

final decision by Kurt Schultheis | City Editor

After 23 hearings, Key Club wins

The final plan includes a \$4.5 million 'gift,' moves a condo building and adds villas to the north parcel.

The Longboat Key Town Commission voted 6-1 Wednesday afternoon to approve the Longboat Key Club and Resort's \$400 million expansion-and-renovation plan.

At 1:55 p.m. in the hushed sanctuary of Temple Beth Israel, Commissioner Lynn Larson asked Mayor George Spoll to call the vote.

Commissioner Larson: "Yes"
Commissioner Brown: "Yes"
Commissioner Brenner: "Yes"
Commissioner Siekmann: "No"
Commissioner Lenobel: "Yes"
Commissioner Younger: "Yes"
Mayor Spoll: "Yes"

With that, the pro-Key Club audience erupted in applause, with many in the room rising to their feet as they clapped.

Bob White, president of the opposition Islandside Property Owners Coalition, was not present.

The commission approved a final revised plan that includes much of what the Key Club proposed in the beginning: an 11-story, five-star hotel; a stand-alone meeting center; new wellness center and spa; and renovated Islandside golf clubhouse and golf course (with no driving range). Also approved, and among the most contentious pieces of the plan, were villas on both sides of Longboat Club Road and a seven-story condominium building on the south side of the road. (For a complete list of the project's components, see page 7.)

The commissioners took four hours alone Wednesday to bring themselves to vote. But that was only a sliver of the time it took to get there: five years from the time Key Club General Manager Michael Welly began his quest; more than \$5 million in Key Club planning expenses; six revised plans presented to the town; more than 23 public hearings over eight months; more than \$40,000 in town expenses; and more than an estimated \$1 million in legal and other expenses for the opposition, the Islandside Property Owners Coalition.

And the decision came at the final hour — on the last day the Town Commission is permitted to render development decisions before its two-month summer hiatus, and on the self-imposed deadline of the Longboat Key Club's investors. Based in England, they told Key Club officials they were prepared to walk away from the project if the commission postponed its final vote for the fall.

Longboat Key Club General Manager Michael Welly and Michael Brody, chief operating officer of the Key Club's owner, Loeb Partners Realty, displayed smiles rarely seen on the Key Club's side of the temple sanctuary.

"I'm delighted the Town Commission shares the same vision for both the town of Longboat Key and the Longboat Key Club and Resort," Welly said. "The only thing massive about our project, it turns out, is the amount of supporters it attracted."

Said Brody: "We are overjoyed with the result. The 6-1 vote showed there is overwhelming support from the commission for this project. It's a good feeling."

Learning of the vote from New York Wednesday afternoon, Loeb Partners Realty CEO Joseph Lesser said the following in a prepared statement:

"I am very appreciative and gratified



Longboat Key Club and Resort attorney **John Patterson**, far right, thanks Commissioner **Hal Lenobel** after Wednesday afternoon's vote to approve the Key Club plan.



Islandside Property Owners Coalition attorney **Michael Furen** listens to the Town Commission debate the Islandside renovation-and-expansion project.

by the vote of the Longboat Key Town Commission to approve the plan for the club's Islandside redevelopment plan. We believe that the proposed redevelopment will be a great attribute to the town of Longboat Key and the club.

"I would like to thank in particular the tireless efforts and hard work by the town commissioners, the town attorney and town staff. Moreover, I would like to thank the countless supporters of the club and the residents of Longboat Key in consummating what we all hope will be a revitalization of Longboat to the benefit of the entire community."

But the Islandside Property Owners Coalition (IPOC), which opposed the modified project, hinted that a challenge to the commission's decision was forthcoming.

"We obviously don't agree with the commission's decision," said IPOC attorney Michael Furen. "We still believe the project is inconsistent with the town's land-development regulations and comprehensive plan. Somebody besides this commission will decide if they (the commission) were right or wrong."

Furen said IPOC will challenge the

commission's action in court within 30 days from the date the mayor signs the approved ordinance.

Commissioner Bob Siekmann alluded to IPOC's looming challenge after the meeting.

"We made a big mistake today," Siekmann said. "I firmly believe redevelopment this huge and the number of departures in their totality exceeds our authority."

White, who was on his way to the temple from a doctor's appointment when the vote was made, said he turned around and drove home when he was alerted to the news.

"I was certainly surprised and disappointed by the vote," White said. "It could have gone either way. The people who reside in Islandside are going to be outraged that a vote that ignores the code, the impact of the neighborhood and the recommendations of the town planner was approved. I don't believe this approval will survive a legal challenge."

Wednesday's vote did not come without intense debate — nearly four hours' worth Wednesday morning. That followed five-and-a-half hours of debate

commission reaction

"I really thought this would be the end result. I regret the long inquisition that took place. I am proud of the commission because I think they did the right thing."

Mayor **George Spoll**

"I'm pleased and relieved, obviously. I'm sorry it was so painful. I know what childbirth feels like. You're always troubled when everyone is not happy. I hope IPOC is able to look back with a few hours of rest and realize this is not something that will downgrade their community, but doing something to upgrade their whole community."

Vice Mayor **Jim Brown**

"I'm very pleased. It's my hope by taking this action, Publix, the new Colony ownership and the Hilton will believe there is a more viable Key."

Commissioner **David Brenner**

"No comment."

Commissioner **Hal Lenobel**

"We made a big mistake. I firmly believe redevelopment this huge and the number of departures in their totality exceeds our authority."

Commissioner **Robert Siekmann**

"What a relief. I voted for the fate of Longboat Key today."

Commissioner **Lynn Larson**

"It's fairly obvious that this was a passionate, challenging issue, perhaps one of the biggest in recent times for our community. The process stretched out over a considerable period and involved a yeoman's effort on the part of many, but pleasing everyone was simply impossible, as it usually is. While there are some elements I would have preferred otherwise, in the end I believe the plan approved by the commission represents what will be best for the town overall in the long run. I would also like to recognize and commend David Persson and Monica Simpson and her staff for their hard work. My 'baptism by fire' to public service has certainly been interesting."

Commissioner **Phillip Younger**

Monday night.

Shortly before 11:30 a.m. Wednesday, with Commissioners Siekmann and Hal Lenobel questioning the extent and legality of the 23 departures in the plan and the commission at an apparent impasse, Mayor Spoll called for an hour-long recess.

Afterward, Key Club attorney Brenda Patten explained why the club was requesting each of the departures.

When Lenobel asked town attorney David Persson if the commission would be violating its codes if it approved the project, Patten interrupted with her advice.

"The answer is clearly no because your code allows you the authority to approve

See **APPROVAL** page 10A

“The only thing massive about our project, it turns out, is the amount of supporters it attracted.”

Michael Welly, Longboat Key Club and Resort general manager

KEY CLUB SPECIAL



Brian Blanco

Longboat Key resident **Terry Gans** was a faithful attendant at the Key Club hearings.

APPROVAL from page 3A

departures," Patten said.

Persson agreed.

Lenobel pressed the question further. He asked Persson if the commissioners adopted departures that ignore or violate the town's codes, "Are we guilty of a misdemeanor? Are we as a legislative body violating the town trust of its citizens if we ignore or approve 23 changes in the town code? I would hate to ignore the trust of the people who voted me into office."

Persson, who has stated repeatedly he believes the commission has the right to approve the project, replied by explaining the commission was acting as judges who were called upon to make the decision based on the totality of the evidence.

But the conversation didn't assuage Siekmann, clearly the lone dissenting vote on the project.

"In its totality, we have shoehorned

14 buildings into spaces that aren't big enough," Siekmann said.

Commissioner David Brenner, however, said it was time to vote.

"The bottom line is you like this project or you don't," Brenner said. "Once this (project) is off the table, we will have to go back and look at our codes and Comprehensive Plan."

Brenner told the commission the project was larger than he would like, but that "the alternative, deterioration, is unacceptable."

Said Vice Mayor Jim Brown: "There is no other place on this island where this development would be appropriate, but it's appropriate here. I think when it's built, people will say, 'Why did we complain?'"

As Brown walked down the sidewalk outside of the temple after the vote, he summed up the experience: "I now know what childbirth is like."

Planner, IPOC call for denial again

The approval vote came three hours after Longboat Key Planning, Zoning and Building Director **Monica Simpson** told the Town Commission Wednesday morning that she and her staff still could not recommend approval of the Longboat Key Club and Resort's latest alternative plan.

"Because of the significance of the departures requested and the scale, mass and intensity of this project, staff cannot recommend approval of this plan," Simpson said.

As she had stated in previous hearings, Simpson said she still had issues with the meeting center being located across Longboat Club Road; an underground parking garage that's partially visible above ground; the proposed wellness center; and the addition of one floor each on two villa buildings, with one located on the north of Longboat Club Road and the other south of the road.

The town's planning director noted, however, that the club's project was consistent with the current development in the Islandside Gulf-planned development but not consistent with current town codes and policy.

Simpson said the plan the commission approved two weeks ago on first reading preserved open space on the north parcel and was her preferred plan.

"But the addition of five villa buildings on the north parcel greatly diminishes the purpose and intent of preserving open space," Simpson said.

Simpson's biggest concern with the club's project was the addition of a fourth floor on two villa buildings. She called them "forced" and "inappropriate."

Although Simpson said the plan the commission approved on first reading

was "more acceptable" than what was being proposed, club attorney **John Patterson** noted that the revised project has the same amount of departures in the plan Simpson recommended.

The only difference in the plan, Patterson said, was the addition of the five villa buildings on the north parcel that did not need any departures.

And Patterson said the largest buildings built in Islandside, L'Ambiance condominiums, were built in the 1990s, years after the code was changed in 1984 to allow for a reduced building height.

Town attorney **David Persson** pointed out, however, that L'Ambiance had a vested right to build its 11-story buildings that was granted to them in the 1970s.

Simpson told the commission her staff continued to emphasize the importance of their "considering all departures."

Commissioner **Jim Brown** noted and Simpson agreed, however, that nothing in the town's code limits the commission to grant only minor departures.

And Islandside Property Owners Coalition attorney **Michael Furen** told the commission it would be "improperly approving a plan" that was presented just two days ago and was not reviewed by the Planning and Zoning Board.

"The expedited process trying to meet a deadline imposed by an applicant has made due process a farce, frankly," Furen said.

Persson disagreed with Furen's claims that the application was not handled properly, noting the town has gone out of its way to make sure due process has been provided over the last several months.

— Kurt Schultheis

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