

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (PZC) on Thursday, August 28, 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; **Dr. Jonathan Day**, District 4 Appointee; **Brad Emmons**, District 5 Appointee; **Jordan Stewart** and **Todd Brognano**, Members-at-Large; and **Carol Johnson**, non-voting School Board Liaison.

Absent was **Maria Caldarone**, District 3 Appointee (excused).

Also present was IRC staff: Bill DeBaal, Deputy County Attorney; Stan Boling, Community Development Director; John McCoy, Chief, Current Development; Roland DeBlois, Chief of Environmental Planning and Code Enforcement; 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. Emmons, SECONDED BY Mr. Brognano, the members voted unanimously (6-0) to approve the minutes of the meeting of August 14, as presented.

Item on Consent:

Chairman Zimmerman read the following into the record:

- A. Transocean Commercial Development:** Request for administrative permit use approval for an outdoor storage area (unenclosed). Transocean Properties, LLC, Owner. W. F. McCain & Associates, Inc., Agent. Located behind the existing structure located at 180 Old

Dixie Highway. Zoning: CH, (Heavy Commercial). Land Use Designation: C/I, (Commercial/Industrial). (AA-14-10-122/200011019-72935) **[Quasi-Judicial]**

Chairman Zimmerman inquired if anyone wished to be heard on this matter. Nobody came forth.

ON MOTION BY Mr. Brognano, SECONDED BY Dr. Day, the members voted unanimously (6-0) to grant administrative permit use approval for the 2,954 square foot outdoor storage area.

Public Hearing – Continued from August 14, 2014

Chairman Zimmerman read the following into the record:

A. Harmony Reserve: Request to rezone approximately 122.06 acres from RS-3 (Residential Single-family up to 3 units/acre) to PD (Planned Development) and to obtain conceptual PD plan approval for a residential project to be known as Harmony Reserve, consisting of 301 single-family lots and 96 multi-family villa units. Located west of 58th Avenue, between 37th Street on the north and 33rd Street on the south. Harmony Reserve, LLC, Owner. Schulke, Bittle & Stoddard, LLC, Agent. Zoning: RS-3 (Residential Single-family up to 3 units/acre). Land Use Designation: L-2, Low Density 2 (up to 6 units/acre). Density: 3.26 units/gross acre. (PD-14-06-05/97080101-72309) **[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. He mentioned he had spoken to Mr. Stan Boling, IRC Community Development Director about this project earlier today. All of the remaining 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. John McCoy, IRC Chief of Current Development, stated he had spoken to a number of neighboring residents and most of their comments had been related to traffic concerns. He advised staff had received two letters related to traffic improvements, one from the Board of Directors of The Sanctuary of Indian River, Inc. (The Sanctuary) and the other from Mr. Jim Ellis, a resident of The Sanctuary, and a copy of those letters is on file in the Commission Office.

Mr. McCoy reviewed the information contained in his memorandum dated August 22, 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 recommend that the Board of County Commissioners (BCC) grant approval of the PD rezoning request and the PD conceptual plan, subject to the conditions listed in his memorandum.

Chairman Zimmerman noted page four of the staff report compared RS-3, the current zoning, to the proposed PD and wondered if there would be less of a traffic impact because this was a 55+ community.

Mr. Boling felt these types of designs with smaller lots and homes closer together and multi-family attached residences tended to have a lower traffic trip rate than single family detached homes, and the character of the unit itself and the way it was laid out was one factor. He added a 55+ community was also a characteristic that had lower trip generation rate than a conventional single-family development. Mr. Boling clarified the State criteria of housing for older persons was that at least 80% of the occupied units would be occupied by at least one person 55 years of age or older, and he understood that was who the project would be marketed to.

Mr. Chuck Mechling, representing the applicant, confirmed the project would be an age-restricted 55+ community as per State regulations.

Buffers and sidewalks were discussed.

Mr. Mechling introduced members of the team connected with the project and gave a PowerPoint presentation outlining the design and proposed amenities.

Chairman Zimmerman opened the public hearing at 7:43 p.m.

Ms. Andrea Moore, 3394 63rd Square, The Sanctuary, expressed concerns about feral pigs and bobcats currently on the site; mosquito and midge management on the wetlands; stormwater control of the ponds in the event of a hurricane; and increased traffic due to lack of a left turn lane eastbound on 33rd Street into the Harmony Reserve (Harmony) development. She also thought there should be an additional left turn lane from 33rd Street onto 58th Avenue.

Mr. Brian Good, Kimley-Horn & Associates, the Traffic Engineer for the applicant, advised it was in the County's Five Year Capital Improvement Program plan to construct northbound and southbound left-turn lanes at 33rd and 37th

Streets, which was already funded for construction in 2015-2017. He advised as far as an eastbound left-turn lane at the entrance to Harmony, the volume of turning movement projected with the community fell far short of the County's numerical warrant for the necessity for the improvement to be constructed so adding an eastbound left-turn lane at 33rd Street at 58th Avenue had not been demonstrated to be warranted.

Mr. George Glenn, 2980 59th Avenue, wondered how the trip generation reduction for an-age restricted community had been arrived at.

Mr. Good explained how the trip generation rate had been configured by the Institute of Transportation Engineers and an independent study done by Kimley-Horn & Associates.

Attorney Glenn questioned traffic links that had been included in the study.

Mr. Chris Mora, IRC Public Works Director, confirmed the traffic study did not deviate from the engineering science of traffic engineering or any of the County's rules and regulations in making the determinations.

Discussion followed about the volume of traffic and road capacity of 33rd and 37th Streets.

Mr. Mora pointed out the widening of 66th Avenue would relieve the amount of traffic on 58th Avenue when it was completed, and he estimated a 30% to 40% reduction in traffic on 58th Avenue. He added the intersections at 33rd and 37th Streets and 58th Avenue had not exhibited a high rate of accident even during times of traffic moving over to 58th Avenue from 66th Avenue because of ongoing construction.

Mr. Glenn noted the Harmony property consisted of approximately 122 acres with over 100 acres of either native upland or wetlands and he wondered if the Environmental Study Analysis (ESA) was correct regarding the environmental makeup of the property.

Mr. Roland DeBlois, IRC Chief of Environmental Planning and Code Enforcement, said County staff had visited the site under previous reviews and were familiar with the property and he was confident the ESA reflected the current site conditions. He noted the high resolution of recent aerials was almost a better review than site visits due to the size of the property, coupled with verifications from the St. Johns River Water Management District

Mr. William Kerr, the Environmental Consultant on the project, stated the process the County went through was very similar to surrounding counties and described how the Preliminary Wetlands and Endangered Species assessment had been done. He noted over 1.1 million acres in South Florida had the same type of habitat that existed on the subject property, and there was nothing on the site that could be considered rare and endangered.

Discussion followed about the native upland set-aside requirement in the County's code.

Mr. Jim Davis, 775 Broadway Street, Vero Beach, related he was associated with the Breath of Heaven Ministries, which owned a small out parcel fronting 37th Street. He expressed concern about how construction traffic travelling west off of 58th Avenue into the project entrance on 37th Street would affect the church property and asked about the buffer on the west side of the development.

Mr. McCoy indicated the L-shaped parcel to the east of Breath of Heaven Ministries was owned by the developer and would remain undeveloped as part of the project and the narrowest buffer would be 25 feet.

Mr. Davis felt it would be preferable if the 25 foot buffer area could be expanded to 50 feet and if the project could be done in phases with the rest of the property left undisturbed until it was developed, and asked that any reduction in lot width be away from the perimeter of the church property. He wondered if the westbound left turn lane on 37th Street serving the western entrance could be shifted further east so the traffic would not impact the Breath of Heaven Ministries property.

Mr. Mechling asked Mr. Davis to contact him and he would be happy to discuss the project with him because he wanted to be a good neighbor.

Chairman Zimmerman asked Mr. Mechling if he would agree to make it a condition of approval that clearing on the site be done in phases as the project was developed.

Mr. Mechling responded in the affirmative and said even within Phase One the individual lots would be left as natural vegetation where possible, adding he would instruct the concrete companies and heavy equipment people to access the property from 66th Avenue.

Chairman Zimmerman called a recess at 8:55 p.m. and reconvened the meeting at 9:03 p.m.

Mr. George Moore, 6285 33rd Manor, The Sanctuary, inquired when groundbreaking would take place and what the estimated cost of homes would be.

Mr. Mechling stated if the project was approved it was hoped the first models would be done by March, 2015. He estimated the villas would be priced under \$200,000 and the homes would cost as much as \$350,000 depending on finishes required by the buyer.

Mr. Steve Kovaleski, 6310 37th Street, said he had no objection to the project but wondered if the applicant would consider having construction trucks use either 58th Avenue or 37th Street to access the site because of traffic concerns.

Mr. Mechling reiterated he would direct his construction people to use 66th Avenue.

Mr. Jeff Thompson, 2327 Seville Avenue and Ms. Julianna Young, 5865 34th Lane felt this would be a quality development and spoke in favor of the project.

Mr. Terry Ross, Breath of Heaven Ministries, opined there were a lot of properties in the County that were only partially developed and had been abandoned, and wondered why some of those projects could not be completed rather than starting new projects.

Chairman Zimmerman closed the public hearing at 9:15 p.m.

ON MOTION BY Mr. Brognano, SECONDED BY Mr. Emmons, the members voted unanimously (6-0) to recommend the Board of County Commissioners grant approval of the PD rezoning request and the PD conceptual plan, subject to staff's conditions and providing all construction traffic access the site from 66th Avenue and clearing of the property would only be permitted in active areas with reasonable accommodations.

Commissioner's Matters

There were none.

Planning Matters

Mr. Boling confirmed there would be a PZC meeting on September 11, 2014 with one public hearing scheduled.

Attorney's Matters

There were none.

Adjournment

There being no further business, the meeting adjourned at 9:16 p.m.

Chairman Sam Zimmerman

Date

Reta Smith, Recording Secretary

Date