

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, August 14, 2008 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/2008.

Present were members: Chairman George Hamner, Member-at-Large; Donna Keys, District 1 Appointee; Gerard Weick, District 2 Appointee; Craig Fletcher, District 3 Appointee; Greg Smith, District 4 Appointee; George Lawrence, District 5 Appointee; and Dr. Richard Baker, Member-at-Large.

Absent was Ann Reuter, non-voting School Board Liaison (unexcused).

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

Call to Order and Pledge of Allegiance (6:11:16)

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

Approval of Minutes (6:11:48)

ON MOTION BY Mr. Lawrence, SECONDED BY Mr. Smith, the members voted unanimously (7-0) to approve the minutes of the mining workshop of July 14, 2008, as presented.

ON MOTION BY Ms. Keys, SECONDED BY Mr. Fletcher, the members voted unanimously (7-0) to approve the minutes of the meeting of July 24, 2008, as presented.

Public Hearings (6:12:39)

Chairman Hamner read the following into the record:

- A. First Impression Child Care:** Request for special exception use approval for a child care facility to be known as First Impression Child Care. Gladys Williams, Owner. Schulke, Bittle & Stoddard, LLC, Agent. Located at 935 9th Court S.W. Zoning Classification: RM-6, Residential Multi-Family (up to 6 units/acre). Land Use Designation: L-2, Low Density (up to 6 units/acre). (SP-MA-08-08-31/2007070061-61958) **[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. Stan Boling, IRC Planning Director, reviewed the information contained in his memorandum dated July 30, 2008, a copy of which is on file in the Commission Office (6:13:29).

Mr. Weick expressed he wanted the six foot fence to be dropped to four feet from the front of the house to the road.

Mr. Jodah Bittle, P.E., representing the Applicant, stated the fencing could be changed as requested (6:20:36).

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

Ms. Hattie Hagen, New Prospect Missionary Baptist Church, 925 Southwest 9th Street, Vero Beach, stated the congregation was worried about the rate of traffic and the distance of the proposed day care center to the location of the church (6:22:37).

Mr. Bittle pointed out the location of the day care facility in relation to the church. He noted it would only be operating on weekdays and would have two staff people with a maximum of 22 pre-school age children (6:23:56).

Deacon James Hagen, New Prospect Missionary Baptist Church (6:30:17), opined someone with a criminal record might be bringing a child to the day care center, and he was afraid the church could be a target for vandalism.

Discussion followed.

Chairman Hamner closed the public hearing at 7:23 p.m.

6:36:50

ON MOTION BY Mr. Weick, SECONDED BY Mr. Fletcher, the Board voted unanimously (7-0) to approve the special exception use for First Impression Child Care, with the stipulation of a four foot fence from the front of the building to the road.

Chairman Hamner read the following into the record:

- B. Pointe West:** Request to Modify the Approved Planned Development (PD) Conceptual Plan for Pointe West. Pointe West of Vero Beach, Ltd., Owner. On-Site Management Group, Inc., Agent. Located between SR 60 and 8th Street, east of 82nd Avenue and west of 66th Avenue. PDTND, Planned Development Traditional Neighborhood Design. Land Use Designation: M-1 (Medium density 1 up to up to 8 units / acre). (PD-08-10-05 / 98050151-62284) **[Legislative]**

Mr. John McCoy, IRC Senior Planner, reviewed the information contained in his memorandum dated July 28, 2008, a copy of which is on file in the Commission Office (6:37:42).

Ms. Keys asked if allowing the shifting of a maximum of 15% of the allowable commercial building area between the Pointe West Town Center and the Pointe West State Road 60 (SR60) commercial area took into consideration the square footage that had already been shifted. Mr. McCoy responded it would be the total and would take into account anything that had been approved or would be approved in the future.

Ms. Keys recalled at a previous meeting there was a lot of discussion about not wanting the project gated because it was a Planned Development Traditional Neighborhood Design (PDTND). Mr. McCoy concurred it was a condition of the original conceptual plan there were to be no gates; however as the development had progressed, staff had become more comfortable with modifying certain conditions where they would not affect the overall plan.

Mr. Fletcher observed the whole concept of the PDTND was to encourage people to walk from their homes to the commercial section, and now it would be shifted up to the SR60 corridor. Mr. McCoy pointed out the SR60 commercial was always part of the original conceptual plan.

Discussion ensued.

Mr. Steve Melchiori, representing the Applicant (6:49:53), noted the site plan was approved for 85,000 square feet of commercial area for the Town Center, which included some buildings with a second floor. He explained the buildings were now proposed to be single story, which came to approximately 77,400 square feet, and they were asking to transfer the difference between 77,400 and 85,866 square feet. He stressed the commercial building area was capped at a total of 198,516 square feet.

Mr. Chuck Mechling, Pointe West (6:52:20), related a local builder was interested in being involved in the residential construction of the east village, and he always built in a gated section. He noted the section was surrounded by canals on three sides with no interconnectivity road-wise, so pedestrian traffic, etc. would still exist in that area.

Dr. Baker opined the PDTND was becoming more of a subdivision. Mr. Fletcher had a problem because he felt the project was becoming a closed, gated community, rather than what was originally proposed.

Discussion followed.

Chairman Hamner opened the public hearing at 7:50 p.m. and since no one wished to speak, the public hearing was closed.

Ms. Keys stressed she would like to see this be the end to switching out commercial properties from the Town Center to the SR60 section.

7:05:04

ON MOTION BY Ms. Keys, SECONDED BY Mr. Smith, the members voted (5-2) to approve the Applicant's request. Mr. Fletcher and Dr. Baker in opposition.

Commissioners Matters (7:05:10)

Chairman Hamner referred to the Final Consensus Recommendations for the mining regulations workshops, a copy of which

is on file in the Commission Office, and noted the P&Z had recommended a seismic study be conducted along with a hydrological study. Mr. Lawrence recommended including Best Management Practices (BMP) in Item #8. Chairman Hamner requested the acreage in parenthesis on Item #20 be changed to 10-20. Mr. Lawrence recommended adding updated BMP to Item #30, so it was always current.

Discussion followed about the cumulative effect of mining.

Mr. Boling said he would add something into Item #7 about taking into consideration the cumulative impact, and expand Item #31 to emphasize the point.

Ms. Keys recommended adding “or non-renewal” after the word “termination” in Item #36. Dr. Baker was in favor of requiring a 300 foot setback on all agricultural lands, not just public conservation land or easement as outlined in Item #15(C).

Mr. Smith suggested striking out “funded by permit applicants” in Item #37, because he felt it negated any innovative GPS monitoring methods that might arise in the future.

Mr. Boling said he would make the changes and e-mail the members a draft copy of the staff report before it went to the Board of County Commissioners (BCC).

Planning Matters (7:23:55)

Mr. Boling referred to the draft Transportation Element Preliminary Evaluation and Appraisal Report (EAR) contained in the backup on file in the Commission Office. He felt it would be a good idea to hold a joint workshop of the P&Z and the BCC, and suggested the morning of September 19, 2008; with a possible second workshop to be held on September 30, 2008.

Mr. Weick suggested some of the charts and maps in the backup be enlarged so they would be easier to read.

Attorney’s Matters (7:27:20)

None.

There being no further business, the meeting was adjourned at 8:17 p.m.

George Hamner, Chairman

Date

Reta Smith, Recording Secretary

Date