Gadsden County Board of County Commissioners
Planning Commission Regular Meeting

Minutes

Thursday, June 27, 2013
6:00p.m.
Board of County Commissioners Meeting Room
7 East Jefferson Street
Quincy, Florida

Present: **Commissioner Regina Davis, At - Large Member, Chair**
Commissioner Edward Allen, Vice – Chair
Commissioner Dr. Gail Bridges – Bright
Commissioner Diane Sheffield
Commissioner Larry Ganus
Commissioner Mari VanLandingham
Commissioner David Tranchand
Commissioner Frank Rowan
Commissioner William Chukes
Commissioner Ed Dixon
Commissioner Catherine Robinson (absent)
Commissioner Isaac Simmons, School Board Representative (absent)
Anthony Matheny, Planning & Community Development Director
Willie Brown, Gadsden County Planning Principal Planner
Beryl H. Wood, Deputy Clerk

1. **PLEDGE OF ALLEGIANCE**

Chair Davis called the meeting to order at 6pm with a quorum and led in the Pledge of Allegiance to the U.S. flag.

2. **INTRODUCTION OF MEMBERS/ROLL CALL**

Each member present stated his or her name and district for the record.

3. **APPROVAL OF MINUTES – APRIL 11, 2013 (WORKSHOP & REGULAR)**

April 11, 2013 - Regular Meeting

UPON MOTION BY COMMISSIONERS VANLANDINGHAM AND COMMISSIONER GANUS, THE COMMISSION VOTED 10 – 0, BY VOICE VOTE, FOR APPROVAL OF THE APRIL 11, 2013 – REGULAR MEETING MINUTES.

April 11, 2013 - Workshop Meeting

UPON MOTION BY COMMISSIONERS TRANCHAND AND COMMISSIONER DR. GAIL BRIDGES –BRIGHT, THE COMMISSION VOTED 10 – 0, BY VOICE VOTE, FOR APPROVAL OF THE APRIL 11, 2013 – WORKSHOP MEETING.

4. **DISCLOSURES AND DECLARATIONS OF CONFLICT -** None

5. **PUBLIC HEARING – SPRAY QUIMICA C.A. – Change of Use (SE-2013-02) and Site Plan for PID #3-17-2N-3W-0000-00440-0000. A Public Hearing to consider allowing the change of use to the manufacturing of aerosol and liquid products at the former Printing House site located at 1066 Strong Road, Quincy. This site is designated Industrial (IND) on the Future Land Use Map. No expansion is proposed for the existing 103,000± sq. ft. structures. However, reallocation of outside storage and parking areas may occur.**

Mr. Matheny addressed the Commission. He stated on May 7, 2013, Sicamu Inc. /Spray Quimica C.A. representatives appeared in front of the Gadsden County Board of County Commissioners (BOCC) to ask for "conceptual, non-binding approval" of the company's plans to locate a new business at the old Printing House location. The BOCC voted 4 – 1 to grant "conceptual, non-binding approval" for the proposed business, but made it clear that Sicamu. Inc. would be required to go through the formal application process and that no formal approval was being granted at that time. He discussed the tax revenue that would be generated from the new business.

Spray Quimica C.A., which is a family owned corporation and the largest Venezuelan contract aerosol filler in that country, is seeking Planning Commission approval of their site and reuse plans to open a new manufacturing facility on the former site of the Printing House. This use would qualify as a Class II use, requiring a Type II, and Level II review. These types of reviews require a Citizen's Bill of Rights meeting, a Planning Commission public hearing and a County Commission public hearing. He said BCC was excited about jobs coming into the area.

Commissioner Ganus asked about the ownership of the building.

Mr. Matheny said it would be brought by Sicamu Inc.

Commissioner Ganus also inquired about the safety record of the company.

Jose Pons, owner, greeted the Commission and spoke in support of his company by giving a brief history. He said his son would come to Quincy and become the new manager of the facility, if approved. He answered all questions regarding safety and assuring the Commission they would take the necessary precautions. He said they will learn all rules of the United States. He did note they had a couple small minor incidents such as fires that were handled quickly. He stated the tanks on the outside are propane tanks that would be properly fenced and the large piece of land that can act

as a buffer. He said one reason they like the Strong Rd. location is that it is spacious both in and outside.

Commissioner Davis asked Mr. Pons would he follow all rules and regulations'.

He replied yes.

Commissioner Allen asked about the filling the aerosol cans.

Mr. Pons explained the process of filling the aerosol cans in 3 steps. "First you have the empty can and you fill the liquid and it would be filled to ½ the volume of the can. Then you would sit it down and then clamp so the valve is attached and the can is ready to receive the gas. You then would go to a filling gas room, which is outside of the building, because they do not want gas lines going inside of the building. It's easier to have a small gassing unit outside of the building where the gas lines are. The gassing room is very open, so if some reason there was a leak the wind will take of it, but you also have the detectors."

Commissioner Tranchand asked was there any defaults and would it generate fumes? He asked what household goods they produced.

Mr. Pons explained there would be defaults. He said they would not generate fumes. He responded it is no pesticides it would be products such as starch, furniture cleaner, etc.

Commissioner Ganus asked about hours of operation.

Mr. Pons said he would love to have shifts, but to start it would be one shift.

Commissioner Dixon asked about respiratory problems, due to Nursing Home, Children, Hospital and elderly surrounding the area.

Mr. Pons said they would be using solvents. He said the chemicals would be contained.

Commissioner Chukes asked the number of employees. How many people from others areas will accompany you.

Mr. Pons said he has 100 in Venezuela and would love to have a 100 here. He said at the beginning it won't be much employment, but over time they plan to have at least 30 employees. They will hire people that are locally qualified for employment.

Commissioner Davis encouraged Mr. Pons and son to utilize the local people for employment.

Public Comment

- Marion Lasley, 5 Dante Court, asked were the adjacent property owners

notified of this project.

- Kirby Palm, said he received notice that discussed the project and the Citizen's Bill of Rights meeting. He said the project had hid support.

  Commissioner Allen asked did they have Citizen's Bill of Rights.

  Mr. Matheny said they had only one meeting. He recalled they did have the meeting with 6 in attendance.

  Commissioner Allen stated he thought it was mandatory to have 2 meetings.

  Mr. Matheny said they have only had one during his tenure and also that is what he was instructed to make sure at least one happen at the property.

  Commissioner Ganus said they need to amend the Citizen's Bill of Right if they aren't going to enforce 2 meetings.

  Chair Davis asked that the Fire Chief come an address safety concerns.

- Scott Haire, Fire Chief greeted and addressed safety concerns. He said Mr. Pons had answered his concerns. I had concerns that related to NFPA standards and that they are met. He assured us they would and would have his engineers work pre-planning and getting plans out ahead of any construction. The room where the mixing of chemicals would occur would be outside of the main building resulting in the chances of an explosion would be lessen by that because it's not a part of the main building.

  Commissioner Ganus asked about state regulations.

  Mr. Haire said he was unaware of state regulations with fire protection

  Commissioner Dixon inquired about explosion proof equipment and asked would they be able to handle incidents if they were to occur.

  Mr. Haire stated the forklifts would not have combustion engines, lighting fixtures would be the type that would no cause an arch and switches would be explosion proof. He said they fight fires with preplanning, so major disruptions won't occur.

UPON MOTION BY COMMISSIONER TRANCHAND AND SECOND BY COMMISSIONER ALLEN, THE COMMISSION VOTED 10 – 0, BY VOICE VOTE, TO APPROVE SICAMU INC. SITE PLAN AND REUSE REQUEST.

6. **<u>PUBLIC HEARING – Conceptual Plan Amendment (LDR-2013-02)</u> – An amendment the Land Development Code to allow the conceptual review of subdivisions to be optional thus reducing review time as proposed by ordinance. Major subdivisions**

remain subject to a Citizen's Growth Management and Citizen's Bill of Rights meeting:

AN ORDINANCE AMENDING CHAPTER 6, SUBDIVISION OF LAND; SUBSECTION 6003 SUBDIVISION PROCEDURES; AMENDING SUBSECTION 6003.C REQUEST FOR CONCEPTUAL SUBMISSION REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mr. Matheny addressed the Commission and commented this was another attempt to try and simply the Land Development Code to help people that would like to come in and do business in Gadsden County. "As told to you in previous meeting this was a directive from the County Administrator to our department to look at ways to make the development process a little easier and costly. In this case, instead of it being a requirement to have a Conceptual Site Plan which is basically a simple this is what we want to do, this is what we want to locate, generally you don't go into the engineered plan that we call a Preliminary Site Plan that which is a very detailed plan that the engineer puts together for $10,000. Conceptual is very basic, not a lot of cost involved. Our Code right now says you have to go through the process and you have to take it all the way through. We been kind of being very lenient with that requirement anyway for the past several years, at least 3 years that I have been here. If folks come in and talk to us and they go through the Citizen's Bill of Rights Meeting, to where anybody that comes is aware of what they are doing and the ads go in the paper. We feel like that kind of satisfies the Conceptual and they talk to us and we don't see any real concerns. We are trying to save these people time and money. The Preliminary is where the rubber meets the road and then you have construction plans after that, both sets which are very expensive."

Marion Lasley, 5 Dante Court, concerned with time and expense that would be saved by developers, basically there is less oversight and review of these projects. "I think the Planning Commission is very important for identifying problems, the history of sites, the history of areas, asking questions and offering suggestions to the Board on how to make better project. I think it is important that the projects go through the Planning Department for more eyes on the project to make a better project." She said the public needs to have multiple opportunities to voice their concerns. In opposition of one person making decision. She encouraged more public notice, not less. She encouraged a new Land Development Code instead of changing one little thing each time.

Commissioner Ganus commented in doing a little research for this meeting he looked in Chapter 5 of Land Development Code, Subchapter 5207 (Conceptual Site plan requirements). He said he ran across a statement that he likes for non residential uses. It reads how many levels of site plan review are necessary. It also says that the Conceptual and Preliminary Site Plans may be combined this may be addressed during the level one review. He said what he was saying was this is not necessarily a bad idea, but the way it is going to be written up and handled. He also stated it seems the way this is written as though the Citizen's Bill of Rights would replace the Conceptual Review. "I wouldn't be in favor unless it's written in away, where during the Level 1 review, when the application is made that a determination is made possible even after

the Citizen's Bill of Rights meeting at that point your department has control as to where there needs to be an Conceptual Review or not." He said it reads like it is left up to the developer as to whether the option would be used to do the Conceptual presentation or leave it out. "I think your department ought to have control over that and if it's needed or seem to be needed that we have it." He felt as if they should leave options open.

Commissioner Allen commented, "It appears to me you're taking away oversight from the Commission and giving to staff. It takes away oversight from the Commission."

Commissioner Sheffield commented in the past I do know the County Commission at times have gone on and approved a development because they have spent so much money.

Commissioner Dixon concurred with Commissioner Ganus. "You have to give people more options to invite themselves to speak."

Marion Lasley said they have the process that will follow in the flow chart. People should be informed.

Chair Davis asked what is the will of Board. She said the consensus is the document needs to be tweaked.

Commissioner Dixon and Bright added that the Commissioner Ganus comments should be involved.

Commissioner Ganus commented he would like to make a motion to accept the basic plan of the premise of combining the conceptual and the preliminary site plans, but have a review at level 1 by staff and make determination at that time whether there is a need for conceptual plan presentation and if so it needs to be incorporated into the steps.

Commissioner Dixon interjected with a friendly amendment, that they also allow written minutes from the Citizen's Bill of Rights Meeting as a part of that to come to the Commission.

Question was called by Commissioner Allen, "he asked when you say a Type 1 Review are you asking staff to review their review."

Commissioner Ganus stated when they do their Type 1 review they will make the determination whether it is necessary to have the conceptual site plan or whether the conceptual and the preliminary can be combined. If it is complex and controversial and felt by them that we need the conceptual step then they will include that in the steps the developer goes through.

UPON MOTION BY COMMISSIONER GANUS AND SECOND BY COMMISSIONER ROWAN, THEY MOTIONED FOR APPROVAL OF THE CONCEPTUAL AND PRELIMINARY SITE PLAN MAY BE COMBINED THIS WILL BE ADDRESSED DURING THE LEVEL 1 REVIEW AND IF IT IS FELT BY STAFF THAT CONCEPTUAL REVIEW IS REQUIRED AND WILL BE INCLUDED, SECTION 5207.

Commissioner Dixon asked that the motion be amended to have minutes from Citizens Bill of Rights Meeting.

Commissioner Sheffield asked what if staff decides that it's not required, then what's the next step? Is it the preliminary plat? It's possible that the preliminary plat won't come to us.

Commissioner Ganus interjected and said that we would get the preliminary plat, either way.

Mr. Matheny agreed you would get the preliminary plat either way. He said if it's no issues generally we have encouraged them to go ahead and do the preliminary plat.

Commissioner Dixon motioned that minutes be brought to the Commission from the Citizen Bill of Rights meeting. He added any information that is pertinent to that issue.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER ROWAN, THE COMMISSION VOTED 9 – 0, BY VOICE VOTE, THAT MINUTES BE BROUGHT TO THE COMMISSION FORM THE CITIZEN'S BILL OF RIGHTS MEETING. HE ADDED THAT ANY INFORMATION THAT IS PERTINENT TO THE ISSUE BE BROUGHT FORWARD.

UPON MOTION BY COMMISSIONER GANUS AND SECOND BY COMMISSIONER ROWAN, THE COMMISSION VOTED 8 -1, BY VOICE VOTE THAT THE CONCEPTUAL AND PRELIMINARY SITE PLAN MAY BE COMBINED THIS WILL BE ADDRESSED DURING THE LEVEL 1 REVIEW AND IF IT IS FELT BY STAFF THAT CONCEPTUAL REVIEW IS REQUIRED AND WILL BE INCLUDED, SECTION 5207 AND THAT THE MINUTES AND ANY PERTINENT INFORMATION BE BROUGHT TO THE COMMISSION FROM THE CITIZEN BILL OF RIGHT'S MEETING. (Commissioner Vanlandingham opposed the motion.)

7. **PUBLIC COMMENTS – July 18, 2013(Next Meeting) Moved from the July 11 date**

There were no additional public comments.

The **July 11, 2013** Planning Commission Meeting was moved to **July 18, 2013**.

8. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR DECLARED THE MEETING ADJOURNED AT 7:05 P.M.

GADSDEN COUNTY, FLORIDA

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REGINA DAVIS, CHAIR
PLANNING COMMISSION

ATTEST:

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BERYL H. WOOD, Deputy Clerk for
NICHOLAS THOMAS, Clerk of the Court
Gadsden County, Florida