

**GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING COMMISSION PUBLIC
MEETING MINUTES**

**Thursday, December 10, 2015
6:00 PM**

Board of County Commissioners Meeting Room
7 East Jefferson St
Quincy, Florida

Present: Commissioner Regina Davis, At - Large Member, Chair
Commissioner William Chukes
Commissioner Edward J. Dixon
Commissioner Mari VanLandingham
Commissioner David Tranchand
Commissioner Marion Lasley
Commissioner Lori Bouie
David Weiss, County Attorney
Allara Gutcher, Planning & Community Development Director
Jill Jeglie, Senior Planner
Beryl H. Wood, Deputy Clerk

Absent: Commissioner Roger Milton, School Board Representative
Commissioner Gerald McSwain
Commissioner Dr. Gail Bridges – Bright
Commissioner Frank Rowan
Commissioner John Youmans

Note: The 6:00p.m. meeting was delayed due to lack of a quorum. The meeting began upon arrival of the commissioner needed for the quorum.

1. PLEDGE OF ALLEGIANCE

Chair Davis called the meeting to order at 6:20 p.m. with a quorum present. She then led in the pledge of allegiance to the US Flag and asked each person to silence their electronic devices for the duration of the meeting.

2. INTRODUCTION OF MEMBERS/ROLL CALL

Each member present stated his name and district for which they represent.

3. APPROVAL OF AMENDMENTS TO THE AGENDA

**UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER CHUKES,
THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR APPROVAL OF THE AGENDA.**

4. **APPROVAL OF MINUTES – SEPTEMBER 7, 2015**

UPON MOTION BY COMMISSIONER TRANCHAND AND SECOND BY COMMISSIONER DIXON, THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR APPROVAL OF THE SEPTEMBER 7, 2015 MEETING MINUTES.

5. **DISCLOSURES AND DECLARATIONS OF CONFLICT** – None

6. **PUBLIC HEARING (Legislative) (VAC -2015-05) - Consideration of an application to vacate a 0.66 acre right-of-way between Chinquapin Way and Lunker Lane.**

Mrs. Gutchner discussed a request to vacate the S ½ of Lot 2 of the Lake Talquin Camp Subdivision, an approximate 0.66 – acre Right-of-Way (R-O-W), connecting Chinquapin Way and Lunker Lane Located on Tax Parcel Id# 6-03-1S-4W-1260-0000A-0020 (Attachment #1) pursuant to Subsection 7404, 'Vacation of Rights-Of- Way and Public Easements', of the Gadsden County Land Development Code (LDC).

Kay O. Moss, property owner, has requested vacation 0.66 acres of R- O-W located on property identified by Tax Parcel Id#6-03-1S-4W-0000A-0020 within the Lake Talquin Camp Subdivision. The R-O-W crosses between Lots 2 and 3 of her property and connects Lunker Lane with Chinquapin Way.

She commented the applicant is here to speak if she so desires, we have reviewed the application and as you know this was originally scheduled for the October meeting. It was delayed due to a letter we received from Mr. Shaw. He had concern related to an ownership issue regarding the parcel or the south half of that lot. The subject of the ownership is not up for consideration. The consideration is whether or not the County should vacate the right-of-way. Any type ownership issue would be between Mr. Shaw and whatever property owners he deemed necessary.

We have reviewed the application pursuant to the Comprehensive Plan and the Land Development Regulations. The Comprehensive Plan is silent on this issue; there is no real evaluation there. According to section 7404 of the Land Development Code, which she referenced on page 2 of the Staff Report verbatim, you will find no issue with the request.

The Planning and Community Development Department (P&CD) offers the following findings analysis:

1. Planning and Community Development staff finds that the vacation request complies with the criteria of Subsection 7404, as follows:
 - a. The proposal is consistent with the Comprehensive Plan.
 - b. The vacation will not prevent any property from having access to a public R-O-W.

She voiced this was a legislative decision and it is a policy decision whether or not the County Commission, would so to desire to vacate this right-of-way. She then asked that they make a recommendation in favor or denial of that request.

Chair Davis asked for public comment.

Commissioner VanLandingham wanted to know if the remainder of the property could be built on.

Public Comment:

George Hamilton, 224 Chinquapin Way, read a letter from Mr. Hinson. He said he was not in support of the vacation. He felt if it was granted it should return to the original owners, the Shaw family.

Commissioner VanLandingham asked who maintained the road.

Mr. Hamilton stated that although it was a County road it was not maintained by the County. He said no one maintains the road.

Steve Christian, 127 Striper Way, commented on the use of Chinquapin Way, not in support of the vacation.

Sarah Johnson, 166 Talquin Ave, commented if you close this road you would be setting precedence. This road was in the original deed. The road is used by the public and should not be closed to give to one property owner. She said she would like for the road to be maintained.

David M. Brinkley, 13 Lunker Lane, commented on the families that live there have been in neighborhood over 60 years. He was opposed to the vacation.

Richard Stratton, 311 Chinquapin Way, said they bought the property about a year ago. He said he doesn't understand why something can't be changed.

Richard Sweeney, 232 Lois Lane, commented in support of a variance to allow other construction on site, just because something has been there over 60 years does not mean its right.

Kay Moss, 311 Chinquapin Way, the applicant commented they have met all the requirements and asked that it be approved.

Commissioner VanLandingham asked about restrictive easement.

Commissioner Lasley said if they are County Roads, why aren't they being maintained. She asked what steps they needed to take to get the County's attention to this matter.

Mrs. Gutcher said to the best of her knowledge it would be to contact Public Works.

Mr. Hamilton came back before the Commission and referenced the deed from 1949 to be used for right of way.

Richard Sutton volunteered to cut trees down in case of emergency in the vicinity, if the Commission were to approve to relieve the citizens concern.

Commissioner Dixon said it was his personal belief property should not be vacated when it is for not for a public purpose.

UPON MOTION BY COMMISSIONER VANLANDINGHAM AND SECOND BY COMMISSIONER DIXON, THE COMMISSION VOTED 6 – 1, BY VOICE VOTE, FOR DENIAL OF THE VACATION OF A 0.66 – ACRE RIGHT- OF - WAY WITHIN THE TALQUIN CAMP SUBDIVISION. (Commissioner’s Lasley opposed the motion.)

7. **PUBLIC HEARING (Quasi – Judicial) (SP-2015-06) – Consideration of a site plan application for the Quincy Senior Living Facility, LLC to construct a 65 unit senior living facility. This application is for phase 1 of a 2 phased project.**

All were sworn in by the deputy clerk.

Ms. Jeglie commented on the request for site plan approval of a sixty-five (65) unit senior living facility with amenities as Phase 1 of a two (2) phased development on 13.912 acres.

She said the applicant Quincy Senior Living, LLC represented by Nevin Zimmerman, with Jonathan Sklarski, P.E. of Preble – Rish, Inc. as the engineer of record have applied for site plan approval for development of a sixty-five (65) unit senior living facility with amenities. This site plan is contingent upon approval of the Future Land Use Map (FLUM) amendment that will be presented to the Board of County Commissioners on December 15, 2015. Once the FLUM and site plan are approved, the applicant will subdivide the 13.912 acres from the 131.5 parent parcel as identified by Tax Parcel Identification #3-17-2N-3W-0000-00344-0100.

The subject site plan is being reviewed as a Class II, multi-family residential development with accessory uses in the Urban Service Area FLUM designation (Subsection 4101 of the Gadsden County Land Development Code (LDC). This is a phased project. Only Phase I is under consideration with this application. The applicant proposes a 65 unit senior living facility (multi-family residential) development with amenities.

The proposed development site is adjacent to primarily vacant land that is designated as Industrial on the FLUM by the County, and Mixed Use and Residential, Low Density Land Use by the City of Quincy.

Ms. Jeglie discussed the Planning Division findings which are listed on page 4 -6 of the report. She didn't go through them all, but stated they are listed. The maximum density will not exceed the 65% maximum intensity for non-residential land use in the USA district (Sub. 4101 of the LDC). The application says it will be a one story facility. She stated they have requested additional information regarding the height, but they have brought elevations to the meeting, so that you can review and it would be added to the site plan. The site plan demonstrated compliance with the clear vision zone for driveway ingress and egress. There is a thirty-seven inch protected oak located on the site. The grading for or the stormwater pond is proposed to touch the Critical Protection Zone (CPZ). While this is not prohibited, there is sufficient area to reduce grading and construction touching the CPZ and provide required natural area. She said they have agreed to move the stormwater pond back to address this issue. She discussed the options with the Commission and added one additional condition to Option 1: Recommend approval of the Quincy Senior Living Facility Site Plan (SP-2015-06) as identified on the sheet site plan, dated November 2015, prepared by Preble-Rish, Inc. with the following conditions: ***That the site plan approval shall be contingent upon approval of a Future Land Use Map Amendment of Urban Service Area; and,***

- A. THE APPLICANT SHALL OBTAIN SUBDIVISION APPROVAL TO CREATE THE 13.912 ACRE PARCEL APPROVAL PRIOR TO ISSUANCE OF A SITE DEVELOPMENT ORDER.
- B. ON THE SITE PLA, LIST THE USE AND SQUARE FOOTAGE OF AMENITIES (ACCESSORY USES).
- C. ONE THE SITE PLAN, INDICATE THE HEIGHT AND NUMBER OF STORIES OF THE PROPOSED STRUCTURES.
- D. ON THE SITE PLAN, INDICATE THE REQUIRED 90' SETBACK FROM THE CENTERLINE OF THE RIGHT- OF-WAY.
- E. ONE THE SITE PLAN, LABEL THE EASTERN SIDE SETBACK FORM THE SENIOR LIVING FACILITY.
- F. ON THE SITE PLAN LABEL THE 20% NATURRAL AREA AND ADD A NOTE THAT, "THE NATURAL AREA WILL BE UNDISTURBED EXCEPT FOR MAINTENANCE AS APPROVED BY THE COUNTY".
- G. ON THE SITE PLAN, INDICATE PARKING LOT DRIVEWAY SIGNS AND MARKINGS IN COMPLIANCE WITH MUTCD INCLUDING PEDESTRIAN CROOSSING, STOP SIGNS AND BARS, TRAFFIC DIRECTIONAL ARROWS, ETC.
- H. ON THE SITE PLAN, ADJUST TE NORTHERN CORNER OF THE STORMWATER POND AWAY FOR THE PROTECTED 37" DBH OAK TREE TO REDUCE CONSTRUCTION IMPACTS FROM GRADING UP TO AN INTO THE CPZ.
- I. ON THE SITE PLAN, INDICATE THE HEIGHT AND MATERIALS OF THE DUMPSTER ENCLOSURE.
- J. LABEL THE COVER SHEET AS SITE PLAN (REMOVE CONSTRUCTION PLAN REFERENCE) AND ADD A TITLE BAR. AND

Nevin Zimmerman, introduced the players involved in bringing this project forward which included Harold Bazzel, Bill Bogan, Francis Kelly & JR Kelly (property owners).

Commissioner Chukes inquired “Would the food be catered and how many people would the facility employ?”

Mr. Zimmerman said “Yes, food would be catered for purchase if the residents choose. He said the only cooking would be by the residents in their own personal spaces. No food would be cooked on the premise. Only by the individuals in their own residences. He said there would be 23 fulltime employees.

Commissioner Tranchand asked if the tax credits were marketable.

Mr. Zimmerman responded yes.

Commissioner Lasley asked about sidewalks.

Mr. Zimmerman said sidewalks would be placed.

Chair Davis asked about the lift station; dumpster only in one location; questioned handicapped parcels - whether the spacing was enough. She also asked if the storm water facility was fenced.

Ms. Jeglie said there is only one dumpster shown and that there are no regulations regarding placement. She noted with the storm water facility it appears to be a dry pond. However, when you get into construction and if it exceeds slope 4:1 then it would be required to be fenced.

Mr. Zimmerman said he would note all the concerns of the Commission and would take those back to his clients.

Commissioner Dixon asked that based on the current discussion that the storm water pond be fenced even if it is dry. He voiced if they have a memory care unit it would be beneficial.

Chair Davis called for public comment and there was none.

UPON MOTION BY COMMISSIONER CHUKES AND SECOND BY COMMISSIONER VANLANDINGHAM, THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR APPROVAL OF OPTION 1: RECOMMEND APPROVAL OF THE QUINCY SENIOR LIVING FACILITY SITE PLAN (SP-2015-06) AS IDENTIFIED ON THE SHEET SITE PLAN, DATED NOVEMBER 2015. PREPARED BY PREBLE –RISH, INC. WITH THE FOLLOWING CONDITIONS: AND WITH SITE PLAN APPROVAL CONTINGENT UPON APPROVAL OF A FUTURE LAND USE MAP AMENDMENT OF URBAN SERVICE AREA:

- a. THE APPLICANT SHALL OBTAIN SUBDIVISION APPROVAL TO CREATE THE 13.912 ACRE PARCEL APPROVAL PRIOR TO ISSUANCE OF A SITE DEVELOPMENT ORDER.
- b. ON THE SITE PLAN, LIST THE USE AND SQUARE FOOTAGE OF AMENITIES (ACCESSORY USES).
- c. ON THE SITE PLAN, INDICATE THE HEIGHT AND NUMBER OF STORIES OF THE PROPOSED STRUCTURES.
- d. ON THE SITE PLAN, INDICATE THE REQUIRED 90' SETBACK FROM THE CENTERLINE OF THE RIGHT- OF-WAY.
- e. ON THE SITE PLAN, LABEL THE EASTERN SIDE SETBACK FROM THE SENIOR LIVING FACILITY.
- f. ON THE SITE PLAN LABEL THE 20% NATURAL AREA AND ADD A NOTE THAT, "THE NATURAL AREA WILL BE UNDISTURBED EXCEPT FOR MAINTENANCE AS APPROVED BY THE COUNTY".
- g. ON THE SITE PLAN, INDICATE PARKING LOT DRIVEWAY SIGNS AND MARKINGS IN COMPLIANCE WITH MUTCD INCLUDING PEDESTRIAN CROSSING, STOP SIGNS AND BARS, TRAFFIC DIRECTIONAL ARROWS, ETC.
- h. ON THE SITE PLAN, ADJUST TE NORTHERN CORNER OF THE STORMWATER POND AWAY FOR THE PROTECTED 37" DBH OAK TREE TO REDUCE CONSTRUCTION IMPACTS FROM GRADING UP TO AN INTO THE CPZ.
- i. ON THE SITE PLAN, INDICATE THE HEIGHT AND MATERIALS OF THE DUMPSTER ENCLOSURE.
- j. LABEL THE COVER SHEET AS SITE PLAN (REMOVE CONSTRUCTION PLAN REFERENCE) AND ADD A TITLE BAR. AND

CONTINGENT THAT COMMISSIONER DIXON'S COMMENT BE ADDED THAT THE STORM WATER POND FENCING BE ADDED MOVING FORWARD. (MOTION PASSED).

Chair Davis recessed for a 5 minute break and resumed at 7:26p.m.

8. **PUBLIC HEARING (Legislative)** – Recommendation to the BOCC regarding amendments to Chapter 3 (Construction Standards of the Gadsden County Land Development Code.)

Mrs. Gutcher commented this hearing is required to offer a recommendation to the BOCC for the amendment of Chapter 3 of the Land Development Code as to the consistency of said amendments to the Comprehensive Plan.

As the Planning Division has been working on updates to the Comprehensive Plan, updates to the Land Development Code are also under consideration not only to be consistent with the Comprehensive Plan, but to update procedures and regulations to current standards and Florida Law.

She stated Chapter 3 pertains to Building Code and Construction Standard that although once fell under the purview of the Planning and Community Development Department (then known as the Growth Management Department), now does not. Building Codes and standards are updated on a regular basis, and the Planning Division does not monitor these updates as these codes and standards are pertinent to a separate department within the County, the Building Department. It is recommended these codes be the responsibility of that department since the split of the regulatory divisions a few years ago.

The deletion to Chapter 3 is requested to move that responsibility to the Building Department, now a separate division from the (previous) Growth Management Department, and to reserve this chapter for future use.

Staff recommendation was the recommendation of Option 1.

Commissioner Lasley asked was the Codes elsewhere. How does deleting the whole chapter affect other Levels of LDC?

Mrs. Gutcher said they will stand until they are updated. We are only looking at Land Development Code Issues.

Commissioner Tranchand questioned deleting references all along and the restructuring of the Elements in the past several months. He asked had they been taking the references out. He asked was this on track with what they had previously done. He was only asking to make sure this was consistent with what they had been doing to other sections.

Mrs. Gutcher assured him it was.

Chair Davis called for public comment and there was none.

UPON MOTION BY COMMISSIONER TRANCHAND AND SECOND BY COMMISSIONER LASLEY, THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR APPROVAL OF OPTION 1: FIND THAT THE AMENDMENTS TO THE LAND DEVELOPMENT CODE ARE CONSISTENT WITH THE GOALS, OBJECTIVE, AND POLICIES OF THE COMPREHENSIVE PLAN, AND RECOMMEND THAT THE BOCC ADOPT THE CHANGES TO CHAPTER 3 OF THE LAND DEVELOPMENT CODE.

9. **GENERAL BUSINESS – Authorization for the Chairperson to sign a letter on behalf of the Planning Commission in support of the Apalachee Regional Planning Council Environment Protection Agency Brownfield’s Assessment Grant Application.**

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER BOUIE, THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR AUTHORIZATION FOR THE

CHAIRPERSON TO SIGN A LETTER ON BEHALF OF THE PLANNING COMMISSION IN SUPPORT OF THE APALACHEE REGIONAL PLANNING COUNCIL ENVIRONMENT PROTECTION AGENCY BROWNFIELD'S ASSESSMENT GRANT APPLICATION.

10. PLANNING COMMISSIONER'S QUESTION AND COMMENTS

Commissioner VanLandingham Resignation

Commissioner VanLandingham commented she has enjoyed her tenure (8 years), but it's time to move on. She thanked everyone for the opportunity to serve on this great Commission and wished them all nothing short of the very best.

Chair Davis thanked everyone for their time and effort, but especially Commissioner VanLandingham for her tenure and that she would truly be missed. She said everyone on the Commission was there because they enjoyed making a difference in Gadsden County and wished them all Happy Holidays.

11. DIRECTOR'S COMMENTS - Allara Gutcher

- Future Land Use Element was handed out to be placed in the Planning Commissioner's Comprehensive Plans. They are working on the Recreation and Open Space and Capital Improvement Elements and the BOCC should be adopting the Conservation Element next month.
- US 90 Corridor Study was discussed. She stated they had just started an Initiative Study which is a grant from Department of Economic Opportunity (DEO) along the Highway 90 Corridor to bring more tourism to the County. It's a regional effort and we are one of the five counties involved with the project.
- The Competitive Florida Partnership Program was discussed. This is the 2nd year of the Program in Gadsden and a grant of \$40,000 from the state has been granted. We are using those funds to develop an additional layer of a Site Selection Survey, where Duke Energy conducted a initial survey for Gadsden County amongst other counties. We had the most potential sites for Economic Development/Industry from all the counties. She noted Gadsden had 20 sites.

ADJOURNMENT OF MEETING

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 7:39 P.M.**

GADSDEN COUNTY, FLORIDA

REGINA DAVIS, CHAIR

ATTEST:

**BERYL H. WOOD, DEPUTY CLERK
For NICHOLAS THOMAS, CLERK
Gadsden County, Florida**