

# ***CITY OF APALACHICOLA***

## **PLANNING & ZONING BOARD**

### **SPECIAL MEETING**

**WEDNESDAY, June 24, 2015 – 6:00 PM**

**Community Center – 1 Bay Avenue**

### **MINUTES**

Present: Tom Daly-Chairman, Geoff Hewell, Jim Bachrach, Lynn Wilson-Spohrer, Uta Hardy, Joe Taylor, Cindy Clark-City Planner, Lee Mathes-City Clerk, Betty Webb-City Administrator

1. Follow-up on Request for Additional Information as designated by the Planning & Zoning Board from June 8<sup>th</sup> meeting:

Review, Discussion and Decision on new 52 unit Affordable Housing Complex at 192 Avenue L, 3.659 acres m/l, corner of Avenue L and 17<sup>th</sup> Street (Zoning: R-2 Multi-Family Residential) – Denton Cove, LTD, Contractor – Roger B. Kennedy, Inc.

**Chairman Tom Daly opened special meeting.**

**Cindy Clark, planning consultant with City, outlined land use, comp plan use, setbacks, lot coverage, tree ordinance (no removal of trees), stormwater (state and water management permitting will be required), concurrency – sufficient water, sewer, roads, infrastructure**

**Robin Vroegrop asked has the board received a copy of the traffic study.**

**Cindy Clark stated it was uploaded to the website earlier this week.**

**Robin Vroegrop asked what about water & sewer?**

**Betty Webb outlined the water & sewer availability.**

**Robin Vroegrop asked do we have adequate equipment to respond to fire.**

**Cindy Clark stated that it's not outlined in the comp plan.**

**Jaime Liang stated the comp plan does refer to the health and welfare of safety, the overall plan is to protect.**

**Jeff Sharkey stated he is very glad to return and answer any questions.**

**Architect Mark Tarmey outlined the elements the board wanted changed. There will be fire sprinklers and hydrants on site. He submitted revised plans and landscaping plan. Mark also outlined the traffic study.**

**Uta Hardy stated the study was done past the entrance of Denton Cove.**

Jonathan Wolfe stated this was done by a third party engineer. The traffic study traffic counter was put in accordance with the site plan. They are the engineers.

Clarice Powell asked where is the retention pond going to be located?

Architect Mark Tarmey outlined where the retention pond will be and stated it will be gated.

John Lee stated it seems that Jonathan Wolfe is running the meeting. I think that he is not very condescending to the citizens of this city. We have a lot of questions and we may not be as stupid as we appear.

Linda Shelley, legal counsel for Windover, requests the board approve the project and move forward.

Jaime Liang thinks we need to see if this development is consistent with the comp plan. This is a huge omission. Planning & Zoning has a duty to not approve this project, you have a duty to decide where to put things. Developments like Denton Cove work if they are dispersed in the city and not concentrated in one location. This property was not set aside for public housing. When the comp plan was amended there was not adequate notice. The ordinance is void because rules were not followed. The correct public hearings were not held. This was not properly done. This is a travesty and Denton Cove should be ashamed.

Linda Shelley, legal counsel for Windover, I have had the opportunity to read Ms. Liang's letters and attorney Floyd's review. Those issues of the comp plan were decided by the city commission not the planning & zoning. This is affordable housing.

Chairman Tom Daly stated this board is not professionals, we can't go beyond the scope of the city attorney, and we have to rely on our attorney.

Clarice Powell stated then it needs to go back before the attorney.

#### The tape just started to record

Diane Brewer stated reasonable notice of tonight's meeting was not given. The special meeting was not announced until this past Monday at 4pm. The last regular scheduled meeting it was to be addressed at the regular meeting. We need to preserve our historical legacy.

Helen Tutor stated it seems we want to become a Panama City. I'm very upset that this monstrosity has even gotten this far.

Charles Sawyer stated he has questions about traffic study. The 17<sup>th</sup> street roads are not collected roads. This traffic study does not support this development.

Linda Shelley, legal counsel for Windover introduced Mr. Floyd's letter for the record.

Clarice Powell stated we were having issues about speeding on roads. We asked for an independent study be done on roads. We asked for an independent study be done due to traffic and speed bumps on certain roads. That never happened. Why can't the city conduct a traffic study?

Leslie Coon stated we had an issue with the dollar store where they thought they had approval for a building site before anything was approved. It seems the cart is before the horse and the citizens don't have a say so.

Chairman Tom Daly stated the city several years entered into negotiations, discussions and what I'd presume a contract and not just the city, the school board also. We have been asked to look at the requirements under planning & zoning. I can't make the determination that the city made.

Leslie Coon stated, tell me the city doesn't uphold itself up to the same standard. We have to get a permit to trim anything. We are talking about putting in low income housing and if we complain about it we are told to be quiet it's a done deal.

Carrie Kienzle stated as I understand it, you all are the architectural review. This design worries me. She feels the enclosed breezeways are a safety issue.

John Lee stated, I know that I have a bigger dream than most and mine is historic and family oriented. I don't know who you are targeting. Teachers and nurses don't qualify. I make my living off historical aspects not low income housing. If you don't take action you will kill a historic town.

Chairman Tom Daly stated, my family has been over here 200 years. When we entered into this conversation 3 years ago, the reason this was brought to the commission was that people were paying 40 to 50 percent of their income for housing. This is the way it has come about to create a profit motive and keep these units full. There are not a lot of options out there. The government is trying to pump money into the economy.

Clarice Powell stated as an advocate for the homeless, is this for the working class or the low income people? Is there an income based? A teacher makes too much money. Who is going to monitor and goes into this facility? Who is going to monitor all this if its low income?

Jonathan Wolfe stated he apologized for earlier. We are moving off topic. The people who are eligible to live here are working people. There are lots of people in the school district and hospital that will be eligible. There will be a full time management staff member living on site. Application and background and income certified before they are allowed to live there. Folks will be monitored. People have to meet compliance standards. It is a pretty extensive process and a lot of paperwork.

Margene Off stated, I came here because Apalachicola is a good place. I don't believe you know our community very well. We struggle. This is not Tallahassee. My first complaint is how late this has happened. We do need affordable housing but not sure we need the density. House values will change if this goes in. We are unhappy. We know we need everything; the thing that angers me most is we are all neighbors in this town. We are not ready for this, not this size. Get something that belongs here.

Uta Hardy stated she asked about cottages.

Chairman Tom Daly stated we are trying to deal with what we have been dealt. We have been handed this to try to handle this.

Clarice Powell asked what the income level is.

Margene Off stated I do know a lot about building. Why are we here with a couple of weeks to decide our lives? This is right in the middle of some of our homes. It is a lot of traffic for us. You need to live here first and see what the working class is like. Can you size it down? Can you move it to a better location?

Callie Nichols stated, I am in agreement with Uta and Margene . The blocks should be kept consistent. It would be better if houses were being built. If you make minimum wage and work full time you make too much to live here. This company has a 15 year obligation for tax credits. I went to websites of developers to look up ratings for each property. Only 1 had 4 stars out of 5 and that was only 1 review received. You should go to every one of these websites and read these reviews

Ken Schroeder stated about 20 years ago we drove through Apalach on our way to Tallahassee and we stopped at boss oyster. Avenue E impressed me. Apalach is different .We moved here because we want to keep it that way. I realize there have been a lot of under the table and closed meetings and sit there and say it is out of our hands. You can tell what is to belong here. You can decide.

Lynn Wilson-Spohere would like to say that Mark did a very nice job in trying to make the architecture more in line. I very much care about this town and we have a real problem which hopefully, we see the pros and cons, we are very restricted, we can't just make decisions not based on scientific facts, but we do have a dilemma because this can change Apalach. It is a fine line that we walk, it makes all of our jobs much more serious, it does concern me that to hear as much public opinion and most of it is extremely thought out. I'm discouraged that the commission is not here to hear that and no legal counsel present. We must follow our guidelines. The citizen comments made here concern me. I'm concerned about the landscaping and fence height. The landscaping has to be dealt with. We need to work as a city. You are not employing any locals. The city should request they hire 50 percent of workforce. We need a new process to look at things early before all the decisions are made. We are creating a process here and we think the Commission should hear everything early on.

Greg Wynot stated he just wanted to touch base on fire equipment and police personnel. One of our EMT makes 25,000 and he can't live there. You have been dealt this and you can stop this by not issuing permits.

Chairman Tom Daly stated, I recognized at the last meeting that there was still a lot of questions. I was trying to avoid discussing this separately at the regular meeting. I can't tell them if it's gonna happen or not.

Carrie Kienzle is curious about the fence and alley and streets. Don't you have to close alleys and streets first? Cart seems to be before the horse. The city hasn't voted to close any streets and alleys as

of yet. It seems to me you would first close alleys and streets. All the time people come to you and want to build a 6 foot fence and people have been denied .Then the zoning was changed. There are special things that have to happen in order for it to fit into our town

John Lee stated the people have done their homework, we are assuming that you have done the research. Am I assuming that this will be for local people? I have heard a number of times that what we are doing tonight is just a process and this has already been approved. We all want to help the needy, I appreciate your sincerity.

Jaime Liang stated this development is in violation of the comp plan.

Torbin Madson stated these people are here because they live here. The developers are here because they want to make money. The planning & zoning is doing a great job, but step aside and don't vote. Nobody make you stay here and vote. Nothing would make the point better than just getting up and walking out.

Linda Shelley, legal counsel for Windover stated a question was raised if the developers wanted a decision tonight. The comp plan allows this development, the zoning allows it, so today we are not talking about issues, you are very restrained at what you are looking at, you are not looking at comp plan, tax credits, income levels, who can be hired, alleys and streets, what you are here about is whether this site plan is consistent with the land development code. The applicant has responded to additional information. They have been to 19 hearings and a lot of questions have been answered and we have provided all the information necessary to proceed with a certificate of appropriateness.

Geoff Hewell asked has the alley and streets and closing of property taken place?

Johnathon Wolfe stated the closings of the city and school board have not taken place yet.

Geoff Hewell stated there have been a contract signed and no closing.

Uta Hardy stated the contract is pending

Johnathon Wolfe stated we have both entered into contracts with the school and city. They are pretty basic. It is a very simple contract; signatures on the contract are effective.

Jaime Liang stated I have read the contract and in order for the contract to be extended it must be agreed upon by both parties.

Betty Webb stated as far as I know, a contract has been signed and will close on July 31.

Jonathan Wolfe stated the extension period is not required.

Uta Hardy asked are there any conditions the city must do prior to closing.

Bobby Miller stated the growing pains are here. We would not be in this mess if we would get back to the original thing we were promised. This is not the type of development we need.

Jonathan Wolfe stated the income level is in the range from the mid 20s to the mid 30s. Income is based on household size and total combined income.

Has a needs assessment study been done?

Jaime Liang stated a proper needs study has not been done.

Chairman Tom Daly stated the data I have heard is that 40-50 percent of income is used on housing.

Jeff Sharkey outlined income levels and percentages of income used for housing. There is a huge demand for housing here.

Clarice Powell stated there is a need, but the need is in Eastpoint. Why can't you put in Eastpoint or Carrabelle? People don't want it here. Have you talked with seafood workers?

Chairman Tom Daly stated nothing more is happening.

Uta Hardy stated I was here a while ago and I have been coming to planning & zoning. My question now is because we do have a need for housing, but why are the city saying sorry guys because this is not for the teachers. We have to find somebody that will build what we need, cottages for firemen and teachers. I had asked this plenty of times before and did not get an answer.

Ken Schroeder stated there are a lot of vacant lots and empty houses that can be used instead of a chain linked fence getto.

Jim Bachrach asked if the city does not abandon alleys and streets can they still build it?

George Coon stated I was wondering why those streets and alleyways were taken into the lot coverage calculation. If you take out the streets and alleys they are increasing the density that will be allowed.

Paula Martina stated we seem to have a lot of I don't knows. The facts that were presented tonight were entirely different. We have forgotten about the working people in this community. My property values have dropped tremendously but we are trying to take care of low income people. We don't have places for teachers, they can't live there.

Chairman Tom Daly stated some of the income is based on state levels.

Jonathan Wolfe stated the streets and alleyways is the land that will be purchased from the City of Apalachicola.

Jim Bachrach stated but they still have to close it.

Diane Brewer stated the issue is not clear about the land usage from when it was a school and now.

Lynn Wilson-Spohrer stated it was pointed out that we still have a lot of issues; we are approving a 9.5 million dollar project.

Jonathan Wolfe stated there will be more landscaping; we welcome any input because we want to get the best thing for Apalachicola. We want to hear from people about the community.

Geoff Hewell stated I haven't had time to digest all the facts. I'm just real concerned about other projects coming up and the City has been one way about abandoning alleys, streets, and I just don't understand where this is going to lead us.

Geoff Hewell made the motion to table this until so they can have more time to digest and get more information on the alleys and streets. But I just have a real problem with setting precedence, second by Jim Bachrach. Motion carried.

Joe Taylor wished to abstain from the vote because he hasn't been involved in the process until this meeting. Note: Since Mr. Taylor has no financial or personal interest, he is recognized as a yes vote due to the fact that he did not express a nay vote.

Meeting adjourned.



Tom Daly, Chairman