PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (PZC) on Thursday, December 14, 2023 at 6:00 PM in the Commission Chambers of the County Administration Building, 1801 27th Street, Vero Beach, Florida. You may view a video of the meeting and/or review the meeting agenda, backup material and minutes on the Indian River County website.

Present were the following members: **Ms. Beth Mitchell**, District 1 Appointee; **Mr. Calvin Reams,** District 3 Appointee; **Mr. Jordan Stewart**, Member-at-Large; **Mr. Chip Landers**, Alternate Member; and **Ms. Teri Barenborg**, non-voting School Board Liaison were present.

Chairman **Dr. Jonathan Day,** District 4 Appointee; Vice Chairman **Mr. Todd Brognano**, Member-at-Large; **Mr. Robert Votaw**, District 2 Appointee; and **Mr. Mark Mucher**, District 5 Appointee were absent.

Also present were IRC staff members: Ms. Susan Prado, Deputy County Attorney; Mr. Andy Sobczak, Planning and Development Services Director; Mr. Brandon Creagan, Chief of Current Development; Mr. Patrick Murphy, Senior Planner of Current Development; Ms. Cindy Thurman, Senior Planner of Long Range Planning; and Recording Secretary, Ms. Lisa Plesnarski, Commissioner Assistant.

Call to Order and Pledge of Allegiance

Deputy County Attorney Ms. Susan Prado called the meeting to order at 6:00pm. Ms. Prado explained that the Chairman and Vice Chairman are absent for this meeting and that Mr. Chip Landers will serve as acting Chairman. Ms. Prado noted that there is a minimum quorum of four Commissioners for the meeting and that items must be passed by a 4-0 vote. Ms. Prado informed the applicants they can request their item be removed if they wish. All stood for the Pledge of Allegiance.

Additions and Deletions to the Agenda

Mr. Andy Sobczak, Planning and Development Services Director, requested that Item 5.B. be removed from the agenda.

Approval of Meeting Minutes

ON MOTION BY Beth Mitchell, SECONDED BY Calvin Reams, the members voted unanimously (4-0) to approve the October 26, 2023 meeting minutes as presented.

Items Not On Consent

Mr. Landers read the following:

4A. Sebastian Landing PD: Request for preliminary PD plan/plat approval for a 72-unit multi-family apartment complex with associated amenities (e.g. cabana, pool, walking trail) to be known as Sebastian Landing PD. Gaddis Properties, LLC, Owner. WGI, Inc., Agent. Located on the east side of U.S. Highway 1, south of 109th Street. Zonings: RM-6, Residential Multiple-Family (up to 6 units per acre) and CON-2, Estuarine Wetlands Conservation District. Land Use Designations: L-2, Low-Density Residential-2 (up to 6 units/acre) and C-2, Conservation-2 (up to 1 unit/40 acres). Density: 7.43 units/acre. [PD-22-05-03 / 2004120183-91919]] **[Quasi-Judicial]**

Mr. Landers asked if any members had any ex-parte communication or conflict that would not allow them to make an unbiased decision. There were none.

The secretary administered the testimonial oath to those present who wished to speak.

Mr. Patrick Murphy, Senior Planner of Current Development, gave a brief overview of the Planned Development Review process. Mr. Murphy noted that the applicant has completed the first step of the process, the PD special exception & conceptual PD plan, which was approved on December 7, 2021. Mr. Murphy gave an analysis of the request for preliminary planned development (PD) plan/plat approval for a 72 unit multi-family apartment complex to be known as Sebastian Landing PD and gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners (BCC) Office. Mr. Murphy showed a location map of the project located east of US Hwy. 1, west of the Indian River Lagoon, and south of 109th Street. Mr. Murphy showed an aerial map with the site plan overlayed and pointed out the location of adjacent subdivisions. Mr. Murphy showed a preliminary site plan map and indicated the location of the four planned buildings. Mr. Murphy showed a traffic circulation plan map and the location of the resident and guest entrances as well as the exit and fire department turnaround. Mr. Murphy explained the stormwater plan consists of three interconnected ponds and showed the stormwater plan map for reference. Mr. Murphy showed a map of the proposed landscape plan and described there will be a 25 foot Type B landscape buffer with a six foot opaque feature along the north, west, and south sides. Mr. Murphy noted the location of the existing wetlands and existing thick tree canopy and explained they are being left intact with a path for pedestrians. Mr. Murphy explained that each of the stormwater ponds will have lake shoreline trees and littoral shelves to help filter nutrients. Mr. Murphy ended by summarizing the conditions listed in the staff report and recommended the PZC grant preliminary PD plan/plat approval for the Sebastian Landing PD.

Deputy County Attorney Ms. Susan Prado spoke about some of the environmental issues indicated in the staff report, specifically the dedication of conservation easements for native uplands and wetlands. Ms. Prado clarified that the establishment of the conservation easements is required prior to the platting and there will be a separate conservation easement document required from the applicant prior to their receipt of a Land Development Order.

Mr. Landers asked if there were any commissioner questions. There were none.

Mr. Landers opened the public hearing.

The secretary administered the testimonial oath to those present who wished to speak.

Mr. Joseph Paladin of Black Swan Consulting, the owners representative on this project, was present and said he was available to answer any questions. Mr. Paladin introduced planner Matt Barnes. Mr. Barnes, senior project manager with WGI, was present and briefly reviewed the history and timeline of project approvals. Mr. Barnes noted the number and location of buildings/units and parking has remained unchanged. Mr. Barnes confirmed that the project has met staff approval and said he was available to answer any questions.

Mr. Joseph Braun was present, representing the River Run of Sebastian Condominium Association. Mr. Braun asked if the planned streetlighting would be shielded so to not affect the residents of River Run. Mr. Braun asked for clarification that the landscape plan pertaining to the wall on the north side of the property has remained unchanged. Mr. Braun explained that this area is what will be seen by the residents of River Run. Mr. Braun asked for further information about the planned marina. Mr. Braun asked if a 24 hour contact would be available to contact in the event of any neighborhood emergencies. Mr. Braun also requested copies of the information presented tonight.

Mr. Murphy responded to Mr. Braun and explained that lighting is required to be directed down and shielded as per the County Code. Mr. Murphy said that the light pole locations are shown on the site plan map and explained that the applicant still has to obtain a land development permit which will reiterate this requirement. Mr. Murphy said the applicant has a berm and six foot fence along their north property line and that there is no requirement for the construction of a wall. Mr. Murphy noted that berms with a fence on them are commonly used and have been successful and sufficient for buffering.

Mr. Murphy spoke about the marina and said that the applicant still needs to obtain permits and DEP and St. John’s approval’s for the concept dock. Mr. Murphy said the intent is not for a commercial marina, but there are a few planned boat slips and deferred to the applicant for further details. Mr. Murphy explained there will be a leasing office on site within the facility that will be open during office hours. Mr. Braun asked if an after-hours contact number would be available. Ms. Prado explained that once the property is developed and tenants are in place, any after hours complaints would be directed to the sheriff’s office. Mr. Landers said that most leasing offices have an emergency contact number available in the event of issues outside of office hours.

Mr. Landers asked if there were any commissioner questions. Mr. Landers asked about whether or not the planned boat slips would be for day use, or sold for use on a permanent basis. Mr. David Offstein was present on behalf of the owner. Mr. Offstein explained they have submitted permit applications to the DEP and St. John’s and clarified that this is not intended to be a commercial marina, but an amenity such as a few temporary day docks.

There being no further comments, Mr. Landers closed the public hearing.

Mr. Landers asked if there were any further Commissioner Questions. There were none.

ON MOTION BY Calvin Reams, SECONDED BY Jordan Stewart, the members voted unanimously (4-0) to approve the request for preliminary PD/plat approval with the conditions listed in the staff report on this Quasi-Judicial matter.

4B. Mandala Village PDTND Phase 1: Request for preliminary PD plan/plat approval for Phase 1 of a development to be known as Mandala Village PDTND. Phase 1 is to include 168 residential units, two mixed use buildings (office, retail, residential), and amenity/recreation areas, stormwater areas, landscape buffers, and other associated site improvements. Mandala Village, LLC, Owner. Mills, Short & Associates, Inc., Agent. Located at the northwest corner of the 58th Avenue/53rd Street intersection. Zoning: PDTND, Planned Development Traditional Neighborhood Design. Land Use Designations: L-1, Low-Density Residential-1 (up to 3 units/acre) and AG-1, Agriculture-1 (up to 1 unit/5 acres). Phase 1 Density: 2.13 units/acre. [PD-21-04-03 / 2005120297¬88861] **[Quasi-Judicial]**

IRC Chief of Current Development Brandon Creagan gave a brief overview of the Planned Development Review process and the project's approval history. Mr. Creagan gave an analysis of the request for preliminary planned development (PD) plan/plat approval for Phase 1 of a development to be known as Mandala Village PDTND and gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners (BCC) Office. Mr. Creagan showed a location map of the project located on the west side of 58th Avenue, north of 53rd Street. Mr. Creagan noted that located directly to the south is the Providence Pointe subdivision which was approved for Phase 1 and Phase 2 development by the Planning and Zoning Commission a few months ago. Mr. Creagan showed an aerial map with the site plan overlayed. Mr. Creagan showed an overall conceptual PD plan and noted the proposed locations of Phase 1 and Phase 2. Mr. Creagan explained that today's meeting is pertaining to Phase 1, which will consist of 168 residential units, two mixed-use buildings, amenity and recreation areas; as well as the stormwater areas, landscape buffers and associated site improvements. Mr. Creagan showed the stormwater plan map for reference and described the location of the stormwater ponds on the north and eastern sides of the development. Mr. Creagan showed a traffic circulation plan map and noted the location of the access connections. Mr. Creagan showed the preliminary landscape plan map and the locations of the planned perimeter buffers. Mr. Creagan ended by summarizing the dedications, improvements, and conditions listed in the staff report and recommended the PZC grant preliminary PD plan/plat approval for Mandala Village PDTND.

Mr. Landers asked if there were any commissioner questions. Mr. Landers asked about the reference to a private road with public access. Mr. Creagan clarified that none of the access roads will be gated and that there will potentially be public access to any future planned amenities. Mr. Wesley Mills with Mills, Short, & Associates was present and clarified that there will be a gate set back into the location with restricted access to the residential portion, and that the commercial portion of the project will not be gated. Mr. Mills showed the locations on the site plan map for reference.

Mr. Landers opened the public hearing.

There being no public comments, Mr. Landers closed the public hearing.

Mr. Landers asked if there were any further Commissioner Questions. There were none.

> **ON MOTION BY Beth Mitchell, SECONDED BY Jordan Stewart, the members voted unanimously (4-0) to approve the request for preliminary PD/plat approval with the conditions listed in the staff report on this Quasi-Judicial matter.**

Public Hearing

Mr. Landers read the following:

5A. School Street Apartments LLC. Request to Rezone +2.0 Acres from RS-6, Residential Single-Family District to RMH-8, Residential Mobile Home District (RZON96050010-95727) **[Quasi-Judicial]**

Ms. Cindy Thurman, Senior Planner of Long Range Planning, gave an analysis of the request and gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners (BCC) Office. Ms. Thurman described the location of the subject property and explained the purpose is for the applicant to be able to secure the necessary zoning in order to develop the site with uses permitted in the RMH-8 zoning district. Ms. Thurman noted the applicant owns an adjacent property and would like to add the subject property to the overall site for redevelopment. Ms. Thurman showed the project location on zoning and future land use maps for reference and explained the differences between the RS-6 and RMH-8 zoning district designations. Ms. Thurman briefly reviewed the rezoning request's consistency with the M-2 future land use designation. Ms. Thurman discussed the concurrency review done in relation to this request and consistency with the comprehensive plan, land development regulations, and existing and proposed land uses. Mr. Thurman said that no adverse impacts to the environment are anticipated and noted that a detailed analysis would be conducted during the development review process.

Ms. Thurman ended her presentation by recommending the PZC recommend that the BCC approve the request to rezone from RS-6 to RMH-8.

Mr. Landers asked if there were any Commissioner questions.

In response to a question from Mr. Landers, Ms. Thurman showed the location of access to the subject property off 54th Drive. Ms. Thurman also explained that sewer capacity is potentially available to the property and that a traffic concurrency review would be conducted during the land development site plan process.

Mr. Jeff Barkett of Schulke, Bittle, and Stoddard was present and said he was available to answer any questions. Mr. Landers asked a question about the total potential number of mobile homes. Mr. Barkett said he was unsure, but that if the request for rezoning is granted, the applicant's total area will be approximately 15-16 acres.

Mr. Landers asked if there were any further Commissioner questions. There were none.

Mr. Landers opened the floor for public discussion.

There being no public comments, Mr. Landers closed the public hearing.

> **ON MOTION BY Jordan Stewart, SECONDED BY Beth Mitchell, the members voted unanimously (4-0) to approve the request to Rezone +2.0 Acres from RS-6, Residential Single-Family District to RMH-8, Residential Mobile Home District with the conditions listed in the staff report on this Quasi-Judicial matter.**

5B. Riverfront Groves, Inc.'s Request to Rezone +2.0 Acres from RS-6, Residential Single-Family District to RMH-8, Residential Mobile Home District (RZON96050010-95727) **[Quasi-Judicial]**

Ms. Prado explained that this public hearing was removed due to a conflict of interest that prohibited a voting quorum. Ms. Prado said this hearing will be rescheduled at another time.

Commissioners Matters

There were none.

Planning Matters

There were none.

Attorney's Matters

There were none.

Adjournment

There being no further business, the meeting was adjourned at 6:50pm.