

## PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, December 11, 2008 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/2008](http://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; **Dr. Richard Baker**, Member-at-Large; and **Carol Johnson**, non-voting School Board Liaison.

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** (7:15:53)

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

### **Approval of Minutes** (7:16:13)

**ON MOTION BY Mr. Smith, SECONDED BY Mr. Fletcher, the members voted unanimously (6-0) to approve the minutes of the meeting of November 13, 2008, as presented.**

**ON MOTION BY Mr. Fletcher, SECONDED BY Mr. Weick, the members voted unanimously (6-0) to approve the minutes of the Special Mining LDR Amendment Hearing of November 19, 2008, as presented.**

### **Item on Consent** (7:16:57)

Chairman Hamner read the following into the record:

- A. Diamond Tropic, Inc.:** Request for administrative permit use approval for a veterinary clinic in a commercial plaza. Diamond Tropic, Inc., Owner. Chad Kelly, Agent. Located in a tenant space within the Hallmark Center located at 1360 US Highway 1. Zoning Classification: CG, General Commercial. Land Use Designation: C/I, Commercial/Industrial. (AA-09-02-19/97110062-63336) **[Quasi-Judicial]**

7:17:09

**ON MOTION BY Mr. Smith, SECONDED BY Mr. Fletcher, the members voted unanimously (6-0) to approve the request.**

**Item Not on Consent** (7:17:21)

Chairman Hamner read the following into the record:

- A. Petro Algae:** Request for major site plan and administrative permit approval for an aquaculture/small-scale algae production facility. Petro Algae, LLC, Owner. EAD Engineering, LLC, Agent. Located on the south side of 101<sup>st</sup> Street (Ditch 12) at 14655 101<sup>st</sup> Street. Zoning Classification: A-2, Agricultural (up to 1 unit/10 acres). Land Use Designation: A-2, Agricultural (up to 1 unit/10 acres). (SP-MA-09-01-06/2007090084-63152) **[Quasi-Judicial]**

Mr. John McCoy, IRC Senior Planner (7:17:38), reviewed the information contained in his memorandum dated December 3, 2008, a copy of which is on file in the Commission Office.

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

Ms. Keys asked how deep the ponds on the property were and what type of truck traffic the project would produce.

Mr. Corey Howard, Kimley-Horn & Associates, 601 21<sup>st</sup> Street, Suite 300, Vero Beach, Florida (7:22:17), advised the growth ponds were two feet deep. He related it was anticipated there would be no more than one truck per week coming to the site.

Mr. Jim McCreary, Chief Operating Officer (7:23:11), explained they would be processing only tiny bits of algae on site and the rest would go to

a processor at another location. He stated it was planned to be a commercial demonstration site where they would bring interested parties to view their techniques.

7:26:32

**ON MOTION BY Ms. Keys, SECONDED BY Mr. Smith, the members voted unanimously (6-0) to approve the request.**

**Public Hearing** (7:26:57)

Chairman Hamner read the following into the record:

- A. Sunnyside Up:** Request to rezone approximately 40.3 acres from RM-6 and RM-8, Residential Multi-Family District to PDTND, Planned Development Traditional Neighborhood Design and obtain conceptual PD plan approval for a project to be known as Sunnyside Up. Sunnyside Up 1, LLC, Owner. Kimley-Horn & Associates, Inc., Agent. Located on the south side of 26<sup>th</sup> Street, between 58<sup>th</sup> Avenue and 66<sup>th</sup> Avenue, adjacent to the Indian River Mall. Zoning Classifications: RM-6, Residential Multi-Family (up to 6 units/acre) and RM-8, Residential Multi-Family (up to 8 units/acre). Land Use Designation: M-1, Medium Density Residential (up to 8 units/acre). TND Density: 8.68 units/acre. (PD-08-08-03 / 2008050077-61959) **[Legislative]**

Mr. John McCoy, IRC Senior Planner (7:27:20), reviewed the information contained in his memorandum dated December 3, 2008, a copy of which is on file in the Commission Office.

The projected schedule for the widening of 26<sup>th</sup> Street and buffering of the project from the Indian River Mall (the Mall) was discussed (7:46:48).

Chairman Hamner observed authorization from the Mall was tied pretty heavily to this project. Mr. McCoy stated the applicant purchased the property from the Mall and had a good relationship with that entity.

Sidewalks and culverting was discussed (7:55:14).

Attorney Bruce Barkett, 756 Beachland Boulevard, Vero Beach, Florida (7:57:35), representing the applicant, expressed concern about

having to come back to the P&Z if Indian River Farms allowed the applicant to culvert 26<sup>th</sup> Street but would not allow landscaping, noting in that event the applicant would landscape on their own property. He wanted the alternative built into the condition.

Mr. Richard Bioloski, 685 Reef Road, Vero Beach (7:59:16), representing the applicant, gave a PowerPoint presentation on the project.

Discussion followed about building heights and aesthetics (8:11:10).

Chairman Hamner opened the public hearing at 8:02 p.m. and since no one wished to speak, the public hearing was closed.

8:18:22

**ON MOTION BY Mr. Smith, SECONDED BY Mr. Fletcher, the members voted unanimously (6-0) to approve staff's recommendation with the proviso if Indian River Farms did not allow landscaping of the culvert; the applicant would meet landscaping requirements on their own property.**

#### **Commissioners Matters** (8:18:52)

Chairman Hamner announced District 5 Appointee, Mr. George Lawrence had resigned from the P&Z effective December 9, 2008.

#### **Planning Matters** (8:19:34)

Mr. Boling related on November 18, 2008 the Board of County Commissioners (BCC) had approved adoption of the Evaluation and Appraisal Report and on December 9, 2008 they had approved the rezoning and small scale amendment on U.S. Highway 1 at 67<sup>th</sup> Street.

Mr. Boling advised the BCC had decided not to reclassify mines as special exception uses and opted for Version Two, which was the administration permit plus public notice, etc. He confirmed the three applications in the pipeline that had been on hold during the moratorium would be subject to the new regulations. Mr. Boling continued the BCC also voted the hydrology report and expert review would be a new requirement, and said the P&Z members would be getting further information about an upcoming mining meeting on December 19, 2008.

Chairman Hamner noted the P&Z was scheduled to meet on January 8, 2009, the same date as the national championship college football game, and wondered if there was any way the members could formally request the meeting be postponed.

Mr. Boling said IRC staff had been advising applicants there would probably not be a January 8<sup>th</sup> meeting because of the possibility of there being new P&Z members. He suggested reserving the Commission Chambers for January 15, 2008 and if necessary a meeting could be held at that time.

**Attorney's Matters** (8:25:21)

None.

There being no further business, the meeting was adjourned at 8:10 p.m.

\_\_\_\_\_  
George Hamner, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reta Smith, Recording Secretary

\_\_\_\_\_  
Date