

**DEVELOPMENT REVIEW COMMITTEE
MEETING
OCTOBER 25, 2019**

MEMBERS PRESENT: David Hilston, Chairman
Randy Cole, Chief Building Official
Lisa Hannon, Zoning Official
Tom Jackson, Utilities Director
Jennifer Molnar, Fire Marshal
Norman Nahra, Police Lieutenant
Linda Spósito, Senior Project Manager

OTHERS PRESENT: Jennifer Daumann, Executive Assistant
Mitchell Austin, Chief Planner
David Meyers, Traffic & Safety Coordinator
Keith Towles, Patti Allen, Mark Draper,
Craig Ivey, Julie Mathis, Jerry Presseller,
Joel Dlugaslaski, Ron Schebil, Robin O'Dare

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting
- 1. November 8, 2019

CITIZENS COMMENTS ON AGENDA ITEMS ONLY

- None.

APPROVAL OF MINUTES

- A. October 11, 2019
- Ms. Molnar MOVED, Ms. Hannon SECONDED approval of the October 11, 2019, minutes.
MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

- A. SE-03-19 – A Special Exception request by Keith B. Towles, as authorized agent for John M. Jamieson, III, applicant and property owner, pursuant to Chapter 26, Section 16.8, Punta Gorda Code, to allow a third driveway to be constructed for a new single-family residence, which is permitted by Special Exception pursuant to Chapter 26, Article 10, Section 10.3(h)(10), Punta Gorda Code, for a parcel located in the General Single-family 3.5 units per acre (GS 3.5) zoning district. LEGAL: Punta Gorda Isles Section 012, Block 0130, Lot 16 ADDRESS: 3401 & 3405 St. Croix Court, Punta Gorda FL CHARLOTTE COUNTY PARCEL ID: 412214359007
- Ms. Hannon provided a brief overview of SE-03-19, noting the application met all the criteria for permitting a third driveway on a single street; therefore, staff recommended approval.
- Mr. Keith Towles, applicant, stated he had no presentation to make nor questions to ask.

- Ms. Hannon MOVED, Ms. Molnar SECONDED to recommend approval of SE-03-19. MOTION CARRIED UNANIMOUSLY.
- B. ZA-02-19 An Ordinance of the City of Punta Gorda, amending Punta Gorda Code Chapter 26, "Land Development Regulations", Article 3, Regulating Districts, Section 3.18 Waterfront Overlay District, adding a new Subsection (d) Fishermen's Village Phase 1, providing for permitted uses, permitted accessory uses, development standards and harborwalk regulations; amending Article 8, Standards of General Applicability, Section 8.19, Waterfront Property; providing for conflict and severability and providing an effective date.
Address: 1200 W Retta Esplanade, Punta Gorda, FL
Short Legal: PUG 000 0000 DOCK
Parcel Id: 412212126001
- Ms. Hannon read the ordinance title, noting this was a staff level, technical review. She stated the Planning Commission and City Council would review this item on October 28, 2019 and November 20, 2019, respectively. She provided a brief overview of the request, as denoted in the agenda material, noting Fishermen's Village was a mixed-use development creatively designed in the 1970s. She stated for the existing development to remain relevant as a destination tourism property vital to the local economy, future modifications and expansion of the existing buildings along the peninsula would be necessary. She stated such modifications would be in compliance with the City's Comprehensive Plan and intent of the Land Development Regulations. She stated a text amendment to the current waterfront overlay district was being requested for Phase I, as identified in the proposed ordinance, adding same outlined permitted uses as well as providing development standards for the modification and/or expansion of the existing building. She concluded staff recommended moving ZA-02-19 forward for consideration.
- Ms. Patti Allen, applicant's agent, offered to answer any questions regarding the request.
- Mr. Mark Draper, Attorney for Smuggler's Enterprises, Inc., requested members vote in opposition to the request. He then distributed documentation related to Smuggler's Enterprises, Inc.'s lawsuit against ATA Fishville, LLC/Fisherman's Village regarding the closure of their driveway along with two documents containing court orders preventing Fishermen's Village from closing a gate against parking access. He asserted Fishermen's Village was requesting City Council to pass an ordinance which would ignore that court ruling. He stated Smugglers' property rights had been upheld in court, asking that the request be tabled until the litigation was concluded.
- Mr. Hilston reiterated this was a staff level, technical review.

- Mr. Craig Ivey opined the application was not complete, asserting it referenced narratives that were not attached. He stated the change being sought was unclear. He then posed several questions related to the status of Phase 2 improvements denoted in Fishermen's Village sale agreement with the City.
 - Mr. Mitchel Austin, Chief Planner, explained the primary purpose for the amendment to the zoning code was to permit the existing buildings at Fishermen's Village to be improved. He stated while there was an intent for a Phase 2 development, no recommendations for same had been proposed by the owner at this time.
 - Mr. Draper asserted the request by Fishermen's Village was attempting to validate their rules, including closing the driveway to traffic and restriction of deliveries, which had nothing to do with non-conforming structures.
 - Mr. Hilston advised objections could be presented to the Planning Commission and City Council.
 - Ms. Allen stated the closing of the road was for safety concerns, adding the goal was to improve the experience for all customers visiting Fishermen's Village as well as to create a safe environment.
 - Mr. Ivey requested clarification of the application.
 - Ms. Hannon responded the incorrect application was attached to the agenda due to a clerical error; however, same would be corrected for the Planning Commission and City Council.
 - Ms. Sposito MOVED, Ms. Hannon SECONDED to recommend approval of Z-02-19. MOTION CARRIED UNANIMOUSLY.
- C. Event Permit: 19-155342; 41st Annual Christmas Parade; Taylor Street; December 14, 2019
- Ms. Jennifer Daumann, Executive Assistant, stated a road closure form was required, noting she would submit a form to the Florida Department of Transportation (FDOT) if a permit was necessary. She requested a Certificate of Insurance naming the City as additional insured, confirming the parade route would commence at Charlotte Performing Arts Center and vendors were not allowed along the route. She advised a Public Works contract, Off-duty Police contract and Special Events Safety Checklist were needed.
 - Ms. Molnar noted the Fire Department intended to participate.
 - Mr. Nahra stated in-kind services would be provided, confirming the parade would commence at 12:00 p.m.
 - Ms. Molnar MOVED, Ms. Hannon SECONDED approval of Event Permit #19-155342 contingent upon comments made this date. MOTION CARRIED UNANIMOUSLY.

- D. Farmers Market expansion request
- Ms. Hannon provided a brief review of the request denoted in the agenda material, confirming staff had no safety concerns regarding same.
 - Ms. Molnar stated clearance for fire hydrants was required.
 - Mr. Nahra requested the map of the property be updated to provide clarification of the event area in case of trespassers.
 - Mr. Jerry Presseller, applicant, agreed to do so.
 - Mr. David Meyers, Traffic & Safety Coordinator, requested road closure signs be placed on the road rather than on the sidewalk.
 - Ms. Molnar MOVED, Ms. Hannon SECONDED approval of the expansion request contingent upon comments made this date. MOTION CARRIED UNANIMOUSLY.
 - Ms. Hannon stated she would confirm with City Manager Howard Kunik whether the request would require City Council approval.
- E. Event Permit: 19-155425: Twin Tot Walk/Run 5K; Gilchrist Park; November 16, 2019
- Ms. Daumann stated a road closure form and FDOT permit were required, noting she would complete and submit the permit application. She requested a completed Facilities Maintenance contract and current proof of the organization's 501(c)(3) status.
 - Ms. Molnar noted a tent permit was required two weeks prior to the event, confirming the applicant desired a meet and greet with firefighters.
 - Mr. Nahra confirmed Public Works staff did not require assistance with traffic control. He advised a Police Officer detail was not required; however, one could be arranged if desired. He then verified there would be approximately 400 attendees.
 - Ms. Molnar MOVED, Ms. Hannon SECONDED approval of Event Permit #19-155425 contingent upon comments made this date. MOTION CARRIED UNANIMOUSLY.
- F. Event Permit: 19-155426; Fishermen's Village NYE Celebration/Fireworks; Fishermen's Village; December 31, 2019
- Ms. Daumann verified all required documents for the event had been received.
 - Ms. Molnar noted the Fire Department was working closely with the applicant and fireworks contractor to secure all safety requirements and permits needed.
 - Mr. Nahra stated the required officers for the police detail had been in communication with the applicant, noting the Harbormaster was responsible for setting up the mooring balls and marker buoys according to the Fire Marshall's restrictions.
 - Mr. Ron Schebil, Harbormaster, confirmed arrangements had been made.
 - Ms. Molnar MOVED, Ms. Sposito SECONDED approval of Event Permit #19-155425 contingent upon comments made this date. MOTION CARRIED UNANIMOUSLY.
- G. Event Permit: 19-155427; Taste of Punta Gorda; Laishley Park; March 1, 2020

- Ms. Daumann requested a Certificate of Insurance naming the City as additional insured, a copy of the alcoholic beverage license as well as completed Facilities Maintenance, Off-duty Police Officer, Off-duty Fire Department and Public Works contracts along with the Special Events Safety Checklist and Laishley Park Rental contract.
- Ms. Molnar stated a tent permit was required along with a Fire Department stand-by.
- Mr. Nahra noted a two-officer police detail was required from 11:00 a.m. to 5:00 p.m.
- Mr. Robin O'Dare, applicant, expressed appreciation for the work staff had done.
- Ms. Molnar MOVED, Ms. Sposito SECONDED approval of Event Permit #19-155427 contingent upon comments made this date. MOTION CARRIED UNANIMOUSLY.

CITIZENS' COMMENTS

- None.

ADJOURNMENT

- Meeting Adjourned: 9:36 a.m.

David Hilston, Chairman

Leah Pues, Recording Secretary