

**CITY OF PUNTA GORDA, FLORIDA
PLANNING COMMISSION MEETING MINUTES
DECEMBER 27, 2021, 2:00 P.M.**

MEMBERS PRESENT: Peterman, Acting Chair
Comeaux, Frohlich, Gamblin, Johnson, Kellythorne, Sacilotto

MEMBERS ABSENT: Goldberg

OTHERS PRESENT: Lisa Hannon, Zoning Official; Mitchell Austin, Principal Planner;
Brian Brunderman; Bob Fritz; Garrett Kizer; Carlene Zeches;
Charmaine Steiner; Juergen Siewer; Scott Paver

CALL TO ORDER

Ms. Peterman called the meeting to order at 2:00 p.m.

PUBLIC COMMENTS

None.

1) APPROVAL OF MINUTES

1.a November 22, 2021 Meeting Minutes

Exhibits:

Cover Page

11-22-2021 Minutes

Mr. Sacilotto **MOVED** approval of the November 22, 2021, minutes, **SECONDED** by Mr. Johnson. **MOTION UNANIMOUSLY CARRIED.**

2) LEGISLATIVE PUBLIC HEARINGS

None.

3) QUASI-JUDICIAL PUBLIC HEARINGS

Recording Secretary Welch swore in all participants.

3.a Quasi-Judicial - SE-02-2021 - A request by Brian Brunderman, authorized agent, for James P & Donnamarie Mahoney, property owner, for a Special Exception pursuant to Chapter 25, Section 16.8, Punta Gorda Code, to allow a third driveway be constructed to provide access to a newly constructed attached garage addition to an existing 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.

Exhibits:

Cover Page

Proof of Publication 12-10-2021

Proof of Property Posting

[SE-02-2021 PC Staff Report](#)
[SE-02-2021 Staff Presentation](#)
[SE-02-2021 Application](#)
[SE-02-2021 Survey](#)
[SE-02-2021 Site Plan](#)

Ms. Lisa Hannon, Zoning Official, entered the staff report into the record by reference. She reviewed staff's presentation of SE-02-2021, which included the current conditions, proposed construction and approval criteria for same, concluding staff and the Development Review Committee recommended approval of the request.

Mr. Sacilotto verified the proposed driveway did not exceed 60% permeability.

Mr. Brian Brunderman, authorized agent, indicated the approval criteria had been met for the request.

Mr. Bob Fritz expressed confusion with the site plans of the proposed development, recommending same be addressed for clarification purposes.

Ms. Peterman called three times for public comment.

Mr. Gamblin **MOVED** to close the public hearing, **SECONDED** by Mr. Sacilotto. **MOTION UNANIMOUSLY CARRIED.**

Mr. Comeaux **MOVED** to find SE-02-2021 consistent with the Comprehensive Plan and to recommend approval based on the evidence and testimony presented, **SECONDED** by Mr. Frohlich. **MOTION UNANIMOUSLY CARRIED.**

- 3.b [Quasi-Judicial - SRC-02-2021 - A Resolution of the City Council of the City of Punta Gorda, Florida approving the final plat to subdivide a parcel of land containing 35,526 +/- square feet \(0.81 +/- acres\) into three \(3\) single-family residential lots and one \(1\) private road/driveway, in order to create a subdivision to be called "Seagrove on Gill Subdivision" for the property at 509 Gill Street, Punta Gorda, Florida, more particularly described on Exhibit "A" attached to this Resolution; authorizing the Mayor and City Clerk to execute the Plat; authorizing the City Clerk to forward this Resolution and the original final plat to the Charlotte County Clerk of the Circuit Court for recording at the applicant's expense; and providing an effective date.](#)

Exhibits:

[Cover Page](#)

[Proof of Publication 12-10-2021](#)

[Proof of Property Posting](#)

[SRC-02-2021 PC Staff Report](#)

[SRC-02-2021 Staff Presentation](#)

[SRC-02-2021 Application](#)

[Resolution](#)

[SRC 02-2021 Final Plat Draft](#)

Ms. Hannon entered the staff report into the record by reference. She reviewed staff's presentation for SRC-02-2021, noting a demolition permit was approved for the existing historic residential structure at the property. She summarized staff's findings and conclusions as well as recommendations, which included the requirement to record the ingress/egress easement and to install utility service lines prior to final plat approval, concluding staff recommended approval of the request with staff's conditions.

Ms. Peterman questioned the status of the existing historic structure.

Mr. Garrett Kizer, authorized agent, responded the State might issue a grant to assist with relocating the structure to Charlotte Street; however, the structure would be demolished if same was not received, anticipating the grant would be approved by January 2022 and the structure relocated by March 2022. He then provided a brief overview of the proposed plans for the subject property, including the construction of housing units with attached garages.

Ms. Carlene Zeches indicated there was a discrepancy in the plat survey with the subject property, her father's property (519 Gill Street) and her property (550 West Helen Avenue), noting they were working with Mr. Kizer to resolve same. She then submitted copies of the boundary surveys she had obtained, which included the original plat survey.

Ms. Hannon stated the copies would be accepted; however, staff had no legal authority to review same, explaining the discrepancies would be a civil matter.

Mr. Kizer reiterated he was working with the neighboring property owners to resolve the claims, adding his surveyor and a third-party surveyor from the City had confirmed the plat was correct as submitted.

Ms. Charmaine Steiner, 510 McGregor Street, expressed opposition to the request, noting same would eliminate green space and destroy animal habitats; additionally, development would cause drainage issues for her property.

Ms. Peterman called three times for public comment.

Mr. Frohlich **MOVED** to close the public hearing, **SECONDED** by Mr. Comeaux. **MOTION UNANIMOUSLY CARRIED**

Discussion ensued regarding the details of the request, including verification of the zoning classifications of the subject property as well as the landscaping requirements.

Mr. Sacilotto requested to speak to the applicant.

Ms. Peterman stated the public hearing would need to be reopened.

Mr. Frohlich **MOVED** to reopen the public hearing, **SECONDED** by Mr. Johnson.

Mr. Sacilotto inquired whether there was intent to retain any of the trees on the property.

Mr. Kizer replied affirmatively, explaining there would be attempts to develop the property in such a way that the larger growth could be saved.

Ms. Peterman indicated there were concerns with individuals purchasing larger lots within the historic district and subdividing them to develop multiple housing structures; additionally, she shared concerns regarding drainage issues, expressing desire that the issues be considered when making decisions for the Land Development Regulations (LDRs).

Mr. Sacilotto **MOVED** to find SRC-02-2021 consistent with the Comprehensive Plan and to recommend approval, with staff's conditions and the boundary dispute being resolved, based on the evidence and testimony presented, **SECONDED** by Mr. Frohlich. **MOTION UNANIMOUSLY CARRIED.**

- 3.c [Quasi-Judicial - SRC-01-2019 - A Resolution of the City Council of the City of Punta Gorda, Florida approving the final plat to subdivide a parcel of landing containing 51,618 +/- square feet \(1.185 +/- acres\) into three \(3\) single-family residential lots, in order to create a subdivision to be called "Whip-poor-will Triangle" for the property at 3645 Whip-poor-will Boulevard, Punta Gorda, Florida, more particularly described on Exhibit "A" attached to this Resolution; authorizing the Mayor and City Clerk to execute the plat; authorizing the City Clerk to forward this Resolution and the original final plat to the Charlotte County](#)

Clerk of the Circuit Court for recording at the applicant's expense; and providing and effective date.

Exhibits:

Cover Page

Proof of Publication 12-10-2021

Proof of Property Posting

SRC-01-2019 Planning Commission Staff Report

SRC-01-2019 Whip-Poor-Will Triangle Presentation

SRC-01-2019 Application

SRC-01-19 Resolution 3645 Whip-Poor-Will Blvd

SRC-01-2019 - Final Plat Draft

Ms. Hannon entered the staff report into record by reference. She reviewed staff's presentation for SRC-01-2019, summarizing staff's findings and conclusions as well as recommendations for the request, which included a recommendation to install utility service lines prior to final plat approval, concluding staff recommended approval of the request with staff's conditions.

Mr. Juergen Siewer, authorized agent, offered to answer questions regarding the request.

Ms. Peterman questioned the intended development for the subject property.

Mr. Siewer replied there were no development plans as of yet.

Mr. Sacilotto inquired as to the style of the homes that would be developed.

Mr. Siewer responded same would align with the existing homes.

Mr. Scott Paver received clarification on the permitted development for the subject property; additionally, he noted there was a drainage issue at Whip-Poor-Will Boulevard.

Ms. Peterman called three times for public comment.

Mr. Sacilotto **MOVED** to close the public hearing, **SECONDED** by Mr. Comeaux. **MOTION UNANIMOUSLY CARRIED.**

Mr. Sacilotto expressed concern that development on the property would impede access to the "Bird Section" of Punta Gorda Isles.

Mr. Comeaux opined the proposed use for the property was appropriate, noting concerns with access to the "Bird Section" could be addressed by staff at the time of development.

Discussion ensued regarding potential issues that could occur during development of the property as well as the need to properly manage same to reduce the impact on road access.

Mr. Comeaux **MOVED** to find SRC-01-2019 consistent with the Comprehensive Plan and to recommend approval with staff's conditions based on the evidence and testimony presented, **SECONDED** by Mr. Johnson. **MOTION UNANIMOUSLY CARRIED.**

- 3.d [Quasi-Judicial - PD 03-2021 - An Ordinance of the City of Punta Gorda, Florida, rezoning, 87.10 +/- acres, a tract or parcel of land situated in the State of Florida, County of Charlotte, lying in Sections 21 & 28, Township 41, Range 23 East, being a part of the Plat of South-Highlands, according to the plat thereof as recorded in Plat Book 2, Page 6, Public Records of Charlotte County; and being further bounded and described in Exhibit "A" attached hereto and incorporated herein; from Residential Single Family 5 Units per Acre/County \(RSF/COUNTY\) to Planned Development Village/City \(PDV/CITY\) and from Highway Commercial/City \(HC/CITY\) to Planned Development Village/City \(PDV/CITY\);](#)

Providing for certain modifications to the regulations applicable to the development; Providing for conflict and severability; and Providing and effective date. CONTINUED FROM NOVEMBER 22, 2021

Exhibits:

Cover Page

Proof of Publication 12-10-2021

Proof of property posting

PD-03-2021 PC Staff Report

PD-03-2021 Staff presentation

PD-03-2021 Application

PD-03-2021 Location Map

Ordinance

DRC 11-12-2021 Excerpt

PC 11-22-2021 Excerpt

CC 12-01-2021 Excerpt

Ms. Hannon entered the staff report in its entirety into the record by reference, noting this rezoning would impact previously annexed land as well as the property concerned in the annexation and Comprehensive Plan amendment requests heard at the November 22, 2021, Planning Commission meeting. She indicated the property's density was conditioned by the Loop Area Interlocal Agreement between the City and Charlotte County (County), noting the area was entitled to 451 dwelling units, 297 of which had been allocated to a multi-family apartment complex on the north side of Jones Loop Road in PD-01-2020; therefore, a balance 153 units remained. She indicated the conceptual site plan proposed up to 240 single-family lots, a community recreation area and potential kayak launch, on-site parking, pedestrian circulation and stormwater management. She stated the commercial component required for a Planned Development Village was being reduced as no such component was proposed at this time. She reviewed staff's findings and conclusions, including the request's compatibility with the approval criteria. She noted the property needed to obtain an additional 87 dwelling units through the County's transfer of density units program if 240 dwelling units were to be constructed. She concluded staff and the Development Review Committee recommended approval of the request with certain conditions.

Ms. Kellythorne inquired as to the process to transfer density units.

Mr. Mitchell Austin, Principal Planner, provided an overview of Charlotte County's transfer of density units program.

Mr. Comeaux confirmed a density unit was the right to build one residential dwelling.

Discussion ensued regarding the process the applicant would need to follow to build out to the proposed density.

Ms. Geri Waksler, authorized agent, provided an overview of the overall mixed-use project, noting this planned development would leave approximately 36 acres of commercial land south of Jones Loop Road and 48 acres of commercial land north of Jones Loop Road; therefore, a large amount of commercial land would remain in the area. She noted the existing Highway Commercial zoning designation expressly permitted residential development, stating pedestrian access would be accommodated by sidewalks. She indicated the single-family community would be compatible with nearby homes and would provide a transitional neighborhood to commercial development anticipated along Jones

Loop Road. She stated the roadway network, schools, utilities and landfill had capacity to accommodate the project, adding gopher tortoises found at the site would be relocated pursuant to State requirements.

Mr. Frohlich confirmed the common space between backyards was for stormwater drainage, inquiring as to the size of individual lots.

Ms. Waksler replied a 5,000 square foot lot minimum was proposed and attached villas would have a minimum of 3,000 feet per lot.

Mr. Sacilotto confirmed parking would be provided for each home.

Mr. Bob Fritz inquired why the notice indicated the property was zoned Residential Single Family 5 Units per Acre/County, speaking in favor of pursuing commercial development rather than residential development.

Ms. Hannon replied the County zoning mentioned in the notice concerned recently annexed property which had not yet been rezoned.

Ms. Waksler noted while additional commercial development was desired, the area's population was not dense enough to support same. She pointed out additional residential development would promote commercial growth.

Ms. Peterman inquired if the residences would include affordable housing.

Ms. Waksler replied prices would start at a more reasonable point than homes in the Isles communities.

Mr. Sacilotto questioned what kind of commercial development was expected in the overall project area.

Ms. Waksler replied additional grocery stores, retail, offices and hotels might be developed.

Ms. Peterman called three times for public comment.

Mr. Sacilotto **MOVED** to close the public hearing, **SECONDED** by Mr. Gamblin. **MOTION UNANIMOUSLY CARRIED.**

Mr. Johnson commented the City's strategy of encouraging commercial development appeared out of alignment with the tendency to rezone commercial property for residential use.

Mr. Sacilotto expressed desire to see market analyses for properties' uses to guide the Commission's decisions.

Mr. Comeaux indicated he expected light industry was most likely to be developed, stating additional affordable housing was needed to create a workforce capable of supporting same.

Mr. Sacilotto agreed a younger workforce was needed to increase the City's commercial base.

Mr. Gamblin **MOVED** to find PD-03-2021 consistent with the Comprehensive Plan and to recommend approval with staff's conditions based on the evidence and testimony presented, **SECONDED** by Mr. Comeaux. **MOTION UNANIMOUSLY CARRIED.**

4) GENERAL BUSINESS

STAFF COMMENTS

LDR 1st Draft Update.

Mr. Austin provided a brief update on the proposed first draft for the LDRs, noting the consultants were updating same based on comments from City Council. He anticipated the revised draft would be available at the January 24, 2022, meeting.

MEMBER COMMENTS

Ms. Kellythorne questioned if there was an individual designated for business development in the City.

Mr. Austin replied in the negative, noting the City was involved with Charlotte County's Economic Development Partnership. He then provided an explanation of the economic and budgetary analysis completed during the 2019 Citywide Master Plan process, concluding same predated the COVID-19 pandemic which had significantly impacted commercial property owners.

Ms. Peterman inquired whether the consultants provided advice on the types of commercial development the City could attract.

Mr. Austin responded with a description of potential commercial developments within the City, noting specialty centers such as Fishermen's Village were strengths for the retail sector and community.

Mr. Gamblin opined waterfront areas in the City had the most potential for commercial development.

Mr. Sacilotto recommended members read the Cape Cod Commission's form-based code framework, noting same was well written and comprehensive.

ADJOURNMENT

The meeting adjourned at 3:48 p.m.

Chair

Recording Secretary