

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (PZC) on Thursday, December 11, 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 **Shawn Frost**, 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; 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 November 13, 2014, as presented.

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. Mr. Emmons disclosed he had a conflict on Item #3 A. concerning Pawprints and would recuse himself; and submitted a Memorandum of Voting Conflict form which is on file in the Commission Office.

Items Not on Consent:

Chairman Zimmerman read the following into the record:

- A. Pawprints:** Request to change an administrative permit use condition for the Pawprints dog grooming/training establishment to increase the number of permitted overnight animals from 40 to 85. Pawprints of Vero Beach, Inc., Owner. Schulke, Bittle & Stoddard, LLC, Agent. Located at 7900 12th Street. Zoning: A-1 (Agricultural-1 up to 1 unit per 5 acres). Land Use Designation: AG-1 (Agricultural-1 up to 1 unit per 5 acres). (SP-MI-15-01-03 / 2005120059-73454) **[Quasi-Judicial]**

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, reviewed the information contained in his memorandum dated December 1, 2014 and gave a PowerPoint presentation, copies of which are on file in the Commission Office.

Mr. Jeff Barkett, Schulke, Bittle & Stoddard, 1717 Indian River Blvd., Vero Beach, representing the applicants, offered to answer any questions or make any necessary clarifications on issues the Board might have.

Attorney Bill DeBaal, IRC Deputy County Attorney, wondered if there would be any time where all of the dogs would be outside at one time.

Mr. Barkett did not believe there would be an instance when all the dogs would be outside at the same time. He mentioned the applicants had been in business on the site for eight years and were doing so well they needed to expand the overnight boarding facilities and separate the day care facility from the boarding facility.

Ms. Kim Conti, the applicant, confirmed the animals went out in stages at night to control the noise. She advised she had 22 employees which included trainers, handlers, concierges, bathers and groomers on the premises. Mr. Barkett added there was a security fence around the perimeter as required by the site plan.

Discussion followed about what entity was responsible for regulation of this type of facility.

Chairman Zimmerman noted there had been no IRC Code Enforcement violations in the past five years the facility had been in operation.

The following individuals spoke in favor of the applicant's request:

- Ms. Daphne Robb, 645 32nd Avenue S.W., Vero Beach
- Ms. Carol Roberts, 1314 Coverbrook Lane, Sebastian

ON MOTION BY Dr. Day, SECONDED BY Mr. Brognano, the members voted unanimously (5-0) to approve the requested modification to the administrative permit use approval condition to allow an increase in overnight boarding of animals from 40 to 85 with the conditions outlined by staff. Mr. Emmons abstained.

Chairman Zimmerman read the following into the record:

- B. Providence Pointe:** Request for preliminary PD plan/plat approval for a project to be known as Providence Pointe Phase I. Phase I proposes the infrastructure to support 196 units (including multi-family, single-family attached, and single-family detached units) and 36,000 sq. ft. of commercial development. Providence Pointe Vero Beach, LLC, Owner. Schulke, Bittle & Stoddard, LLC, Agent. Located south of 53rd Street, west of 58th Avenue, and north of 49th Street. Zoning: PDTND (Planned Development Traditional Neighborhood Design). Land Use Designation: L-1 (Low Density Residential 1 up to 3 units/acre). Density: 1.96 units/acre. (PD14-09-09 / 2004110179-72740) **[Quasi-Judicial]**

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

Mr. McCoy reviewed the information contained in a memorandum dated November 26, 2014 and gave a PowerPoint presentation, copies of which are on file in the Commission Office.

Dr. Day noted Section #3, Subsection (d) of staff's recommendations said "All buildings in the Market Place shall be two stories or have a vertical mass similar to a two story building, unless otherwise approved by the PZC", and wondered if this was something that would come back to the Board at a later date.

Mr. McCoy responded the commercial aspects of the buildings might not as long as they were consistent with the conceptual plan; however anything that was not consistent with that plan would come back to the PZC.

Dr. Day asked if there would be any control over restricting the planting and maintenance of Caribbean Fruit Fly and Citrus Greening host plants after the development was completed.

Mr. McCoy stated the restriction would go on the final plat as a notice to owners and was intended to be a permanent warning that those plants not be planted or maintained.

Mr. Joseph Schulke, representing the applicant, indicated he concurred with staff's conditions. He acknowledged this was a large project with a lot of infrastructure and the PZC would see more detailed site plans at a later date.

ON MOTION BY Mr. Brognano, SECONDED BY Mr. Rednour, the members voted unanimously (6-0) to grant preliminary PD plan/plat approval for Phase 1 (infrastructure phase), with the conditions contained in staff's report.

Public Hearings:

Chairman Zimmerman read the following into the record:

- A. Hampton Woods East PD:** Request for conceptual PD special exception use approval for a 4 lot single-family planned development. Beth Atamer, Owner. Mills, Short & Associates, Agent. Located south of 16th Street and east of 46th Avenue. Zoning: RS-2 (Residential Single-Family up to 2 units/acre). Land Use Designation: L-1 (Low Density Residential 1 up to 3 units/acre). Density: 1.03 units/acre. (PD-14-09-10 / 95050141-72802) **[Quasi-Judicial]**

Mr. McCoy reviewed the information contained in a memorandum dated December 5, 2014 and gave a PowerPoint presentation, copies of which are on file in the Commission Office.

Mr. Rednour asked if the undeveloped land behind the project might be able to be developed in the future. Mr. McCoy said there could be another in-fill development at that location.

The petition program for sewer service was discussed.

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

Mr. Wesley Mills, Mills, Short & Associates, 800 8th Street, Vero Beach, representing the applicant, clarified this project consisted of four lots within an existing subdivision on a private street. He confirmed a dry line was being put in to have a plan in place to tie into the sewer force main once 43rd Avenue was widened. He stated the existing lots were very similar in nature to the proposed project as far as tree preservation was concerned and would be consistent with the surrounding development.

Discussion followed about easements and maintenance on the private road.

Ms. Anne Mays, 1545 46th Avenue, noted significant amounts of money had been expended by the neighbors with no formal agreement to maintain the private road and she was concerned about her investment. She felt the proposed use of the subject property was reasonable but expressed concern about construction vehicles and power lines having to go into the project, which she feared would drastically affect the character of the street with a possible loss of some of the trees.

Mr. Craig Callan, 1575 46th Avenue, was in favor of the 25-foot tree preservation easement recommended by staff because of the character of the neighborhood, and agreed with Ms. Mays about possible road damage from the construction vehicles.

Mr. Dwight Baker, 1590 46th Avenue, had no objection to the project but wanted clarification about where the utility lines would go.

Mr. Mills responded the water line would run between the lots to the north and along the front, adding the dry conduit being stubbed in place for future sewer connection stopped at the northeast corner. He thought the electricity would be underground and go down 46th Avenue.

ON MOTION BY Mr. Brognano, SECONDED BY Dr. Day, the members voted unanimously (6-0) to recommend that the Board of County Commissioners grant special exception and conceptual PD plan use approval for Hampton Woods East, with the conditions listed in staff's report.

Chairman Zimmerman read the following into the record:

- B.** Consideration of Land Development Regulations (LDR) Amendment to Section 915.28, Allowing for Planning & Zoning Commission Approval of Certain Modifications to Planned Development (PD) Setbacks and Other Dimensional Criteria [Legislative]

Mr. Stan Boling, IRC Community Development Director, reviewed information contained in his memorandum dated December 5, 2014 and gave a PowerPoint presentation, copies of which are on file in the Commission Office.

Chairman Zimmerman opened the public hearing at 8:26 p.m., and since no one wished to speak the public hearing was closed.

ON MOTION BY Dr. Day, SECONDED BY Mr. Brognano, the members voted unanimously (6-0) to recommend that the Board of County Commissioners adopt the proposed LDR amendment.

Commissioner's Matters

Chairman Zimmerman praised IRC Planning staff for the excellent work they did on behalf of County residents and thanked them for the guidance offered during his term on the Board. Fellow members and staff thanked Mr. Zimmerman for his service as Chairman of the PZC.

Planning Matters

There were none.

Attorney's Matters

There were none.

Adjournment

There being no further business, the meeting adjourned at 8:28 p.m.

Chairman Sam Zimmerman

Date

Reta Smith, Recording Secretary

Date