

**PLANNING AND ZONING BOARD MINUTES
THURSDAY, MARCH 16, 2023 - 1:30 PM
BETHEL CREEK HOUSE, 4405 HIGHWAY A1A, VERO BEACH, FLORIDA**

PRESENT: Chairman, Jeb Bittner; **Members:** Jason Ground (arrived at 1:34 p.m.), Timothy Velde, Alternate Member, Elliese Shaughnessy and Alternate Member, Jake McCrae **Also Present:** Senior Planner, Gayle Lafferty; Principal Planner, Cheri Fitzgerald; Planning Director Jason Jeffries; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

Excused Absences: Jose Prieto and Robin Pelensky

Today's meeting was called to order at 1:30 p.m.

I. PRELIMINARY MATTERS

A. Agenda Additions and/or Deletions

None

II. APPROVAL OF MINUTES

A. Regular Meeting – February 2, 2023

Mr. McCrae made a motion to approve the minutes of the February 2, 2023 Planning and Zoning Board meeting. Ms. Shaughnessy seconded the motion and it passed unanimously.

III. PUBLIC COMMENT

None

IV. PUBLIC HEARINGS

[Quasi-Judicial]

A. Site Plan Application Submitted by Kevin Hawkins to Construct an 11-Unit Multi-Family Residential Dwelling Unit at 1945 41st Avenue (#SP22-000004)

The Chairman read Site Plan Application #SP22-000004 submitted by Kevin Hawkins by title only.

There were no ex parte communications reported.

The Deputy City Clerk swore in staff present for today's hearing en masse.

Ms. Gayle Lafferty, Senior Planner, who has been sworn in, went over staff's report accompanied by a Power Point presentation with the Board members (attached to the original minutes). Staff finds that the site plan application meets the provisions for site plan approval and recommends approval with conditions as outlined in staff's report.

*Please note that during the presentation Mr. Ground entered the meeting. Mr. Bittner asked Mr. Ground if he had any ex parte communications. Mr. Ground answered no.

Mr. John Turner, City Attorney, explained that normally when a Board member arrives after a meeting has been called to order they would not be permitted to participate. However, because the meeting is being held at a different location he was allowing a few extra minutes for members to arrive.

The Deputy City Clerk swore in Mr. Todd Smith.

Mr. Todd Smith, Design Engineer for the project, who has been sworn in, stated that this is the fourth component of a four (4) phase project. He reported that once completed they would have a total of 33 units of much needed affordable housing in the City.

Mr. Bittner made a motion to approve the Site Plan Application #SP22-000004 submitted by Kevin Hawkins to construct an 11-unit multi-family residential dwelling unit at 1945 41st Avenue based on competent substantial evidence and subject to the conditions of the staff report. Mr. McCrae seconded the motion.

The Chairman opened and closed the public hearing at 1:40 p.m., with no one wishing to be heard.

The motion passed 5-0 with Mr. McCrae voting yes, Ms. Shaughnessy yes, Mr. Ground yes, Mr. Velde yes and Mr. Bittner yes.

[Quasi-Judicial]

- B. Rezoning Application Submitted by City of Vero Beach (Vero Beach Regional Airport) to Rezone ±7.68 Acres from ALI-1, Airport Light Industrial-1, to ALI-A1, Airport Light Industrial-A1, for Property Located South of Pro Flite Drive, East of Airport Drive and West of Piper Drive (Application #Z23-000001-MAP)**

The Chairman read the Rezoning Application #Z23-000001-MAP submitted by the City of Vero Beach by title only.

There were no ex parte communications reported.

The Deputy City Clerk swore in staff and those present for today's meeting en masse.

Mrs. Cheri Fitzgerald, Principal Planner, who has been sworn in, went over staff's report accompanied by a Power Point presentation with the Board members (attached to the original minutes). Staff recommends approval of the zoning map amendment and to forward it to the City Council for approval.

Mr. Velde referred to the Zoning District Map included in staff's report. He asked if anyone was located in the northwest quadrant where it shows the zoning as ALI-1.

Mr. Jeffries said that was a long term parking lot.

Mr. Velde asked if the proposed property gets taken over, has there been any consideration of changing the zoning on the southwest quadrant so that they were all consistent.

Mr. Jeffries reported that they were currently working on a new Airport Master Plan so there would probably be more changes coming forward, which would come back before the Board.

Mr. Ground asked if there was a reason why this project could not be shifted to the area northeast of Cherokee Drive and Pro Flite Drive.

Mr. John Thompson, of Hanson Professional Services, who has been sworn in, explained that the reason the southern parcel was chosen was because the existing uses within the parcel to the north includes a fuel farm and they want to separate the fuel farm from airport activities.

The Chairman opened and closed the public hearing at 2:00 p.m., with no one wishing to be heard.

Mr. Bittner made a motion to recommend to the City Council approval of the request by the City of Vero Beach to rezone 7.68 acres from ALI-1, Airport Light Industrial-1, to ALI-A1, Airport Light Industrial-A1, for the property located south of Pro Flight Drive, east of Airport Drive and west of Piper Drive, Application #Z23-000001-MAP based on competent substantial evidence. Mr. Velde seconded the motion and it passed 5-0 with Mr. McCrae voting yes, Ms. Shaughnessy yes, Mr. Ground yes, Mr. Velde yes and Mr. Bittner yes.

[Legislative]

- C. An Ordinance of the City of Vero Beach, Florida, Amending the Land Development Regulations by Amending Chapter 62, Article III, Commercial Districts to Revise the List of Permitted Uses in the C-1A, C-1B, B-1 and C-1, Commercial Zoning Districts; Amending Chapter 60 (Appendix. Definitions) to Amend, Delete or Add Use Definitions; Providing for Codification; Providing for Conflict and Severability; Providing for Correction of Scrivener's Errors; and Providing for an Effective Date**

The Chairman read the proposed Ordinance by title only.

Mr. Jeffries went over staff's report accompanied by a Power Point presentation on the draft Ordinance with the Board members (attached to the original minutes). He reported that staff would continue working on the use definitions and they would be holding meetings with commercial property owners in order to get their feedback on what was being proposed. He noted that this was still a draft Ordinance and they were not looking for the Board's recommendation or approval at this time.

Mr. Bittner asked that when this comes back before the Board that they receive a map that shows the location and the boundaries of the districts.

Mr. Jeffries said staff would be meeting with different business groups, such as the Vero Beach Chamber of Commerce, the Indian River County Chamber of Commerce, and the Taxpayer's Association to get their feedback.

Mr. Bittner asked that the Board members receive an invitation to attend these meetings.

Mr. Jeffries said if that is an interest of the Board he could set up something more formal. He noted that he would still like to have the informal meetings because he felt that he would receive more feedback.

Mr. Bittner asked when would the individual property owners get notified of the potential changes to their zoning classification and/or uses.

Mr. Jeffries said they could place a general notice in the utility bills or by doing a direct mailing to make people aware of this prior to it going through the formal rezoning process.

Mr. Bittner said that would be his recommendation.

The Chairman opened the meeting for any public comments at 2:30 p.m.

[Legislative]

D. An Ordinance of the City of Vero Beach, Florida, Instituting a Moratorium on the Acceptance of Applications and Processing of Applications for Code Compliance Certification or Site Plan Approval for Development or Change of Uses Inconsistent with the Proposed Ordinance to Revise the List of Permitted Uses Within the C-1A, C-1B, B-1, and C-1 Commercial Zoning Districts for 180 Days to Allow Time for Formulation and Adoption of an Ordinance with Revised List of Permitted Uses in the City's Commercial Districts; Providing for Exemptions; Setting Forth an Effective Date; and Providing for Hearing Process for Vested Rights Claims

The Chairman read the proposed Ordinance by title only.

Mr. Jeffries went over staff's report accompanied by a Power Point presentation on the proposed Ordinance with the Board members (attached to the original minutes).

The Chairman opened and closed public comments at 1:35 p.m.

Mr. Bittner made a motion to recommend that the Board supports the approval by the City Council to temporarily place a moratorium on commercial uses in the City. Mr. Velde seconded the motion and it passed unanimously.

V. DISCUSSIONS

Mr. Jeffries gave a Power Point presentation on the neighborhood protection (attached to the original minutes). He reported that he has been working with the GIS Department on updating the neighborhood and business districts.

Mr. Bittner asked that the Board members receive a map showing the commercial districts.

Mr. Jeffries said that he would send the Board members a copy of the commercial map that is included in the City's Comprehensive Plan and a copy of the map that is included in today's Power Point presentation.

VI. PLANNING DEPARTMENT MATTERS

Mr. Jeffries gave a brief Legislative update on Senate Bill 102 – Affordable Housing.

VII. BOARD MEMBERS' MATTERS

Mr. Jeffries gave a brief update on the Three Corners project.

VIII. ADJOURNMENT

Today's meeting adjourned at 2:50 pm.

/sp