

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, September 13, 2007 at 7:00 p.m. in the Commission Chambers of the County Administration Building, 1801 27th Street, Vero Beach, Florida. You may hear an audio of the meeting; review the meeting agenda, backup material and the minutes on Indian River County website www.ircgov.com/Boards/PZC/2007.

Present were members: Chairman Bob Bruce, District 2 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 George H.C. Lawrence, District 5 Appointee; (excused).

Also present was IRC staff: George Glenn, Assistant County Attorney; Bob Keating, Community Development Director; Stan Boling, Planning Director; John McCoy, Steven Deardeuff and Brian Freeman, Senior Planners, Current Development; and Reta Smith, Recording Secretary.

Call to Order and Pledge of Allegiance (6:57:44)

Chairman Bruce called the meeting to order and Mr. Hamner led all in the Pledge of Allegiance.

Approval of Minutes (6:58:10)

ON MOTION BY Mr. Hamner, SECONDED BY Ms. Keys, the members voted unanimously (6-0) to approve the minutes of the meeting of August 9, 2007, as presented.

Item On Consent (6:58:37)

Chairman Bruce read the following into record.

- A. Sandridge on the Green:** Request for preliminary plat approval of a 58 lot conventional single-family subdivision to be known as Sandridge on the Green. EDC, Inc., Owner. W. F. McCain & Associates, Inc., Agent. Located at 5010 69th Street. Zoning Classification: RS-6, Single-Family Residential (up to 6 units/acre).

Land Use Designation: L-2, Low Density Residential (up to 6 units/acre). Density: 2.96 units/acre (SD-06-11-35/2006020268-55822 [**Quasi-Judicial**])

Dr. Baker did not see evidence of any effort to save any of the trees on the property and said he would like to table this until a tree survey was done to address some of those issues.

Mr. Bob Keating, IRC Community Development Director advised the project met the zoning code because it was not a planned development (PD).

Discussion followed about the County's tree ordinance.

Mr. Steven Deardeuff, IRC Senior Planner, Current Development, advised the applicant was moving a large number of trees into the buffers on the east, west and north sides of the site, and was also working with the adjoining golf course to remove a lot of invasive plants.

Mr. Chris Pontello (7:11:52), W. F. McCain Associates, engineer and agent for the applicant, stated they had submitted a conceptual landscape plan. He noted the allowable density was 6 units per acre and they were down to 2.96 units, which did not leave too much room for creativity.

Ms. Keys observed the traffic report did not show any traffic impact from the project between 58th Avenue and Old Dixie Highway on 69th Street, but she thought most of the traffic would be there since the entrance to the project was on 69th Street.

Discussion followed about the traffic counts.

Ms. Keys suggested the applicant bring this back to the next meeting with a tree survey and a revised traffic report.

(7:20:24) ON MOTION BY Ms. Keys, SECONDED BY Dr. Baker, the members voted (5-1) to table preliminary plat approval for Sandridge on the Green until the next meeting on September 27, 2007, until the traffic survey was revised. Mr. Hamner in opposition.

Mr. Hamner pointed out staff had approved both the landscaping and the traffic report.

Items Not on Consent (7:20:52)

Chairman Bruce read the following into record:

- A. Vero Grove Townhomes:** Request for major site plan approval to construct a 169 unit multi-family residential development to be known as Vero Grove Townhomes. Grove Estates, LLC, Owner. Kimley-Horn & Associates, Inc., Agent. Located on the north side of SR60, west of 74th Avenue. Zoning Classification: RM-8, Residential Multi-Family (up to 8 units/acre). Land Use Designation: M-1, Medium Density Residential (up to 8 units/acre). Density: 7.80 units/acre (SP-MA-07-09-26/99090118-59345) [**Quasi-Judicial**]

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.

Ms. Keys inquired if the applicant was required to put a deceleration lane in. Mr. Freeman clarified the deceleration lane was the westbound right turn lane at the project entrance, and there was no westbound acceleration required.

(7:29:08)

ON MOTION BY Mr. Fletcher, SECONDED BY Dr. Baker, the members voted unanimously (6-0) to recommend the Board of County Commissioners grant the request for major site plan approval as presented.

(7:29:25) Chairman Bruce read the following into record:

- B Ocean Sands:** Request for preliminary PD plan/plat approval for a 60 unit multi-family residential development to be known as Ocean Sands. MGD Development of Florida II, LLC, Owner. Kimley-Horn & Associates, Inc., Agent. Located within the overall Florida Beach Resort (Disney) PD. Zoning Classification: RM-6, Residential Multi-Family (up to 6 units/acre). Land Use Designation: L-2, Low Density 2 (up to 6 units/acre). (PD-07-09-08/2003010058-59292) [**Quasi-Judicial**]

The secretary administered the testimonial oath to those present who wished to speak at tonight's meeting on any quasi-judicial items.

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

Chairman Bruce recalled the subject property had been rather contentious in the past, but it appeared it had been changed quite a bit to appease the neighbors in the area.

Ms. Keys wondered why there was to be a dry stormwater retention area. Mr. McCoy explained it dealt with the hydrology of the site because if you went deep enough in this area to have a wet retention it would be salt water, and with the good percolation of the beach sand the dry retention made more sense.

(7:42:07)

ON MOTION BY Mr. Hamner, SECONDED BY Mr. Smith, the members voted unanimously (6-0) to recommend the Board of County Commissioners grant the request for preliminary PD plan/plat approval as presented.

Public Hearings (7:42:29)

Chairman Bruce read the following into record:

- A Kalyna's Day Care:** Request for special exception use approval for a child care facility to be known as Kalyna's Day Care. Helen Jackson, Owner. Kenneth Jackson., Agent. Located at 3981 45th Place. Zoning Classification: RS-6, Residential Single-Family (up to 6 units/acre). Land Use Designation: L-2, Low Density Residential (up to 6 units/acre). (SP-SE-06-12-60/2004080240-56111) [**Quasi-Judicial**]

Mr. Deardeuff reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office. He mentioned staff had received three phone calls about the project and all were in support of the facility.

Ms. Keys observed the proposed day care center was in the middle of a single-family subdivision where the homes were close together and it had limited access, and she wondered what the philosophy was behind its location. Mr. Stan Boling, IRC Planning Director, felt it was traditional to have these types of uses in residential areas and noted it was customary in this particular area to have these smaller facilities because there were a large number of day care centers operating out of converted homes.

Mr. Fletcher expressed concern about the safety of the children with toddlers running around on roads in an open subdivision. Ms. Reuter related this particular subdivision looped around, which meant traffic drove quite slowly. She felt it was important to have more really young child care facilities in residential neighborhoods because she thought it was much more appropriate and comfortable for children to be in small settings such as this one.

Chairman Bruce opened the public hearing at 7:52 p.m.

Mr. Kenneth Jackson (7:50:37) said the proposed day care was to be run by his mother and people in the neighborhood knew and trusted her and she was wonderful with children. Mr. Fletcher stressed the importance of having someone present when children were being dropped off and picked up.

Chairman Bruce closed the public hearing at 7:54 p.m.

(7:52:18)

ON MOTION BY Mr. Hamner, SECONDED BY Dr. Baker, the members voted (4-2) to recommend the Board of County Commissioners grant special exception approval for the proposed Kalyna's Day Care. Ms. Keys and Mr. Fletcher in opposition.

Both Mr. Fletcher and Ms. Keys felt the project was inappropriate for the neighborhood.

(7:52:59) Chairman Bruce read the following into record:

- B. Consideration of Proposed Amendments to Chapter 911 and 915 of the Land Development Regulations to Implement Comprehensive Plan Changes to FLUE Policy 5.8 (Agricultural PDs) [Legislative]**

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

Discussion followed about open space.

Chairman Bruce opened the public hearing at 8:04 p.m.

Mr. Joseph Paladin (8:02:49), President of the Growth Awareness Committee, stated the Committee was 100% in support of what staff had brought forward.

Chairman Bruce closed the public hearing at 8:05 p.m.

(8:03:48)

ON MOTION BY Ms. Keys, SECONDED BY Dr. Baker, the members voted unanimously (6-0) to recommend the Board of County Commissioners adopt the proposed LDR amendment as presented.

Discussion ensued about what the difference was between the words "shall" and "must. Mr. Boling felt shall was used strictly for consistency.

Commissioners Matters (8:07:45)

Mr. Fletcher recalled Dr. Robert Adair had expressed concern at the last meeting about a buffer at the St. Augustine at Vero Beach project not being compatible with his agricultural research property. He wondered if this had been appealed to the Board of County Commissioners (BCC). Mr. Keating said it had and would be going to the BCC on the first meeting in October, 2007.

Planning Matters (8:08:49)

Mr. Boling advised the BCC had heard the Montessori School appeal brought by the neighbors, and the Board had unanimously affirmed the P&Z decision with two additional conditions.

Attorney's Matters (8:10:55)

Attorney Glenn reviewed information contained in his memorandum dated September 7, 2007, which is on file in the Commission Office. He promised to look into the language that got Broward County in trouble and bring it back at the next P&Z meeting.

Adjournment (8:14:50)

The meeting adjourned at 8:15 p.m.

Bob Bruce, Chairman

Date

Reta Smith, Recording Secretary

Date