

**Minutes Planning Commission Special Meeting
December 22, 2015, 6:00 p.m.**

The Chair called the meeting to order at 6:07 p.m. and led the Pledge of Allegiance

Roll Call

MEMBERS PRESENT: Brenda D'Arville, Tracy Fero, Wilbur Vanwyck, Paul Cowan

MEMBERS ABSENT: Lisa Sheffield, Maryann Hilton

STAFF PRESENT: Eddie Esch, Troy Slattery, Lonnie Smith, City Attorney Cassady

Proof of Publication: The agenda was posted on City's website and City Hall bulletin board on Friday, December 18, 2015.

1. Chairman's Report from City Council: Nothing to report.
2. Approval of Minutes: Meetings August 18, November 17 and December 15, 2015

The minutes of the August 18, November 17, and December 15, 2015 were approved as submitted by unanimous vote, 4-0.

3. Public Hearing

3.i. SPL2015-03 Anglers' Resort Motel Site Plan - Continued

Chairwoman D'Arville gaveled down and stated, "It is now 6:14 p.m. and I close the regular meeting and open the quasi-judicial hearing to discuss the site plan submitted for Anglers' Resort Motel."

All witnesses were sworn in for testimony in this matter by the City Attorney, Virginia Cassady. The Chair called for anyone with ex parte communication. Paul Cowan noted that he visited the site and the visit enhanced his ability to make a decision, and also asked the Chair, by email prior to December 15, if any variance and the Chair replied no. Per Virginia Cassady, these communications should be made part of the record.

REVIEW / INPUT / DISCUSSION

Lonnie Smith provided a recap of the purpose of this hearing. A site plan has been submitted to build a 12-unit motel where the original motel stood. Troy Slattery provided a review of the fire lane safety recommendations made for this project after review of the site plan.

Mr. Cowan noted that much of the items of concern have been addressed, but asks if there's any change to the property, does it have to come into compliance and do we have to issue new variances? Virginia Cassady noted that the non-conforming of the number of parking spaces has been alleviated by the exemption code. Since the hotel

will be rebuilt, does all the site have to be brought up to code? Parking is an ancillary structure. The only non-conformity was the parking which will not change. In addition, the exemption previously mention was adopted when the road was expanded, people's property was taken. Also asked is which comprehensive plan is in effect? The current comprehensive plan applies; the new one does not. Mr. Cowan noted that the measurements he requested of the parking lot were moot based on this conversation. Mr. Esch noted the concerns regarding a spillway and drainage area was exempt per SWFWMD letter included in the packet. A dumpster pad will be added, and Mr. Cowan asked that this be put in the recommendation we put forward to Council.

Mr. Cowan, in looking at the site plans, sees a discrepancy in the sizes of the building from old to new. In the porch measurements in particular. He would like to have that clarified.

Mr. Bill Hulbert noted that the original site plan showing the original motel on it, they took the property appraiser's measurements for the footprint itself. However the internal footages of design may have changed, but the actual square footage remained the same. Mr. Esch noted that the original preliminary plan exceeded the square footage by about 13% and that was rejected.

Brief discussion of SWFWMD's reasoning in not requiring changes to include drainage.

Chairwoman D'Arville reviewed the city attorney's memorandum concerning alternative parking arrangements being included in the plans and in any agreement and be in writing as a permanent record. City Attorney Cassady noted that using a residential property as parking, needs a letter from Citrus County. Makes the property commercial use and may become an issue with Citrus County. Tracy Fero asked about where parking is taking place within the City. Bob Jewett noted that they have a plan for parking in city parking lots with use of the shuttle. For years, motel parking for boats/trailers has been using Bob's personal property.

Mr. Esch said that the agreement should be designated in the plan. Discussion about McDonalds parking agreement being perpetual with the property as an example. Tracy Fero noted that this discussion is lengthy because of the liability to the city. Ms. Fero noted that she does not know of any insurance company that will add the City as an additional insured. City Attorney Cassady discussed various issues concerning City's liability and sovereign immunity. Does the Planning Commission want to recommend shared parking, either public or private businesses? Discussion continued concerning ideas for overflow parking arrangements, guests crossing U.S. 41. Shared parking agreements is the preferred method, rather than subjecting public parking spaces to a specific site plan/business.

Discussion of fire lane requirements, and any change for that would not affect the parking requirements either. Troy Slattery discussed past challenges when responding for an emergency. Concern for patrons exiting in an emergency. Sent a memo to note no changes would be required. Would prefer to create the fire lane along the retaining wall, causing a loss of 3 parking spaces. This would protect lives upon exiting in the event of an emergency. We cannot require this, but we do recommend it.

Tracy Fero motioned to recommend to City Council this be approved with the exceptions that a dumpster pad with retaining wall be added, as well as shared parking agreements with one or more businesses in town to accommodate six (6) parking spaces as well as adding a fire lane along U.S. 41 retaining wall. Wilbur Vanwyck seconded. The motion passed by unanimous vote, 4-0.

Paul Cowan motioned that, as the Local Planning Agency, after further discussion and examination finds the first motion requirements for approval and the site plan is consistent with the Comprehensive Plan. Tracy Fero seconded. The motion was passed by unanimous vote, 4-0.

The Commission requests that the decisions made today be forwarded to Council by resolution as required by City Code. Further requesting that the City Attorney prepare the resolution for the Chair's signature and inclusion in the Council packet.

Chairwoman D'Arville gavelled down and stated, "It is now 7:25 p.m. and I close the public hearing and open the regular meeting."

4. Items for Discussion

4.i. Future Land Use Element Documents: Members are in agreement that this item will be forwarded for review at its January meeting. Requested an update on where Ken Metcalf is on the Comprehensive Plan amendments. At this time the plan is pending city staff comments. Providing no comments by the deadline, 12/23, he will forward on to DEO. There are some formatting changes to be made such as page numbering. Lonnie Smith noted that he has reviewed the math and all of the math is okay. City Attorney reviewed the anticipated schedule leading up to final approval.

Wilbur Vanwyck, following up on the blight conditions coming into the City on the Citrus County side, asked if anyone has made contact with the County? Mr. Esch has reached out to the Public Works Director, but has not heard back. Virginia Cassady reported that Council has appointed Andrew Hand from their firm as the new City Attorney. Mrs. Cassady will second chair when Mr. Hand is not available. General discussion ensued concerning when the City Attorney is required at a Planning Commission meeting, and the City will take the lead in determining when the attorney should attend. Further discussion concerning when Commission reviews site plans, when is McDonald's going to build due to public safety/traffic concerns. Lonnie Smith reported that the building permit is good for six months from date of payment. Must have a completed inspection.

5. Adjournment – The meeting was adjourned at 7:52 p.m.

Brenda D'Arville, Chairwoman

Teresa Malmberg, Admin. Coordinator