

**MINUTES
REGULAR MEETING
ARCADIA PLANNING & ZONING BOARD
OCTOBER 13, 2009
4:00 PM**

The meeting was called to order at approximately 4:00 PM with the following members, comprising a quorum, and staff present:

Planning & Zoning Board

Chairman Russell Summers
Melva Sawyer
George Whitlock

Shirley Brown
Michael Pooser

Arcadia City Staff

City Administrator Markae Rupp
Finance Director Rachelle Baumann

City Recorder Dana Williams

1. MINUTES OF THE REGULAR MEETING OF SEPTEMBER 8, 2009

The Chairman asked for any comments related to the minutes or a motion to so adopt them. **On motion of Melva Sawyer and seconded by Michael Pooser, the minutes of the regular meeting of September 8, 2009, were unanimously, 5-0, approved.**

2. REVIEW ISSUE TABLED FROM LAST MEETING REGARDING A PROPOSED SIGN FOR MID-FLORIDA FEDERAL CREDIT UNION.

The Chairman read aloud that Mid-Florida Federal Credit Union (FCU) had been informed by letter that the maximum size of the sign face for a double sided sign would be 96 square feet (sf) which is 48 sf for each side and that they are requesting to have a sign which is 99 sf for each side or a little more than double the allowable size.

Ms. Gail O'Brien of Mid-Florida FCU and Mr. Roger Snyder of Dixie Signs were in attendance on behalf of the applicant's request. Mr. Snyder presented a color rendering of the Lakeland location which showed the approximate size of the requested sign to the drawing scale.

Mr. George Whitlock stated that he is "pro-business" but also fails to see how such a sign of the requested size would enhance the business. He added that if the Board granted this exception, they would be setting a precedent and opening up exceptions for other businesses in town, which in turn would degrade the sign restrictions. Mr. Whitlock felt that aesthetically

the proposed sign was too large; but conceded he would reconsider his position if the applicant presented a convincing argument that it was needed to attract or retain business.

Mr. Snyder noted an additional request which is that the code requires the height of the sign to be equal to the setback; but in explaining the driveway as part of the site plan, he was requesting a 10' setback with a 15' allowable height to the top of the sign.

The Chairman suggested that because it is a corner site with traffic alternately stopped in all directions due to the traffic light that the applicant could manage to advertise by way of a smaller sign. Ms. O'Brien responded that signage is important to Mid-Florida FCU for both advertising and community recognition.

Mr. Whitlock stated he was not opposed to the height request but that he did have concern over the size (square footage) of the sign and felt the Board would be "opening up a can of worms" by allowing it. The Chairman agreed, suggesting a sign more in the range of 5'8" x 14' or approximately 77 sf.

Discussion followed on such topics as comparisons of other signs in the city, recognition, total expenditure of the project and clearance height over landscaping and parking. Mr. Pooser stated he was not in favor of allowing a larger sign than the Code provides for; adding that in doing so, the Board would be clearly stating its position for the next applicant. He continued that the regulations are in place for a reason and if they are unacceptable, then the Code should be changed rather than to grant exceptions on a case-by-case basis.

Ms. Brown asked if the Board could possibly make changes to the Sign Code, to which the City Administrator responded the Board could at any time review the Code and make recommendations to the Council; but that Code changes were done by ordinance at the direction and adoption of the City Council. The Administrator also added the City Attorney is supposedly in the process of rewriting the Sign Code, although she had not yet received a draft or work product. She suggested review of the Code by the P&Z Board at their November meeting for consideration by the Council at their first meeting in December and that she would request the Attorney have a working draft for the Board's review by then.

Ms. O'Brien asked if there currently was an exception Mid-Florida FCU could apply for, saying that 48" is small, although she felt they could "live with" 64 sf if the increased height were permitted.

Considering the City is in the process of revamping the sign Code, the Chairman asked Ms. O'Brien about the proposed opening for the CU and whether this item could be tabled pending that review without adversely affecting their [opening] date. She agreed and **the Board, by consensus, tabled the item.**

3. REVIEW REQUEST FROM GULF COAST BIOFUELS, INC. TO LOCATE A BIO-DIESEL PROCESSING PLANT AT 219 SOUTH POLK AVENUE. CURRENT ZONING ON THE PROPERTY IS GENERAL INDUSTRIAL M-2.

Ms. Shirley Brown stated she would be recusing herself from voting on this item stating her conflict is that she works for the applicant. (Conflict of interest filing attached)

The applicant's representatives were Stephan Weiss, Matthey Johnston and Andrea Moffitt. Mr. Weiss stated there was nothing the Code regarding bio-fuels therefore it was to be an interpretation of the Board as to its allowable use. He then described briefly the process of collecting used vegetable oil and converting it into a bio-fuel, including the resale of a by-product, namely glycerin. Mr. Weiss explained his plant could produce 1450-2000 gallons per day and the vehicle used for transporting the waste oil.

Ms. Sawyer asked if there was any fire hazard associated with the fuel production, to which Ms. Moffitt answered it was a combustible product rather than flammable, however the site is equipped with a fire suppression system and conforms to all applicable fire codes.

Mr. Weiss also explained price comparison to petroleum based fuel and the environmental factor of "going green".

On motion of Michael Pooser with a second by Melva Sawyer, the Board voted unanimously, 4-0, to approve the request of Gulf Coast Biofuels, Inc. to locate a bio-diesel processing plant at 219 South Polk Avenue. Boardmember Shirley Brown abstained from a vote.

4. REVIEW REQUEST FROM MAASSEN OIL COMPANY FOR PERMISSION TO REPLACE AN EXISTING ELEVATED DELIVERY PLATFORM AND A NEW DOUBLE WALLED FUEL STORAGE TANK AND RELATED PIPING AT THE SOUTH END OF THE EXISTING STORAGE TANK RETENTION AREA. PROPERTY HAS BEEN USED IN THIS MANNER SINCE 1929; HOWEVER ZONING OF 1960 SHOW RESIDENTIAL.

Mr. Maassen explained his request to upgrade his facility per State Code and regulations as compared to what is permitted by the zoning of the City. He continued that in providing these upgrades, it will not only be more efficient and safe but also will streamline production. He stated traffic on the site was not changing and that all improvements will comply with all fire, State and County codes. In conclusion, Mr. Maassen requested to be grandfathered in for zoning in order to continue to use the same site for the same business as has been in his family for many years.

Michael Pooser made a motion to recommend a special approval be adopted by resolution of the City Council to allow for the continued use as a petroleum fuel storage and loading facility located at 612 North Brevard Avenue. Melva Sawyer provided a second to the motion and a voice vote recorded unanimous, 5-0, approval.

5. REVIEW REQUEST FOR A SPECIAL APPROVAL FROM MICHAEL CROSS TO ALLOW FOR A CIRCULAR DRIVEWAY AT 603 E. OAK STREET.

The Finance Director (previous City Recorder) stated that at the previous Council meeting, the Council had referred this item back to this Board for lack of a Board of Adjustment; and that the Planning & Zoning Board would need to make a recommendation for a special exception or special approval. She then explained Mr. Cross was approximately 13' shy of having all compliance for a circular drive.

The Chairman pointed out this was not a high traffic volume area and shouldn't present a problem. Ms. Sawyer said she had visited the site and through there was a pole with a transformer on it within the proposed circle. Mr. Whitlock reviewed an aerial photograph which did not show the pole.

The Finance Director then read a section from the Code related to number and locations of access points, adding if it were the Board's desire, they could make a recommendation to the council for a special approval citing Sec. 110-707(d) as the applicable and relevant section.

On motion of Shirley Brown, with a second by Melva Sawyer, the Board voted unanimously, 5-0, to recommend to the City Council approval of a resolution granting a special approval for a waiver of the required access points for property located at 603 East Oak Street.

6. OTHER BUSINESS

The Finance Director stated Mr. George Smith would be resigning from this Board and that the members may want to begin thinking of a replacement to fill the vacancy. She also noted that Mr. McLure had missed two consecutive meetings, although he did attend the most recent joint meeting with Council. The Chairman suggested Martha Craven as a potential member due to her business holdings in the City and said he would call her to talk about the opening.

Having no further business at this time, the meeting was adjourned at 5:20 PM.

APPROVED THIS 12th DAY OF JANUARY ~~2009~~. 2010.

By:

Russell Summers, Chairman

ATTEST:



Dana L.S. Williams, CMC, City Recorder