

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, April 26, 2007 at 7:00 p.m. in the Commission Chambers of the County Administration Building, 1840 25th Street, Vero Beach, Florida.

Present were members: George Christopher, District 5 Appointee; Donna Keys, District 1 Appointee; Craig Fletcher, District 3 Appointee; Greg Smith, District 4 Appointee; George Hamner and Dr. Richard Baker, Members-at-Large; and Ann Reuter, non-voting School Board Liaison.

Absent was member: Chairman Bob Bruce, District 2 Appointee (excused).

Also present were IRC staff: George Glenn, Assistant County Attorney; Bob Keating, Community Development Director; Jim Davis, Director and Chris Mora, Assistant Director, Public Works; Stan Boling, Planning Director; Brian Freeman, Senior Planner, Current Development; and Terri Collins-Lister, Staff Assistant IV.

Call to Order and Pledge of Allegiance

Vice Chairman Christopher called the meeting to order and led all in the Pledge of Allegiance.

Approval of the Minutes

Vice Chairman Christopher recommended the following change:

On page 12 of the April 12, 2007 P&Z minutes, the motion by Ms. Keys should read:

*MOTION BY Ms. Keys, SECONDED BY Mr. Christopher, the members voted unanimously (6-0) to recommend the Board of County Commissioners consider **extending the six month notification period** to 24 months in lieu of, or in addition to, the Comprehensive Plan Amendment change.*

ON MOTION BY Mr. Fletcher, SECONDED BY Dr. Baker, the members voted unanimously (6-0) to approve the April 12, 2007 meeting minutes as amended.

Item on Consent

Vice Chairman Christopher pulled Item A on the Consent Agenda to discuss the parking and to make the public aware of the designs being proposed in this major development that were not found in other developments.

Vice Chairman Christopher read the following into record.

- A. Pointe West Town Center:** Request for major site plan approval for the Pointe West Town Center. Pointe West of Vero Beach, Ltd., Owner. Neel-Schaffer, Inc., Agent. Located along Pointe West Drive in the North Village. Zoning Classification: PD-TND, Planned Development – Traditional Neighborhood Design. Land Use Designation: M-1, Medium Density Residential (up to 8 units/acre). Density: Town Center: 44 units on 7.77 acres = 5.66 units/acre, Overall Project: 1,199 units on 602.99 acres = 1.99 units/acre. (SP-MA-06-09-49/99070081-55050) **[Quasi-Judicial]**

Mrs. Collins-Lister administered the testimonial oath to all those present wishing to speak on any quasi-judicial items.

Mr. Brian Freeman, IRC Senior Planner, Current Development, reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office.

Vice Chairman Christopher opened the public hearing at 7:10 p.m.

Mr. Chuck Mechling, President, Pointe West of Vero Beach, Ltd. discussed the parking concept for the Pointe West Town Center. He spoke of a variety of over 100 parking spots located off the street near the Town Center element that were not taken in consideration as part of the study and noted there was additional parking above and beyond what was required. He wanted the proposed project approved, however would work with staff to make a slight modification to add some green space if the parking area was reduced. He explained there were actually four restaurant or eatery type buildings which had no component above them. As the buildings were currently designed there would be two apartments above the each of them and some of the individuals interested in living in the Town Center preferred one unit as opposed to two units. He advised when the actual building plans come before the P&Z there could be some small site modifications based upon user demand.

Vice Chairman Christopher felt parking was overdone and the proposed project was dedicated to the Pointe West development in which many people

lived within biking and walking distance. He wondered if this was something that could be reviewed as the matter progressed.

Mr. Hamner reiterated the parking in the retail area along the roadway was not taken into account in the numbers and there were 531 parking spaces with additional parking spaces somewhere along the road not seen. Mr. Mechling replied in the Workshop for Improving the Quality of Developments, the concept of form was discussed and the Traditional Neighborhood Design component has a walk ability for people. Mr. Hamner clarified there was more parking than what was given credit for and more flexibility with the parking in order to create green space.

Mr. Stan Boling, IRC Planning Director, pointed out the proposed project could be approved and then come back to P&Z with a revised study, maybe even expanding the amount of building pyramid than what was being proposed. Vice Chairman Christopher mentioned the green space could be used for overflow parking.

Mr. Mechling emphasized the Town Center would allow less traffic to go out on State Road (S.R.) 60 and it was the concept of the Neighborhood Town Center Commercial to make less trips on the outside area.

Dr. Baker asked if the new landscape ordinance would apply to this proposed project. Mr. Freeman replied the proposed project was applied for in the summer of 2006 and it fell under the previous landscape ordinance as well as the other applications submitted before March 31, 2007. He noted the changes to the site plan would not be that much to bring it into compliance with the new landscape ordinance because the site was in the S.R. 60 Corridor, so they already had a higher standard to meet to begin with.

Vice Chairman Christopher closed the public hearing at 7:21 p.m.

ON MOTION BY Mr. Hamner, SECONDED BY Ms. Keys, the members voted unanimously (6-0) to approve the request for major site plan approval for the Pointe West Town Center as submitted.

Item Not on Consent

Vice Chairman Christopher read the following into record.

A. 17th ST SW and 86th Ave SW Sand Mine: Request for major site plan and administrative permit use approval for a sand mine. North Cypress

Reserve, Inc., Owner. MBV Engineering, Inc., Agent. Located south of Oslo Road on the west side of Interstate 95, across from the Indian River County landfill. Zoning Classification: A-2, Agricultural (up to 1 unit per 10 acres). Land Use Designation: AG-2, Agricultural (up to 1 unit per 10 acres). (SP-MA-06-06-27/2006030369-53634) **[Quasi-Judicial]**

Ms. Donna Keys submitted Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, to excuse herself from voting on this item. A copy of this form is on file in the Commission Office and identifies Ms. Keys as a joint owner in investments with Mr. Warren Dill, the Attorney representing the applicant for the 17th ST SW and 86th Ave SW Sand Mine.

Mr. Freeman reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office.

Mr. Fletcher asked about the maintenance of the paved portion of the road in which the applicant agreed to stabilize and the County agreed to pave it. He stated over a ten year period, the road would deteriorate and felt the County would need to inspect the road every so often.

Mr. Jim Davis, IRC Public Works Director, explained the proposed paving from the existing pavement into 86th Avenue would be a 10 inch rock base and 2½ inches of Superpave 12.5 which was real strong asphalt. Mr. Hamner brought up the issue of who would fix the road in five years. Mr. Davis replied the County would maintain the road and where there was a paved road the County would step forth and maintain the road. Mr. Davis concluded the mining operation supplied a fuel tax and was a revenue source for the County.

Mr. Hamner pointed out the problem with the proposed 100 foot paving west of 86th Avenue SW and south of Oslo Road intersection, it would be incredibly dusty and with the trucks going back and forth it would be hard to see other vehicles. He felt additional paving beyond the 100 feet would help settle the dust prior to the intersection. Mr. Davis opined the County had no problem extending the pavement another 100 feet to the west if the developers were willing to put in the rock to stabilize.

Mr. Hamner discussed the hauling route and did not understand why the exit from the job site was at the southeast corner when using the northwest corner would save a half mile. Mr. Robert Keating, IRC Community Development Director, indicated the applicant actually wanted to connect further North on 86th Avenue and would be requesting that change.

Mr. Hamner referred to the site plan and noted buffering was not required but felt it should be especially south of the site. He wanted to know how the

proposed project would be phased in over the ten years and would the County handle the situation if the wells were affected by the mining.

Mr. Fletcher reiterated if the ground study was wrong and fails, who does the study and how often would the test be conducted to determine whether or not the study was sound. Mr. Keating advised only the initial determination was required.

Vice Chairman Christopher referred to the site plan and agreed with the paving of the road and wondered why not pave to 17th Street or the whole truck hauling route. Mr. Freeman pointed out the intent was to have the approach to the intersection from Oslo Road, west of 86th paved. A discussion followed on the paving of the road. Vice Chairman Christopher asked what would be the truck traffic on the road. Mr. Freeman confirmed it would be a couple hundred trucks a day.

Vice Chairman Christopher inquired on the hours of operation and if notices were given on the application to surrounding land owners. Mr. Freeman noted the P&Z had the ability to set the hours of operation and staff had no specific recommendation. He continued there were notices sent to owners that had been in contact with staff and noted it was an administrative permit use so there was no public notice required.

Mr. Warren Dill, Attorney representing the applicant, gave a background on the property. He indicated there had been meetings with the residents of Fly In Ranches Subdivision to address their concerns.

Attorney Dill indicated the main person responsible for the on-site project was Mr. Chuck Kramer who has been with Henry Fischer & Sons, Inc, the applicant, for 20 years and handles all of their sand mines and would address any concerns from the neighboring residents.

Attorney Dill summarized several conditions Dr. Henry Fischer had agreed to do each day. One being grading and watering 86th Avenue daily from Oslo Road to 17th Street, with a grader and water truck on site 24 hours a day, seven days a week. He brought up the issue of the hours of operation and the reason there were no hours stated initially was because under the regulations in the A-2 zoning district of one unit per ten acres there was no requirement for hours of operation. He continued the applicant had agreed to operate the proposed project Monday through Friday from 7:00 a.m. to 6:00 p.m.

Attorney Dill commented on the access at 17th Street and staff addressed that when the application was filed. It was the understanding of the applicant,

they had to access from 17th Street North to Oslo Road and this was how the site plan was designed.

Attorney Dill requested the County put in a three way stop sign at the Oslo Road and the 86th Avenue Intersection and pave 100 feet west of the intersection, out 100 feet past 86th Avenue Intersection and 100 feet south on 86th Avenue. Mr. Hamner mentioned there was a three way stop sign at 82nd Avenue and Oslo Road which the County took it out and could not imagine putting one at Oslo Road and 86th Avenue. He raised the buffer issue and reiterated there was no buffer requirement in A-2 zoning district because there was no platted subdivision adjacent, however the applicant had proposed a 175 foot buffer of palm trees around the entire perimeter and then the mine itself would be set back another 150 feet.

Mr. Hamner was concerned about the palm tree farm used as a buffer and if a tree was taken out it would need to be replaced. Attorney Dill remarked the applicant's usual method of operation was to put in a berm in addition to the palm trees. Mr. Hamner asked what happened if the applicant sold the sand mine to someone else. Attorney Dill asserted you could only go on someone's history and there was no intention of selling the property.

Dr. Baker questioned what kind of palm trees would be used as a buffer. It was indicated the palm trees would be Queens and Dr. Baker wondered if there were other options beside the Queen Palms. Dr. Baker suggested using Florida natives such as the Cabbage Palms.

Mr. Hamner inquired in the meetings with the residents how far out was it discussed on the grading of the roads. Attorney Dill mentioned another item Dr. Fischer had agreed to, however was not required, was to grade 86th Avenue from 17th Street S.W. South to 21st Street S.W.

Vice Chairman Christopher asked if the lakes on the proposed site be used as a reservoir. Attorney Dill replied the lakes on the property would be used by the Indian River Farms Drainage District as a storage facility.

Mr. Abe Kreitman, a licensed professional Hydro Geologist in the State of Florida, gave a detailed summary on the Hydro Geologic assessment of the proposed North Cypress Reserve Sand Mine, a copy of which is on file in the Commission Office.

Mr. Fletcher asked if the runoff from the County Landfill would infiltrate into the proposed site's water and how could it be reassured the water would not be affected by the runoff.

Mr. Kreitman mentioned the IRC Solid Waste Disposal District (SWDD) operated the landfill and had monitor wells in which samples were drawn for testing, and to measure the water levels. He added the SWDD contained their water on-site as well as on the proposed site so the water would not overflow and flood other properties or roads. He concluded the applicant would design and install a series of monitor wells to measure water levels continuously to make certain there were no adverse impacts.

Mr. Fletcher inquired if the monitor wells were part of the condition for the proposed site. Mr. Kreitman responded the site would probably end up with half a dozen or more monitor wells in certain strategic areas around the property. Dr. Baker asked how deep the monitor wells were. Mr. Kreitman stated the wells would be 35 or 40 feet, just deep enough to be able to measure the water in the wells. A discussion followed on the wells and regulations.

Mr. Kreitman advised there were three artesian wells on the site and gave the locations of the wells which were used by the old citrus groves. He concluded the central well would be abandoned and the other two would be used for irrigating the buffer zone palm trees.

A discussion ensued on the width of the intersection on 86th Avenue.

Mr. Hamner brought up the issue of the bond and was there enough money in the bond to handle reclamation. Mr. Freeman indicated the bond amounts were specified in the LDR's and each year the applicant would need to renew their mining permit and bonds. If the bond amount changed the permits would be subject to the new bond requirement.

Mr. Hamner described when dirt was piled up there were numerous heights of mounds of dirt and wondered from a practicing standpoint what was the cap height of the applicant's mound of dirt. Mr. Hank Fischer replied it was usually 20 to 30 feet. Mr. Hamner requested if the cap height of the mound could be 20 feet. Mr. Fischer suggested 25 feet.

Vice Chairman Christopher opened the public hearing at 8:41 p.m.

Mr. Lex Kromhout, Board Member, Indian River Soil and Water Conservation District, discussed the proposed site, water and road issues. He felt what the applicant was proposing was positive activity. He felt the dust was a serious issue that needed to be addressed because there was a lot of truck traffic. He further discussed the legal issues on the deep wells if the surrounding land owners were adversely affected with their shallow wells.

Mr. Gregg Casalino, the attorney representing the Fly In Ranches Home Owners Association, expressed the resident's major concerns were that 86th Avenue was their only access in and out, the width of the road with the traffic, and water levels. He proposed some conditions for the approval of the proposed site for the residents to be given a notice package to include an annual monitoring report and bond requirement and for some of the wells be located in the portion of the property nearest to the residential uses, require a buffer with an elevation feature, the operation hours be set from 7:00 a.m. to 5:00 p.m. and enhanced safety features at the intersection. He requested if there was a problem with the water table, a mechanism on the County level as opposed to the St. Johns Water Management District, such as a cease and desist. Mr. Keating read the section of the LDR, Chapter 934.06 regarding Excavation on Mining. He mentioned it had been done before with a non-compliance bond and gave an example. A discussion followed on the compliance bond requirement.

Vice Chairman Christopher called for a break at 9:05 p.m. and resumed the meeting at 9:18 p.m.

Mr. Thomas Cowan, President of Fly In Ranches Home Owners Association, wanted to be assured on behalf of the homeowners for their community to remain quiet, agricultural, County maintained roads and the wells or ponds were not affected. He wondered what recourse did the property owners get if their wells would run dry. He was concerned on the maintaining of the 86th Avenue with the numbers of trucks going in and out all day and the corner was very tight for the traffic at 86th Avenue and Oslo Road. He mentioned a letter from March 19, 2007 from County staff suggesting in order for the permit to be issued; the 30 foot right-of-way was not sufficient and would need to purchase additional right-of-way on 86th Avenue, then referred to a letter dated April 5, 2007 stating no additional right-of-way was not necessary and if applicant would pave the road from the end of Oslo Road to 100 feet west of 86th Avenue with an additional 100 feet on 86th Avenue, that would satisfy the requirements. He had contacted the County regarding the change in staff's position and has had no response.

Mr. Cowan pointed out the pumping of water by a hydraulic method to remove the sand and questioned whether there would be pumps running 24 hours a day. He maintained that P&Z use discretion in enforcing this operation would not interfere with the lifestyle of the residents.

Mr. Fletcher, in response to the questions and concerns raised, replied that the County has control of 86th Avenue and if the road was not maintained correctly they would need to contact staff. He asserted the County does not

control what state officials and state regulations do, however the reports were available through the Sunshine Law as public records.

Mr. Cowan opined when those types of permits were being issued there should be some kind of public notice. Mr. Fletcher indicated when this proposed project goes before the BCC to ask them for a legislative act that would give notice.

Mr. Smith asked what size were the pumps and the potential level of sound associated with the pumping. Attorney Dill responded the pumps were hospital quiet.

Mr. Hamner inquired if it was necessary to de-water 24 hours a day. Mr. Kramer explained the first 21 days were the hardest drawn down per section and once the cone was equalized there was no need to pump 24 hours a day. A discussion followed on the noise and it was noted the pump would be quieter than the background noise from Interstate 95.

Mr. Bill Barnhouse, 2150 84th Avenue, Vero Beach, referred to the number of truck trips and inquired whether the trips were roundtrips.

Mr. Bruce Moia, MBV Engineering, answered the number of truck trips was 258 roundtrips, 129 trips one way.

Mr. Cowan asked if there was an agreement on what hours and days that the proposed site would operate.

Mr. Hamner was curious if the pump would run past the hours of operation. Mr. Kramer confirmed once the initial cone was overcome the pump would run within the hours of operation. Mr. Hamner detailed in a ten acre area with de-watering, he asked how long would they be in a specific area. Mr. Kramer replied it would depend on the sale of dirt and the County allowed two areas to operate concurrently, but on average 21-30 days once you overcome the initial the pumping activity. Mr. Fletcher questioned how many hours of pumping were required to maintain the cone. Mr. Kramer replied 10 to 12 hours a day to keep from losing ground.

Mr. Smith indicated there would not always be the 129 truck trips a day, however when there were they would need to pump past 5:00 p.m. to 6:00 p.m. to be able to run the trucks at 7:00 a.m. the next morning. Mr. Kramer replied in the affirmative if excavating heavily and stressed the trip per trip day was based on optimum market.

Mr. Joseph Paladin, President, Atlantic Coast Construction Development and Chairman of Growth Awareness Committee, commented Best Management Practices (BMPs) were discussed and would like to see BMPs used in all subdivisions approved in the future, however there were no BMPs for a sand mine. He felt the conditions proposed today for the site would be a good start. He spoke highly of Dr. Fisher and noted it was important to look at a person's past to what they would do in the future.

Mr. Paladin questioned Attorney Glenn on a bond. He stated whatever the situation was if your code does not address it, you could apply a bond to it. Attorney Glenn stated that was correct and the reason you could impose a bond requirement that was not required under code especially in the Administrative Permit situation.

Mr. Bob Youngblood, 2450 84th Avenue SW, Vero Beach, had been a resident of Fly In Ranches Subdivision for 19 years and had fought the sand mining for many years. He was not against what the mining operator was doing but what the County did not make him do within the mining statutes. He continued there was no maintenance on the road and it was impossible to get to and from his home at times. He indicated now they were faced with the situation again and from what he had heard through the discussions, it would be a good thing for the community and the road. He emphasized the applicant had gone above and beyond what was required from him by the statutes and asked P&Z to consider the project.

Mr. Al Scott, owner of the property next to applicant's site, welcomed Dr. Fischer as his neighbor because of his reputation. He remarked all of Dr. Fischer's projects were first class and felt he would improve the neighborhood.

Attorney Casalino revisited the bond requirement and asked for one of the specific conditions of the permit, the water draw down issues. Mr. Hamner opined it would be covered if it was in the code. Attorney Casalino expressed it was an argument he would rather know was made as a specific condition and it was better to be explicit than to back into later.

Mr. Ken Baskinger, President, Indian River Acres Homeowner Association, felt they were totally bypassed and did not know anything about this proposed site. He felt the applicant was trying to paint a pretty picture and the project would not enhance their homes or lands. He was concerned that the roads could not handle the trucks and found it hard to believe the roads would be maintained. He wondered what happened if the water goes bad and what was in place if the water was gone. He pointed out nothing was specifically saying what would happen if this takes place. If P&Z would approve the proposed project, he

recommended the applicant pave the entire haul route to and from, but preferred it was denied.

Mrs. Susan Harris, 2425 82nd Avenue, Vero Beach, was terrified when she had heard of the proposed site. She briefly summarized an impromptu meeting with those involved with the proposed site and called Code Enforcement to get the numbers of complaints on North Cypress Reserve, Inc. and there was one issue in which the applicant had done everything within the statutes. She mentioned she had spoke with Brevard County Code Enforcement, an individual in Sebastian, Florida who had lived there for 18 years, among others, and the reports were good.

An unidentified person representing three lot owners in Indian River Acres had no doubts that it would be a well run project. He opined the entrance should be on the Northwest and the road was very narrow. He saw the road being an issue and felt it should be widened and paved to the end of 17th Street.

Mr. Cowan spoke up and wanted an answer from staff why they changed their position if the 30 foot right-of-way on 86th Avenue was not sufficient and now 24 feet was sufficient as noted in their April 2007 letter.

Mr. Davis confirmed in the agricultural area there was no requirement in the mining ordinance that a certain width of right-of-way had to be provided for access. He added as long as there was legally maintained access to the site it was adequate under the mining ordinance. Staff had initially suggested a 30 foot right-of-way due to maintenance. He stated an adequate two way road was 24 foot wide by the Federal Department of Transportation standard. He brought up the issue of a 30 foot right-of-way owned a Mr. Moore and offered to purchase some additional right-of-way, but he had refused to sell.

Mr. Hamner questioned whether the County was going to pave before the applicant's started working at the site. Mr. Davis replied in the affirmative and noted the applicant would install the stabilized sub-grade then the County would pave. Mr. Christopher asked why was the County paying for the paving. Mr. Davis stated it was not a requirement to pave access to a mining operation and it was based on a negotiated agreement.

Mr. Christopher was concerned with the intersection and the safety issues that had been raised. He wondered why not put a three way stop sign at the intersection. Mr. Davis stated because a three way stop had certain warrants under the Manual Uniform Traffic Control devices (MUTCD) and did not arbitrarily place three or four way stop control at an intersection unless the warrants were met in the MUTCD. Mr. Chris Mora, IRC Assistant Public Works Director,

addressed the issue and noted one thing that could be done was to monitor the intersection in which traffic counts would be done daily after the road was paved.

Mrs. Bambi Miller, 1405 2nd Road SW, Vero Beach, property owner at Indian River Acres was opposed to proposed project. She was very concerned with the traffic and hoped that County would keep their eye on the project for the safety of the families and children in the area.

Mrs. Janice McCord, 2455 82nd Avenue SW, Vero Beach, stated the concern was not with the maintenance of the road because she felt the applicant had shown they would maintain it. She expressed the concern was if they had the right-of-way to crown the road to keep the water off it. Mr. Davis stated there was a problem with cross sloping the road to the west along Mr. Moore's property. He advised the County had cross slope the road to the east and self contain it to the 30 foot right-of-way. Mrs. McCord opined the cross sloping has not worked and the road was unsafe. Mr. Davis replied it would take frequent grading. Mrs. McCord emphasized the road was not safe and stressed the County needed to make sure the road was safe.

Attorney Dill concluded his presentation and reiterated the conditions to be met by the applicant.

Vice Chairman Christopher closed the public hearing at 10:27 p.m.

Mr. Hamner presented some additional conditions to be met by the applicant.

- Required to maintain Type A Buffer on the south and west side
- Required monitoring wells
- Paving the intersection at Oslo Road and 86th Avenue
- Required compliance with the requirements of other jurisdictions

Mr. Hamner asked the County to monitor the intersection at Oslo Road and 86th Avenue. He felt the residents would be better off with the applicant as a neighbor and fixing the road then what was there now.

Mr. Smith understood the concern of the parents with children and asked if there was any way that road could be elevated at the haul route length and sloped for better drainage. Mr. Davis opined it would be very difficult to elevate the road because of the 24 foot road width and a 30 foot right-of-way there would need to be some transitional grading. A discussion followed on grading and maintaining the road.

Vice Chairman Christopher brought up the issue of the hours of operation. Mr. Hamner felt the time of operation should be limited and indicated 7:00 a.m. to 5:00 p.m. or 7:00 a.m. to 6:00 p.m. was good.

Vice Chairman Christopher detailed the notice issues on the annual renewal consideration, annual report, and the release of the bonds. He indicated some notice provision should be built in to inform the residents in the area. Mr. Keating recommended that the condition be the applicant sends copies of any material to the Homeowners Association.

Mr. Cowan proposed the hours of operation be 7:00 a.m. to 5:00 p.m., five days a week. Attorney Dill suggest 7:00 a.m. to 5:00 p.m. for traffic and keep the mining operation opened until 6:00 p.m. for clean-up.

Dr. Baker asked if there could be some other type of palm than the Queen Palms and encouraged more natives. Attorney Dill agreed to integrate some cabbage palms.

ON MOTION BY Mr. Hamner, SECONDED BY Mr. Fletcher, the members voted unanimously (5-0) to approve the site plan and administrative permit as recommended by staff with the following stipulations. Ms. Keys refrained from voting.

- **Move the access location to the northwest corner of the site**
- **Require maintenance of a Type A Buffer on the west and south side or the palm trees as outlined in the current site plan and encourage the use of native plantings.**
- **Require the hours of operation from 7:00 a.m. to 5:00 p.m. for traffic and the operation remain opened until 6:00 p.m. for clean-up, five days a week.**
- **Maintain 86th Avenue SW daily between 21st Street SW and Oslo Road.**
- **Require the mounds of dirt not to exceed 25 feet in height.**
- **Require monitoring wells.**
- **Paving of Oslo Road 100 feet from the edge of the current paving, 100 feet west past Oslo Road and 100 feet south of 82nd Street as indicated by the staff recommendations.**
- **Require compliance requirements of other jurisdictions**
- **The owner would notify anyone who requests a copy of the application on the annual renewal consideration, annual report, and the release of the bonds.**

Public Hearing

Vice Chairman Christopher read the following into record.

- A. County Initiated Request for a Small Scale Comprehensive Plan Future Land Use Map Amendment and rezoning associated with the land swap between Windsor, State of Florida, and County properties in the Golden Sands Park area located east of SR A-1-A, north of CR510. **Due to an application survey and advertising error this item will be tabled and****

re-advertised for the May 10, 2007 Planning & Zoning Commission meeting.

Vice Chairman Christopher opened the public hearing at 10:46 p.m. and since no one cared to speak, the public hearing closed.

Commission Matters

Vice Chairman Christopher referred to two handouts on the April 25, 2007 Workshop on Improving the Quality of Developments, one being a Summary of Planning and Zoning Commission Workshop Items and the other a Staff Summary of Ideas from the Planning and Zoning Commission Workshop, a copy of which is on file in the Commission Office. He informed the P&Z there were a lot of matters raised which could be subjects of further workshops and asked for suggestions on how to proceed.

Ms. Keys mentioned there were individuals at the meeting to further discuss some ideas on the Stormwater Basin area between U.S. Highway 1 and Interstate 95 and possible surface water reservoirs.

Dr. David Cox, 9495 Periwinkle Drive, Vero Beach, discussed alternative water supply planning and funding.

Mr. Davis stated the IRC Public Works Department had done a lot of work in water quality, quantity and protecting the Indian River Lagoon. He mentioned three objectives to protect the Indian River Lagoon which were to limit fresh water discharge into the Indian River Lagoon, improving the fresh water quality for the drinking water and flood control. He further discussed what the County had done to retain water within the stormwater basin.

Ms. Keys said the idea was to identify the lands between US. Highway 1 and I-95 that could be a stormwater basin. She specified looking at transferring development rights out of the areas that would be plugged and do developments around those areas. She expressed developers could actually end up paying for surface water by transferring development rights.

Mr. Kromhout came forward and told P&Z, IRC originally planned to put in additional wells in South County and was told not to by South Florida Water Management District, so they moved to North County to put in six wells which would basically draw the water table down.

ON MOTION BY Ms. Keys, SECONDED BY Mr. Fletcher, the members voted unanimously (6-0) to continue the meeting an additional 30 minutes, until 11:30 p.m.

Mr. Kromhout felt the water issues needed to be addressed and suggested another workshop. A discussion followed on the water issues in the County. Mr. Fletcher stated the first approach would be getting legislation.

Vice Chairman Christopher asked Mr. Keating if the Evaluation Appraisal Report (EAR) contained the water issues. Mr. Keating stated one of the components of the EAR was to address public water supply including the drainage, aquifer recharge, and land use elements, then go back to evaluate how well the comprehensive plan has done and identify the big problems, issues and needs to move forward.

Vice Chairman Christopher questioned whether the Indian River Soil and Water Conservation District would be giving input for the EAR. Mr. Kromhout pointed out recommendations had been made to the IRC Utilities Department but has had no response.

A discussion ensued on how to proceed with the water issues facing the County. Vice Chairman Christopher suggested Mr. Kromhout come back to a P&Z meeting with a recommendation on how to proceed. Mr. Fletcher advised the first step was to get an implementation plan in writing for all of the water issues.

Vice Chairman Christopher briefly went over the checklist of workshop items. He removed the Green Certification Program as an item listed on the workshop items and noted Commissioner O'Bryan has a workshop scheduled at the Environmental Learning Center on Friday, April 27, 2007 at noon and sometime at the end of May 2007.

He mentioned the American Institute of Architects would prepare a recommendation on how to implement an Architectural Review Board.

In reference to the checklist, Ms. Keys asked if there were already codes for mixed-use development. Mr. Keating remarked mixed-use development was encouraged and the County rules allow it, however there were no form based codes. A discussion followed and it was decided this item should continue to next meeting.

Planning Matters

Mr. Stan Boling deferred his items to the May 10, 2007 P&Z Meeting and stated there was nothing pending at this time.

Attorney's Matters

There was none.

Adjournment

The meeting adjourned at 11:26 p.m.

George Christopher, Vice Chairman

Date

Terri Collins-Lister, Staff Assistant IV

Date