

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, February 26, 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.irccgov.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; **Greg Smith**, District 4 Appointee; **Pilar Turner** District 5 Appointee; and **Dr. David Cox**, Member-at-Large.

Absent was **Carol Johnson**, 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 (7:23:24)

Chairman Hamner called the meeting to order and led all in the Pledge of Allegiance. He announced Mr. Weick had recently been elected to the Town of Indian River Shores Council and could no longer serve as a P&Z member. Chairman Hamner thanked Mr. Weick for his service.

Approval of Minutes (7:24:32)

ON MOTION BY Ms. Keys, SECONDED BY Mr. Mr. Tripson, the members voted unanimously (7-0) to approve the minutes of the meeting of January 22, 2009, as presented.

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

Items Not on Consent (7:25:18)

Chairman Hamner read the following into the record:

- A. KGP, LLC:** Request for approval of a non-concurrent parking study to accommodate a commercial use. KGP LLC, Owner. Kimley-Horn & Associates, Inc., Agent. Located at 1375 US Highway 1. Zoning Classification: CG, General Commercial. Land Use Designation: C/I, Commercial/Industrial. (AA-09-03-21/2005070184-63390) **[Quasi-Judicial]**

Mr. Stan Boling, IRC Planning Director (7:25:36), reviewed the information contained in his memorandum dated February 17, 2009, a copy of which is on file in the Commission Office.

Mr. Weick inquired if the stub-out in the upper left hand corner of the site diagram could be converted to parking. Mr. Boling responded it was hoped that area would eventually connect to 10th Avenue and create a back way into the Vero Mall.

Discussion followed.

(7:36:43)

ON MOTION BY Ms. Keys, SECONDED BY Mr. Weick, the members voted unanimously (7-0) to approve the request with staff's recommendations.

Chairman Hamner read the following into the record (7:37:03):

- B. Preserve at Oak Lake:** Request for major site plan and preliminary plat approval for a 42 unit multi-family residential development to be known as the Preserve at Oak Lake. Jack Gregory, Owner. Knight, McGuire & Associates, Inc., Agent. Located on the east side of Indian River Boulevard, just north of 37th Street. Zoning Classifications: RM-8, Residential, Multi-Family (up to 8 units/acre) and CON-2, Conservation 2 (up to 1 unit/40 acres). Land Use Designations: M-1, Medium Density Residential (up to 8 units/acre) and C-2, Conservation 2 (up to 1 unit/40 acres). (SP-MA-07-05-28/94020113-57967) **[Quasi-Judicial]**

Mr. John McCoy, IRC Senior Planner (7:37:13), reviewed the information contained in his memorandum dated February 10, 2009, a copy of which is on file in the Commission Office.

Chairman Hamner commented the applicant had done a good job of maximizing the conservation area but felt there should be a right-turn lane coming off Indian River Boulevard, even though he acknowledged the P&Z could not necessarily enforce this as a requirement.

Mr. Tripson was glad to see the estuarine wetlands would not be impacted and wondered where the mitigation would be. Mr. McCoy related it was proposed to be in the mitigation bank just north of the site; however this was still not a certainty. Mr. Tripson recommended the mitigation bank be used in this instance.

The number of traffic trips and the landscape plan were discussed.

Ms. Keys asked how much of a problem it would be to put in a right-turn lane.

Mr. Scott McGuire, Knight, McGuire & Associates (7:53:07), stated there were 20 right-turn peak hour movements proposed and the ordinance was 40. He noted it would likely be well over \$100,000 to install a turn lane and the applicant would prefer not to do it.

Discussion ensued.

(7:58:07)

ON MOTION BY Mr. Smith, SECONDED BY Ms. Turner, the members voted unanimously (7-0) to approve staff's recommendation.

Commissioners Matters (7:58:37)

Ms. Keys wanted staff to look at altering the Land Development Regulations to accommodate the necessity of a right-turn lane on major thoroughfares. It was the consensus of the members this would be a good idea.

(8:00:49)

ON MOTION BY Ms. Keys, SECONDED BY Mr. Weick, the members voted unanimously (7-0) to have staff study acceleration and deceleration lanes for projects on main thoroughfares.

Mr. Keating suggested having staff reanalyze the previous study and invite IRC Assistant Public Works Director Mr. Chris Mora to address the P&Z on this issue.

Planning Matters (8:03:10)

Mr. Boling advised at the February 10, 2009 Board of County Commissioners (BCC) meeting, the BCC had directed staff to look at the Corridor Plans to allow certain types of signs. He related at the February 17, 2009 the BCC meeting, the Commissioners adopted an ordinance with a provision to extend site plan approvals to 24 months for the initial approval, with a 12 month extension after that. Mr. Boling confirmed the BCC had also approved the Hattie Roberts Day Care Center and the Quail Ridge and Falcon Trace planned developments, as recommended by the P&Z.

Attorney's Matters (8:05:28)

Attorney George Glenn, Assistant IRC Attorney, brought the members' attention to Resolution 2009-004, a copy of which is on file in the Commission Office. He explained this basically gave both the P&Z and BCC authority to have ex parte communications on quasi-judicial matters, and reviewed the form that had to be submitted to Mr. Keating if anyone did so.

Mr. Charlie Wilson, 1057 6th Avenue, Vero Beach (8:08:42), felt the Resolution was important because a good project might be declined for lack of one or two things, and this would allow interaction much earlier in the process to resolve issues ahead of time.

Discussion followed.

Adjournment (8:12:21)

There being no further business, the meeting was adjourned at 7:50 p.m.

George Hamner, Chairman

Date

Reta Smith, Recording Secretary

Date