

## PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, November 8, 2007 at 7:00 p.m. in the Commission Chambers of the County Administration Building, 1801 27<sup>th</sup> 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](http://www.ircgov.com/Boards/PZC/2007).

Present were members: Chairman Bob Bruce, District 2 Appointee; Donna Keys, District 1 Appointee; Greg Smith, District 4 Appointee; George H.C. Lawrence, District 5 Appointee; George Hamner and Dr. Richard Baker, Members-at-Large; and Ann Reuter, non-voting School Board Liaison.

Absent was Craig Fletcher, District 3 Appointee.

Also present was IRC staff: George Glenn, Assistant County Attorney; Jason Brown, Director, Management and Budget; Bob Keating, Community Development Director; Stan Boling, Planning Director; Rachel Clyne, Senior Planner, Long Range Planning; and Reta Smith, Recording Secretary.

### **Call to Order and Pledge of Allegiance** (7:29:37)

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

Chairman Bruce noted there was a change to the agenda and Item #4 (A) under Commissioners Matters would be heard before Item #3, Public Hearings.

### **Approval of Minutes** (7:30:16)

**ON MOTION BY Mr. Hamner, SECONDED BY Ms. Keys, the members voted unanimously (6-0) to approve the minutes of the meeting of October 25, 2007, as presented.**

### **Commissioners Matters**

#### **(A) Presentation on Property Tax Cuts** (7:31:16)

Mr. Jason Brown, IRC Director, Management and Budget, recalled at a previous P&Z meeting the members had requested they be brought up to date

about recent developments on proposed property tax cuts coming out of Tallahassee. He gave a PowerPoint presentation, a copy of which is on file in the Commission Office, and discussed the consequences to Indian River County in the event the amendment was approved by Florida voters.

Discussion followed.

### **Public Hearings** (7:55:11)

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

Chairman Bruce read the following into record:

- A Oslo Commerce Center, L.P.:** Request to Rezone ± 12.69 acres located north of 9th Street, S.W. and approximately 1,250 feet east of 43rd Avenue from CH, Heavy Commercial to CG, General Commercial. Oslo Commerce Center L.P., Owner. Schulke, Bittle & Stoddard, LLC, Agent. (RZON-2006020144-57197)**[Quasi-Judicial]** (Note: This item was re-scheduled from the October 25, 2007 agenda.)

Ms. Rachael Clyne, IRC Senior Planner, Long Range Planning, reviewed the information contained in her memorandum dated October 29, 2007, a copy of which is on file in the Commission Office (7:56:03). She submitted a letter from the applicant to the Board dated October 14, 2007, stating an additional conservation easement would be considered, and a copy of this is on file in the Commission Office.

Chairman Bruce opened the public hearing at 7:32 p.m. and since no one wished to speak, the public hearing was closed.

(8:01:09)

**ON MOTION BY Mr. Hamner, SECONDED BY Mr. Lawrence, the members voted unanimously (6-0) to recommend the Board of County Commissioners approve the request to rezone the subject property from CH to CG.**

Chairman Bruce read the following into record:

**B. Consideration of Proposed LDR Amendments to Chapter 910  
Concurrency Regulations and Allowances for “Vesting” Concurrency  
[Legislative]**

Mr. Stan Boling, IRC Planning Director, reviewed the information contained in his memorandum dated October 29, 2007, a copy of which is on file in the Commission Office (8:01:41). He indicated staff favored Alternative #1 and outlined the options this would provide.

Ms. Keys observed Alternative #1 said an individual could not be vested until submittal of a complete land development permit application, and wondered why there was no mention that applicable fees must be paid at issuance of the land development permit instead of submittal of the application. Mr. Boling stated if concurrency ever became a problem, staff did not want the permit to be influenced by a variable during the land development review process.

Ms. Keys pointed out on Alternative #1, page eight, paragraph two of the backup should read 7 year concurrency certificate. Mr. Boling mentioned under subsection (c) on the same page the reference to section (c) below should be changed to section (e).

Mr. Hamner wanted to know what would happen if a person had committed money but had not done anything with his property in a three year period. Mr. Boling explained the impact fee payment would stay with the land and an individual would get impact fee credit if the property was ever developed in the future, but they would have to get back in line for another concurrency certificate application.

Traffic concurrency at intersections was discussed.

Chairman Bruce opened the public hearing at 7:56 p.m.

Mr. Joseph Paladin, 6450 Tropical Way, Vero Beach, Florida, expressed support for Alternative #1 and thought IRC staff had done an excellent job.

Chairman Bruce closed the public hearing at 7:58 p.m.

8:26:16

**ON MOTION BY Mr. Lawrence, SECONDED BY Mr. Hamner, the members voted unanimously (6-0) to recommend the Board of County Commissioners adopt the Alternative #1 ordinance.**

**Commissioners Matters** (8:26:40)

Mr. Baker asked if Mr. Keating could provide the Board with the number of agricultural parcels within the urban service area, where they were located and how much acreage was involved. Mr. Keating said he would bring this information back at the next P&Z meeting. Mr. Baker observed the development on the south east side of U.S. Highway #1 and 510 was an eyesore, and wondered if it would be better to have regulations for phased development in the future, rather than having vacant property. Mr. Keaton noted the subject property was an abandoned grove with dead trees and the Citrus League had asked staff to be more pro-active in getting those types of sites cleared.

Discussion followed.

**Planning Matters** (8:34:37)

Mr. Keating outlined several topics that would be coming to the P&Z in the future.

Mr. Boling advised the Board of County Commissioners (BCC) had approved the P&Z recommendation and directed the County Attorney's office to draft a resolution to be sent to the Legislative Delegation asking the State to develop a policy when disposing of conservation lands in the future. He reported Commissioner Wheeler had been very interested in the connectivity issue discussed recently by the P&Z, but since he was out of town until the December 4, 2007, meeting, the matter would be presented to the BCC at that time.

**Attorney's Matters** (8:50:52)

Attorney Glenn had nothing to report.

**Adjournment** (8:50:53)

The meeting adjourned at 8:23 p.m.

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George Hamner, Vice Chairman

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Date

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Reta Smith, Recording Secretary

\_\_\_\_\_  
Date