

**PLANNING COMMISSION
MEETING
MARCH 25, 2019**

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

OTHERS PRESENT: Lisa Hannon, Zoning Official
Juergen Siewer, Robert Collins, Peter Aratari,
Gwen Anderson, Donna Ball, Geri Waksler,
Beverley Scheu, Jim Humay, Dave Bischoff,
Patty Allen, Lauren Robie, Chris Alonso,
James Herston, Kena Alonso

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting
 - 1. April 22, 2019
 - Mr. Weiner noted he would not be able to attend the April 22, 2019 meeting, requesting staff notify an alternate.

CITIZENS COMMENTS ON AGENDA ITEMS ONLY

- There were none.

APPROVAL OF MINUTES

- A. February 25, 2019
 - Ms. Peterman MOVED, Mr. Weiner SECONDED approval of the February 25, 2019 minutes. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS

- Recording Secretary Welch swore in all participants.
- A. ZA-01-19 – An Ordinance of The City of Punta Gorda, Florida, Amending Punta Gorda Code, Chapter 26, “Land Development Regulations”, Article 3, “Regulating Districts”, Amending Section 3.19, “APO, Airport Protection Overlay District”, adding a definition for Approach Zone for clarification, correcting scrivener’s errors and numbering accordingly; providing for conflict and severability; and providing an effective date.
 - Ms. Lisa Hannon, Zoning Official, announced staff discovered a scrivener’s error and omission of the definition of “Approach Zone,” noting same was important to future development. She explained the proposed ordinance would define “Approach Zone” and remove the prohibition against transferring density units to properties within the

Approach Zone, pointing out properties within the Runway Protection Zone would remain a sending site only. She concluded staff recommended approval of this request.

- Mr. Goldberg called three times for public comment on ZA-01-19.
- Mr. Peterson MOVED, Mr. Comeaux SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Weiner MOVED, Ms. Peterman SECONDED to find of ZA-01-19 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. Z-01-19 - An Ordinance of the City Council of Punta Gorda, Florida, rezoning approximately .88+/- acres of property, generally described as 200 West Henry Street, Punta Gorda, Charlotte County, Florida, and being more particularly described in Exhibit "A" attached hereto, from its current zoning classification of Planned Unit Development (PUD) to Neighborhood Residential 15 Units Per Acre (NR-15); 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, reviewing same in detail. She explained the proposed ordinance would return the property to the underlying NR-15 zoning classification, noting the previously approved site plan did not meet the current Land Development Regulations and the previously approved development plans had expired. She concluded staff recommended approval of this request.
 - Mr. Goldberg noted he had received ex-parte communications from a neighboring resident, providing a copy of an email, as delineated in the agenda material.
 - Mr. Juergen Siewer, applicant, stated the property would be used to develop rental units.
 - Discussion ensued with members confirming the following: (1) developer intended to build 13 2-bedroom, 1-bathroom units, which was permitted by City Code; (2) proposed ordinance would remove the Planned Unit Development associated with the property; (3) Mr. Siewer intended to seek market rent; (4) property was originally zoned Residential Multi-Family 10 Units Per Acre in 1988; (5) Zoning Map was amended in 2005 and the underlying zoning became NR-15.
 - Messrs. Robert Collins and Peter Aratari and Meses. Gwen Anderson and Donna Ball spoke against Z-10-19, citing concerns related to traffic impacts, the size of units and poor drainage in the area.
 - Mr. Goldberg noted details regarding specifications of future development remained uncertain until plans were submitted to the Development Review Committee.

- Discussion ensued with members confirming the following: (1) West Henry Street's current Level of Service (LOS) rating was C; (2) West Henry Street's LOS would remain C; (3) current planned development and site plan would remain associated with the property if the rezoning was not approved; (4) current zoning classification allowed for commercial development of the property; (5) a 10,000 square foot single-story commercial structure was previously approved; (6) the subject property was immediately surrounded by properties zoned NR-15 and Highway Commercial; (7) vacant land within the surrounding NR-15 properties could be developed at this density by right; (8) number of units per building was not restricted; (9) NR-15 had a building height limit of 40 feet above Base Flood Elevation with no more than three habitable floors; (10) neighboring development was zoned General Multi-Family and had a building height limit of 50 feet; (11) Mr. Siewer intended to construct Key West-style, single-story units; (12) Section 8 subsidized housing would not be offered.
 - Mr. Goldberg called three times for public comment on Z-01-19.
 - Ms. Peterman MOVED, Mr. Comeaux SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
 - Ms. Peterman and Messrs. Comeaux, Thomas, Weiner, Goldberg and Peterson commented favorably on the request, citing the proposed development as being of great benefit in meeting the City's need for affordable housing.
 - Mr. Weiner MOVED, Mr. Peterson SECONDED to find Z-01-19 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.
- B. PD-01-19 – An Ordinance of the City of Punta Gorda, Florida, amending the conceptual site plan previously adopted with Ordinance No. 1904-18, which rezoned properties generally described as 900 West Marion Avenue, Punta Gorda, Florida, and more particularly described as “All of Block 13, City of Punta Gorda, according to the map or plat thereof as recorded in Plat Book 1, Page 1 and 23, Public Records of Charlotte County, Florida”, from Neighborhood Residential 15 units per acre (NR-15) to Planned Development Neighborhood (PDN), the amendment is to allow for the expansion of existing parking areas, and amending permitted uses and structures to include site specific signage, outside display areas and flagpoles for the museum use; 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, reviewing same in detail. She noted the request would allow an additional flag pole, signage and parking. She concluded staff recommended approval

with the following conditions: maintenance of the banners; requirement of a building permit prior to construction or demolition related to amendment of the parking configuration and/or removal of the security building.

- Ms. Geri Waksler, applicant's attorney, provided a presentation, as delineated in the agenda material, regarding the proposed sixth flagpole, banners and additional signage and modified parking configuration, explaining same was consistent with museums' best practices. She stated the request was consistent with the Comprehensive Plan and the requirements for rezoning, noting the applicant accepted the conditions of approval. She requested the Commission recommend approval of this request.
- Discussion ensued with members confirming the following: (1) monument sign was not planned at this time; (2) Museum had not sought local homeowners' association's input regarding this request; (3) Museum was responsible for maintenance of the flags; (4) signage on the front face of building would initially be temporary so the Museum could determine its impact on the structure's interior light; (5) one main sign identifying the building was allowed; (6) neighboring light poles illuminated the flags sufficiently; (7) flags would fly during inclement weather but not during severe weather; (8) sixth flagpole would fly the American flag higher than the military flags.
- Ms. Beverly Scheu and Messrs. Jim Humay and Dave Bischoff expressed concern regarding the traffic, parking, lighting, noise and neighborhood impacts of this request.
- Ms. Patty Allen, applicant's representative, explained no additional lighting would be installed, requesting residents inform her of any issues. She then stated she would discuss care of the flags with Mr. Gary Butler.
- Ms. Waksler concluded the uses were already approved and traffic impacts would not change from those presented previously, reviewing the request.
- Members confirmed large buses could utilize parking at Fisherman's Village and suggested a deceleration lane lead to the Museum's driveway.
- Mr. Goldberg called three times for public comment on PD-01-19.
- Mr. Thomas MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Ms. Peterman spoke in favor of the request.
- Mr. Goldberg commented favorably on the facility, noting staff had recommended certain conditions for approval.
- Ms. Peterman MOVED, Mr. Gamblin SECONDED to find PD-01-19 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.

- C. AX-01-19 – An Ordinance of the City Council of Punta Gorda, Florida, annexing within the corporate area of the City of Punta Gorda, property addressed as 324 Cooper Street, Punta Gorda, and generally described as a parcel of land lying within Lots 7, 8, 19 and 20, Block A, of LaVilla Subdivision, as recorded in Plat Book 1, Page 5, of the Public Records of Charlotte County, Florida, being more particularly described in Exhibit “A” attached hereto, containing 0.64 acres, in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes; redefining the boundary lines of said city in conformance therewith; amending the Official Boundary Map of the City of Punta Gorda, Florida; directing the City Clerk to provide certified copies of this ordinance to the Charlotte County Clerk of Court, Charlotte County Administrator, Florida Department of State and Florida Office of Economic and Demographic Research; 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, reviewing same in detail. She concluded staff recommended approval of the request.
 - Ms. Lauren Robie, applicant’s representative, requested annexation of the property, amendment of the property’s future land use from Commercial/County to Urban Village/City and rezoning from Commercial General/County to Neighborhood Center/City. She provided a comprehensive presentation, as delineated in the agenda material, noting development of the property could provide additional affordable housing. She reviewed conceptual plans for the property in detail, commenting on the benefits of universal design.
 - Mr. Chris Alonso, applicant’s representative, presented images of the proposed development and a site plan, providing an overview of their plans.
 - Mr. James Herston, applicant’s agent, stated he had analyzed infrastructure for the proposed development, offering to answer any questions regarding same.
 - Mr. Weiner spoke in favor of annexation.
 - Mr. Goldberg called three times for public comment on AX-01-19.
 - Ms. Peterman MOVED, Ms. Peterson SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
 - Mr. Goldberg commented favorably on the proposed development.
 - Ms. Peterman inquired as to funding of the project.
 - Ms. Kena Alonso, applicant, asserted the project would be completed, expressing confidence funding would be secured.

- Mr. Comeaux MOVED, Mr. Peterson SECONDED to find AX-01-19 consistent with the Comprehensive Plan and to recommend approval of this request based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.
- D. CP-01-19 – 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 to reflect the change in the current designations of Commercial/County (Commercial/County), to Urban Village/City (UV/City) for 0.64 +/- acres being a portion of La Villa Subdivision, according to the map or plat thereof, as recorded in Plat Book 1, Page 6, Public Records of Charlotte County, Florida, Section 5, Township 41 South, Range 23 East, being more particularly described in Exhibit “A” attached hereto; 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, noting the proposed Comprehensive Plan amendment accompanied the annexation request. She concluded staff recommended approval of the request and transmittal of the Comprehensive Plan amendment to the State.
 - Mr. Goldberg called three times for public comment on CP-01-19.
 - Mr. Weiner MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
 - Mr. Peterson MOVED, Mr. Weiner SECONDED to find CP-01-19 consistent with the Comprehensive Plan and to recommend approval of this request and transmittal to the State based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.
- E. Z-02-19 An Ordinance of the City Council of the City of Punta Gorda, Florida, rezoning 0.64 acres, a parcel of land lying within Lots 7, 8, 19 and 20, Block A, of LaVilla Subdivision, as recorded in Plat Book 1, Page 5, Public Records of Charlotte County, Florida, being more particularly described in Exhibit “A” attached hereto; from its current Charlotte County zoning classification of Commercial General/County (CG/County) to Neighborhood Center/City (NC/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 by reference, advising staff recommended approval of the request. She noted the property would be rezoned from Commercial General/County to Neighborhood Center/City.
 - Mr. Goldberg called three times for public comment on Z-02-19.

- Mr. Weiner MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Discussion ensued regarding development of the property, with members confirming the following: (1) live-work units were planned; (2) proposed unit sizes were between 600 and 850 square feet; (3) units could be sold for \$220,000 to \$300,000; (4) proposed plans were conceptual; (5) prices were affordable in the sense residents would be able to both work and live in one location.
- Mr. Weiner opined the proposed development would not address the City's need for affordable housing.
- Mr. Goldberg noted approval of the rezoning was separate from any plans for the property's development.
- Mr. Comeaux MOVED, Mr. Weiner SECONDED to find Z-02-19 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.

STAFF COMMENTS

- A. Community Redevelopment Agency (CRA) Status Report Update – March
 - Mr. Goldberg drew members' attention to the CRA Project Status Report Update for March 2019, as delineated in the agenda material.

ADJOURNMENT

- Meeting Adjourned: 4:00 p.m.

Harvey Goldberg, Chairman

Sara Welch, Recording Secretary