

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, June 14, 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 H.C. Lawrence, District 5 Appointee (arrived at 8:06 p.m.); George Hamner and Dr. Richard Baker, Members-at-Large.

Absent was member: Ann Reuter, non-voting School Board Liaison (excused).

Also present were IRC staff: George Glenn, Assistant County Attorney; Bob Keating, Community Development Director; Chris Mora, Assistant Director, Public Works; Stan Boling, Planning Director; Brian Freeman, Senior Planner, Current Development; and Darcy Vasilas, Interim Executive Aide.

Call to Order and Pledge of Allegiance

Chairman Bruce called the meeting to order and led all in the Pledge of Allegiance. He proceeded to thank former member George Christopher for his service on the P&Z and gave a brief synopsis of Mr. Christopher's accomplishments.

Election of Vice Chairman

Chairman Bruce explained with the resignation of Mr. Christopher, it was necessary to elect a new Vice Chairman to serve on the P&Z for the remainder of 2007.

ON MOTION BY Mr. Fletcher, SECONDED BY Ms. Keys, the members voted unanimously to elect George Hamner as the Vice Chairman of the Planning and Zoning Commission for the remainder of 2007.

Approval of the Minutes

Two changes were made to the minutes:

1. On page 3, fourth paragraph, second to the last sentence should read:

“Mr. Mora stated the widening of 66th Avenue would extend north and may or may not include a left turn lane in five years.”

2. On page 8, the first motion at the top of the page should read:

“ON MOTION BY Mr. Christopher, SECONDED BY Mr. Fletcher, the members voted (6-1) to deny the request to rezone ±11.59 acres from CL, Limited Commercial District, to CG, General Commercial District. Mr. Christopher, Mr. Fletcher, Ms. Keys, Mr. Hamner, Dr. Baker and Chairman Bruce voted in favor of the motion. Mr. Smith voted against.”

ON MOTION by Mr. Fletcher, SECONDED BY Mr. Hamner, the members voted unanimously (6-0) to approve the May 24, 2007 meeting minutes as amended.

Item Not on Consent (9:03)

Mrs. Vasilas administered the testimonial oath to all those present wishing to speak on any quasi-judicial items.

Chairman Bruce read the following into record.

A. Indigo: Request for major site plan and preliminary plat approval for a 116 unit multi-family residential development to be known as Indigo. LMC Development Vero, LLC, Owner. Schulke, Bittle & Stoddard, LLC, Agent. Zoning Classification: RM-6, Residential Multi-Family (up to 6 units/acre). Land Use Designation: M-1, Medium Density (up to 8 units/acre). Density: 5.998 units/acre. (SP-MA-06-09-51 & SD-06-09-31/2006040206-55157) **[Quasi-Judicial]**

Mr. Brian Freeman, IRC Senior Planner, Current Development, reviewed the information contained in his memorandum; a copy of which is on file in the Commission Office.

Chairman Bruce opened the public hearing at 7:16 p.m.

Discussion was held regarding:

- The possibility of switching the east and west entrances so some of the oak trees could be saved.
- Mr. Jodah, Biddle, representing Schulke, Bittle, and Stoddard, LLC pointed out although the applicant was amenable to changing the east and west entrances, most of the trees would be removed by the County any for road improvements.

Chairman Bruce closed the public hearing at 7:20 p.m.

ON MOTION BY Mr. Hamner, SECONDED BY Ms. Keys, the members voted unanimously (6-0) to approve the request for major site plan and preliminary plat approval for a 116-unit multi-family residential development with a caveat regarding changing the east and west driveways.

Public Hearing (26:03)

Chairman Bruce read the following into the record:

- A. Consideration of Proposed Amendments to the LDR Chapter 911 Table of Uses for Industrial Districts [Legislative]**

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

Discussion was held regarding:

- What zoning other concrete plants were located within. Mr. Freeman reported the other plants in IRC were located within IG (General Industrial) versus the IL (Light Industrial) zoning districts.

Chairman Bruce opened the public hearing at 7:34 p.m.

The following people spoke:

Mr. Geoffrey Smith, an attorney representing the interests of Ocean Concrete, gave a PowerPoint presentation, a copy of which is on file in the Commission Office.

Mr. Todd Smith, an engineer for Ocean Concrete, reviewed his PowerPoint presentation, a copy of which is also on file in the Commission Office. Mr. Smith summarized the P&Z did not have a complete picture and asked to have time set aside to review the information or to not have the amendments apply retroactively.

Mr. Lawrence arrived at 8:06 p.m.

Mr. Wayne Wilco, Melrose, Florida, a faculty member at the University of Florida Department of Civil and Coastal Engineering, explained the difference between concrete batching and concrete production. He noted concrete batching involved mixing small amounts of cement with water, sand, rock or aggregate and stated all materials were kept wet so there would be very little dust.

Mr. Fred Mensing, Vero Beach, expressed IRC needed to wake up and get diversified industry to bring in high paying jobs.

Mr. Kelly Mather, Sebastian, Florida, felt all concrete plants belonged in IG zoning.

Mrs. Dale Simchick, Sebastian, asked the P&Z to honor the City of Sebastian's character and recommended the amendment to the LDR Chapter 911.

(1:28) Chairman Bruce called for a break at 8:28 p.m. and resumed the meeting at 8:35 p.m.

Mr. Baxter Coston, Sebastian, was against a concrete plant being located in the IL zoning and supported approving the LDR amendments.

Ms. Deb Robinson, Vero Beach, stated there was much discussion regarding an individual concrete plant and felt the issue was not the individual plant, the issue was the planning across the County. She opined there was a lot of work needing to be done to the Comprehensive Plan.

Mr. Rex Nelson and Ms. Betty McWiggin, Sebastian, were in favor of the amendments.

Mr. Jeff Kracht, Sebastian, thought the buyer of the property for Ocean Concrete should have researched the IG zoning for all other concrete plants.

Mr. Ralph Brown, Jacksonville Beach, Florida, explained his family owned property in Sebastian and felt the zoning in IL should not allow concrete plants.

Mr. Chris Pontello, consulting engineer with W.F. McCain and Associates, indicated a concrete plant should be allowed along railroads and felt the County should be held to the integrity of the LDR's. He felt this decision should be a staff only approval.

Mr. George Maib, President of Ocean Concrete, related he did his research when purchasing the property and a concrete plant was allowed on the property in the current zoning. He relied on the laws and the codes and would like to be grandfathered if the amendments were approved.

Mr. Jay Bumpers, Vero Beach, stated he was a developer and he had done his homework when he bought his property also. He felt the Ocean Concrete people should have their project grandfathered if the LDR amendments go into effect because the rules were changed after-the-fact.

Ms. Wilma Cox, Sebastian, had concerns with environmental health involving heavy industry.

Ms. Carol Barry, Sebastian, stated she was against heavy industry in the area being discussed.

Chairman Bruce closed the public hearing at 8:58 p.m.

Discussion was held regarding whether or not the applicant could request the grandfathering-in clause when going before the Board of County Commissioners.

ON MOTION BY Ms. Keys, SECONDED BY Mr. Hamner, the members voted (6-1) to approve staff's recommendations of amending the Land Development Regulations of Chapter 911 as presented. Mr. Fletcher opposed.

Mr. Fletcher asked it to be made part of the record that he voted against the motion because he felt the applicants with applications submitted before the amendments went into affect should be grandfathered.

ON MOTION BY Mr. Lawrence to request the Board of County Commissioners consider grandfathering Ocean Concrete. THE MOTION DIED DUE TO LACK OF SECOND.

ON MOTION BY Mr. Smith to recommend to the Board of County Commissioners that all applicants that had applied before the amendments were put in place to be grandfathered. THE MOTION DIED DUE TO LACK OF SECOND.

Commissioners Matters (2:14)

A. Consideration of LDR Amendments for Mines in Agricultural Areas

Mr. Stan Boling, IRC Planning Director, reviewed the LDR amendment included in the agenda packet, copies of which are on file in the Commission Office.

ON MOTION BY Mr. Hamner, SECONDED BY Mr. Fletcher, the members voted unanimously (7-0) to approve the Land Development Amendments for Mines in Agricultural Areas as presented.

B. Discussion of State Road (SR)60/58th Avenue Improvements

Ms. Keys related she had asked for this information to be presented. Mr. Chris Mora, IRC Assistant Public Works Director, gave a PowerPoint presentation, copies of which are on file in the Commission Office.

Chairman Bruce introduced new P&Z member, George Lawrence and welcomed him to the committee.

Planning Matters (3:01)

Mr. Boling reviewed the revised matrix which was generated from the April 25, 2007 Quality of Development Workshop, copies of which are on file in the Commission Office.

Attorney's Matters

There were none.

Adjournment

Mr. Lawrence noted he would not be in attendance at the June 28, 2007 P&Z meeting, and Mr. Hamner indicated he would be absent for the July 12, 2007 meeting.

The meeting adjourned at 10:16 p.m.

Bob Bruce, Chairman

Date

Darcy Vasilas, Interim Executive Aide

Date