

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, January 11, 2007 at 7:00 p.m. in the Commission Chambers of the County Administration Building, 1840 25th Street, Vero Beach, Florida.

Present were members: Chairman Bob Bruce, District 2 Appointee; Donna Keys, District 1 Appointee; Craig Fletcher, District 3 Appointee; Greg Smith, District 4 Appointee; George Christopher, District 5 Appointee; George Hamner and Dr. Richard Baker, Members-at-Large; and Ann Reuter, non-voting School Board Liaison.

Also present were IRC staff: William G. Collins, County Attorney; Bob Keating, Community Development Director; Jim Davis, Director of Public Works; Chris Mora, Assistant Public Works Director; Stan Boling, Planning Director; Gale Carmoney, Senior Planner, Long Range Planning; John McCoy and Steven Deardeuff, Senior Planners, Current Development; Kimberly Massung, Executive Aide to the Board of County Commissioners (BCC) and Terri Collins-Lister, Staff Assistant IV.

Call to Order and Pledge of Allegiance

Chairman Keys called the meeting to order and led all in the Pledge of Allegiance. She also introduced new members, Greg Smith, District 4 Appointee, and Dr. Richard Baker, Member-at-Large Appointee, and turned the meeting over to Mr. William G. Collins, IRC County Attorney, for Election of Chairman and Vice Chairman.

Election of Chairman and Vice Chairman

Attorney Collins opened the floor for nominations for the 2007 Chairman of the Planning & Zoning Commission.

Mr. Fletcher nominated Mr. Hamner.

Ms. Keys nominated Mr. Bruce.

ATTORNEY COLLINS CALLED FOR THE VOTE for the nomination of Chairman. The members voted (4-3) in favor of Mr. Bruce. Ms. Keys, Mr. Christopher, Mr. Bruce and Dr. Baker voted in favor of the nomination of Mr. Bruce, and Mr. Fletcher, Mr. Smith and Mr. Hamner voted in favor of the nomination for Mr. Hamner. Mr. Bruce was named the Chairman of the Planning and Zoning Commission for 2007.

Chairman Bruce opened the floor for nominations for the 2007 Vice Chairman of the Planning and Zoning Commission.

Ms. Keys nominated Mr. Christopher.

Mr. Fletcher nominated Mr. Hamner.

CHAIRMAN BRUCE CALLED FOR THE VOTE for the nomination of Vice Chairman. The members voted (4-3) in favor of Mr. Christopher. Ms. Keys, Mr. Christopher, Mr. Bruce and Dr. Baker voted in favor of the nomination for Mr. Christopher, and Mr. Fletcher, Mr. Smith, and Mr. Hamner for the nomination of Mr. Hamner. Mr. Christopher was named the Vice Chairman of the Planning and Zoning Commission for 2007.

Approval of the Minutes

ON MOTION by Mr. Fletcher, SECONDED BY Mr. Hamner, the members voted unanimously (7-0) to approve the December 14, 2006 and December 18, 2006 meeting minutes as presented.

Items on Consent

Chairman Bruce stated staff had pulled Item A, Grace Woods to present a correction.

Mrs. Collins-Lister administered the testimony oath to all those present wishing to speak on any quasi-judicial items.

Chairman Bruce read the following into the record and asked if anyone had any questions or comments:

- B. Two Bridges Equestrian Phase 2:** Request for preliminary plat approval for a 5-lot affidavit of exemption project to be known as Two Bridges Equestrian Phase 2. Dr. Garrick Kantzler, Owner. Carter Associates, Inc., Agent. Located on the west side of 84th Avenue, north of 66th Street. Zoning Classification: A-1, Agricultural (up to 1 unit/5 acres). Land Use Designation: AG-1, Agricultural (up to 1 unit/5 acres). Density: 0.18 units/acre (SD-06-06-19/96010022-53319) **[Quasi-Judicial]**
- C. Water Oaks Village:** Request for modification of an approval condition for the Water Oaks Village development at the Indian River Club. Indian River County Club Ltd, Owner. Kimley-Horn & Associates, Inc., Agent. Located on the south side of 23rd Street SW (Highland Drive). Zoning Classification: RM-6, Residential Multi-Family (up to 6 units/acre). Land Use Designation: L-2, Low Density 2 (up to 6 units/acre). (PD-04-03-05/99110164-38192) **[Quasi-Judicial]**
- D. Protransmaster II:** Request for preliminary plat approval for a two lot commercial subdivision to be known as Protransmaster II. Bill Boydston, Owner. W. F. McCain & Associates, Inc., Agent. Located on the east side of US Highway 1, just south of Rock City Nursery. Zoning Classification: PD, Planned Development. Land Use Designation: C/I, Commercial Industrial. (PD-06-11-10/2001060194-55821) **[Quasi-Judicial]**

ON MOTION BY Dr. Baker, SECONDED BY Mr. Fletcher, the members voted unanimously (7-0) to approve Items B, C, and D on the Consent Agenda as presented.

Chairman Bruce read the following into the record:

- A. Grace Woods:** Request for preliminary plat approval for a 36-lot single-family small lot subdivision to be known as Grace Woods. Habitat for Humanity, Owner. MBV Engineering, Inc., Agent. Located at 1510 11th Street SW, between 18th Avenue SW and 12th Avenue SW. Zoning Classification: RS-6, Residential Single-Family (up to 6 units/acre). Land Use Designation: L-2, Low Density Residential 2 (up to 6 units/acre). Density: 4.42 units/acre. (SD-06-09-32/2005110219-55291) **[Quasi-Judicial]**

Mr. Stan Boling, IRC Planning Director, pointed out that staff needed to pull Item "A", Grace Woods to bring to the P&Z Commission a correction to the Consent Item.

Mr. Steven Deardeuff, IRC Senior Planner, Current Development, reviewed the information contained in his memorandum, a copy of which is in on file in the Commission Office. He noted the correction dealt with the existing upland which was listed as E.139 acres or 100%, and the corrected amount was 3.65 acres or 45% of the site. He continued the preservation requirement was .56 acres or 15% of the site in the upland area and what they had provided was .586 acres or 16.4% of the site. It was noted the correction being made was the correct acreage with the correct percentage and Grace Woods Subdivision met the requirements and were actually over by one percent.

Mr. Christopher made reference that the Grace Woods Subdivision does not comply with the new small lot subdivision requirements. He recalled in those requirements there were price and resale limitations and noted Habitat for Humanity (Habitat) had both aspects. He inquired what the price and resale limitations were for Habitat. Mr. Boling felt a representative from Habitat could best explain Mr. Christopher's question, but also reminded the P&Z in the new criteria there were two options. He continued one option was to meet the price and resale limitations, and the other option had criteria which was a different type of program because Habitat was a proven provider of affordable housing that they may propose and the P&Z Commission may approve.

Mr. Aaron Bowles, MBV Engineering, stated the representative for Habitat was not present due to a scheduled event conflict and was unable to answer the question. Mr. Christopher asked if Habitat could provide the information at the P&Z meeting scheduled for January 25, 2007.

Mr. Bob Keating, IRC Community Development Director, mentioned the County generally provided 50 to 60% of the funding to Habitat clients through the State House Initiative Partnership Programs or the Hurricane Housing Recovery Program. He continued the Habitat Houses were going for about \$137,000 to \$141,000 and the County was giving a down payment, closing costs and impact fee loans to Habitat clients which varied with income. He concluded the County's loans were subordinated to Habitat in which they were given a 0% interest loan to the clients. He maintained that the County liked working with Habitat because they had a great program along with a mentoring program for home buyers.

Dr. Baker felt there was another great opportunity for Habitat to demonstrate how to utilize some of the native plants because it was one of the few remaining wooded areas by relocating the plants and transplanting them to

another area. Mr. Boling remarked Habitat was doing a lot of on-site relocation in tree mitigation and they fell under the new Tree Protection Ordinance.

Mr. Bowles stated he would pass on the information to Habitat and remarked there were open areas in the back of the property with opportunities to plant along the perimeters and perhaps around the stormwater area.

Ms. Reuter commented Susan Olson at the IRC School Facilities Department would be very interested in acquiring trees that were being moved from properties.

ON MOTION BY Mr. Hamner, SECONDED BY Mr. Fletcher, the members voted unanimously (7-0) to approve the request for preliminary plat approval as presented with the noted corrections.

Item Not on Consent

A. Century Town Center: Request for major site plan approval for a shopping center to be known as Century Town Center. Century Realty Funds Panther IX, LLC, Owner. Kimley-Horn & Associates, Inc., Agent. Located on the south side of State Road (SR) 60, just west of Home Depot. Zoning Classification: CG, General Commercial. Land Use Designation: C/I, Commercial Industrial. (SP-MA-06-07-31/2004060358-53892) **[Quasi-Judicial]**

Mr. John McCoy, IRC Senior Planner, Current Development, presented the Century Town Center's request for a major site plan approval for a shopping center and stated corrective pages to Item #4 were given to the P&Z Commission, a copy of which is on file in the Commission Office. He went over the corrections to the Century Town Center and noted the open space percentage figure was an error and the correct figure should be 29% open space versus 32% open space. He stated the minimum requirement was 25%. He referenced an intersection improvement that would need to be done at SR 60 and 43rd Avenue and explained the correct intersection was at 16th Street and 58th Avenue.

Mr. McCoy reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office.

Mr. Hamner was asked whether Mr. McCoy had talked to the applicant about a Type "A" buffer. Mr. McCoy responded it was spelled out in the IRC

Code of Ordinances (Code) as a Type "B" buffer and that was the highest staff could require.

Greg Smith inquired where the off-site pond for compensatory storage was located, and Mr. McCoy replied the pond was to be located west of 66th Avenue and the main relief canal.

Mr. Jared Hockenberry, representing Kimley-Horn and Associates, Inc., related the opposite property was for flood plain mitigation only, and the on-site property treated the stormwater with the pond on-site. He reported both properties were connected to the main relief canal which would flood all the properties in that area simultaneously.

Ms. Keys asked what the pipe was for. Mr. McCoy replied the pipe would serve as the hydraulic connections between the main relief canal and the pond.

Mr. Fletcher asked if the property used for the pond would go on into perpetuity. Mr. McCoy responded in the affirmative. Attorney Collins asked if it would be better to have unity of title over the pond on the site plan such that neither could be sold without the other. Mr. McCoy replied that could be made as a condition as long as the P&Z did not have a problem with the discontinuous nature of the two being unified in title.

Chairman Bruce asked if the applicant would have a problem tightening up the Type "B" buffer between the adjacent residential area and the project. Mr. Keith Pelan, representing Kimley-Horn and Associates, Inc. responded the buffer there was 24-feet wide and there was as much of a berm as possible while trying to keep to the 4-foot plateau which was the new proposed landscape regulation. He noted there was almost Type "A" amounts of plant material in the buffer than any Type "B" would require, at minimum. Chairman Bruce asked if the applicant would be amenable to changing to a Type "A" buffer. Mr. Pelan responded they could not make the berm any wider, but they could add more material, noting they already had 11 extra canopy trees, 69 additional understory trees, and 300 additional shrubs.

Mr. Boling interjected this plan could not go to a Type "A" buffer because the minimum was 30-feet in width. If what the applicant was showing was more than a Type "B", and a Type "B" was what the Code required, that was all they could be held to. If they agreed to a condition that they had the same amount of materials as shown now, that could be a basis for the site plan approval.

Mr. Christopher asked if under the Code, landscaping of the parking areas was required. Mr. McCoy responded 10% of the paved area was required to be

green area. If there was 100,000 square feet of pavement there would have to be 10,000 square feet of green area within that parcel. He pointed out the rows of trees in all of the end islands and landscaping along the front of the building to break up the paved areas.

Dr. Baker asked if the pond going into the canal was a regular stormwater pond or if it had vegetation. Mr. McCoy replied it would be a standard stormwater pond meeting the criteria of the St. Johns River Water Management District from a water quality standpoint. Discussion ensued on how the pond and canal would work.

Chairman Keys related it was obvious that adding another shopping center to the intersection of 58th Avenue and SR 60 would not appear to be the most intelligent thing to do, and asked when College Lane was going to be finished out to 66th Avenue and then from 66th Avenue out to SR 60. Mr. Chris Mora, IRC Assistant Public Works Director, stated he had been working with Indian River Community College (IRCC) on the extension of College Lane all the way out to 66th Avenue where it would, along with the library expansion of IRCC, be extended and lined up with 66th Avenue with ultimately a 4-way signalized intersection. He continued IRCC was still in the design phase of that road expansion and it would be at least one year before it was completed.

Mr. Mora addressed Ms. Keys' inquiry regarding the road from 66th Avenue to SR 60 by explaining there were nearly completed plans for that project within the next year or two. Ms. Keys asked how close the acquisition was for the right-of-way. Mr. Mora responded they were very close, and there were a few parcels left they were working on for acquisition. Ms. Keys asked if College Lane would be a thru road and Mr. Mora replied it would be a continuous 2-lane road with turn lanes and intersections that would eventually extend west, as part of the Pointe West development, out 74th Street and 82nd Avenue.

Mr. Christopher asked what was being planned with the intersection improvements for 58th Avenue and SR 60. Mr. Mora responded explained on all four approaches to that intersection, there would be three thru lanes, dual left turn lanes, and a right turn lane with the addition of a northbound turn lane on 58th Avenue, making three left turn lanes northbound on 58th Avenue at SR 60. He continued ultimately when that intersection was widened it would handle intersection traffic and SR 60 traffic. Mr. Christopher asked when that would be completed. Mr. Mora stated they were in the design phase at this point, and construction was anticipated to begin within the next three years. He reported the traffic study for Century Town Center included those improvements as in the ground already. Mr. Bob Keating, IRC Community Development Director,

interjected there were engineering firms evaluating alternatives to diversion routes around the intersection to allow less turn lanes.

Mr. Christopher opined staff basically did not know what they were going to do, did not know when they were going to start, and certainly did not know when they were going to finish. Mr. Mora related staff knew what they want to do, what it would take to relieve the traffic conditions that were coming in the future with this project with the turn lane project, but with the right-of-way constraints and the cost of the right-of-way, staff was looking at some of the diversions.

Mr. Hamner opined the dilemma was the applicant had concurrency. Discussion was held regarding the potential traffic problems that may not be addressed before the project was completed. Mr. Keating related they were looking at alternatives that may be less costly and probably better. Mr. Christopher stated while he commended staff for looking at alternatives, they may not be able to be started for five years. He opined alternatives should be looked at and they should be cost effective, but if the alternative course was followed, there was no start date known.

Ms. Reuter asked to stop calling road widening "improvements" because in her opinion it was not an improvement. She would much rather see a better grid system so drivers would not have to get out on SR 60 or 58th Avenue. She also felt the locations should be interconnected so a person could walk from one to the other.

Ms. Reuter felt the space allowed for impermeable parking was unnecessary and opined there should be more green space. Mr. McCoy explained staff continuously re-evaluated the parking standards to make sure they planned for the correct amount. He continued other points brought to the attention of applicants, was going to pervious parking, and the applicants were hesitant because of maintenance and liability if someone tripped while walking on a grass parking area.

Mr. Hamner expressed while the suggestions were commendable, the reality was there were rules that were not going to be changed at this meeting. He asked Attorney Collins if a project had concurrency, could P&Z deny or defer a project. Attorney Collins responded while the applicant had concurrency, the issue may be the timing of the improvements which could not go ahead unless IRC improvements were scheduled to be under construction within three years. Mr. Christopher asked what the mitigation was going to be, and without that knowledge both the Land Development Regulations, and the Comprehensive Plan raised issues. He opined the P&Z was in the area of discretion and judgment as to whether they felt the problem was sufficient enough that a

solution should be sought. A lengthy discussion ensued regarding the traffic issues, concurrency, and the adequacy of the intersections.

Mr. Will Reynolds, 500 South Florida, Lakeland, stated he was representing the applicant and had a concurrency letter indicating they had concurrency for five years. He was under the assumption the intersection and road improvements were under the Five Year Capital Improvement Plan (CIP) and that was one reason they met their traffic requirements and could move forward. He added two days prior, on January 9, 2007 at the BCC meeting, a Development Order was approved and required them to pay almost \$1 million for the intersection improvement at 58th Avenue and SR 60.

Mr. Hamner asked if the intersection and road improvements were indeed in the Five Year CIP. Mr. Mora confirmed the improvements were in the Five Year CIP and reported \$5 million in impact fees were scheduled for fiscal year 2006/2007, with another \$4.7 million in 2008/2009, plus \$900,000 in gas tax money. He admitted the total amount was not sufficient to totally fund the improvements, however, they were counting on a number of developer contributions for this project.

Mr. Hamner asked if there was a correlation between being on the Five Year CIP, and being covered with the necessary legal requirements to be approved. Attorney Collins opined if the improvements were not in the Five Year CIP, P&Z did not have to approve it, but it was on the Five Year CIP and those funds were dedicated for the intersection.

Mr. Reynolds reported when their concurrency letter was issued in April 2006, they had to pay \$1.1 million in impact fees to get the concurrency. That was not including the \$999,000 and the \$43,000 they would be paying for the other two intersections above and beyond building turn lanes.

Mr. Smith asked if within the parameters of the Five Year CIP, and Code Section 952.12, that the applicant was meeting the requirements within those parameters because of the proposal of the completion of the roads associated with the project. Mr. Keating responded Section 952.12 looked at the situation where an applicant does a traffic study and he finds an intersection that staff hadn't identified that was going to fail with this project. The applicant has to then come in with a "fix" which had to be sufficient to take care of it. The County had identified the issue and has a program in the CIP to do it. He explained there was a big difference between concurrency and intersection failure in that concurrency was very strict, there were a lot of parameters, and was fairly cut and dry. He stated according to Chapter 952.12, if there was a broken

intersection there had to be a fix identified. Mr. Christopher interjected that was what he was asking, was there a fix and what was the timeline of the fix.

Mrs. Collins-Lister administered the testimonial oath to Mr. Jerry Swanson, 3001 Ocean Drive, Vero Beach, who wished to make a few comments in support of the developer. He stated he struggled with the issues all the time, and when he had a traffic study done, the developer paid money not only for the trips but also for the intersections. He continued that was how it was determined in his opinion, what a developer has to pay for the intersections that he does affect. Mr. Swanson explained when they obtained concurrency they had to pay money up front, and they had been paying that money for years with nothing getting built. He opined arbitrarily a development could not be stopped when they had concurrency by paying their impact fees because an intersection had not been done.

ON MOTION BY Mr. Fletcher, SECONDED BY Mr. Hamner to approve the request for major site plan approval with the corrections supplied by staff, with the suggestion of having unity of title of the off-site water storage facility, and to require the current buffer as presented in the agenda packet.

UNDER DISCUSSION, Mr. Christopher stated he would be voting against the motion and agreed the developer was being punished in this case, but the intersection proposal was too nebulous to move forward on to the development at this time.

Mr. Fletcher stated the other P&Z members may agree with Mr. Christopher, but the developer should not be punished for the County's lack of doing their job.

Ms. Reuter observed the P&Z had decided this would be one of the denser areas and the people living there knew the area would be developed and could choose to live there or not. She felt it was a good idea to keep the traffic concentrated and not let it spread. She opined this developer had done everything he should have done.

Ms. Keys opined it didn't seem fair to the public because when the Sam's Club gas station was approved, the public was up in arms about adding more traffic to the intersection. She agreed it was not fair to the developer because he had paid his fees to buy concurrency, but it was not fair to the public. She continued concentration of development was fine, but there were no alternative intersections to use other than 58th Avenue and SR 60, so no matter where you

live you end up in that intersection. She asked Attorney Collins for a legal reason not to approve this site plan. Attorney Collins responded there was the reason Mr. Christopher presented as the intersection improvements were too speculative at least in terms of time to feel confident the impacts from this project would be addressed within a reasonable timeframe.

Dr. Baker acknowledged a lot of people needed to get through the 58th Avenue and SR 60 intersection and felt a decision should be tabled.

Mr. Smith stated the developer did their due diligence as established by IRC, and this seemed to be an issue where if a developer did what they were supposed to do and if the P&Z voted their request down, it was not fair to the developer that the County did not do their job.

Mr. Fletcher agreed with Mr. Smith by saying the developer did do his due diligence by following all regulations.

Chairman Bruce felt the County had dropped the ball significantly on this intersection and he was prone to support the public.

THE MOTION WAS CALLED, and the members voted (3-4) causing the motion to fail. Mr. Fletcher, Mr. Hamner and Mr. Smith voted in favor of the motion. Chairman Bruce, Ms. Keys, Dr. Baker and Mr. Christopher voted against.

ON MOTION BY Mr. Christopher, SECONDED BY Ms. Keys to defer action until staff has a specific plan for completing the intersection improvements.

UNDER DISCUSSION, Mr. Hamner stated he needed to understand if this motion would override the denial. Attorney Collins clarified the initial motion did not approve the site plan, which could be appealed to the BCC, or if the second motion was passed to reconsider the site plan approval request when the timelines were firmed up on the intersection, the developer could choose to wait to come back before the P&Z or take the appeal option based on the denial.

Mr. Doug Vitunac, Attorney for the applicant, stated the applicant was desirous to just take the matter through the next step to the BCC. He asked the P&Z to reconsider the denial of the application as his client had done everything they were required.

THE MOTION WAS CALLED, and the members voted (6-1) in favor of the motion. Mr. Fletcher was opposed.

Mr. Fletcher explained he voted against the motion because the developer had jumped through every hoop they needed to and it was not right their site plan was not approved.

Attorney Vitunac asked if the deferment of this issue prevented them from going before the BCC. Attorney Collins responded negatively, and stated they could elect to wait until the P&Z had the information that it felt was giving them the comfort level where they could vote in favor of the request, or they could appeal the denial immediately.

Attorney Vitunac asked to add to the record that he wished to preserve the objection that he did not feel any published criteria existed they had not met, and therefore in a quasi-judicial hearing, the approval should have gone forward.

Public Hearings

Chairman Bruce read the following into the record:

A. Chesnut and Smith's: Request to rezone ±3.35 acres located east of US Highway 1 and approximately 1,000 feet south of 77th Street from CL, Limited Commercial, to CG, General Commercial. Kenneth Chesnut and Victor and Kathy Smith, Owners. MBV Engineering, Inc., Agent. (REZON 2006110122-56987) **[Quasi-Judicial]**

Mr. Gale Carmoney, IRC Senior Planner, Long Range Planning, reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office.

Mr. Christopher asked for clarification on the difference between CG and CL zoning, particularly when there was a site on a major highway. Mr. Christopher asked what the applicant wanted to do that could not be done on the property zoned CL. Mr. Carmoney responded initially the applicant wanted to have a marine boat sales business on the site, which would not be allowed under the CL zoning. Mr. Keating opined most of the property along US Highway 1 should generally be zoned CG.

Ms. Keys asked if any properties in the area of the subject site were zoned CG. Mr. Carmoney responded there were not. She questioned why the subject property was then being rezoned to CG. Mr. Keating responded the properties should have been zoned CG originally and that was why this parcel was now before the P&Z.

Mr. Aaron Bowles, representing MBV Engineering, stated the reason the property was being rezoned was to provide a more fitting use for the area such as retail sales or general retail.

Mr. Victor L. Smith, one of the owners of the property, related CG would give him more options for the use of his property. He opined the reason most of the property had not be rezoned in the area was because the majority of it was wooded and there was no reason to rezone it.

Chairman Bruce opened the public hearing at 8:12 p.m. and since no one cared to speak, the public hearing was closed.

Ms. Keys asked if P&Z should consider rezoning the entire area CG instead of dealing with each parcel one at a time. Mr. Keating replied no, and noted there would be major problems doing a County initiated rezoning.

ON MOTION BY Hamner, SECONDED BY Mr. Fletcher, the members voted unanimously (7-0) to approve the request for rezoning as presented with staff's recommendations.

Chairman Bruce read the following into the record:

B. United Indian River Packers LLC: Request for a small scale Land Use Map amendment to redesignate 8.36 acres from L-2, Low Density Residential-2 (up to 6 units/acre) to C/I, Commercial Industrial, and to rezone those 8.36 acres from RM-6, Multi-Family Residential (up to 6 units/acre) to IL, Light Industrial; and Highpointe LLC Request to Redesignate 8.36 Acres from C/I, Commercial Industrial to L-1, Low Density 1 (up to 3 units/acre). United Indian River Packers LLC and Highpointe LLC, Owners. William Caldwell, Agent. (LUDA 2006070097-57058 and LUDA 98100081-57057; REZON 2006070097-57058) **[Legislative]**

Mr. Carmoney reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office.

Mr. Christopher inquired what Highpointe was. Mr. Boling responded Highpointe was a residential parcel.

Mr. Christopher asked if in order to get a Land Use Map amendment request approved would a swap in property needed to be done, or to determine if there was a change in circumstances. Mr. Keating replied IRC had need-based criterion regarding creating Commercial property explaining there had to be proof there was a need for more Commercial in the amount of at least 70% development of a property node.

Ms. Keys queried if the bottom portion of the proposed IL zoning, at Parallel 77, was currently single-family residences. Mr. Carmoney responded through a very old

plat, that property was platted as single-family, but an IL zoning district was currently extending to that area. He added there were only two homes there, one was in an Agricultural-1 (A-1) zoning (up to 1 unit/5 acres) and the other one was a couple of lots to the east. She asked if the primary intent for the Land Use Map amendment was to allow the entire site to be developed and used for citrus packing house activities. She asked why it couldn't just be changed to A-1. Mr. Keating related there were prohibitions against rezoning any property within the Urban Service Area to A-1.

Attorney Doug Vitunac, representing the applicant, felt this would be a win-win situation for everyone involved adding it would allow more economic development and more efficient use of the land. He stated they could use the whole parcel for economic development while reducing the intensity of overall land use by 25 units, as per the staff report calculations.

Chairman Bruce opened the public hearing at 9:00 p.m. and since no one cared to speak, the public hearing was closed.

ON MOTION BY Mr. Fletcher, SECONDED BY Ms. Keys, the members voted unanimously (7-0) to approve the request for a small scale land use map amendment as presented.

Commissioners Matters

Ms. Keys inquired if there were communities that had concurrency requirements for intersections. Mr. Keating responded IRC was on the upper spectrum of intersection concurrency requirements, and he was not aware of any other community intersection concurrency requirements. Mr. Christopher felt most communities looked at intersections, and if there was a project that would adversely impact an intersection, they would want to know what the mitigation would be to deal with that intersection. Mr. Chris Mora, IRC Assistant Public Works Director, interjected IRC was very conservative in the number of significant intersections, and IRC would look at far more than any other community would.

Mr. Christopher stated Mr. Mora provided him with the new 2006 Traffic Counts and had been told they would be put in the tracking system. He asked Mr. Mora to send copies of the report to the other P&Z members and felt there should be more explanation provided by staff on the 2005 and 2006 comparisons. Mr. Christopher gave examples of his questions in the counts and asked if the methodology for calculating traffic counts had changed. Mr. Mora stated there had not been a change in the methodology but staff now had more sophisticated equipment which provided more accurate results in obtaining the counts. A lengthy discussion ensued.

Mr. Keating proposed in 2005 there were a lot more construction workers in IRC who were traveling in the peak hour times. He added sometimes travel patterns

changed when new facilities opened and one must take into consideration what the conditions were.

Mr. Smith asked Mr. Mora what statistical methods were used for determining the accuracy when traffic counts were being done by an actual person and by those of the old pneumatic hose system. Mr. Mora replied in a given section of road a hose counter, a new computer tablet counter, and a person were used for comparison in the counts. He continued the person and the computer tablet counter were almost identical in their counts, and the hose counter numbers were increased by 10-15%. He opined using the hoses, and dual axle trucks went over them, the counts were doubled.

Mr. Christopher inquired if the Certificates of Occupancy would be loaded at the same time the traffic counts were being loaded. Mr. Keating responded in the affirmative.

Mr. Christopher queried at a previous P&Z meeting Mr. Keating mentioned there would be an Evaluation Appraisal Report (EAR) that would be completed by December 2008, and he would like a brief synopsis identifying the scope of work which would be covered and when the initial drafts would be presented. Mr. Keating responded beginning in March, 2007 there would be sections presented to the P&Z regarding the EAR elements.

Chairman Bruce welcomed the two new members, Dr. Richard Baker, and Mr. Greg Smith and thanked their predecessors, Mr. George Gross and Mr. Scott Chisholm for their service on the P&Z.

Planning Matters

Mr. Boling reported on January 5, 2007 there was a workshop on Land Development Regulations Chapter 910, and ordinance changes. He stated the BCC provided some direction to staff, and there will be a hearing presented at the January 23, 2007 BCC meeting.

Mr. Boling added the Grand Harbor items would be going before the BCC at their February 6, 2007 meeting, and on February 13, 2007 The Source item would be presented to the BCC.

Mr. Boling addressed the notice included in the agenda packet for the February 1, 2007 Affordable Housing workshop to be held in the Commission Chambers. He also stated there would be a workshop on February 9, 2007 concerning U.S. Highway 1 issues, and on February 19, 2007 IRC would be having a joint meeting with St. Lucie County to discuss Cloud Grove and a few other issues.

Mr. Boling hoped to present the new Landscape Ordinance changes to the P&Z at their February 22, 2007 meeting.

New Land Use Maps were provided to the P&Z, a copy of which is on file in the Commission Office.

Attorneys Matters

There were none.

Adjournment

The meeting adjourned at 9:18 p.m.

Bob Bruce, Chairman

Date

Terri Collins-Lister, Staff Assistant IV

Date