

TALLAHASSEE-LEON COUNTY PLANNING COMMISSION MINUTES

OCTOBER 5, 2021, 6:00 PM

2nd Floor Conference Room, 435 North Maccomb Street, Tallahassee, FL**PLANNING COMMISSIONERS PRESENT:** Ian Waldick, Chair; Leslie Jacobs; Jovana Parker; LaRoderick McQueen; and Jami Coleman**PLANNING COMMISSIONERS ABSENT:** Collins Proctor and Donald Gray**STAFF PRESENT IN PERSON:** Russell Snyder, Land Use Planning Division Administrator; Silvia Alderman, Planning Commission Attorney; Susan Denny, Senior Planner; Mary Jean Yarbrough, Senior Planner; Allen Seacrest, Traffic Engineer; Keith Burnsed; City Land Use and Environmental Services Manager; Kim Cole-Sweazy, Senior Planner; Lou Norvell, Assistant City Attorney; Shawna Martin, Leon County Development Services Administrator; Shington Lamy; Leon County Office of Human Services and Community Partnerships; Amanda Wander, Executive Director, Big Bend Continuum of Care and Ed Young, virtual meeting host.**STAFF PRESENT VIRTUALLY:** Emily Pepin, Assistant County Attorney; and Beth Perrine, Recording Secretary.**A. PLEDGE OF ALLEGIANCE:****B. AGENDA MODIFICATIONS:**

Commissioner McQueen made a motion to move Item E.4 to the beginning of the Public Hearing Rezoning portion of the agenda due to multiple speakers on this item. Commissioner Coleman seconded the motion. The motion passed with a vote of 4-0.

C. PUBLIC COMMENT ON UNAGENDAED ITEMS:**D. CONSENT:****1. August 3, 2021 Planning Commission Minutes**

Commissioner Coleman made a motion to approve the August 3, 2021 Planning Commission Meeting Minutes. Commissioner Parker seconded the motion. The motion passed with a vote of 4-0.

E. PUBLIC HEARING REZONING:**4. City of Tallahassee: First and Only Public Hearing on Ordinance 21-Z-31; Proposed Amendment to the Official Zoning Map for 14.92 Acres Located 180 Feet South of the Intersection of Piney Z Plantation Road and Planters Ridge Drive to Change the Zoning Classification from the Superior Residence Planned Unit Development (PUD) Zoning District to the Single Family Attached, Detached and Two-Family Residential (R-3) Zoning District.**

Ms. Susan Denny gave a presentation on this item. Ms. Denny stated that staff recommends that the Planning Commission find proposed Ordinance 21-Z-31 consistent with the Tallahassee-Leon County Comprehensive Plan and recommend that the City Commission adopt it, thereby amending the Official Zoning Map from the Superior Residence Planned Unit Development (PUD) zoning district to the Single Family Attached, Detached and Two-Family Residential (R-3) zoning district, based upon the findings of fact and conclusions of law set forth in the staff report and any evidence submitted at the hearing hereon.

There were 14 public speakers on the item, including both representatives of the Piney-Z HOA and the Chase's Run HOA. Many of the speakers expressed concern about the adverse effects of traffic coming north from the subject property onto the roads in the Piney Z neighborhood, especially Planter's Ridge Drive. The speakers' concerns centered on children playing near the street and pedestrian safety due to the lack of sidewalks in Piney Z. Speakers were also concerned about increased traffic congestion and the difficulty with visibility due to the steep hill on Planter's Ridge Drive. Also, a speaker stated that Comprehensive Plan Policy 2.1.1 [L], which addresses the location of incompatible development, makes the application inconsistent with the Comprehensive Plan.

In addition to the speakers from the Piney Z neighborhood, there were speakers from residents on Virgil Road and the Chase's Run subdivision. These speakers did not want traffic from the subject property to go south because they did not want traffic going through the substandard Virgil Road or the private streets in Chase's Run. The applicant's agent stated that it is not the intent of the developer to improve Virgil Road to County standards to allow the traffic from the development to go south, which is what the County would require in order to allow access on Virgil Road.

Speakers were also concerned about wildlife, buffering, crime, and the lack of a specific plan of development at this time. They were informed by staff that a specific plan of development is not required for a rezoning unless it is a planned unit development. Environmental issues and buffering would be evaluated at the subdivision and environmental permitting stage of development review.

The Planning Commission had a short discussion about the level of traffic review appropriate at a rezoning. The City's Traffic Engineer explained that any such analyses, if needed, would occur at later, more detailed stages of development review. Staff discussed a preliminary peak hour analysis that indicated that the traffic generated from the subject site for the 2006 78-unit townhouse plat (now expired) would be almost identical to the presently approved nursing home/assisted care PUD (47 PM peak trips versus 46, respectively). The 72-unit single-family detached development proposed by the applicant would generate 74 trips.

A commissioner stated that Policy 2.1.1[L] of the Comprehensive Plan that addresses incompatible development would not apply to R-3 zoning adjacent to the Piney Z PUD because they both represent low density residential development. She also recommended that the developer engage nearby neighborhoods to discuss development plans.

Commissioner Parker made a motion to find proposed Ordinance 21-Z-31 consistent with the Tallahassee-Leon County Comprehensive Plan and recommend that the City Commission adopt it, thereby amending the Official Zoning Map from the Superior Residence Planned Unit Development (PUD) zoning district to the Single Family Attached, Detached and Two-Family Residential (R-3) zoning district, based upon the findings of fact and conclusions of law set forth in the staff report and any evidence submitted at the hearing hereon. Commissioner McQueen seconded the motion. The motion passed with a vote of 5-0.

1. City of Tallahassee: First and Only Public Hearing on Proposed Change to the Southwood Development of Regional Impact (DRI) Integrated Development Order (Sixth Amendment); Project Site Located on 3.4 Acres on the Southeast Corner of the Intersection of Artemis Way and Tram Road.

Mr. Keith Burnsed gave a presentation on this item. Mr. Burnsed stated that staff recommends that the Planning Commission find the revised Integrated Development Order consistent with the Comprehensive Plan and recommend that the City Commission and the Board of County Commissioners approve the revised Integrated Development Order based on the information contained in the staff report and evidence presented at the hearing hereon.

There were no public speakers on this item.

Commissioner Coleman made a motion to find the revised Integrated Development Order consistent with the Comprehensive Plan and recommend that the City Commission and the Board of County Commissioners approve the revised Integrated Development Order based on the information contained in the staff report and evidence presented at the hearing hereon. Commissioner Parker seconded the motion. The motion passed with a vote of 5-0.

2. City of Tallahassee: First and Only Public Hearing on City Ordinance 21-Z-28; a Proposed Amendment to the Southwood Planned Unit Development (PUD) Concept Plan; Project Site Located on 3.4 Acres on the Southeast Corner of the Intersection of Artemis Way and Tram Road.

Ms. Mary Jean Yarbrough gave a presentation on this item. Ms. Yarbrough stated that staff recommends that the Planning Commission find proposed Ordinance 21-Z-28 consistent with the Tallahassee-Leon County Comprehensive Plan and Sections 10-165(e) and (g) of the Tallahassee Land Development Code and recommend that the City Commission adopt Ordinance 21-Z-28, thereby amending the Southwood PUD Concept Plan, based on the findings and conditions of the Development Review Committee, the information contained in the staff report, and any evidence presented at the hearing hereon.

There were no public speakers on this item.

Commissioner Jacobs made a motion to find proposed Ordinance 21-Z-28 consistent with the Tallahassee-Leon County Comprehensive Plan and Sections 10-165(e) and (g) of the Tallahassee Land Development Code and recommend that the City Commission adopt Ordinance 21-Z-28, thereby amending the Southwood PUD Concept Plan, based on the findings and conditions of the Development Review Committee, the information contained in the staff report, and any evidence presented at the hearing hereon. Commissioner McQueen seconded the motion. The motion passed with a vote of 5-0.

3. City of Tallahassee: First and Only Public Hearing on City Ordinance 21-Z-27; a Proposed Amendment to the English Property Planned Unit Development (PUD) Concept Plan; Located on 744 Acres on Both Sides of Blair Stone Road, Generally South of Orange Avenue, North of Tram Road, East of Rickards High School and West of Capital Circle SE.

Ms. Mary Jean Yarbrough gave a presentation on this item. Ms. Yarbrough stated that staff recommends that the Planning Commission find proposed Ordinance 21-Z-27 consistent with the Tallahassee-Leon County Comprehensive Plan and Sections 10-165(e) and (g) of the Tallahassee Land Development Code and recommend that the City Commission adopt Ordinance 21-Z-27, thereby amending the English Property PUD Concept Plan, based on the findings and conditions of the Development Review Committee, the information contained in the staff report, and any evidence presented at the hearing hereon.

There were no public speakers on this item.

Commissioner Parker made a motion to find proposed Ordinance 21-Z-27 consistent with the Tallahassee-Leon County Comprehensive Plan and Sections 10-165(e) and (g) of the Tallahassee Land Development Code and recommend that the City Commission adopt Ordinance 21-Z-27, thereby amending the English Property PUD Concept Plan, based on the findings and conditions of the Development Review Committee, the information contained in the staff report, and any evidence presented at the hearing hereon. Commissioner McQueen seconded the motion. The motion passed with a vote of 5-0.

F. PUBLIC HEARING TEXT AMENDMENTS:

1. Leon County: Proposed Ordinance Amending Chapter 10, The Land Development Code, of the Code of Laws of Leon County, Florida; Amending Section 10-6.809, Transitional Residential Facilities.

Ms. Shawna Martin gave a presentation on this item. Ms. Martin stated that staff recommends that the Planning Commission find the proposed Ordinance consistent with the Comprehensive Plan and recommend that the Board of County Commissioners adopt the Ordinance based on the findings of fact and the information contained in the staff report, and any evidence presented at the hearing herein.

The following points of concern were discussed at the meeting:

1. Impact on New Projects. Type "D" process seems onerous and costly and may drive away smaller operators.
2. Comparison to City Process. Inquired about what process the City would require for these facilities. Lou Norvell answered that the City only requires a Type "B" review, so the DRC is the approval body.
3. Tightening the Process. Will increasing the level of review Type from a "C" to a "D" create more hurdles for a needed type of facility? Staff explained that in one area of the code, transitional residential facilities required a Type "D" review and in another it was listed as a Type "C" in error but that if a facility was sited today without the current amendments that they would be required to go through a Type "D."
4. Added Design Criteria. Concerns were expressed about the added "design" criteria of buffers, fences, dark-sky friendly lighting and screening of refuse collection and outdoor storage areas. Staff informed the Commission that these would be requirements for most projects coming through site plan review anyway. Staff explained how buffer standards are usually dependent on adjacent uses.
5. Input from Others. Had staff reached out to community partners who run/operate these types of facilities to get their opinion on these new requirements? Staff informed of the composition of the BBCoC and advised that all these partners were consulted and made aware of the amendments to include close coordination with the BBCoC in future facility siting and community outreach activities. Concern was expressed that the staff had only consulted with the larger organizations and not with the smaller, less well-funded ones that might be disadvantaged by the changes. Staff noted that trying to locate such parties is problematic because none are known to be waiting to apply.
6. Potential Added Burden. Concerns were expressed about the added burden on community outreach required prior to submittal of a site plan with neighborhoods that would likely be in opposition and would hinder advances in addressing homelessness. Shington Lamy, with Leon County Housing Services, noted that the goal is not to have to site more facilities as these are meant to be temporary and that the ultimate goal was to get people into permanent housing.
7. Consistency with Comp Plan. There was some discussion about whether the shift to Type "D" was consistent with the Comprehensive Plan. In the end, concerns about consistency were resolved.
8. Benefit from Delay. There was much discussion as to whether it would be beneficial to table the item to get answers to questions raised (discussed above). However, during the course of the hearing, as answers to questions were provided, enough Commissioners became comfortable with advancing the ordinance to the County Commission that the vote was 3-2 to approve staff recommendation.

Commissioner Parker made a motion to find the proposed Ordinance consistent with the Comprehensive Plan and recommend that the Board of County Commissioners adopt the Ordinance based on the findings of fact and the information contained in the staff report, and any evidence presented at the hearing herein. Commissioner Jacobs seconded the motion. The motion passed with a vote of 3-2.

1. Commissioner Comments

There were no Commissioner Comments at this meeting.

APPROVED:

ATTESTED:

Ian Waldick, Chair

Beth Perrine, Recording Secretary

Minutes Approved on _____