

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, January 22, 2009 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/2009.

Present were members: Chairman **George Hamner**, Member-at-Large; **Donna Keys**, District 1 Appointee; **Gerard Weick**, District 2 Appointee; **Jens Tripson**, District 3 Appointee; **Pilar Turner**, District 5 Appointee; **Dr. David Cox**, Member-at-Large and **Carol Johnson**, non-voting School Board Liaison.

Absent was **Greg Smith**, District 4 Appointee (excused).

Also present was IRC staff: William DeBaal, 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 (7:08:36)

Chairman Hamner called the meeting to order and led all in the Pledge of Allegiance. He introduced Ms. Pilar Turner, Dr. David Cox and Mr. Jens Tripson as new members to the P&Z for 2009.

Election of Chairman and Vice Chairman (7:09:47)

ON MOTION BY Ms. Keys, SECONDED BY Mr. Weick, the members voted unanimously (6-0) to re-elect Mr. George Hamner as Chairman for 2009.

ON MOTION BY Ms. Keys, SECONDED BY Mr. Weick, the members voted unanimously (6-0) to elect Mr. Greg Smith as Vice Chairman for 2009.

Approval of Minutes (7:11:34)

ON MOTION BY Ms. Keys, SECONDED BY Mr. Weick, the members voted unanimously (6-0) to approve the minutes of the meeting of December 11, 2008, as presented.

Items on Consent (7:11:50)

Chairman Hamner read the following into the record:

- A. Dr. Dan's Animal Hospital:** Request for Administrative Permit Use Approval for a Veterinary Clinic/Hospital in a Commercial Shopping Center to be known as Dr. Dan's Animal Hospital. CRF Panther IX LLC, Owner. Schlitt Builders, Inc., Agent. Located at 5971 20th Street in a tenant space within the Century Town Center shopping center. Zoning Classification: CG, General Commercial. Land Use Designation: C/I, Commercial/Industrial. (AA-09-03-23 / 2008120496-63413) **[Quasi-Judicial]**
- B. 53rd Street US1 Commercial Subdivision:** Request for preliminary plat approval for a commercial subdivision to be known as 53rd Street/US1 commercial subdivision. Four Dev, LLC, Knight, McGuire & Associates, Inc., Agent. Located at the southwest corner of US Highway 1 and 53rd Street. Zoning Classification: CG, General Commercial. Land Use Designation: C/I, Commercial/Industrial. (SD-08-05-05/2007090011-61272) **[Quasi-Judicial]**

Chairman Hamner asked the members if anyone wanted to pull any of the above items for discussion and nobody did.

7:12:44

ON MOTION BY Ms. Keys, SECONDED BY Dr. Cox, the members voted unanimously (6-0) to approve the items on the Consent Agenda.

Public Hearings (7:12:50)

Chairman Hamner read the following into the record:

- A. Roberts Family Day Care:** Request for special exception use approval for a child care facility to be known as Roberts Family Day Care. Hattie Roberts, Owner. Coastal Technology Corp., Agent. Located on the south side of 23rd Place S.W., south of Highlands Drive. Zoning Classification: RS-6, Residential Single-Family (up to 6 units/acre) Land Use Designation: L-2, Low Density (up to 6 units/acre)(SP-SE-09-01-05 / 2001100060-63106) [**Quasi-Judicial**]

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

Mr. Stan Boling, IRC Planning Director (7:14:09), reviewed the information contained in his memorandum dated January 6, 2009, a copy of which is on file in the Commission Office.

Ms. Keys noted one of the parking requirements was being met by the use of adjacent property, and wondered how this would be kept going in perpetuity if the neighbor sold the property and the school no longer had access to the parking spot. Mr. Boling responded the County could require an access easement or the applicant could make other arrangements at that time.

Ms. Lois Edwards, Costal Technology Corporation (7:24:32), explained the applicant had been running a day care center out of her home since 1995, and described how the operation was run and had expanded.

Chairman Hamner opened the public hearing at 7:20 p.m., and since no one wished to speak the public hearing was closed.

7:33:33

ON MOTION BY Ms. Keys, SECONDED BY Mr. Tripson, the members voted unanimously (6-0) to approve the special exception use with staff recommendations.

Chairman Hamner read the following into to record (7:34:36):

- B. Falcon Trace PD:** Request for conceptual planned development (PD) special exception use approval for a project to be known as Falcon Trace Phase III. Indian River Associates, II LLLP, Owner. Knight, McGuire & Associates,

Inc., Agent. Located at the southeast corner of the 27th Avenue SW and 21st Street SW intersection. Zoning Classification: RS-6, Residential Single-Family (up to 6 units per acre). Land Use Designation: L-2, Low Density Residential (up to 6 units per acre). Density: 1.91 units per acre. (PD-09-01-01/2001050202-63120) **[Legislative]**

Mr. John McCoy, IRC Senior Planner (7:34:59), reviewed the information contained in his memorandum dated January 12, 2009, a copy of which is on file in the Commission Office.

Chairman Hamner expressed concern about the project having 55 foot wide lots with 40% coverage, adding one of the frequent complaints he heard was about allowing cookie-cutter homes to be crammed together. Mr. McCoy observed when you looked at a regular small-lot subdivision with a 5,000 square foot lot, the biggest house you would be able to build would be 1,500 square feet based on the 30% coverage; however as a PD this project would provide a larger lot with more common open space.

Conservation easements were discussed.

Mr. Scott McGuire, Knight McGuire & Associates (7:48:21), noted the project was previously approved as a small-lot subdivision, and when an ordinance changed the affordable housing criteria the applicant had moved on to the PD process. He pointed out the density was lower than any PD that had ever been looked at in the County.

Dr. Cox acknowledged the offsite and onsite mitigation were good features, but thought the County should have its own littoral zone requirement in addition to the preservation required by the St. Johns River Water Management District as part of its permitting process. Mr. McGuire stated the project was previously approved without having to provide the littoral zones, and that ordinance had come into place after the original approval.

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

8:03:25

ON MOTION BY Ms. Keys, SECONDED BY Mr. Weick, the members voted (5-1) to approve staff's recommendation. Dr. Cox opposed.

Chairman Hamner read the following into to record (8:03:51):

- C. Quail Ridge PD:** Request for PD special exception use and conceptual PD plan approval for an agricultural PD to be known as Quail Ridge. Quail Ridge of Vero Beach, LLC, Owner. Knight, McGuire & Associates, Inc., Agent. Located on the south side of 69th Street, just west of Quail Valley Golf Course. Zoning Classification: A-1, Agricultural (up to 1 unit per 5 gross acres). Land Use Designation: AG-1, Agricultural (up to 1 unit per 5 gross acres). Density: 19 units per acre (1 unit per 5.08 acres or 221,611 sq. ft.). (2004060408-61275/PD-08-05-02) **[Legislative]**

Mr. McCoy (8:04:16), reviewed the information contained in his memorandum dated January 12, 2009, a copy of which is on file in the Commission Office.

Mr. McGuire (8:13:07) noted this site was previously approved under an affidavit of exemption with a five acre grid pattern, and the reduction in lot size opened up an opportunity to create lakes and native uplands on the site.

Discussion ensued about what was planned for the uplands.

Chairman Hamner opened the public hearing at 8:12 p.m.

Mr. Joseph Paladin, Chairman of the IRC Growth Awareness Committee (8:23:28), explained the smallest lot was around 1.6 acres and the largest lot was approximately three acres and there would be a lot of variances as to where the houses would be built.

Chairman Hamner closed the public hearing at 8:14 p.m.

8:25:04

ON MOTION BY Ms. Keys, SECONDED BY Mr. Weick, the members voted unanimously (6-0) to approve staff's recommendation.

Commissioners Matters (8:25:22)

Mr. Tripson briefly discussed an item regarding the citrus industry contained in the backup on file in the Commission Office.

Planning Matters (8:26:05)

Mr. Boling gave an update of what had transpired since the last P&Z meeting.

Attorney's Matters (8:27:03)

None.

There being no further business, the meeting was adjourned at 8:16 p.m.

George Hamner, Chairman

Date

Reta Smith, Recording Secretary

Date