove two parking spaces to install a free standing ATM for Wells Fargo.

Staff recommends approval for the amendment to the original development agreement created in 2013.

Chairperson Everett opened the floor to the public.

One citizen spoke and was in favor of the agreement.

Chairperson Everett closed the floor to the public.

Motion was made by Commissioner Brown that we enter into the agreement, motion was seconded by Commissioner Lawrence motion carried 7-0.

The City Attorney said that there will be a second reading of this agreement on May 10th, 2016.

E. **OLD BUSINESS**

1. *City Manager Crawford stated the he would like the Planning Commission to consider changing the meeting times form 7:00pm to 6:00pm.*
2. *City Manager also took a moment to introduce our new Planner Michelle Orton to the board.*

F. **PLANNING COMMISSION DISCUSSION-None**

G. **REPORTS**

- **CITY ATTORNEY**

  The City Attorney thanked the Board for their patience and understanding thru this long process.

  The City Manager then also thanked the City staff and the Planning Consultants for all their time and effort thru this long process.

- **PLANNING AND ZONING DIRECTOR**

H. **NEXT MEETING -July 11, 2016**

I. **ADJOURNMENT -***Meeting adjourned at 9:36pm*

Date Approved: July 11, 2016

Jim Everett, Chairperson

Submitted by Cheryl McGrady, Executive Assistant