

**PLANNING COMMISSION  
MEETING  
MARCH 26, 2018**

**MEMBERS PRESENT:** Charles Thomas, Chairman  
Joseph Comeaux, Bradford Gamblin,  
Harvey Goldberg, Massey Loughman,  
Donna Peterman, Roger Peterson

**OTHERS PRESENT:** Lisa Hannon, Zoning Official  
Cathy Getz, Royce Dockrill,  
Wendy Mueller, LeeAnn Dockrill

**CALL TO ORDER/ANNOUNCEMENTS**

- A. Roll Call
- B. Next Scheduled Meeting
- 1. April 23, 2018

**CITIZENS COMMENTS ON AGENDA ITEMS ONLY**

- There were none.

**APPROVAL OF MINUTES**

- A. February 26, 2018
- Ms. Peterman MOVED, Mr. Comeaux SECONDED approval of the February 26, 2018 minutes. MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARINGS**

- Recording Secretary Sara Welch swore in all participants.
- A. ZA-02-18 – An Ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 26, “Land Development Regulations”, Article 16, “Application Review and Approval Requirements”, Section 16.8, “Special Exception Approval”, Paragraph (q)(1), extending the termination of use for special exception approvals which require permitting from non-city governmental agencies; providing for conflict and severability; and providing an effective date.
- Ms. Lisa Hannon, Zoning Official, explained the proposed ordinance, as delineated in the agenda material, would allow an applicant three additional years to complete Federal and State permitting. She noted City Council requested this extension.
- Mr. Thomas inquired if there was a cost.
- Ms. Hannon replied in the negative, explaining the extension would require the City Manager’s approval.
- Mr. Thomas confirmed additional public notice would not be required. He then called three times for anyone to speak on ZA-02-18.

- Mr. Loughman MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
  - Ms. Peterman MOVED, Mr. Goldberg SECONDED to find ZA-02-18 consistent with the Comprehensive Plan and to recommend approval of this request based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.
- B. ZA-03-18 – An Ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code, Chapter 26, “Land Development Regulations”, Article 3, “Regulating Districts”, Section 3.1(b), “Overlay Districts”, adding Section 3.19 “Airport Protection Overlay District – APO”; pursuant to Chapter 333 Florida Statutes, to establish airport protection zoning regulations within the City of Punta Gorda for property in the vicinity of public-use airports in the City limits of the City of Punta Gorda; providing for conflict and severability; and providing an effective date.
- Ms. Hannon provided a brief presentation on the proposed ordinance, as delineated in the agenda material, explaining this ordinance would comply with the State Statute which required the creation of airport protection overlay districts. She noted the runway approach zone placed limitations on building heights and density units.
  - Mr. Thomas inquired if the City’s ordinance matched the language of Charlotte County’s ordinance.
  - Ms. Hannon replied in the affirmative.
  - Mr. Thomas confirmed City Council would hold a public hearing on April 4, 2018, and could adopt the ordinance at their May 2, 2018 meeting. He then questioned where restrictions on open water features began.
  - Ms. Hannon confirmed same began closer to the airport, adding most new development would use dry retention ponds.
  - Mr. Thomas called three times for anyone to speak on ZA-03-18.
  - Mr. Goldberg MOVED, Mr. Comeaux SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
  - Mr. Comeaux MOVED, Mr. Loughman SECONDED to find ZA-03-18 consistent with the Comprehensive Plan and to recommend approval of this request based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.
- C. ZA-05-18 – An Ordinance of the City Council of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 26, “Land Development Regulations”, Article 3, “Regulating Districts”, Section 3.13(m), “SRO, Special Residential Overlay District”, to clarify regulations regarding fence heights; providing for conflict and severability; and providing an effective date.

- Ms. Hannon explained the proposed ordinance, as delineated in the agenda material, would grant contractors flexibility when installing fences on a grade, noting posts would be allowed four additional inches of height. She pointed out pool latches could be installed at heights up to 54 inches as required by State Statute.
- Mr. Thomas called three times for anyone to speak on ZA-05-18.
- Ms. Peterman MOVED, Mr. Loughman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Goldberg inquired if grade level meant the height would be calculated from the point the fencepost entered the ground to the top of the post.
- Ms. Hannon replied in the affirmative.
- Mr. Goldberg MOVED, Mr. Loughman SECONDED to find ZA-05-18 consistent with the Comprehensive Plan and to recommend approval of this request based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.

#### **QUASI-JUDICIAL PUBLIC HEARINGS**

- A. SE-02-18 - A request by Royce Dockrill, as agent, for 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 entered the staff report, as delineated in the agenda material, into the record by reference. She explained the property fell within the Neighborhood Center district, which was zoned for mixed-use, and the Medical Overlay District. She noted the vacant building previously served as a surgical center. She pointed out City Code required substance abuse centers to associate with a primary medical facility. She announced the facility complied with applicable district regulations and the Comprehensive Plan, adding the property complied with the landscaping regulations of 1993. She noted the building had sufficient ingress, egress and parking. She requested the property be maintained according to its original landscape plan, concluding staff recommended conditional approval.
- Mr. Goldberg opined current facilities were not sufficient to satisfy the community's needs.
- Ms. Cathy Getz voiced the concern of local residents regarding the potential for the facility to increase drug activity in the area.
- Mr. Royce Dockrill explained the facility would require patients to remain in residence for 30 to 90 days, adding those who left the facility without permission or tested positive

for drugs could be removed from the program. He opined his programs outside of Florida did not cause issues with neighboring residents.

- Mr. Thomas confirmed the facility would serve a maximum of 22 individuals.
- Mr. Dockrill explained there would be 11 beds for female patients on 1 floor and 11 beds for male patients on another.
- Ms. Peterman inquired as to how patients were admitted to the facility.
- Mr. Dockrill explained most patients would be self-admitted, though some patients were required to attend the program as a condition of release from incarceration. He noted court-ordered patients were often highly motivated to comply with their treatment programs due to communication between his staff and their parole officers.
- Mr. Thomas inquired as to the location of the closest substance abuse treatment facility.
- Mr. Dockrill stated Fort Myers was the closest, though there were sober living facilities not wholly comparable to his proposed treatment center in Port Charlotte. He opined most of the problems Florida had seen with drug treatment facilities were associated with sober living facilities as opposed to residential treatment programs.
- Mr. Thomas inquired if this facility was similar to Charlotte Behavioral Health Center's (CBHC) program.
- Mr. Dockrill replied in the negative, clarifying CBHC offered a detox program and limited long-term care to three beds. He added the local hospital offered some detox and outpatient programs. He opined outpatient care was helpful after residential treatment.
- Mr. Thomas questioned the next step for patients after completion of Mr. Dockrill's program.
- Mr. Dockrill explained he had not finalized plans for same yet, but he intended to vet sober living programs for that purpose.
- Ms. Peterman confirmed most beds would serve the local population.
- Mr. Goldberg questioned the minimum patient age.
- Mr. Dockrill replied 18.
- Ms. Wendy Mueller opined programs often sought to profit off of patients from outside the local population. She asserted local facilities should serve the local population.
- Ms. LeeAnn Dockrill stated she and Mr. Dockrill had owned a home in Punta Gorda for ten years and had desired to start a substance abuse treatment center in the City for many years. She opined their facility would serve the local community.
- Mr. Peterson inquired as to the cost of the program.
- Ms. Dockrill explained costs were still being negotiated with insurance companies, noting insurers typically paid more than their costs in Canada for similar treatment periods; therefore, she was working with insurance providers to ensure longer periods

of treatment for the same price. She then reviewed the group and private counseling sessions patients would receive.

- Ms. Peterman questioned how many employees would work at the facility.
- Ms. Dockrill replied another similar facility employed 20 staff members to serve 15 clients.
- Mr. Goldberg questioned which agencies would regulate the program. He further inquired what certifications and qualifications would be required of staff.
- Ms. Dockrill replied professionals with a wide range of qualifications ranging from Doctorates to extensive life experience were employed at their northern facility.
- Mr. Dockrill added the facility required licensing through the Department of Children and Families and the Commission on the Accreditation of Rehabilitation Facilities.
- Mr. Comeaux inquired if there were evacuation plans and other emergency preparation plans for the facility.
- Mr. Dockrill responded he met with the Fire Chief to create an emergency plan for the facility.
- Mr. Goldberg spoke in favor of a business operating from the building again.
- Mr. Thomas called three times for anyone to speak on SE-02-18.
- Mr. Loughman MOVED, Mr. Comeaux SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Peterson MOVED, Mr. Loughman SECONDED to find SE-02-18 consistent with the Comprehensive Plan and to recommend approval of this request with the conditions outlined by staff based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.

#### **UNFINISHED BUSINESS**

- A. CRA Status Report Update – March
- Ms. Hannon drew attention to the CRA Status Report, as delineated in the agenda material, confirming there were no questions.

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

- Mr. Loughman confirmed no members had attended Allegiant’s presentation at the Civic Center.

**ADJOURNMENT**

- Meeting Adjourned: 2:39 p.m.

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Charles Thomas, Chairman

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Sara Welch, Recording Secretary