

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (PZC) on Thursday, June 26, 2014 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 the Indian River County website www.ircgov.com/Boards/PZC/2014.

Present were members: **Chairman Sam Zimmerman**, District 2 Appointee; **Charles Rednour**, District 1 Appointee; **Maria Caldarone**, District 3 Appointee (arrived 7:08 p.m.); **Jordan Stewart** and **Todd Brognano**, Members-at-Large.

Absent was **Dr. Jonathan Day**, District 4 Appointee; **Brad Emmons**, District 5 Appointee; and **Carol Johnson**, non-voting School Board Liaison (all excused).

Also present was IRC staff: Bill DeBaal, Deputy County Attorney; John McCoy, Chief, Current Development; Ryan Sweeney, Current Development Senior Planner; and Reta Smith, Recording Secretary.

Call to Order and Pledge of Allegiance

The meeting was called to order at 7:00 p.m. and all stood for the Pledge of Allegiance.

Approval of Minutes

ON MOTION BY Mr. Brognano, SECONDED BY Mr. Stewart, the members voted unanimously (4-0) to approve the minutes of the meeting of May 22, 2014 as presented.

Items Not on Consent:

Chairman Zimmerman read the following into the record:

- A. Falcon Trace Phase III:** Request for preliminary PD plan/plat approval for Falcon Trace Phase III. Vero 258, LLC, Owner. Knight, McGuire & Associates, Inc., Agent. Located at the southeast corner of 27th Avenue SW and 21st Street SW. Zoning: RS-6 (Residential

Single-family, up to 6 units per acre). Land Use Designation: L-2, Low Density 2 (up to 6 units per acre). Density: 1.91 units per acre. (2001050202-72384 / PD-14-07-06) **[Quasi-Judicial]**

Chairman Zimmerman asked the Commissioners to reveal any ex-parte communication with the applicant or any contact that would not allow them to make an unbiased decision. All Commissioners replied they had not had any ex-parte communication.

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

Mr. Ryan Sweeney, IRC Current Development Senior Planner, reviewed the information contained in his memorandum dated June 13, 2014 and gave a PowerPoint presentation, copies of which are on file in the Commission Office. He concluded with staff's recommendation that the PZC grant preliminary PD plan/plat approval with the conditions outlined by staff.

Ms. Caldarone, District 3 Appointee, arrived at 7:08 p.m.

ON MOTION BY Mr. Brognano, SECONDED BY Mr. Rednour, the members voted unanimously (5-0) to approve the preliminary PD plan/plan of Falcon Trace Phase III, with the conditions listed in the staff report.

Public Hearing

Chairman Zimmerman read the following into the record:

B. Roseland United Methodist Church: Request for special exception use approval to construct a stabilized parking lot to serve the existing church. Roseland United Methodist Church, Owner. Todd Smith, P.E., Inc., Agent. Located at 12962 Roseland Road. Zoning: RS-3- (Residential Single-family, up to 3 units per acre). Land Use Designation: L-2, Low Density 2 (up to 6 units per acre). (98090131-72215 / SP-SE-14-06-13) **[Quasi-Judicial]**

Mr. Rednour informed the PZC he was a member of the church and had taken part in the planning of the parking lot. He completed a Voting Conflict form, which is on file in the Commission office, and abstained from any conversation and did not vote on this matter. All remaining Commissioners

confirmed they had not had any ex-parte communication to keep them from rendering a fair decision.

Attorney Bill DeBaal, IRC Deputy County Attorney, administered the testimonial oath to those present who wished to speak at tonight's meeting on this matter.

Mr. John McCoy, IRC Chief of Current Development, reviewed the information contained in his memorandum dated June 19, 2014 and gave a PowerPoint presentation, copies of which are on file in the Commission Office. He concluded with staff's recommendation that the P&Z recommend that the Board of County Commissioners (BCC) grant special exception use approval for the church parking lot with the condition that a Type "B" buffer be constructed prior to operation or use of the site.

Mr. McCoy disclosed he had received an email at 5:11 p.m. on June 26, 2014 and had given a copy to Attorney DeBaal and the secretary for the record; but did not distribute it to the Commissioners as this was a quasi-judicial hearing.

Chairman Zimmerman opened the public hearing at 7:17 p.m.

Mr. Todd Smith, 121 Hinchman Avenue, Sebastian, the applicant's engineer, explained this project was a very passive use for the property consisting of nine grass parking spaces with a milling stabilized driveway to improve the traffic circulation for an existing food pantry. He related the pantry operated three days per week from 10:00 a.m. to 1:00 p.m. with an average of 20 cars a day on operational days, and the project would provide grass parking to keep traffic off the alley and provide one-way circulation from the alley back out onto Roseland Road.

Ms. Jeannie Earnshaw, Co-Director of the food pantry, explained the church currently had a very short parking lot on Roseland Road with cars backing out into the heavy traffic, and the proposed parking lot would eliminate the need for vehicles to back out.

Pastor Anne Godbold, 807 Mulberry Street, Sebastian, described the benefits of the food pantry to the community and was in favor of the project.

The existing traffic pattern was discussed.

Chairman Zimmerman asked if there was any friction between the neighboring residents and the church. Mr. McCoy stated residents had expressed concerns over the years about operational aspects of the church and

there had been modifications made over time as far as parking in the street or in parking lots. He advised staff copied certain residents and included them at staff-level meetings on a regular basis.

Ms. Pat Hedman, 12920 82nd Court, Sebastian, stated she lived contiguous to the proposed parking lot and felt the church had taken on the flavor of a commercial entity and was encroaching into the neighborhood. She was not in favor of the project.

Ms. Tammy Martin, 12925 82nd Avenue, Sebastian, said she shared the property line with the food pantry and at present there was no buffer. She submitted eight photographs into evidence showing vehicles in the alleyway behind the food pantry and stated she would be glad to have some organized parking and was in favor of the project.

Chairman Zimmerman inquired if lights were part of the proposed plan. Mr. McCoy responded they were not; however it could be made a condition if the members wished.

Chairman Zimmerman noted the "No Parking" signs were obviously being ignored and wondered what additional measures could be taken for 129th Place, the alley, and along Roseland Road in front of neighboring houses.

Ms. Marilyn Waldis, 1462 Bevan Drive, Sebastian, stressed the church had tried to do its best to keep vehicles off the streets and had put up signs to try and eliminate parking problems.

Ms. Earnshaw strongly recommended telling clients of the food pantry they would not receive services if they did not park where they were supposed to.

Ms. Gloria Fennell, 925 Gulfstream Avenue, Sebastian, expressed concerns about safety because of cars backing out onto Roseland Road.

Ms. Kathy Kelso, 12905 82nd Court, Sebastian, said she had lived adjacent to the food pantry since 1973 and spoke in favor of the project.

Mr. Todd Smith pointed out there was currently a six foot high wooden fence from the property to the west and the proposed site. He described the canopy and understory trees and shrubbery that were proposed for buffering between the west property and the subject property, adding he felt it would be more residential in nature than existed at the present time. He confirmed there were no lights proposed with the project and said he had no problem with any condition in that regard.

Chairman Zimmerman closed the public hearing at 7:59 p.m.

Mr. McCoy advised there would be signs to direct traffic back to Roseland Road to make sure anybody coming in would exit back to the south.

Mr. Stewart wondered if PZC could recommend a traffic study be done as to whether the alley should be one-way.

Attorney DeBraul responded the members could recommend that staff consult with the engineer of record and provide additional input as to the issue of traffic, and list the items of concern. He suggested the problem might best be resolved with using volunteer deputies during peak times to instruct people where they could and could not park.

Ms. Caldarone felt the landscape buffers would help with the parking situation.

ON MOTION BY Mr. Brognano, SECONDED BY Mr. Stewart, to recommend that the Board of County Commissioners grant special exception use approval for the church parking lot with the conditions that a Type "B" buffer be constructed prior to operation or use of the site; that there be new signage on Roseland Road to prevent parking in front of residences and clear signage as to what direction the alleyway should flow, to be discussed between staff and members of the community.

Chairman Zimmerman suggested lighting might be mentioned.

ON AMENDED MOTION BY Mr. Brognano, AMENDED SECOND BY Mr. Stewart, the members voted unanimously (4-0) to recommend that the Board of County Commissioners grant special exception use approval for the church parking lot with the conditions that a Type "B" buffer be constructed prior to operation or use of the site; that there be new signage on Roseland Road to prevent parking in front of residences and clear signage as to what direction the alleyway should flow, to be discussed between staff and members of the community; there is to be no lighting on the new parking spaces. Mr. Rednour abstained.

Commissioner's Matters

There were none.

Planning Matters

Mr. McCoy updated the members on recent action taken by the BCC on planning matters that had been before the PZC. He thought it unlikely there would be a July 10, 2014 PZC meeting; however it was very likely there would be a meeting on July 24, 2014. Mr. McCoy mentioned the Gifford Neighborhood Plan would be discussed by the BCC at its July 15, 2014 meeting.

Attorney's Matters

There were none.

Adjournment

There being no further business, the meeting adjourned at 8:06 p.m.

Chairman Sam Zimmerman

Date

Reta Smith, Recording Secretary

Date