

**PLANNING COMMISSION
MEETING
JUNE 29, 2020**

MEMBERS PRESENT: Harvey Goldberg, Chairman
Joseph Comeaux, Bradford Gamblin, Susan Hill,
Donna Peterman, Roger Peterson, Edward Weiner

MEMBERS ABSENT: Paul Sacilotto

OTHERS PRESENT: Lisa Hannon, Zoning Official
Mitchell Austin, Chief Planner
Joan LeBeau, Urban Design Manager
Fabiana Solano, Planning Intern
Michael Haymans, Royce Dockrill,
Kelly Bhutada, Jason Green,
Michael Hirsch, John Demilly,
Sandra Ritter

CALL TO ORDER/ANNOUNCEMENTS

- Mr. Goldberg called the meeting to order at 2:00 p.m.
- A. Roll Call
- B. Next Scheduled Meeting
- 1. July 27, 2020

CITIZENS COMMENTS ON AGENDA ITEMS ONLY

- None.

APPROVAL OF MINUTES

- A. February 24, 2020
- Mr. Weiner MOVED, Mr. Gamblin SECONDED approval of the February 24, 2020, minutes.
MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS

- Recording Secretary Welch swore in all participants.
- A. ZA-01-2020 - An Ordinance of the City Council of the City of Punta Gorda, Florida, amending Chapter 26, "Land Development Regulations", of the Punta Gorda Code, by amending Article 3, "Regulating Districts", to establish a new Interchange Commercial Overlay District; amending Section 3.1, "District Classification"; adding a new section 3.21, "IC, Interchange Commercial Overlay District"; amending article 4, "Uses Permitted With Conditions"; amending Article 7, "Architectural Provisions"; amending Article 10, "Parking and Loading"; and amending Article 11, "Sign Standards"; renumbering code sections accordingly; providing for conflict and severability; and providing an effective date.

- Ms. Lisa Hannon, Zoning Official, read the staff report from the agenda material into the record. She concluded staff recommend approval of ZA-01-2020 with an amendment to the proposed ordinance's language to make the overlay district optional.
- Mr. Weiner questioned why the overlay was optional.
- Mr. Austin explained the intent of the overlay was to accommodate interstate commercial uses, noting the overlay would be optional in order to ensure intense residential development was not prohibited.
- Mr. Weiner stated he did not see multi-family residential listed within the permitted uses in Section 3.21 of the proposed ordinance, commenting on such development and the purpose of the overlay district.
- Discussion ensued regarding the purpose of the proposed ordinance, with staff emphasizing same would provide developers with greater commercial development rights without restricting multi-family development.
- Mr. Comeaux commented the proposed ordinance would provide developers flexibility.
- Mr. Gamblin summarized the intent was to make the process easier and encourage developers to utilize property in the area.
- Mr. Goldberg called three times for public comment.
- Mr. Weiner MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Weiner inquired as to where a developer would propose a high-intensity multi-family development.
- Ms. Hannon replied conceptual plans had been submitted for the north side of Jones Loop Road and for the south side of Jones Loop Road toward US 41.
- Mr. Comeaux MOVED, Mr. Peterson SECONDED to find ZA-01-2020 was consistent with the Comprehensive Plan and to recommend approval with the staff recommended amendment based on the evidence and testimony presented.
- VOTING AYE: Comeaux, Gamblin, Goldberg, Hill, Peterman, Peterson.
- VOTING NAY: Weiner.
- MOTION CARRIED.

QUASI-JUDICIAL PUBLIC HEARINGS

- Recording Secretary Welch swore in all participants.
- A. SE-01-2020 – A request by Royce Dockrill, president of Valiant Recovery Corp, applicant, and president of Valiant PG Corp, property owner, for a Special Exception pursuant to Chapter 26, Section 16.8, Punta Gorda Code, to allow a detoxification and substance abuse treatment center not primarily associated with a primary medical facility within

- the Medical Overlay district as a use permitted by Special Exception pursuant to Chapter 26, Section 3.17(f)(4), Punta Gorda Code, on property zoned Neighborhood Center (NC).
- Ms. Hannon announced this was the second request by the applicant to operate a residential detoxification substance abuse treatment center in the existing structure located at the neighborhood-center zoning district. She then entered the staff report, as delineated in the agenda material, into the record in its entirety by reference, reviewing staff's findings and conclusions. See concluded staff recommended approval of SE-01-2020 contingent on staff's conditions.
 - Mr. Michael Haymans, applicant's representative, explained certain factors had caused delays in meeting with the City's Police Department; however, the applicant accepted staff's proposed conditions for approval, adding all changes to the structure would be internal. He noted he met with the neighboring property owners and verified they were no longer opposed to the request, requesting members recommend approval of SE-01-2020.
 - Mr. Royce Dockrill, applicant, noted he would contact the Police Department to confirm whether there were additional concerns, verifying all external entrances were equipped with alarms and the facility would be surveilled by staff at all times. He then questioned whether sex addiction or gambling addiction could be a secondary diagnosis for a patient given one of the recommended conditions of approval prohibited treatment of other addictions.
 - Ms. Hannon replied she would discuss same with the City Attorney.
 - A lengthy discussion ensued regarding affiliations with local organizations and businesses, program costs, clientele and staffing for the proposed facility.
 - Mr. Goldberg called three times for public comment.
 - Mr. Weiner MOVED, Mr. Comeaux SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
 - Mr. Goldberg acknowledged substance abuse was a problem in Charlotte County and few facilities were available.
 - Mr. Comeaux agreed substance abuse was a problem within the community, speaking in favor of a facility which addressed same.
 - Ms. Peterman expressed concern the facility would attract patients from outside the community, which could cause additional issues for residents rather than assist them.
 - Mr. Goldberg opined local residents with substance abuse issues typically did not seek help within their own community. He then suggested a condition be added requiring the applicant to meet with the Police Department prior to the City Council meeting.

- Mr. Weiner MOVED, Mr. Comeaux SECONDED to find SE-01-2020 consistent with the Comprehensive Plan and to recommend approval of this request with staff's conditions, based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.
- B. SE-02-2020 – A request by Weiler Engineering Corp., Authorized Agent, for Charlotte 41 Properties, LLC, property owner, for a Special Exception pursuant to Chapter 26, Section 16.8, Punta Gorda Code, to allow an assisted living facility with memory care units to be located in a Highway Commercial zoning district, as is permitted by Special Exception approval per Chapter 26, Section 3.10(f)(6), Punta Gorda Code, on property zoned Highway Commercial (HC).
- Ms. Hannon entered the staff report, as delineated in the agenda material, into the record in its entirety by reference, noting the request was for Hampton Manor, an assisted living facility at 10211 Tamiami Trail. She stated the proposed use was a 94-unit memory care facility with associated amenities, noting it would be a single-story building located in the highway commercial zoning district. She stated the applicant had supplied the elevations, noting the scale had been modified by City staff for the presentation. She displayed photos of the site, noting there was existing stormwater management and a landscape and privacy wall. She then read into the record portions of staff's findings and conclusions as well as the recommended conditions of approval. She concluded by stating staff recommended approval of the SE-02-2020.
- Ms. Kelly Bhutada, Weiler Engineering, stated the parcel was currently vacant, adding it was surrounded by residential development to the west and commercial development to the east; therefore, this development would act as a low-intensity buffer between the two. She stated the proposed building was approximately 68,000 square feet consisting of 94 units with 98 beds including four double-bed units. She stated landscaping on the back of the building would prevent visual impact to the residential uses. She displayed a rendering of the facility, noting it would be compliant with the City's Comprehensive Code and Land Development Regulations. She stated the proposed facility achieved the City's goal of providing a variety of housing types, providing infill development and the use of existing infrastructure on the site. She described the various ways in which the proposed development was in compliance, would complement the neighborhood and have no adverse impact on traffic. She requested a recommendation of approval of the request.
- Mr. Jason Green opined the addition of the development would enhance walkability of the area through on-street parking and other amenities. He stated they anticipated receiving a permit from the Southwest Florida Water Management District within 30 days.

He stated based on his experience in land development, he agreed with staff's findings and conclusions, requesting a recommendation of approval.

- Discussion ensued regarding the facility, with members confirming there was one building with three courtyards, parking would be provided in a parking lot as well as on-street parking upon a newly completed access roadway.
 - Mr. Michael Hirsch questioned the location of the building.
 - Mr. Green responded with an explanation of the location of the main building, the existing stormwater pond and the dividing wall.
 - Mr. Goldberg called three times for public comment.
 - Mr. Weiner MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
 - Mr. Peterson MOVED, Mr. Weiner SECONDED to find SE-02-2020 consistent with the Comprehensive Plan and to recommend approval of this request with staff's conditions, based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.
- C. CP-04-19 - An Ordinance of the City Council of the City of Punta Gorda, Florida, amending the City of Punta Gorda Comprehensive Plan Future Land Use Map to include newly annexed lands; amending the Future Land Use Map from the current designations of Agriculture/Low Density Residential/County (AG/LDR/COUNTY) to High Density Residential/City (HDR/CITY) for 19.51+/- acres being a portion of Section 33, Township 41 South, Range 23 East, more particularly described in the boundary survey and addressed as 11220 Burnt Store Road; providing for conflict and severability; and providing an effective date.
- Ms. Hannon entered the staff report, as delineated in the agenda material, into the record in its entirety by reference, noting the request, a companion to a recent annexation ordinance, would amend the City's Future Land Use Map to designate the subject property as High Density Residential/City and would apply all provisions of the City's Comprehensive Plan as described in the application. She noted the property was entitled to 16 residential units under the County's Comprehensive Plan and was proposed to receive 60 units from the Burnt Store Presbyterian Church and might be eligible for the transfer of additional density units through the County's transfer of density units' process. She then reviewed staff's findings and conclusions as well as the recommended conditions of approval in detail. She concluded staff recommended approval of the request.
 - Mr. Goldberg recalled this public hearing had been rescheduled due to an advertising error.

- Mr. John DeMilly, applicant, indicated he had no plans for development at this time and had only pursued annexation in order to assist the church with their annexation request.
 - Mr. Goldberg called three times for public comment.
 - Mr. Gamblin MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
 - Mr. Comeaux MOVED, Mr. Weiner SECONDED to find CP-04-19 consistent with the Comprehensive Plan and to recommend approval of this request, based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.
- D. Z-05-19 An Ordinance of the City Council of the City of Punta Gorda, Florida, rezoning 19.51+/- acres being a portion of Section 33, Township 41 South, Range 23 East, more particularly described in the boundary survey and addressed as 11220 Burnt Store Road, from its current Charlotte County zoning classification of Agriculture/Residential Estate 1 Unit Per Acre/County (AG/RE1/COUNTY) to Neighborhood Residential 15 Units Per Acre/City (NR-15/CITY); providing for conflict and severability; and providing an effective date.
- Ms. Hannon entered the staff report, as delineated in the agenda material, into the record in its entirety by reference, noting it was the companion application to the annexation and comprehensive plan amendment. She stated future development needs required the property to be rezoned in order to proceed. She stated the property was receiving 60 density units from the Burnt Store Presbyterian Church but might be eligible for additional transfer of density units through Charlotte County's process. She stated the request was consistent with the City's Comprehensive Plan as outlined in depth in the staff report. She then reviewed staff's findings and conclusions, concluding staff recommended approval of Z-05-19, and the requirement for a utility expansion agreement had been satisfied. She clarified there were no special conditions for this request.
 - Mr. John DeMilly, applicant, thanked staff for their assistance.
 - Ms. Sandra Ritter stated her property was located directly behind the new development, questioning if the trees would be removed from behind her house.
 - Ms. Hannon replied no development was proposed for that property at this time; however, it would be eligible for multi-family housing, noting the applicant would be required to submit land development plans and to meet all Land Development Regulations and landscape buffering requirements.
 - Mr. Goldberg called three times for public comment.
 - Mr. Peterson MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.

- Ms. Peterman MOVED, Ms. Hill SECONDED to find Z-05-19 consistent with the Comprehensive Plan and to recommend approval of this request, based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

A. Master Plan: City of Punta Gorda Comprehensive Plan 2040 Update

- Mr. Austin announced staff was working on revisions to the goals, objectives and policies in Punta Gorda's Comprehensive Plan (Plan), anticipating the draft would be completed by August 2020. He reviewed the tentative timeline, which included a final draft in November/December 2020 and final adoption by March/April 2021.
- A lengthy discussion ensued regarding the process and timeline for updating the Plan and the Land Development Regulations (LDRs) as well as continued use of existing standards for development until the updated LDRs were adopted, with members requesting more communication be provided to the community regarding same.
- Ms. Joan LeBeau, Urban Design Manager, explained the Plan had to be approved by the State prior to updating the LDRs, adding many meetings would be held to ensure the community could weigh in on the revisions.
- Discussion continued with members expressing concern regarding continued development to existing standards and communication of the project's status with the community.
- Ms. LeBeau indicated staff could provide additional information to the community regarding the project.
- Mr. Austin added specific issues could be addressed prior to updating the LDRs; however, measures established to address those issues would need to be revised during the update process.

B. Parks and Recreation 2020 Master Plan

- Ms. Fabiana Solano, Planning Intern, announced staff was working on an update to the City's Parks and Recreation Master Plan, then providing a detailed account of the efforts staff took to involve the community in naming same. She stated the top three names to be voted on were as follows: Connecting Punta Gorda Neighbors; Punta Gorda's Place to Play; Elevate Punta Gorda. She concluded with an explanation of the update process and the timeline for same.
- Discussion ensued regarding the possibility of creating a Parks and Recreation Department along with plans for community involvement.

UNFINISHED BUSINESS

- No Items.

STAFF COMMENTS

- None.

COMMITTEE/BOARD COMMENTS

- Commissioners thanked staff for their efforts.

CITIZENS' COMMENTS

- None.

ADJOURNMENT

- Meeting Adjourned: 4:54 p.m.

Harvey Goldberg, Chairman

Sara Welch, Recording Secretary