

**PUBLIC MEETING OF THE DESOTO COUNTY PLANNING COMMISSION
HELD ON TUESDAY, DECEMBER 4TH, 2018 AT 5:30 PM
IN THE COUNTY COMMISSIONERS' MEETING ROOM
ARCADIA, FLORIDA**

I. CALL TO ORDER

Chairperson William Martin called the December 4th, 2018 Planning Commission meeting to order at 5:30 pm.

II. PLEDGE OF ALLEGIANCE

Chairperson Martin led the Planning Commission in the pledge of allegiance.

III. ROLL CALL

Chairperson Martin requested Ms. Smith call the roll and the following persons were in attendance:

Members in Attendance

Chairperson, William "Bill" Martin
Commissioner, Judy Kirkpatrick
Commissioner, Mike Provau
Commissioner, Melinda Masters

Others in Attendance

Development Director, Earl R. Hahn, ACIP
Administrative Assistant, Donna Smith
County Attorney, Donald D. Conn

Ms. Smith announced a quorum was present and no ex-parte communications had occurred.

IV. SET OR AMEND THE AGENDA

Chairperson Martin requested a motion to set or amend the agenda. Commissioner Provau moved to approve the agenda which was seconded by Commissioner Masters and which was approved unanimously 4-0.

V. PUBLIC FORUM FOR NON-AGENDA ITEMS

Chairperson Martin opened the floor to the public so that they could address the Planning Commission on any items that was not on this evening's agenda.

There were no comments.

VI. PROOF OF PUBLICATION

Chairperson Martin requested a motion to approve filing the proof of publication. Commissioner Kirkpatrick moved to approve proof of publication. Commissioner Masters seconded the motion and which was approved unanimously 4-0.

VII. PLANNING COMMISSION MEETING MINUTES

Chairperson Martin requested a motion to approve or amend the Planning Commission meeting minutes. Commissioner Kirkpatrick moved to approve the November 8th, 2018

minutes. Motion was seconded by Commissioner Provau and which motion was approved unanimously 4-0.

VIII. DEVELOPMENT DIRECTOR COMMENTS

Development Director Hahn asked that his comments be moved to the end of the agenda. At the end of the meeting Director Hahn stated that he will be seeking employment elsewhere due to financial matters for retirement. Director Hahn stated that June Fisher is interested in the position for the Planning Manager.

IX. ACTION ITEMS

A. Comprehensive Plan amendments:

1. *An Ordinance of the DeSoto County Board of County Commissioners amending the DeSoto County Comprehensive Plan Future Land Use Element Map Series Number 3, the Interim 2040 Future Land Use Map (FLUM) by changing from Rural/Agriculture (RA) to Electrical Generating Facility (EGF) the designation of 1,928+ acres of land generally located east of NE Highway 17 and south of the DeSoto/Hardee County line, more particularly described in Exhibit 1; amending Future Land Use Element Policy 1.11.9 to increase the size of the EGF from 5,162-acres to 7,090-acres; incorporating the whereas clauses and staff report; providing for severability; and providing for an effective date.*

Development Director Hahn introduced himself and thanked the public attending the meeting. Director Hahn read the title of the Ordinance into the record and gave a brief Power Point presentation summarizing the proposed land use amendment and recommended that the Planning Commission Board send a recommendation of approval be sent to the Board of Approval.

Chairperson Martin asked the Board (this is the Planning Commission not the Board of County Commissioners) and the Public if there were any questions or discussions and there were none.

Chairperson Martin asked for a motion based on Staff's presentation to approve the land use amendment. Commissioner Kirkpatrick moved to approve the land use amendment which was seconded by Commissioner Provau and which was approved unanimously 4-0.

2. *An Ordinance of the DeSoto County Board of County Commissioners amending the DeSoto County Comprehensive Plan Future Land Use Element Map Series Number 3, the Interim 2040 Future Land Use Map (FLUM) by removing from the FLUM two properties totaling 69.50--acres that have been annexed into the City of Arcadia, more particularly described as Property Identification Numbers 30-37-25-0000-0080-0000*

and 30-37-25-0000-0094-0000; incorporating the whereas clauses and staff report; providing for severability; and providing for an effective date.

Development Director Hahn gave a brief overview summarizing the annexation for the City of Arcadia comp plan amendment and recommended that the Planning Commission Board send a recommendation of approval be sent to the Board of Approval.

Chairperson Martin asked the Board and the Public if there were any questions or discussions and there were none.

Chairperson Martin asked for a motion to approve the comp plan amendment. Commissioner Masters moved to approve the comp plan amendment which was seconded by Commissioner Kirkpatrick and which was approved unanimously 4-0.

B. Concept Development Plan amendment

1. *A. Resolution of the DeSoto County Board of County Commissioners granting to SBL Partnership an amendment to the existing Planned Unit Development (PUD) zoning district that would add to the approved concept development plan (i.e., Sonoma Preserve) an alternate or second Concept Development Plan (DP 2018-12) that would allow 999 senior adult manufactured homes on 513.87+ acres of land located at 11144 SW Glenadine Avenue; providing for incorporation, property description, approval, conflicts, and an effective date.*

Don Conn, County Legal Counsel stated this is a Quasi-Judicial hearing relating to a zoning PUD. Mr. Conn advised the Board to base their decision on the evidence provided either by testimony or written documentation. Ms. Smith administered the oath. Mr. Conn stated there was no ex-parte on any of the items presented.

Development Director Hahn gave a brief overview and presentation summarizing the Development Plan for SBL Partnership. This would be an alternative PUD using the same footprint but replacing the original 400 single-family and 599 multi-family home concept to 999 senior adult manufactured homes.

Director Hahn asked the Board to direct Staff to clean up and clarify language in the LDR for more flexibility for Alternate Develop Plans.

Director Hahn stated the 13 PUD requirements and 15 Concept Development Plan are in conformance as provided. Based on the findings and conclusions contained, Director Hahn recommends that the

Planning Commission **Board** send a recommendation of approval of the application.

Commissioner Master as if we are looking at two separate items. Director Hahn stated the first item has already been approved and we are asking for approval of the alternate which is changing the types of units and to fix the LDR's. Commissioner Master recommended we do these two items separately. Mr. Conn stated we can do them separately.

Mr. Conn stated the developer would have to choose one alternative because they cannot do both.

Geri Waksler of McCrory Law Firm introduced herself. Mrs. Waksler stated there are four expert witnesses.

Experts:

Matthew S. Simmons of Maxwell, Hendry & Simmons Appraisal Firm
Byron Stroud, Director of Community Sales for Skyline-Champion Corp.
Ian M. Vincent of Ian Vincent and Associates, Principal Ecologist
Reid C. Fellows, P. E., VP of TR Transportation Consultants, Inc.

Chairperson Martin asked for a motion to accept the expert witnesses. Commissioner Provau made the motion to accept which was seconded by Commissioner Master and which was approved unanimously 4-0.

Mrs. Waksler provided a presentation for the SBL Partnership with the four expert opinions and recommendations.

Ellen Weil introduced herself as the Managing Partner of SBL Partnership and stated this is all they do and gave a brief overview of the company.

Mrs. Waksler gave a brief summarization and respectfully asked for approval of the PUD.

Commissioner **Master** wanted verification that homes will be brought in by a factory and not just individuals moving homes in and the possible traffic issues. Mrs. Waksler stated homes will be brought in from a factory and will not come in all at one time; therefore, there should not be any effect on traffic.

Commissioner Kirkpatrick asked if the land will be owned by SBL Partnership. Ms. Weil stated that yes the developer will own the land and pay the taxes and the home will be owned by the homeowner. Mr. Conn state the homeowner will pay tangible taxes and SBL Partnership will pay land taxes.

Commissioner Masters asked about age of home values. Mr. Simmons stated they did survey new and older homes and found there was no impact.

Chairperson Martin asked Mr. Simmons if his survey was based on manufactured home communities. Mr. Simmons stated yes.

Chairperson Martin asked Mr. Fellows if turning lanes will be installed and Mr. Fellows stated yes. It will be the same concept plan as 2015 with no changes and each phase would be re-evaluated.

Chairperson Martin open the items for Public discussion, there were no comments.

Chairperson Martin asked the Board if there were any questions or discussions. Commissioner Kirkpatrick stated during Hurricane Charley it was quite impressive how these types of home held up. Commissioner Masters stated any type of homeowner brought to DeSoto County is a positive. Commissioner Provau felt that these types of communities are an asset to DeSoto County.

Chairperson Martin asked for a motion to approve this item. Commission Kirkpatrick moved to approve the Concept Development Plan amendment which was seconded by Commissioner Masters and which was approved unanimously 4-0.

X. DISCUSSION ITEMS – None

XI. INFORMATIONAL ITEMS

- A. Fiscal Year 2018/2019 Development Department Budget – No comments
- B. Development Department Five Year Schedule of Capital Improvements – Director Hahn discussed the new web bases on-line permitting system that should be up and running in February, 2019.
- C. Community Development District application – Development Director Hahn stated this is financing district. One was applied for but never developed. We received an application to dissolve the old application and to establish a new smaller district for the same area. This should come before the PC Board next month.

Director Hahn stated there is another upcoming which will be a major Economic Development project which will be a pectin plant across the Peace River Citrus plant on Highway 72 to extract pectin and sell.

XII. NEW BUSINESS

A. 2019 Planning Commission hearing date schedule: Motion to approve

Chairperson Martin asked for a motion to approve the schedule Commissioner Masters moved to approve the next Planning Commission meeting on January 3rd, 2019 at 5:30 pm which was seconded by Commissioner Kirkpatrick and which was approved unanimously 4-01.

XIII. OLD BUSINESS – NONE

XIV. PLANNING COMMISSION MEMBER REMARKS – Commissioner Kirkpatrick advised that Danny Via will be taking her position on the PC **Board** for the School Board and she will become an alternate.

XV. ADJOURNMENT - The meeting adjourned at 7:00 p.m.

**PLANNING COMMISSION
DESOTO COUNTY, FLORIDA**

By: _____
William "Bill" Martin, Chairperson

Date