




MEMORANDUM

TO: Mayor and Town Commission

FROM:  Christopher Brimo, AICP
Calvin, Giordano & Associates

THROUGH: Micah Maxwell, ICMA – CM
Town Manager

SUBJECT: Preliminary Site & Development Review for Property Located at 1501 Indian Rocks Road, and Application for Variances to the Following: Yard Setback Requirements; Landscape Buffer and Tree Mitigation; Joint Use Parking and Off-Street Loading Zones, By Pelican Golf Club LLC (Dan Doyle), on behalf of the Town of Belleair (Owner)

DATE: April 4, 2017

Background

This application is a site plan and redevelopment proposal for the Pelican Golf Club located at 1501 Indian Rocks Road; Parcel No. 28-29-15-68247-000-0002. The applicant intends to purchase the property from the Town of Belleair and make several site improvements relating to the buildings, parking, landscaping, drainage and golf course. As part of the proposed sale of the Golf Club, the buyer of the course has applied for a Preliminary Development Plan (PDP) for the site, and the closing of the sale is contingent on the approval of the PDP.

The applicant is seeking Preliminary Development Plan (PDP) approval for the redevelopment pursuant to Subpart B, Land Development Code, Chapter 66 Article III, Development Review. The PDP is intended to identify the project programming, preliminary design and general construction methods before seeking more detailed project approvals and individual permits.

In addition to the PDP review and approval, the applicant is seeking the following variances and waiver to the Town of Belleair Code of Ordinances, Subpart B, Land Development Code, Chapter 74, Land Use Regulations, Article III, Development Design and Improvement Standards, Section 74-172(g), Section 74-173(b), and Section 74-232(b); Article IV, Accessory Structures and Uses, Sections 74-287(e);

Building Code Services
Coastal Engineering
Code Enforcement
Construction Engineering and Inspection
Construction Services
Contract Government
Data Technologies and Development
Emergency Management Services
Engineering
Environmental Services
Facilities Management
Indoor Air Quality
Landscape Architecture
Municipal Engineering
Planning
Public Administration
Redevelopment and Urban Design
Surveying and Mapping
Traffic Engineering
Transportation Planning

GSA Contract Holder

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and Article VI, Resource Protection Standards, Section 74-383(b), in conjunction with the attached site and development plans received on January 13, 2017, as revised.

On March 13, 2017, this application was reviewed by the Planning & Zoning Board, and following a Public Hearing, the Board recommended the following:

Request #1- a variance relating to a perimeter fence/wall to be located within the required front yard setback: The Board approved the request unanimously.

Request #2 – a variance to reduce the number of required off-street loading docks: The Board approved the request by vote of Y-6, N-1.

Request #3 - that the Commission consider a reduction in the required number of off-street parking spaces for mixed or joint uses. The Board recommended approval with the condition that the applicant determine specific and enforceable triggers to govern parking as it relates to the event space; including staff recommendations. This recommendation was approved unanimously.

Request #4 – a variance to reduce the number “caliper inches” of replacement trees; the reduction of replacement trees not to exceed 3,042 caliper inches, and that the applicant would not have to provide a tree bond for the 3,042 caliper inches of the 5,281 caliper inches required for tree mitigation. The Board approved the request by vote Y-6, N-1.

Request #5 – a variance to the Town’s landscape buffer standards. The Board approved the request unanimously.

The project area encompasses approximately 135 acres (±), and is zoned Golf Course (GC) with a future land use designation of Recreation/Open Space. The golf course is bisected by Poinsettia Road and bordered by single-family and multi-family residential, and public facilities. The development plan includes several distinct redevelopment areas: the main clubhouse, grill and golf shop, event lawn and parking area, and the golf course itself. A copy of the application, project narrative and accompanying site plan prepared by Cardno, Beau Welling Design and NFA – Fullerton Architects, which was received on January 13, 2017 (as revised), has been provided for your consideration. The following technical analysis also includes the Town of Belleair staff comments.

Clubhouse Redevelopment

The applicant intends to demolish the existing clubhouse and the area will be completely redeveloped with a new primary building (“Main Clubhouse”), two accessory buildings (“Grill Room/Golf Shop” and “Pavilion”), a surface parking lot, outdoor gathering areas, and landscaping enhancements.



The Main Clubhouse will include the parking, kitchen prep area and service facilities on the lower level, customer locker rooms, lounge and restaurant area, kitchen and leisure areas on the main level, and meeting space golf course administration offices, and fitness area on the upper level.

The Grill Room/Golf Shop will include a grill area and golf shop. The Pavilion will house restrooms and changing areas associated with the Event Lawn. Further details related to the floor plans, layouts, and elevations of the buildings can be found later in the applicant's updated narrative dated March 27, 2017, and in the architecture sheets of the plan submittal.

The proposed surface parking area will provide 175 spaces (including some parking under the Main Clubhouse) and a customer drop-off/loading area will allow access to the main entry of Clubhouse. Additionally, golf cart storage will be located under the Main Clubhouse. Per Section 74-172(a) of the Town Code, the individual uses that are proposed in the redevelopment proposal each have a specified ratio. Based on this parking requirement, the applicant's proposal is "technically" deficient in off-street parking. The applicant is requesting that the Town Commission authorize a reduction in the required number of off-street parking spaces for mixed and joint use developments, per Section 74-172(g). Furthermore, the applicant proposes to include additional overflow parking on the golf course practice range for special events. Please refer to page 12 of the applicant's narrative for the overflow parking detail and justification. The applicant is also requesting a variance to Section 74-173(b)(3) of the Town Code to reduce the required number of off-street loading spaces.

Landscaping

Per the applicant's submittal, it is their intention to retain all of the mature trees on the perimeter of the clubhouse parcel and new landscaping material will be installed between the existing trees to create a "refreshed landscaping plan", and to address the vegetative buffer requirements. The applicant intends to preserve all vegetation along the project boundaries and adjacent to residential properties. Within the golf course property, trees have been proposed to be removed to allow for necessary construction activities. "Removal of trees in some areas and cleaning up (pruning, removal of dead wood, etc.) of the remaining trees will create the foundation for the additional landscaping to be planted as shown on the Landscape Plans. The end result of the Landscaping Plan, both along the edges and within the golf course, is to have large trees and understory trees accented with pockets of colorful shrub-type plantings." Please refer to pages 13-16 of the applicant's narrative and the Landscape Plans in the plan submittal, for additional detail.

In order to address the deficiencies in landscape and buffer requirements, the applicant is requesting variances to Sections 74-383(b)(1), (2), and (3), and 74-



232(b)(4), of the Town Code, related to tree replacement and landscape buffer standards.

In addition, a wall/wrought iron fence combination with a continuous hedge is proposed along the perimeter of the clubhouse parcel, as shown on the site plan. The location of the wall/fence is within the required front-yard setback area. A variance to the Town Code will be necessary to allow the wall/fence in this location.

The stormwater and drainage plans for this project have been reviewed by the Town's consulting engineers and found to be in compliance with general engineering standards. The applicant has applied for SWFWMD permit review of the proposed redevelopment and comments issued by the agency will have to be addressed prior to the issuance of a permit. The Town's consulting engineers will also review any modifications to the proposal prior to final permit approval and issuance.

Summary Description of Requested Variances

Please see in particular the applicants' justification for the requested variances in response to Item 7 on the Town's application form.

1. A variance to Chapter 74, Land Use Regulations, Article IV, Accessory Structures and Uses, Sections 74-287(e), to locate a perimeter fence/wall within the required front yard setback area.

The clubhouse parcel fronts Indian Rocks Road, Poinsettia Road, and Althea Road. Pursuant to the Town Code, corner lots and multiple frontage lots shall be considered to have front yards on all public and vehicular access easement street frontages, and front yard setbacks will apply in each of these cases; side yards will apply to all other sides of the lot or parcel. The applicant proposed to install a brick wall/wrought iron fence along the perimeter of the clubhouse parcel. Fences and fence walls shall be prohibited within the front yard setback area and within the primary front yard setback area of corner parcels. The location of the wall/fence will be fifteen-feet from the property line, where twenty-five feet is required.

The applicant states the variance is necessary to maximize the size of the clubhouse parking lot, and is requesting a variance of ten (10) feet to locate a perimeter fence/wall within the required front yard setback.



2. A Variance to Chapter 74, Land Use Regulations, Article III, Development Design and Improvement Standards, Section 74-173(b)(3), to reduce the number of required off-street loading docks.

Per Section 74-173(b)(3), retail commercial, service, road service and commercial entertainment uses shall provide one space for the first 5,000 square feet of gross floor area, and one space for each additional 10,000 square feet. The total gross floor area of the project is 52,180 square feet (\pm).

Staff would like to clarify that while the other uses may be consistent with the current development, the scale of those uses has increased significantly and should be factored in during consideration of the request. Staff does not believe that the number of off-street loading zones will necessarily correlate to the site's off-street loading needs. That is an operational decision, which staff does not believe is appropriate for the Town to regulate in the years ahead through the development agreement.

Staff does believe that a reduction of the six required off-street loading may be functionally warranted, however in making that determination, it is recommended that the commission consider Policy 1.3.7 of the Future Land Use Element of the Comprehensive Plan as well, which places an emphasis on providing adequate off-street loading areas.

The applicant is requesting a variance to this section to allow only one (1) off-street loading dock, where six (6) are required.

3. Although technically not a variance, the applicant is requesting that the Town Commission consider a reduction in the required number of off-street parking spaces for mixed or joint uses, pursuant to the requirements of Chapter 74, Land Use Regulations, Article III, Development Design and Improvement Standards, Section 74-172(g).

Section 74-172 of the Town Code specifies a minimum number of required parking spaces based on individual uses. Based on the uses being provided by the development, it was determined that approximately 392 off-street parking spaces would be required. The applicant proposes to provide a surface parking area that will accommodate 175 spaces, including handicap spaces, and a customer drop-off/loading area will allow access to the main entry of Clubhouse. Additionally, golf cart storage will be located under the Main Clubhouse.

The applicant indicated in their analysis that the parking requirement would be an outlier based on the list of comparable parking provided at other golf courses. However, staff feels that the data provided within their comparable use table is



insufficient to make such a determination. Staff would need data on gross square footage and other uses to accurately compare the courses on that list to this application, as it relates to the assumptions for average parking per day. Staff disagrees with the methodology for the number of parking spaces for the golf course listed on page 9 of the applicants report. That said, staff's own review of the parking has concluded that the number of parking spaces, excluding the event space use, should be sufficient. The event space parking remains and issue to be addressed in the parking waiver/variance, and in the Development Agreement.

Staff believes that if a parking waiver or variance is to move forward, specific and enforceable language would be need to be incorporated in the development agreement to ensure that deviation from times of operation do not occur. The same is true for the use of the event area, which currently shows no additional parking impact.

As previously stated, the applicant proposes to provide an additional 236 on-site, overflow parking spaces for special events on the property's practice range. As it relates to the use of the practice range as overflow during extreme special events, staff believes it is in the best interest of the town to define a specific and enforceable trigger for such an event.

Staff recommends that the commission consider the scale of the proposed uses versus the current uses, in making its determination. It is also recommended that the commission consider Policy 1.3.7 of the Future Land Use Element of the Comprehensive Plan as well, which places an emphasis on providing adequate off-street parking areas.

The applicant is seeking relief to this standard under Section 74-172(g), which states:

(g) Reduction for mixed or joint use of parking spaces. The town commission shall authorize a reduction in the total number of required parking spaces for two or more uses jointly providing Off-street parking when their respective hours of need of maximum parking do not normally overlap. Reduction of parking requirements because of joint use shall be approved if the following conditions are met:

(1) The developer submits sufficient data to demonstrate that hours of maximum demand for parking at the respective uses do not normally overlap.

(2) The developer submits a legal agreement approved by the town attorney guaranteeing the joint use of the off-street parking spaces as long as the uses requiring parking are in existence or until the required parking is provided elsewhere in accordance with the provisions of this land development code.



Please refer to pages 8-12 of the applicant's project narrative for data submitted by the applicant in support of this request.

4. A variance to Chapter 74, Land Use Regulations, Article VI, Resource Protection Standards, Section 74-383(b)(1), (2), and (3), related to tree replacement standards.

The applicant is proposing to remove and replace some of the existing landscaping within the 135 acres in conjunction with the redevelopment of the golf course. Section 74-383(b) provides specific requirements and standards for the replacement of trees. This is accomplished by either direct replacement onsite or offsite, or by fee in lieu of replacement.

(b) Replacement.

- (1) Trees removed pursuant to subsection (a) of this section, except for trees removed pursuant to subsection (a)(2)e., shall either be replaced, as set forth in this subsection, at the expense of the property owner, or a fee in lieu of replacement shall be paid to the town. Replacement shall not be required for trees removed pursuant to subsection (a)(2)e. of this section, nor shall any fee be required in lieu of replacement for trees removed pursuant to subsection (a)(2)e.*
- (2) Replacement trees shall, if practicable, be planted on the development site. If it is not practicable to plant replacement trees on the development site, then the owner shall be required to either donate replacement trees to the town, which trees shall be planted on town property, or the owner shall be required to pay a fee in lieu of tree replacement to the town, which fee shall be deposited in the tree replacement fund of the town, and the monies deposited shall be used solely for tree plantings and maintenance of trees. The election to require the owner to provide replacement trees to the town or a fee in lieu thereof shall rest in the sole and absolute discretion of the town manager. If the town manager elects to accept replacement trees instead of a fee in lieu thereof, then the town shall have the sole and absolute discretion to dictate the location and species of the replacement trees to be provided to the town and planted on town property.*
- (3) If replacement trees are provided by the owner, regardless of whether the replacement trees are to be planted on the development site or on town property, then the replacement trees shall be in accordance with the town landscaping master plan at the time of planting. For each inch of diameter at breast height of trees removed, an inch of diameter at breast height shall be replaced. With respect to replacement trees which are planted on the development site, the owner shall use his best efforts to ensure that the replacement trees thrive. If any replacement tree, within 90 days of its planting,*



shows any sign that the tree will not survive, the owner shall replace any such tree with another acceptable replacement tree. With respect to replacement trees which are donated to the town, such replacement trees shall be accompanied by a 90-day guarantee from the nursery which supplied the tree. The replacement trees shall also be state department of agriculture Nursery Grade No. 1.

The applicant indicated that in order to meet the replacement requirements for such a large parcel would require replacing approximately 1,000 trees. Please refer to pages 13-16 of the applicant's narrative and the Landscape Plans in the plan submittal, for additional detail. Staff would like to clarify that the total tree removal by inches is 13,248". As the applicant says, the 5,281" calculation is the amount that would need to be mitigated, and the applicant is proposing to mitigate 2,239". The remaining unmitigated amount is 3,042", and the related tree bond amount for the mitigation would calculate to be \$106,470.

5. Variance to Chapter 74, Land Use Regulations, Article III, Development Design and Improvement Standards, Section 74-232(b)(4), required landscape buffer standards.

"A buffer zone is a landscaped strip along parcel boundaries that serves as a buffer between incompatible uses and zoning districts, as an attractive boundary of the parcel or use, or as both a buffer and attractive boundary." (Section 74-232(b)(1)).

The majority of the property abuts Single-Family Residential (R-1), Multi-Family Residential (RM-15), and Public District (P). The remaining sections, including the clubhouse parcel abuts Indian Rocks Road, Poinsettia Road and Althea Road. Section 74-232(b)(4), requires that landscape buffering standards A through D shall be required for developing each existing parcel in excess of one acre.

Golf course structures (GC) abutting R-1, RM-15 and P zoning districts shall adhere to landscape standard "A", as illustrated below. The applicant's redevelopment proposal for the "Golf Club parcel" meets the requirements for buffering. Although the applicant intends to preserve all vegetation along the project boundaries and adjacent to residential properties, the remainder of the golf course would not meet the buffer requirements in some areas. Strict interpretation of the Code requirement could effectively create a visual screen between the golf course and the surrounding residential properties.

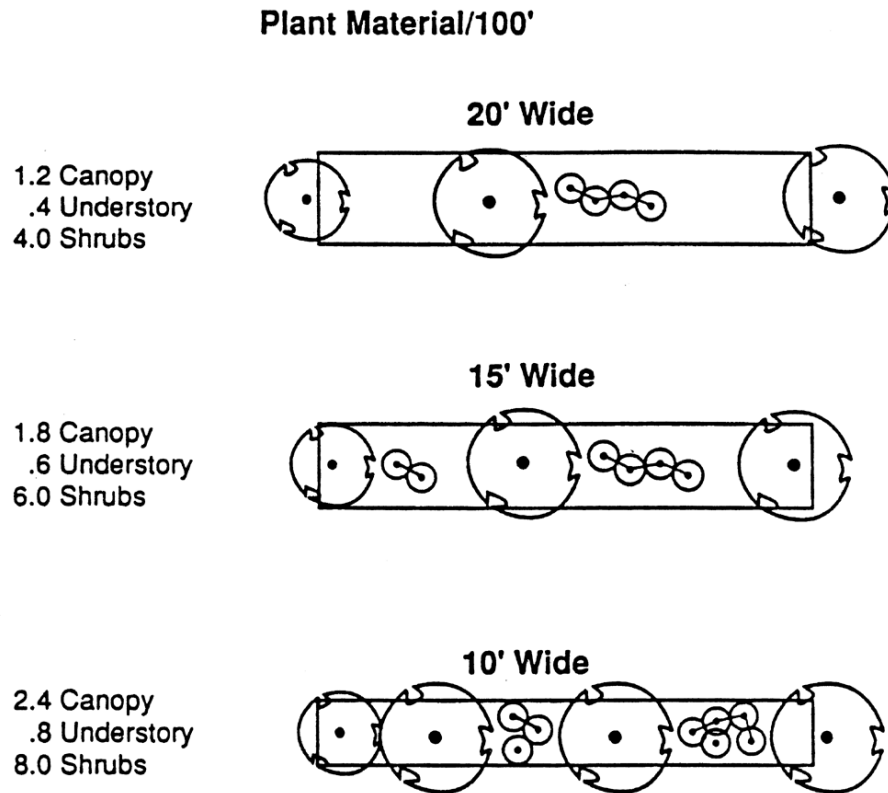
Additionally, the variance must include the areas where the applicant believes that that "intent of the buffer requirements" is being met. The intent of the code as it specifically relates to landscaping is found in 66-6 (3), which has been attached. Staff also feels that it is important to consider that in some cases the cart path has



been moved closer to the border between the course and the homes along the course, which may increase cart golf traffic at a closer proximity to those homes.

The applicant is therefore requesting a variance to the landscape buffer requirements Section 74-232(b)(4), for those areas of the golf course that currently do not meet the requirement. It is again recommended that the commission consider Policy 1.1.4 of the Future Land Use Element of the Comprehensive Plan, which speaks to the need to provide adequate and appropriate buffering between land uses. Please refer to the applicant's justification for the variance.

FIGURE 4. LANDSCAPE STANDARD A



Applicable Criteria and Related Considerations



The process and criteria for consideration of the requested variances is governed by Article V, Variances, Nonconformities and Hardship Relief, Section 66-251 and 66-253. 7

Section 66-251, Purpose of Division, states that "The purpose of this division is to provide mechanisms for obtaining relief from the provisions of this land development code where hardship would otherwise occur."

Section 66-253, Variances, grants authority to the Town Commission, "Where there are practical difficulties or unnecessary hardships incurred in the literal enforcement of the provisions of this land development code, the town commission shall have the power in specific and appropriate cases, and after due notice and a public hearing, to grant upon petition such variance from or exception to the terms of this Code as may not be contrary to the public interest and in order that substantial justice may be done.."

The criteria for granting variances are included in Section 66-253 (b) 1. - 6. as follows:

(b) Criteria for granting; conditional approval; expiration of approval.

(1) Initial determination.

(a) Before granting any variance, the town commission shall determine that:

- 1. Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.*
- 2. The special conditions and circumstances do not result from actions of the applicant*
- 3. Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.*
- 4. The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure or building.*
- 5. A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.*
- 6. A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations (section 74-82 of this Code) for the zoning district in which the property is located.*

It is the applicant's responsibility to establish that the application for variance(s) addresses and satisfies the applicable criteria.