

Agenda  
City of Dunnellon  
Planning Commission Meeting  
November 14, 2023, 5:30 PM

**Dunnellon Planning Commission meeting will be held on November 14, 2023, 5:30 pm at Dunnellon City Hall**

**Public Comment:** Anyone who wishes to provide public comment will be able to do so by participating in the Planning Commission meeting in person.

Supporting Documentation for Agenda items may not be ADA compliant for website posting. To obtain supporting documentation not published to the website, please contact the City Clerk's office.

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

Proof of Publication: The agenda was posted on the City's website and City Hall bulletin board on Tuesday, November 7, 2023.

Public Comment

**1. Approval of Minutes**

**1.a Minutes**

Documents:

October 18 2022 Minutes  
April 18 2023 Minutes  
May 16 2023 Minutes  
June 20 2023 Minutes  
July 18 2023 Minutes

**2. Resolutions**

**2.a Resolution #RES2023-29 Updating Requirements Pertaining to Parking Agreements and Exemptions to Correct 2018 Codification Errors**

Resolution #RES2023-29 finding of consistency and forwarding a recommendation of approval to City Council for consideration.

*Proposed Motion: I move Resolution #RES2023-29 be read by title only.*

*Proposed Motion: I move Resolution #RES2023-29 be approved.*

Documents:

RES2023-29 Parking Revision.pdf  
Ordinance ORD2023-02 Parking Amendment.pdf

**3. Reports and Updates:**

- Chair
- Commissioners
- Staff

**4. Public Comment**

**5. Adjourn**

**Proposed Motion:** I move the Planning Commission meeting be adjourned.

ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS HEARING BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE CITY CLERK AT (352) 465-8500 AT LEAST 48 HOURS PRIOR TO THE PROCEEDING. IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THE ABOVE MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT.

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** November 14, 2023

**SUBMITTED BY:** Kelly Wyen, Community Development

**ITEM TYPE:** Minutes

**AGENDA SECTION:** Approval of Minutes

**SUBJECT:** Minutes

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[October 18 2022 Minutes](#)

[April 18 2023 Minutes](#)

[May 16 2023 Minutes](#)

[June 20 2023 Minutes](#)

[July 18 2023 Minutes](#)

**Minutes (Amended)**  
**City of Dunnellon**  
**Planning Commission Meeting**  
**October 18, 2022, 5:30 p.m.**

**Zoom**

<https://dunnellon.zoom.us/j/83448699262?pwd=M0hFc1FTMkhjSW1NQnUwWlpwZy85dz09>

Webinar ID: 834 4869 9262

Chairwoman D'Arville called the meeting to order at 5:39 p.m. and led the Pledge of Allegiance.

**Roll Call**

Members:

Brenda D'Arville, Chairwoman

John Pierpont, Commissioner - ABSENT

Dusty Walters, Commissioner

Kathy Dunn, Commissioner

Lisa Sheffield, 1<sup>st</sup> Alternate - ABSENT

Staff:

Georgina Cid, Community Development Manager

Kelly Wyen, Community Development Planning Assistant - ABSENT

Patrick Brackins, Assistant City Attorney

Anita Williams, Councilwoman

Juliane Mendonca, Councilperson

**Proof of Publication**

The agenda was posted on the City of Dunnellon's website and City Hall bulletin board on Tuesday, October 11, 2022. The agenda was amended on Tuesday, October 18, 2022 to add items #3 and #5.

**1. Public Comment**

David Porter, 11835 E. Blue Cove Drive, thanked all of the members for their work on the Short-Term Rental Ordinance. He continued by commenting on some of the challenges and work completed by the Commission on the Ordinance. He said their efforts have taught both the Commission and public a great deal about these types of rentals and will bring forth a lot for the City Council when the Ordinance comes before them.

**2. Approval of Minutes**

September 19, 2022 Special Workshop

Chairwoman D'Arville asked the board if they had time to review the minutes and if there were any comments. With no discussion or questions, she asked if there was a motion to approve. Commissioner Dunn motioned to approve the September 19, 2022 minutes. Commissioner Walters seconded the motion. A vote was taken and the motion passed 3-0.

**3. Quasi-Judicial Hearing for Dinkins Service Store Site Plan #SPL2022-01, Application #PZ20210323 by Dinkins Property Holdings Dunnellon Store, LLC requesting site plan approval for Parcel #3380-1244-00, 11899 N. Williams Street**

Chairwoman D'Arville closed the regular meeting and opened the Quasi-Judicial Hearing (no time given). Attorney Brackins performed the swearing in of all persons giving testimony. Chairwoman D'Arville polled board members to disclose any ex-parte communication or conflict of interest. All members present each stating none.

Ms. Cid reviewed the information provided within the staff report stating compliance with the City's Comprehensive Plan. There was discussion between the board and staff regarding the decision to demolish the historical property, what type of structure or structures would be constructed, viewing the site plan, permitting, and the need to bring these details to the Council's attention.

Chairwoman D'Arville called for public comment.

David Porter, 11835 E. Blue Cove Drive, commented about the ability for public comment without having notice of the site plan. Ms. Cid advised regarding the mailings and public notice of the quasi-judicial hearing.

Inaudible Name and Address, talked about growing up with Dinkins Store in the community and his recommendation for rebuilding the property while preserving the historical value.

Chairwoman D'Arville closed the Quasi-Judicial Hearing and reopened the Regular Meeting at 6:22 p.m.

**4. Resolution #RES2022-04 for Review of Dinkins Service Store Site Plan #SPL2022-01 Comprehensive Plan Consistency**

Commissioner Walters moved Resolution #RES2022-04 be read by title only. Commissioner Dunn seconded. A vote was taken and the motion passed 3-0.

Chairwoman D'Arville read the following into the record:

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, MAKING RECOMMENDATION TO THE CITY COUNCIL TO  APPROVE  DISAPPROVE  APPROVE WITH CONDITIONS; DINKINS PROPERTY HOLDINGS DUNNELLON STORE LLC, PURSUANT TO THE CITY OF DUNNELLON LAND DEVELOPMENT REGULATIONS APPENDIX A, "ZONING" AS REQUESTED BY APPLICANT, DANIEL YOUNG, P.E. ON BEHALF OF DINKINS PROPERTY HOLDINGS DUNNELLON STORE LLC AS AUTHORIZED BY DINKINS PROPERTY HOLDINGS, OWNER OF THE PROPERTY LOCATED AT 11899 N. WILLIAMS ST., BEING PARCEL NUMBER 3380-1244-00; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE."

Chairwoman D'Arville asked if there was a motion to approve Resolution #RES2022-04. After a brief discussion, Commissioner Walters moved Resolution #RES2022-04 be approved and Chairwoman D'Arville seconded. A vote was taken and the motion passed 2-1, with Commissioner Dunn being opposed.

**5. Quasi-Judicial Hearing for Right Turn Auto Center Site Plan #SPL2022-02, Application #PZ20220356 by WJL Realty Investments, LLC requesting site plan approval for Parcel #3380-1232-00, #3380-1233-00 and #3380-1234-01 N. Williams Street**

Chairwoman D'Arville gaveled down and said, "It is now 6:34 p.m. and I close the regular meeting and open the Quasi-Judicial Hearing." Attorney Brackins performed the swearing in of all persons giving testimony. Chairwoman D'Arville polled board members to disclose any ex parte communication or conflict of interest. All members present each stating none.

Ms. Cid reviewed the information provided within the staff report.

The owner (name and address audible) answered several questions and provided a history of his experience in the industry.

Chairwoman D'Arville gaveled down and said, "It is now 6:56 p.m. and I close the Quasi-Judicial Hearing and reopen the Regular Meeting."

Attorney Brackins provided clarification to the Planning Commission members regarding the process of Quasi-Judicial hearings.

Chairwoman D'Arville gaveled down and said, "It is now 6:58 p.m. and I close the Regular Meeting and reopen the Quasi-Judicial Hearing."

Name and address audible, asked questions about parking spaces at the business. Staff responded 14 parking spaces will be available.

Chairwoman D'Arville gaveled down and said, "It is now 6:59 p.m. and I again close the Quasi-Judicial Hearing and reopen the Regular Meeting."

Commissioner Walters expressed concern about the noise level at the business. The owner responded providing information about materials which will be used as buffers in the construction of the property. Commissioner Dunn asked for clarification about advertisements and both the staff and owner responded.

**6. Resolution #RES2022-17 for Review of Right Turn Auto Center Site Plan #SPL2022-02 Comprehensive Plan Consistency**

Commissioner Dunn moved Resolution #RES2022-17 be read by title only. Commissioner Walters seconded. A vote was taken and the motion passed 3-0.

Chairwoman D'Arville read the following into the record:

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, MAKING RECOMMENDATION TO THE CITY COUNCIL TO  APPROVE  DISAPPROVE  APPROVE WITH CONDITIONS; WJL REALTY INVESTMENTS LLC, PURSUANT TO THE CITY OF DUNNELLON LAND DEVELOPMENT REGULATIONS APPENDIX A, "ZONING" AS REQUESTED BY APPLICANT, MARC P. MAIER, P.E. ON BEHALF OF WJL REALTY INVESTMENTS LLC AS AUTHORIZED BY WJL REALTY

INVESTMENTS LLC, OWNER OF THE PROPERTY LOCATED ON N. WILLIAMS ST., BEING PARCEL NUMBERS 3380-1234-01, 3380-1233-00 AND 3380-1232-00; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE."

Chairwoman D'Arville asked if there was a motion to approve Resolution #RES2022-17. Commissioner Walters moved Resolution #RES2022-17 be approved and Commissioner Dunn seconded. A vote was taken and the motion passed 3-0.

**7. Vision, Mission and Value Statements**

Chairwoman D'Arville provided background on the purpose of reviewing the vision, mission and value statements. Ms. Cid stated she provided the statements which were developed as part of the Distinctly Dunnellon report and suggested starting the review of the current statements to meet the current vision of the City.

Discussion took place on the history of the current vision statement and what elements should be included in any revisions. A future meeting was scheduled for the following month to further the discussion.

**8. Reports and Updates**

Commissioner Dunn voiced concern on how to fill Planning Commission vacancies. Ms. Cid provided information on how applications are reviewed and approved.

**9. Adjournment**

A motion to adjourn was made by Commissioner Dunn and seconded by Commissioner Walters. There being no further comments, Chairwoman D'Arville gavelled down and adjourned the meeting at 7:45 p.m.

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Penned Signature of  
Brenda D'Arville  
Chairwoman

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Penned Signature of  
Kelly Wyen  
Recording Secretary

**Minutes  
City of Dunnellon  
Planning Commission  
April 18, 2023, 5:30 p.m.**

**Zoom**

<https://dunnellon.zoom.us/j/81016437999?pwd=a3BqK3JnZXZ4ZERqTnVBNnFOSW9iUT09>

Webinar ID: 810 1643 7999

Chairwoman D'Arville called the meeting to order at 5:41 p.m. and led the Pledge of Allegiance.

**Roll Call**

Brenda D'Arville, Chairwoman  
Dusty Walters, Commissioner  
Kathy Dunn, Commissioner  
Samuel Martian, Commissioner  
Lisa Sheffield, 1st Alternate – Absent

**Staff Present**

Kelly Wyen, Community Development Assistant  
Juliane Mendonca, Councilperson

**Legal Counsel:**

Patrick Brackins, Shepard, Smith, Kohlmyer & Hand, P. A

**Proof of Publication**

The agenda was posted on the City of Dunnellon's website and City Hall bulletin board on Wednesday, April 12, 2023.

**Public Comment**

There were no public comments.

Chairwoman D'Arville invited Commissioner Martian to tell everyone a little about himself. Commissioner Martian shared where he was from, a little bit about his family, where he worked and why he chose to move to Dunnellon.

Chairwoman D'Arville announced the other new Member, Rex Lehmann, has been appointed to the City Council and had to step down from the Planning Commission to do so.

**1. Planning Officials Essential Skills Training**

Mrs. Wyen stated the Members would be learning two modules tonight. She said the first is Roles and Responsibilities and she offered suggestions to help them absorb the material. She advised the second module is Managing the Meeting. The training videos began and training commenced.

Chairwoman D'Arville suggested Attorney Brackins explain the difference between legislative and non-legislative hearings, as well as, how the Codes and Ordinances support the Comprehensive Plan and

how the Community Development Department supports the Planning Commission during his Sunshine Law training.

Commissioner Dunn spoke about the Comprehensive Plan and stated it seems we are not following the Plan. Mrs. Wyen said the Comprehensive Plan cannot be added to the website because it is not ADA compliant, but she could email the Plan to members. She said if there are things the Board doesn't understand they are welcome to reach out to Staff for guidance.

Further discussion followed regarding reviewing site plans, their size, time needed to review them, where the Board can see them, guidelines to what they can or cannot do, grants, Codes not matching the Comprehensive Plan and staff reports for site plans.

Commissioner Dunn asked Mrs. Wyen to show them how to find things in Municode. Mrs. Wyen provided an explanation of Municode and how to use it. She commented there isn't an easy way. Commissioner Dunn and Commissioner Martian asked about current projects on Robinson Road and in front of City Hall on US 41 and Mrs. Wyen shared her knowledge about those projects.

## **2. Reports & Updates**

Commissioner Walters asked about a billboard near the DCBA and stated it is an eyesore. Commissioner Dunn stated she would like to take a more active role in assisting the City staff and help with the aesthetics of East Pennsylvania. She offered suggestions for a committee. She spoke about the Waste Management dumpsters needing to be screened or moved and what the Code states. She also suggested offering the CRA Grant to the businesses along East Pennsylvania. Further discussion followed regarding what CRA Grant funds are intended to accomplish, who can benefit from them, areas within the City included in the CRA area and the changes being planned to open the funding up to more of the CRA area.

Commissioner Dunn spoke about lowering the allowable height of business signage, stating it would be more aesthetically pleasing. Mrs. Wyen stated the current height is 12 feet and when businesses come in to change or update their signage they are restricted to this height. Chairwoman D'Arville spoke about installing theme-based signage and suggested they revisit the topic. Commissioner Walters referred to the wayfinding signs project and asked where the City is with this project. Mrs. Wyen explained the project has been put on hold. Commissioner Dunn also spoke about the individual mailboxes along the corridor being an eyesore and suggested cluster unit mailboxes.

Chairwoman D'Arville stated the Council will have a meeting tomorrow regarding the status of the Police Department, at 4:30 p.m., for anyone who would like to attend.

## **Public Comment**

Juliane Mendonca, 7984 E. Blue Cove Dr., stated she appreciated the training and it was super helpful. She suggested staff provide the Members access to the Comprehensive Plan, but also said it is old and outdated. She explained how they could view the assorted layers on the GIS mapping which is located on the website. She urged them to be patient and explained the Council created a list of priorities and the Comprehensive Plan was one of them. She provided an explanation of how CRA funds could be utilized.

Nancy Benouaich, 11876 Cedar St., suggested they contact the University of Florida through the Architectural Department to see if some of the students might be willing to help with the overlay project while working on their thesis.

**3. Adjournment**

Commissioner Walters motioned to adjourn at 7:25 p.m. and Commissioner Dunn seconded the motion. A vote was taken and the motion passed 4-0.

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Penned Signature of  
Brenda D'Arville, Chairwoman

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Penned Signature of  
Kelly Wyen, Community Development

**Minutes**  
**City of Dunnellon**  
**Planning Commission**  
**May 16, 2023, 5:30 p.m.**

<https://dunnellon.zoom.us/j/84277575516?pwd=TzZUM3dFdERnd2lnd1FkTHBtMFptZz09>

Webinar ID: 842 7757 5516

Chairwoman D'Arville called the meeting to order at 5:36 p.m. and led the Pledge of Allegiance.

**Roll Call**

**Members:**

Brenda D'Arville, Chairwoman  
Dusty Walters, Commissioner  
Kathy Dunn, Commissioner  
Lisa Sheffield, 1<sup>st</sup> Alternate-ABSENT  
Samuel Martian, Commissioner

**Staff:**

Kelly Wyen, Community Development Assistant

**City Council Audience Members:**

Juliane Mendonca

**Proof of Publication**

The agenda was posted on the City of Dunnellon's website and City Hall bulletin board on Tuesday, May 9, 2023.

**Public Comment**

There were no public comments.

**1. Approval of Minutes – November 15, 2022**

Chairwoman D'Arville called for a motion to approve. Commissioner Walters motioned to approve and Commissioner Martian seconded. A vote was taken and the motion passed 4-0.

**2. Planning Officials Essential Skills Training**

- Module 3: Staff Reports (30 m)
- Module 4: Comprehensive Plans (6 m)
- Module 5: Zoning/Ordinances (9 m)
- Module 6: Findings of Fact (13 m)
- Module 7: Equity in Planning (4 m)

After completion of the training modules, Mrs. Wyen informed the Commission they will have two site plan reviews at the next meeting and she asked the Commission if they would like to complete the last three training modules at the next meeting or postpone to the July meeting. The Commission decided to complete the training at the July meeting.

Commissioner Walters asked Mrs. Wyen if they will receive backup documentation ahead of the Planning Commission meeting for the site plan reviews. Mrs. Wyen stated the Commission will receive a staff report review packet for each site plan and asked the Commission if they want to see each staff report which was created during the site plan review, or if they prefer to receive the final staff report.

Discussion continued and Mrs. Wyen stated she would include all the staff reports in each review packet for the Commission. Commissioner Martian asked about the process of site plan reviews and Mrs. Wyen replied. Mrs. Wyen told the Commission they can also come into City Hall to review the paper documentation if they prefer.

Commissioner Walters asked what site plans will be reviewed in June and Mrs. Wyen replied there would be two. Commissioner Dunn asked if the Commission has the right to deny a business in town. Mrs. Wyen replied per prior discussions with Attorney Brackins, there must be a basis for denial contained within the Comprehensive Plan or within the City Code of Ordinances. Commissioner Dunn asked why the Commission does not receive site plans for businesses expanding their footprint. Mrs. Wyen stated any business expanding their footprint who submits a site plan application, will be presented to the Planning Commission.

Chairwoman D'Arville asked how the City can get the Comprehensive Plan reviewed and updated. Mrs. Wyen stated funding for such services has been included in the draft budget for the next fiscal year. Commissioner Dunn suggested there are other resources the Commission can contact to gather information on the Comprehensive Plan revision. Chairwoman D'Arville stated there have been documents created in the past which seem to go nowhere. Mrs. Wyen stated implementation of plans require significant funding to make happen. Commissioner Dunn said she believes the City should revise the zoning as well so the codes can be updated accordingly. Commissioner Dunn asked Councilperson Mendonca if she would like to speak on the topic.

Councilperson Mendonca, 11894 Blue Cove Dr., stated the Comprehensive Plan needs updated in a broader way than what was previously done and all the previously developed plans would be difficult to implement since there are so many problems with the current code and Comprehensive Plan. She said she is pleased the City has contracted with professional planners which should produce comprehensive reports for the Planning Commission and Council to review future planning and zoning cases. She asked Mrs. Wyen if the Planning Commission could review plans for a business relocating within Dunnellon. Mrs. Wyen stated those types of applications do not come before the Planning Commission. Mrs. Mendonca asked if those types of applications can come before the Planning Commission. Mrs. Wyen outlined the current process and stated it could be included in the process to come before the Planning Commission.

Discussion ensued regarding current concerns in the City with businesses adding or changing their use without going through zoning. Mrs. Wyen stated education of the City's process for changing use should be communicated to local businesses.

Commissioner Dunn presented pictures of current city code violations and discussed concerns and suggestions for revisions to the Comprehensive Plan and code, along with other discussion regarding water line replacement and implementing cluster unit mailboxes along W. Pennsylvania Avenue.

3. Reports & Updates:

- Chairwoman D'Arville

Chairwoman D'Arville asked Commissioner Martian to provide some background on himself since he is new to the Commission. He provided a brief background.

- Commissioners
- Staff
- Adjournment

4. Adjournment

Commissioner Dunn motioned to adjourn at 7:34 p.m. and Commissioner Martian seconded the motion. A vote was taken and the motion passed 4-0.

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Penned Signature of  
Brenda D'Arville  
Chairwoman

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Penned Signature of  
Kelly Wyen  
Community Development

**Minutes  
City of Dunnellon  
Planning Commission Meeting  
June 20, 2023, 5:30 p.m.**

**Zoom**

<https://dunnellon.zoom.us/j/81702827573?pwd=RGgyc05iMGpEZkxla0NETW1NRmpFQT09>  
Webinar ID: 817 0282 7573

Commissioner Dunn called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

**Roll Call**

**Members:**

Brenda D'Arville, Chairwoman - ABSENT  
Kathy Dunn, Commissioner  
Dusty Walters, Commissioner  
Lisa Sheffield, Commissioner  
Samuel Martian, Commissioner

**Staff:**

Kelly Wyen, Community Development  
Patrick Brackins, Assistant City Attorney

**Proof of Publication**

The agenda was posted on the City of Dunnellon's website and City Hall bulletin board on Tuesday, June 13, 2023.

**Public Comment**

There were no public comments.

**1. Approval of Minutes**

Commissioner Dunn called for a motion to approve all the minutes, with the exception of October 18, 2022 since they are incomplete and will be provided at a later date. Commissioner Walters motioned to approve all minutes with the exception of October 18, 2022. Commissioner Martian seconded the motion. A vote was taken and the motion passed 4-0.

- August 3, 2022 Special Joint Workshop
- August 10, 2022 Special Workshop
- ~~October 18, 2022 Regular Meeting~~
- December 5, 2022 Special Quasi-Judicial Hearing
- December 20, 2022 Regular Meeting
- January 17, 2023 Regular Meeting
- March 21, 2023 Regular Meeting

**2. Quasi-Judicial Hearing**

**Business Name: PS Coffee LLC**

**Site Plan Application #SPL20230085**

**Submitted By Pitman Engineering On Behalf Of PS Coffee LLC**

**Requesting Site Plan Approval For Parcel #33631-002-00 Located At 11582 N. Williams St.**

Commissioner Dunn gavelled down and stated, "It is now 5:33 p.m. and I close the regular Planning Commission meeting and open the Quasi-Judicial Hearing."

Attorney Brackins performed the swearing in of all persons giving testimony. Commissioner Dunn polled Commission members to disclose any ex-parte communication or conflict of interest. All members present each stated none.

Mrs. Wyen reviewed the information provided within the staff report provided by LPG Urban-Regional Planners. Commissioners proceeded to ask questions regarding the site plan to Michael Rankin of LPG and to Robert Davis of Pitman Engineering.

Commissioner Dunn called for public comments and there were none.

Commissioner Dunn gavelled down and stated, "It is now 5:59 p.m. and I close the Quasi-Judicial Hearing and reopen the regular Planning Commission meeting."

**3. Resolution #RES2023-07 for Review of PS Coffee, LLC Site Plan #SPL20230085 for Comprehensive Plan Consistency**

Commissioner Dunn called for a motion to read Resolution #RES2023-07 by title only. Commissioner Walters moved Resolution #RES2023-07 be read by title only. Commissioner Martian seconded. A vote was taken and the motion passed 4-0.

Commissioner Dunn read the following into the record:

*"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, MAKING RECOMMENDATION TO THE CITY COUNCIL TO  APPROVE  DISAPPROVE  APPROVE WITH CONDITIONS; PURSUANT TO THE CITY OF DUNNELLON LAND DEVELOPMENT REGULATIONS, THE SITE PLAN FOR PS COFFEE, LLC TO BE LOCATED AT 11582 N. WILLIAMS STREET; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE."*

Commissioner Dunn asked the Commission if further discussion was needed, to which there was not. Commissioner Dunn called for a motion to approve Resolution #RES2023-07. Commissioner Martian moved Resolution #RES2023-07 be approved and Commissioner Walters seconded. A vote was taken and the motion passed 4-0.

**4. Quasi-Judicial Hearing**

**Business Name: Heart Of Florida Health Center, Inc.**

**Site Plan Application #SPL20230166**

**Submitted by Mastroserio Engineering on behalf of Heart Of Florida Health Center, Inc.**

**Requesting Site Plan Approval for Parcel #3448-174-000 Located at 19204 E. Pennsylvania Ave.**

Commissioner Dunn gavelled down and stated, "It is now 6:03 p.m. and I close the regular Planning Commission meeting and open the Quasi-Judicial Hearing."

Attorney Brackins performed the swearing in of all persons giving testimony. Commissioner Dunn

polled Commission members to disclose any ex parte communication or conflict of interest. All members present each stated none.

Mrs. Wyen reviewed the information provided within the staff report provided by LPG Urban-Regional Planners. Commissioners proceeded to ask questions regarding the site plan to Michael Rankin of LPG, Eric Borman and Paolo Mastroserio of Mastroserio Engineering, and Maria Torres of Heart of Florida.

Commissioner Dunn called for public comments and there were none.

Commissioner Dunn gavelled down and stated, "It is now 6:25 p.m. and I close the Quasi-Judicial Hearing and reopen the regular Planning Commission meeting."

**5. Resolution #RES2023-05 for Review of Heart of Florida Health Center, Inc. Site Plan #SPL20230166 for Comprehensive Plan Consistency**

Commissioner Dunn called for a motion to read Resolution #RES2023-05 by title only. Commissioner Walters moved Resolution #RES2023-05 be read by title only. Commissioner Martian seconded. A vote was taken and the motion passed 4-0.

Commissioner Dunn read the following into the record:

*"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, MAKING RECOMMENDATION TO THE CITY COUNCIL TO  APPROVE  DISAPPROVE  APPROVE WITH CONDITIONS, PURSUANT TO THE CITY OF DUNNELLON LAND DEVELOPMENT REGULATIONS, THE SITE PLAN FOR EXPANSION OF HEART OF FLORIDA HEALTH CENTER INC., LOCATED AT 19204 E. PENNSYLVANIA AVE.; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE."*

Commissioner Dunn asked the Commission if further discussion was needed, to which there was not. Commissioner Dunn called for a motion to approve Resolution #RES2023-05. Commissioner Walters moved Resolution #RES2023-05 be approved and Commissioner Martian seconded. A vote was taken and the motion passed 4-0.

**6. Reports and Updates**

Commissioner Walters voiced concern on the August 3, 2022 minutes, which reflect her as being absent. Mrs. Wyen stated she will review the meeting recording for that date and if changes are needed, she will present the revised minutes at the next meeting.

Commissioner Walters asked if there is any progress on the Dinkins property and Mrs. Wyen replied nothing has been submitted. Commissioner Walters then asked about the vision statement revisions to which Mrs. Wyen replied the vision statement will be revised when the Comprehensive Plan is updated. Commissioner Walters asked if there will be a revision to the code which would allow the Commission to deny a site plan application based on consideration of the type of business and amount of same type of businesses already in Dunnellon. Attorney Brackins replied Land Development Regulations will need to be revised to support Commissioner Walters' request.

Commissioner Walters asked if magistrate hearings are open to the public. Attorney Brackins replied they are public hearings, so attendance is permitted, but Commissioners should only speak as citizens at the magistrate hearing and not as Commissioners.

Mrs. Wyen provided information on recently approved new businesses and responded to other questions asked by the Commission. Commissioner Dunn asked for clarification from the attorney on items under the purview of the Planning Commission, to which he provided explanation the Planning Commission has no purview over code enforcement matters as far as directing staff on a code enforcement issue. He said Planning Commission members can make recommendations as individual citizens to City Council regarding code enforcement matters.

**7. Public Comment**

There were no public comments.

**8. Adjournment**

Commissioner Dunn called for a motion to adjourn. Commissioner Walters motioned to adjourn at 6:58 p.m. and it was seconded by Commissioner Martian. There being no further comments, a vote was taken and the motion passed 4-0.

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Penned Signature of  
Brenda D'Arville  
Chairwoman

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Penned Signature of  
Kelly Wyen  
Community Development

**Minutes  
City of Dunnellon  
Planning Commission Meeting  
July 18, 2023, 5:30 p.m.**

**Zoom**

<https://dunnellon.zoom.us/j/81202995185?pwd=KzFZZjBwVkJWbTM1ZGpjcENUZmZVdz09>

Webinar ID: 812 0299 5185

Commissioner Dunn called the meeting to order at 5:34 p.m. and led the Pledge of Allegiance.

**Roll Call**

Members:

Brenda D'Arville, Chairwoman  
Kathy Dunn, Commissioner  
Dusty Walters, Commissioner  
Lisa Sheffield, Commissioner  
Samuel Martian, Commissioner

Staff:

Kelly Wyen, Community Development  
Patrick Brackins, Assistant City Attorney

**Proof of Publication**

The agenda was posted on the City of Dunnellon's website and City Hall bulletin board on Tuesday, July 11, 2023.

**Public Comment**

There were no public comments.

**1. Approval of Minutes**

Chairwoman D'Arville asked Mrs. Wyen to provide the reason for the amendment to the August 3, 2022, to which Mrs. Wyen explained.

Chairwoman D'Arville asked for a motion to approve the August 3, 2022 minutes as amended. Commissioner Walters motioned to approve the minutes. Commissioner Sheffield seconded the motion. A vote was taken and the motion passed 5-0.

- August 3, 2022 Amended
- ~~October 18, 2022 Regular Meeting~~
- ~~June 20, 2023 Quasi-Judicial Hearing~~

Mrs. Wyen explained the October and June minutes had not been proofed for publication.

**2. Planning Officials Essential Skills Training**

Commissioners watched the following training videos:

- Module 8: Ethics in Decision-Making (7 m)
- Module 9: Legal Decision-Making (33 m)
- Module 10: Procedural Requirements (17 m)

### **Reports and Updates**

Mrs. Wyen said she would download and email all of the modules to the Commissioners in the next couple of weeks.

Chairwoman D'Arville thanked Mrs. Wyen and stated she would like the attorney to provide an overview of the Comprehensive Plan and how this ties into the Code, Ordinances, and Land Development Regulations.

Commissioner Walters said she recently spoke with Rob Balmes at the TPO and he provided her updates on the Multi-Modal Project on Pennsylvania Avenue which she shared with her fellow Commissioners. She stated they also spoke about concerns with several of the turn lanes along US41 and he was going to order a review of the area. Commissioner Walters remarked she is still looking for updates on Code Enforcement violations from Chad Ward. She then asked how the board can move forward with extending CRA grant funds outside of the Historic District, specifically down Williams Street.

Discussion by the Commissioners was had regarding Commissioner Walters concerns and Mrs. Wyen stated she was compiling a list for future discussion and follow-up.

Chairwoman D'Arville asked what was happening with the Community Development Manager position and Mrs. Wyen explained the proposed reorganization of the department.

There was a final discussion regarding the Pennsylvania Avenue Multi-Modal Project, the CRA area, and funding.

### **3. Public Comment**

There were no public comments.

### **4. Adjournment**

Chairwoman D'Arville called for a motion to adjourn. Commissioner Walters motioned to adjourn at 6:57 p.m. and it was seconded by Commissioner Martian. There being no further comments, a vote was taken and the motion passed 5-0.

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Penned Signature of  
Brenda D'Arville  
Chairwoman

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Penned Signature of  
Kelly Wyen  
Community Development

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** November 14, 2023

**SUBMITTED BY:** Kelly Wyen, Community Development

**ITEM TYPE:** Resolution

**AGENDA SECTION:** **Resolutions**

**SUBJECT:** Resolution #RES2023-29 Updating Requirements Pertaining to Parking Agreements and Exemptions to Correct 2018 Codification Errors

Resolution #RES2023-29 finding of consistency and forwarding a recommendation of approval to City Council for consideration.

**SUGGESTED ACTION:** *Proposed Motion: I move Resolution #RES2023-29 be read by title only.*

*Proposed Motion: I move Resolution #RES2023-29 be approved.*

**ATTACHMENTS:**

[RES2023-29 Parking Revision.pdf](#)

[Ordinance ORD2023-02 Parking Amendment.pdf](#)

**RESOLUTION #RES2023-29**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, MAKING RECOMMENDATION TO THE CITY COUNCIL TO  APPROVE OR  DISAPPROVE ORDINANCE #ORD2023-02, UPDATING REQUIREMENTS PERTAINING TO PARKING AGREEMENTS AND EXEMPTIONS IN ORDER TO CORRECT 2018 CODIFICATION ERRORS, AS CONSISTENT WITH THE COMPREHENSIVE PLAN.**

**WHEREAS**, the Planning Commission held a public hearing on November 14, 2023 to consider whether Ordinance #ORD2023-02 is consistent with the City of Dunnellon's Comprehensive Plan; and

**WHEREAS**, the Planning Commission, sitting as the Local Planning Agency, has determined that the proposed ordinance    is,    is not consistent with the Comprehensive Plan; and

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF DUNNELLON THAT:**

A recommendation of    approval    disapproval of Ordinance #ORD2023-02 as consistent with the Comprehensive Plan.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon adoption.

**Upon motion duly made and carried**, the foregoing Resolution was approved on November 14, 2023, by the Planning Commission upon a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the result was as follows;

Commissioner Brenda D'Arville	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner Donna "Dusty" Walters	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner Kathy Dunn	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner Lisa Sheffield	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner Samuel Martian	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
1 <sup>st</sup> Alternate Mirladys Cardenas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote

Attested by:

**PLANNING COMMISSION,  
CITY OF DUNNELLON**

**BY:** \_\_\_\_\_

Brenda D'Arville, Chairwoman  
Planning Commission, City of Dunnellon

This \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Approved as to Legal Form:

**BY:** \_\_\_\_\_

Ryan Knight  
Assistant City Attorney

This \_\_\_\_\_ day of \_\_\_\_\_, 2023.

# ORDINANCE #ORD2023-02

AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA,  
UPDATING REQUIREMENTS PERTAINING TO PARKING  
AGREEMENTS AND EXEMPTIONS IN ORDER TO CORRECT 2018  
CODIFICATION ERRORS; PROVIDING FOR CONFLICTS,  
SEVERABILITY, CODIFICATION, AND PROVIDING AN EFFECTIVE  
DATE.

**WHEREAS**, in 2018 the City Council of the City of Dunnellon updated the City's Land Development Code; and

**WHEREAS**, City staff has identified codification errors; and

**WHEREAS**, the purpose of this ordinance is to update certain sections of the LUDC to correct codification and other errors regarding parking agreement requirements and specific exemptions.

**LEGISLATIVE UNDERSCORING:** Underlined words constitute additions to the City of Dunnellon City Code, ~~strikethrough~~ constitutes deletions from the original, and asterisks (\*\*\*\*) indicate an omission from the existing text which is intended to remain unchanged.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Dunnellon, Florida, as follows:

**SECTION 1.** The above recitals (Whereas clauses) are hereby adopted as legislative findings, purpose and intent of the City Council.

**SECTION 2.** “Appendix A – Zoning, Article V – Off-Street Parking and Loading” of the City of Dunnellon Code of Ordinances is hereby amended as follows:

## ARTICLE V – OFF-STREET PARKING AND LOADING

\* \* \*

## Section 5.2 - Location, character and size.

(a) The off-street parking facilities required by this article shall be located on the same lot or parcel of land they are intended to serve, except that an applicant may provide parking within 300 feet of the lot to be served, provided that the applicant executes a binding parking agreement with the owner of the parcel where the offsite parking will be located. ~~The parking agreement If the owner of the parcel where the offsite parking will be located is not the City, then the parking agreement must demonstrate:~~

- 41 (1) The offsite parking will achieve site design advantages, such as preservation of  
42 additional trees or site features at the development site;
- 43 (2) The offsite parking is not located within a residential district;
- 44 (3) The offsite parking is not otherwise required for another use or development in order to  
45 comply with minimum parking code requirements and is not otherwise assigned or  
46 dedicated to another use or development through any private agreements;
- 47 (4) A ~~site plan or building~~ permit application will be filed to construct any new offsite  
48 parking or modify an existing offsite parking design and such parking design shall comply  
49 with all applicable code requirements;
- 50 (5) Adequate signage is provided to confirm that the offsite parking is available for the  
51 proposed development;
- 52 (6) The offsite parking will remain available to the proposed development until such time  
53 as the parking agreement is terminated, which may occur when the proposed development  
54 is removed or alternative parking is provided to comply with parking code requirements;
- 55 (7) The parking agreement will apply to successors and assigns of the owner of the proposed  
56 development to be served by the offsite parking and the owner of the parcel where the  
57 offsite parking will be provided.

58 ~~The owner of the parcel where the offsite parking will be located is the City, the~~  
59 parking agreement shall be recorded in the public records of the county as a covenant binding on  
60 the owner of the parcel to be served by the offsite parking and the owner of the parcel where the  
61 offsite parking will be provided, and said covenant shall state that it may be enforced by the city  
62 and shall not be terminated or amended without consent from city council.

63 \*\*\*

64 Section 5.9 - Exemptions.

65 The requirements set out in article V for off-street parking and loading shall not be applicable  
66 as ~~it~~they relates relate to structures, buildings and land uses approved or lawfully established prior  
67 to June 9, 1997 and which front upon Williams Street between the bridge at the Withlacoochee  
68 River to the south and McKinney Avenue to the north. A proposed change to a qualifying exempt  
69 structure, building or land use (including intensification of such land use) as referenced in the  
70 preceding sentence which increases the demand for parking spaces or loading spaces as calculated  
71 based on section 5.3 and section 5.8, respectively, shall require compliance with section 5.3 and  
72 section 5.8 for just the proposed change. This section shall control within the exemption area to  
73 the extent that it conflicts with article IV.

74 \*\*\*

75 **SECTION 3. CONFLICTS.** In any case where a provision of this Ordinance is found to be in  
76 conflict with a provision of any other ordinance of this City, the provision which establishes the  
77 higher standards for the promotion and protection of the health and safety of the people shall  
78 prevail.

79 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this  
80 Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not  
81 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,  
82 word, or portion of this Ordinance not otherwise determined to be invalid, unlawful or  
83 unconstitutional.

84 **SECTION 5. CODIFICATION.** The provisions of this Ordinance shall be codified and made a  
85 part of the City of Dunnellon Code of Ordinances. The sections of this Ordinance may be  
86 renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar  
87 words, may be changed to "Section," "Article", or other appropriate word. The Code codifier is  
88 granted liberal authority to codify the provisions of this Ordinance.

89 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon  
90 adoption.

91 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first  
92 reading on the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

93  
94 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon  
95 the second and final reading and public hearing on the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

96  
97 Ordinance Posted on the City's website on \_\_\_\_\_, 2023. Public hearing advertised  
98 on the City's website on \_\_\_\_\_, 2023 and advertised in the Riverland News on  
99 \_\_\_\_\_, 2023.

100

101 ATTEST:

102

103

104 \_\_\_\_\_  
105 Amanda L. Odom, CMC

106 City Clerk

107

108 Approved as to Form:

109

110 \_\_\_\_\_  
111 Andrew J. Hand, City Attorney

112

113 **CERTIFICATE OF POSTING**  
114

115 **I HEREBY CERTIFY** that copies of the foregoing Ordinance were posted at City Hall, the  
116 Chamber of Commerce, and Dunnellon Library, in the City of Dunnellon, Florida, and on the  
117 City's official website on \_\_\_\_\_, 2023.