

**PLANNING COMMISSION  
MEETING  
SEPTEMBER 28, 2020**

**MEMBERS PRESENT:** Harvey Goldberg, Chairman  
Joseph Comeaux, Bradford Gamblin, Donna Peterman,  
Roger Peterson, Paul Sacilotto, Edward Weiner

**OTHERS PRESENT:** Lisa Hannon, Zoning Official  
Joan LeBeau, Urban Design Manager  
Mitchell Austin, Chief Planner  
John Smith, Plans Examiner/Inspector  
Fabiana Solano, Planning Intern  
Patti Allen, Gary Butler

**CALL TO ORDER/ANNOUNCEMENTS**

- Mr. Goldberg called the meeting to order at 2:00 p.m.
- A. Roll Call
- B. Next Scheduled Meeting
- 1. October 26, 2020

**CITIZENS COMMENTS ON AGENDA ITEMS ONLY**

- None.

**APPROVAL OF MINUTES**

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

**QUASI-JUDICIAL PUBLIC HEARING**

- Recording Secretary Pues swore in all participants.
- A. PD-02-2020 - An Ordinance of the City of Punta Gorda, Florida amending Ordinance No. 1904-18 as amended by Ordinance No. 1919-19, which approved the Planned Development for 4.02 +/- acres generally described as 900 West Marion Avenue, Punta Gorda, Florida, to permit public events at an existing auditorium; providing for conflict and severability; and providing an effective date.
- Ms. Lisa Hannon, Zoning Official, entered the staff report, as delineated in the agenda material, into the record by reference, noting the request was to allow the existing auditorium at 900 West Marion Avenue (subject property) to be open to the outside public, which would allow the Military Heritage Museum (Museum) to continue to hold fundraising events. She explained the subject property's parking areas were sufficient for the public auditorium use; additionally, Fishermen's Village provided golf cart service from 1200 West Retta Esplanade to the subject property to provide overflow parking for

the facility. She reviewed staff's findings and conclusions, concluding Urban Design staff recommended approval of the request.

- Mr. Weiner expressed concern parking was not sufficient for the subject property's multiple uses, questioning how many on-site parking spaces were available.
- Ms. Hannon stated there were sixty-six parking spaces underneath the buildings with an additional twenty-three overflow parking spaces on site, acknowledging the City's Land Development Regulations (LDRs) required eighty-two parking spaces for the auditorium use alone. She explained there was not a parking issue currently as the other uses were not in effect and construction of the hotel and the condominium units was halted at this time, adding a master plan for the subject property and 1000 West Marion Avenue that would provide additional parking.
- Mr. Comeaux questioned whether the plans for additional parking included parking improvements other than the use of vacant lots.
- Ms. Hannon replied affirmatively, explaining permanent, improved parking would be required as opposed to gravel, shell or sod. She noted the current overflow parking in front of the subject property was temporary and would be improved eventually.
- Ms. Patti Allen, authorized agent, stated Fishermen's Village and the Museum had coordinated parking arrangements during past events, noting further parking arrangements were made with Five Star Realty of Charlotte County, Inc. She indicated a plan to connect the parcels and the subject property would be presented at a future date. She then clarified construction had resumed at the subject property.
- Ms. Peterman pointed out the original intent was for the auditorium to host private events, inquiring as to what had changed.
- Ms. Allen explained the change was needed in order to sustain the Museum after same relocated to the subject property.
- Mr. Gamblin opined the request was needed for the community as well.
- Mr. Gary Butler noted military heritage museums in surrounding communities had closed due to financial difficulties, concluding this request was important to the success of the Museum.
- Mr. Goldberg called three times for public comment.
- Mr. Weiner MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Sacilotto questioned whether there were limits to the type of events hosted at the subject property.
- Ms. Hannon replied it was between the property owner and the tenant to determine the types of events which could be held.

- Ms. Allen stated events were typically family-friendly, noting the property owner would not permit any events which would cause public safety issues.
- A brief discussion ensued regarding non-partisan requirements at the Museum.
- Ms. Peterman MOVED, Mr. Comeaux SECONDED to re-open the public hearing.
- Messrs. Comeaux and Peterson disclosed they were volunteers at the Museum.
- Mr. Gamblin MOVED, Mr. Sacilotto SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Weiner MOVED, Mr. Sacilotto SECONDED to find PD-02-2020 was consistent with the Comprehensive Plan and to recommend approval to City Council based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.

### NEW BUSINESS

- A. ZA-02-2020 - An Ordinance of the City Council of the City of Punta Gorda, Florida, amending Chapter 26, "Land Development Regulations", Article 8, "Standards of General Applicability", Section 8.14 "Structures and Uses Limited in Yards", of the Punta Gorda Code, by adding a new subsection (l), to provide for planters in rear yards; 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 by reference. She stated the request would address a conflict arising from the interplay of the Florida Building Codes and the City's LDRs with recent home and pool design trends geared toward creating a step-less environment with uninterrupted views and relatively flat back yards as well as reducing Flood Insurance premiums by exceeding Base Flood Elevation (BFE) requirements. She then reviewed current construction requirements and solutions as well as the disadvantages of each solution. She explained the request would allow planters to encroach up to two feet into the required rear yard, clarifying the structures would be limited to a maximum height of twenty-nine inches below the elevation of the adjacent pool deck, patio or structure. She concluded Urban Design staff recommended approval of ZA-02-2020.
- Discussion ensued regarding construction of permanent and temporary planters, particularly as it pertained to the extent same could encroach into rear yards.
- Mr. Sacilotto opined the proposed structures were no safer than falling onto the lawn.
- Ms. Hannon explained the Florida Building Code strictly specified the fall zone dimensions, noting the City was aligning its LDRs with same.
- Mr. Weiner emphasized the City could not violate the Florida Building Code.
- Mr. Gamblin MOVED, Ms. Peterman SECONDED to find ZA-02-2020 was consistent with the Comprehensive Plan and to recommend approval to City Council based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.

- Mr. Goldberg pointed out there was a growing trend of building picture-window size pool cages, particularly in Punta Gorda Isles and Burnt Store Isles.
- Mr. John Smith, Plans Examiner/Inspector, stated the request would alleviate an additional issue related to upcoming changes to the Federal Emergency Management Agency's Flood Maps. He noted use of the planters would result in reduced rear yard slopes, which would reduce hydrostatic pressure on the seawalls.

#### **UNFINISHED BUSINESS**

- No items.

#### **STAFF COMMENTS**

- Ms. Fabiana Solano, Planning Intern, announced the general survey for the Parks and Recreations (P&R) Master Plan (Plan) had closed with a total of 300 participants, noting staff was analyzing the survey results and working on the Plan's outline. She concluded a more in-depth update would be provided at the next meeting.
- Ms. Peterman questioned whether parking would be addressed in the Plan.
- Ms. Joan LeBeau, Urban Design Manager, replied affirmatively.
- Mr. Goldberg noted a Punta Gorda resident who was a retired P&R Director offered to provide feedback and assist staff with questions they might have regarding the possible establishment of a P&R Department.
- Ms. Solano noted she was in contact with the resident and was setting up a date to further discuss same.

#### **COMMITTEE/BOARD COMMENTS**

- None.

#### **CITIZENS' COMMENTS**

- None.

#### **ADJOURNMENT**

- Meeting Adjourned: 2:54 p.m.

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Harvey Goldberg, Chairman

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Leah Pues, Recording Secretary