

# Naples Planning and Land Use Regular Meeting Minutes –January 29, 2008

The Regular meeting of the Naples Planning and Land Use Commission opened at 7:30 p.m.

**Commission Present:** Chairman Dale Harrison, Vice Chairman Bruce Cook, Lloyd Barton, Walter Gale, Stanley Johnson and Jim Richards.

**Commission Absent:** Jim Garner

**Council Rep. Present:** Kenneth Reynolds

**Others Present:** Greg Platt, Denise Hacking, Mark Cowan, Eddie Deans, Colby Hackbarth, Darrin Teeter, Chris Balling, Jennie Burgess, Arlene Thomson, Dave Hatch, Jana Ray Butler

**Welcome:** Vice Chairman Bruce Cook welcomed the Commission and the Public to the Planning and Land Use meeting for this evening.

**Approval of Agenda:** Lloyd Barton Motioned to accept the revised agenda with Residential Development, Blue Mountain Vista and Commercial Development, Ridgeline Properties moved to the beginning of the agenda. Mark Cowan with Windor Industrial Park with questions regarding the design standards added to future discussion. Jim Richards seconded the Motion.

Roll call was taken:

<b>Vice Chairman Cook</b>	<b>Aye</b>
<b>Walter Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>Aye</b>
<b>Lloyd Barton</b>	<b>Aye</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

**Disclosures/Conflicts:** Chairman Dale Harrison's family property is located around Ridgeline Property which is on tonight's agenda for pre design concept.

**Approval of Minutes:** Walter Gale moved to approve the minutes for November 13, 2007. Vice Chairman Bruce Cook seconded the motion. Chairman Bruce Cook moved to approve the minutes for November 27, 2007. Walter Gale seconded the motion. Vice Chairman Bruce Cook moved to approve the minutes for December 11, 2007. Walter Gale seconded the motion. Vice Chairman Bruce Cook moved to approve the minutes for December 25, 2007. Walter Gale seconded the motion. Vice Chairman Bruce Cook moved to approve the minutes for January 8, 2008. Stanley Johnson seconded the motion.

Roll call was taken:

<b>Vice Chairman Cook</b>	<b>Aye</b>
<b>Wally Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>abstain</b>
<b>Lloyd Barton</b>	<b>abstain</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

**Chairman Dale Harrison:**

Introduced Blue Mountain Vista. (Preliminary approval)

**Blue Mountain Vista**

Chris Balling

Approximate Address

1585 East 2500 South

Chris Balling presented to the Commission two proposals for the Blue Mountain Vista development changes. Proposal one has 6 plex, 4 plex and 2 plex units, which would follow the R-2 zone. The front set back is at 20 feet, 20 feet between the buildings, 45 feet rear setback and 30 feet rear on units that will border the project. Proposal two will have 8-plex, 6-plex and 4-plex units, with the front set back at 30 feet, 30 feet rear set back and 30 feet between buildings, following the C-1 Zone. Asking the Commission for direction on which proposal and what set backs they need to follow. The differences between the two plans are as follows: 6-Plex will have extra amenities which will include a sports court and more parking. There will be 597 parking stalls. Average of 3.2 parking per unit. There will be more end units which are the bigger, more desirable units. The biggest assets to the 6-plex verses the 8-plex there will be more open space, up to 10% more than the 8-plex. The 8-plex will have about 100 less parking stalls and more concrete and asphalt areas. That is why they would prefer to do the 6-plex units.

Lloyd Barton: My concern with the 45 feet back verses the 30 feet front is with the fire suppression.

Chris Balling: The R-2 zone does allow 10 feet side yards, 20 feet between housing. That is the plan that they are following on the 6-plex drawing.

Lloyd Baron: Please tell us what the pros and cons are on the 6-plex verses the 8-plex.

Chris Balling: The biggest differences in the 8-plex are the long buildings, there will be more middle units and less open space. Both plans have the same amount of units, same density and same size of project including area in roads.

Lloyd Barton: My concerns are with safety, straight roads are safer than curved roads. Also there is no place on the project for snow storage to have the snow removed from the roads.

Chris Balling: There will be a maintenance crew associated with this project. The snow removal in the winter and the landscaping in the summer will be their responsibility. There might be a time when they will have to load the snow and haul it away.

Jim Richards: What about the parking pads. Are they far enough off the road that there is still sidewalks?

Chris Balling: There will be sidewalks on one side of every road. 20 foot set back from the back of sidewalk to the building. It will actually be 24 feet with the sidewalk. The garage will be typically 20-24 feet deep most cars will fit and park in front of these units.

Lloyd Barton makes comment about the trucks that are typical for this area. Most trucks are longer in length.

Jim Richards: Wants to make sure that people can pull up on the parking pad and still have the sidewalk accessible. The parking pad needs to be long enough to accommodate this.

Lloyd Barton: I would like to see 40 foot in the back yard and slide the front 3 to 5 feet. There needs to be a little more area for parking in the front. The children will be going up and down the sidewalks and it will be dangerous if trucks are on the sidewalks.

Chris Balling: We could do 22 feet setbacks with 22 feet of driveway and reduce the back to 41 feet, not 45.

Jim Richards suggests that the parking pad be at least 25 feet parking pad even if it is taken from the backyard.

Chris Balling: We can change anything that is suggested, but would like to point out that every 5 more feet in front would take out 10 feet of open space. We are fine revising the project to 25 feet front setbacks.

Lloyd Barton questions if there is any on street parking.

Chris Balling: All parking is within stalls, there is no on street parking. There will be plenty of parking with 3.2 parking per unit.

This will be a private property project. There will be a homeowners association. They will need to police the parking and parking on the sidewalks and streets. If we reduce the distance between the rear yards of the buildings by 10 feet, that will give us 25 feet set backs in the front. That will give us 35-40 feet between buildings, right now they are 45. The garages will be 22 feet with 8 foot doors.

Greg Platt: The Council stated in the meeting on December 13, 2007, the residential uses in a commercial zone will fit the R-1 standard not the R-2. The exception to that is if it is a PUD. It has to fit chapter 9 of the ordinance. There must be 30 feet between buildings that are not single family units. If there is only 20 feet it does not fit the ordinance. The chapter reads 16 feet between clustered zero lot lines single family detached buildings, 20 feet between single family detached and 30 feet between buildings other than single family detached. Section 02-09-017 under F.

Chris Balling: It is confusing. In the Commercial Zone the side yard is zero unless it adjoins a residential zone then it must be 10 feet.

Greg Platt: That is for a Commercial zone. This is a PUD it has to follow PUD standard. The Council decided that a residential use could be used in a commercial zone however it has certain restrictions. One it has to be 500 feet from the center line of the highway. The other one is that it has to meet the PUD standards.

Chris Balling: What are the side setbacks standards in the R-1?

Greg Platt: R-1 requires 20 feet between buildings, with one multi-family building to five single family attached buildings.

Vice Chairman Bruce Cook addresses Council Representative Ken Reynolds about what the Council approved.

Ken Reynolds: If there was going to be a multi family theme it would have to be in a PUD so that the Commission could have a say on how it was going to be done. If we do have an ordinance that says what a PUD is we must follow the ordinance to approve this project.

Greg Platt: The PUD is to allow for an exchange for open space for density. That is the concern there is not a lot of open space in exchange for density.

Vice Chairman Bruce Cook: Is there a rule for density?

Greg Platt: Yes it does meet the density rule because we do not have anything as far as a square footage comparison it will allow a little bit of flexibility. However we still have to have at least 30 feet between buildings.

Chris Balling: Open space is close to 50%of the project.

Greg Platt: The open space is not clearly defined. But if you include all the space between the buildings, the driveways and all the roads, does that really qualify to be considered as open space?

Chris Balling: We calculated the project on open space. We calculated all the roads, all the buildings, all the walks and all the club houses, we took all that out and we are still left with just under 50% as open space.

Lloyd Barton: What is the definition of open space in the ordinance.

Greg Platt: We do not have one. Basically the ordinance assumes we all agree what the definition of open space is. That is a concern that I have come up against.

Bruce Cook: I think we will have to go with history and assume that the area in between the buildings and the landscape areas will have to be considered as open space.

Jim Richards: I think that landscape area should be considered open space. Would that be parking pads?

Chris Balling: The 50% does not include parking pads. Just the open area and landscaped area.

Greg Platt: We still need to address the other issue and that is the space between the properties.

Lloyd Barton: The Council has given us the latitude to determine this. With the PUD at 30 foot set backs on the sides. The homes will be sold individually.

Chris Bally: Project will be broken up with a Condominium Plat. Not apartments. Likely they will sell them all as units with a home owners association. You will own the area inside. Not the outside area. Our project would like to have more open space. When we meet with the Council they liked the 6 plex layout.

Bruce Cook: It seems like we are changing direction. I need more clarification on what is a single family detached building zero lot line. Would this project not be considered a zero lot line clustered project?

Vice Chairman Bruce Cook makes a motion that the Commission considers this project under the PUD ordinance and we further approve it under the single lot line single family detached provision and with a change from 20 to 22.5 feet set back in the front yard.

Walter Gale seconded the motion.

Greg Platt addresses the Commission that the plat is ready for preliminary approval pending those conditions if Commission would like to give that at this time.

Vice Chairman Bruce Cook amends his motion to preliminary approval on the 6 plex drawing.

Walter Gale seconds the motion.

Lloyd Barton: would like to address further discussion and submit to Council the zero lot line. The definition needs to be written so the developers have a good understanding.

Roll call was taken:

<b>Vice Chairman Cook</b>	<b>Aye</b>
<b>Wally Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>Aye</b>
<b>Lloyd Barton</b>	<b>Aye</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

**Chairman Dale Harrison:**

Introduced Ridgeline Properties. (Pre design concept)

**Ridgeline Properties**

Darrin Teeter

Approximate Address

Mr. Teeter's presentation is for pre design concept for storage

unit project they would like to put on property located on 1750 south.

1. The major concern is that the road is very narrow and would like to

1750 South

see what the City has planned for widening the road and what requirements the City may require from them when and if the road will be widened.

2. Fire flow testing low. A test was done and came back at 950 gallon per minute. The code is 1500 Gallons per minute. When talking to Craig Blunt the suggestion was to put in another hydrant. The fire marshal is the person that will have to sign off whether there are enough gallons per minute to accommodate the project.

3. Sewer is not installed on 1750 south so a septic will need to be put in. A perk test has been done and approval through the health department has been met. Are there any other issues that might need to be addressed for approval?

4. The fencing. What would the requirements be for height, privacy and where the fencing will need to be installed?

Greg Platt: over time this road will need to be widened. I have recommended that they dedicate space for the road to be widened. The set back would be measured from the point of dedicated area. All utilities are down the road except sewer and as long as the test has been approved with the health department there should be nothing further required.

Darrin Teeter: The property is approximately six acres. We would like to subdivide the property and put storage units on three acres and put a contractor yard on the other three acres. The zoning on the property is Industrial.

Eddie Deans: I am the owner of the property and have looked at this situation for quite some time. This would be one of the best projects that you could put in on this road. The traffic would be minimal and would work well for all the other residents that live on the road.

Dave Hatch (Ashley Valley Water): The pipe that is down that road now is an 8" line, feed off a 12" looped through. The flow is probably not that low.

Lloyd Barton explains that the water fire flow test is not something that the Commission would address. The district fire marshal is the one that would have to sign off on the plat and the Commission has no control over whether it is available or whether it will meet the flow test gallons per minute.

Chairman Dale Harrison states that the privacy fence will need to boarder all around the property with the 80% obscure to be where the residential property is connected to any Industrial property. At the creek the privacy fence will not be needed because it will be against another Industrial property. The landscaping and green space will need to be addressed and put in the engineering presentation. The City requires 5% of the lot area or a certain width across the front of the project.

Lloyd Barton lets Mr. Teeter know that he should do the subdivision on the property at the same time he comes in for a storage unit preliminary.

Vice Chairman Bruce Cook asking about the requirements on the definition of the 80% obscure privacy and whether it has to be rock and stucco or if it can be chain link. For any industrial zone that joins a lot in any residential zone the fence must be six foot wooden or oriental masonry or other decorative solid fence or wall and or landscaping that would protect the residential property.

Dale Harrison: There was an ordinance that was approved by the Council to spot zone the residential and industrial zone. We need to clarify which areas that would apply to. That would mean that the

fence would have to be masonry wall between the residence and Industrial.

Jim Richards makes a motion to approve the concept with the option on the fence as to what the zone in that area is, whether it will be required to be a solid fence or a chain link with 80% obscure. The green space will need to be on the engineered plat proposal when presented for preliminary. The right of way for the road will need to be 33 feet from center line. The storage unit contractor yard and the minor subdivision will need to be presented at the same time.

Lloyd Barton seconds the motion

Roll call was taken:

<b>Vice Chairman Cook</b>	<b>Aye</b>
<b>Wally Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>Aye</b>
<b>Lloyd Barton</b>	<b>Aye</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

**Chairman Dale Harrison:**

Introduced Mark Cowen. (Questioning Design standards at Winder Industrial Park)

**Mark Cowan**

Approximate Address  
500 South

Mr. Cowan representing the owner of lot #2, Winder Industrial Park, Nataliee Strombeck. Proposing 100 X 200 Steel building on corner lots. Needing clarification on the façade required from Naples City. The building will be constructed of metal and face 500 south. There will be four 12x14 doors. There will be three companies that will be in the building with access on both sides. We propose that we do a light tan with brown trim and white doors. The picture that we would like to follow as the building façade does not fit the Naples City façade.

Greg Platt responds that in the Naples City the requirements are that if the building faces the road the visible area must be stucco and/or brick or rock. This project will be on a corner lot and will face two streets. Both areas that face the roads will need to be either brick or rock with stucco façade.

Lloyd Barton explains that the 500 South Naples façade which is stucco with brick or rock in the colors allowed will have to be put on the building for that area. A metal front with brick will not be acceptable for the Naples City façade standards.

Mr. Cowan asks if stucco is the only option. Not fond of stucco. Could it be wood or brick? As far as entrances we would propose one entrance on 500 and one entrance on Amelia Air hart drive.

Greg Platt: The requirements are 40 feet from any corner. Would not have any problem approve anything that would fit within that. The site plan will need to be submitted to the Commission and approved through a regular Planning and Land Use meeting.

**General Business**

1. Sexually Oriented  
Business Ordinance:

Greg Platt attended a training that stressed the importance of having in place the City's sexually oriented business ordinance. When checking with Naples City ordinance we do have an ordinance that will address this but there is a problem. The zone for this type of business is placed in the I-2 zone of which we have none. It actually has to be a zone that exists in the City. A recommendation from the Planning Commission to the City Council for what we think will be best for the City. If we can move allowances for sexually oriented businesses into the I-1 zone.

The businesses will have to be 300 feet away from certain businesses. A map is submitted with an overlay that will show where the businesses can be allowed. A map is also submitted with other options with the feet extended to 500 feet. The suggestion is to re-zone an area of the City to I-2 zone.

Lloyd Barton makes a motion to take the time to review the different maps and decide what is reasonable to make the best decision for the City. What else will be allowed in an I-2 zone is very important to know before we zone an area with that zone.

Greg Platt: Crude oil storage, petroleum refining, rock crushing or anything that will not be included in a C-1 or I-1 zone. The question is do we want to move that type of business in that type of zone or do we want to move in a residential or commercial area.

Lloyd Barton again suggests that we all take some extra time to make the best decision. Could we take some time with the City Council, maybe at the training meeting and review the options.

After further discussion it is determined that the sexually oriented business ordinance will be addressed after further review of all the options available.

Chairman Dale Harrison tables this decision until it can be discussed with the City Council and City Attorney Dennis Judd. Greg Platt is asked to find out what zone area will be reasonable. Would a revised I-2 zone be a smart way to go? Could a new zone be created to accommodate the businesses?

2. 2008 Planning and Land Use Meeting Schedule:

Planning and Land use meetings for 2008 will be set for the second and fourth Tuesday of every month. The meetings will begin at 7:00 p.m. All public meetings will be scheduled for the second Tuesday. No public meetings will be held on the fourth Tuesday. If all business for the month is taken care of on the second Tuesday, the fourth Tuesday meeting will be canceled.

Stanley Johnson makes a motion that the changes above be set for the 2008 calendar year.

Walter Gale seconds the motion

Roll call was taken:

<b>Vice Chairman Cook</b>	<b>Aye</b>
<b>Wally Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>Aye</b>
<b>Lloyd Barton</b>	<b>Aye</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

3. 2008 Planning and Land Land use training

Vice Chairman Bruce Cook makes a motion to hold the 2008 Planning and land use training on March 11, 2008 immediately following the regular land use meeting.

Jim Richards seconds the motion

Roll call was taken:

<b>Vice Chairman Cook</b>	<b>Aye</b>
<b>Wally Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>Aye</b>
<b>Lloyd Barton</b>	<b>Aye</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

4. 2008 Planning and Land Use Member Number and

Chapter 4 of the ordinance states that there needs to be nine members with a quorum of 4 to hold a meeting. Need a motion to clarify that our

Needed Quorum total:

Planning and land use will consist of 8 members, 7 of which are voting unless we need the chair to make the quorum and the 9<sup>th</sup> member will be an alternate. We need to pick up two additional members. Also if a member can not attend the regular meetings the City needs to be notified that we will not have a quorum for that evening.

Vice Chairman Bruce Cook makes a motion to accept the member quorum number as outlined.

Walter Gale seconds the motion.

Roll call was taken:

<b>Vice Chairman Cook</b>	<b>Aye</b>
<b>Wally Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>Aye</b>
<b>Lloyd Barton</b>	<b>Aye</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

5. Snow Plow and Obstruction Ordinance:

There is no ordinance that states anything about snow being pushed into the roads. There is a state law, but a City ordinance needs to be adopted. There is a section in the City ordinance, section 11-02-123 that talks about obstruction prohibited onto City roads.

Chairman Dale Harrison makes a recommendation to add snow to this section and apply a penalty of \$250.00 fine after the first warning. Greg will type this section up with the wording of snow and penalty to be included and take it to the City Council for approval.

Vice Chairman Bruce Cook makes a motion to accept the Chairman's recommendation and take to the City Council.

Jim Richards seconds the motion.

Roll call was taken:

<b>Vice Chairman Cook</b>	<b>Aye</b>
<b>Wally Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>Aye</b>
<b>Lloyd Barton</b>	<b>Aye</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

**Closed Vote:**

A closed vote was held for 2008 Chairman and Vice Chairman. Voted 2008 Chairman will be Dale Harrison. Voted 2008 Vice Chairman will be Bruce Cook.

**Adjourn:**

Vice Chairman Bruce Cook Motions to adjourn meeting at 10:30 p.m.

Lloyd Barton seconded the motion.

Roll call taken:

<b>Chairman Harrison</b>	<b>Aye</b>
<b>Jim Garner</b>	<b>Aye</b>
<b>Wally Gale</b>	<b>Aye</b>
<b>Stanley Johnson</b>	<b>Aye</b>
<b>Lloyd Barton</b>	<b>Aye</b>
<b>Jim Richards</b>	<b>Aye</b>

The Motion passed with all voting Aye.

**Next Regular Planning and Land Use Meeting will be held on February 12, 2008 at 7:00 p.m.**