

**MINUTES
PLANNING & ZONING BOARD
MARCH 10, 2008
5:30 P.M.**

The Planning and Zoning Board met on Monday, March 10, 2008 at 5:30 p.m., located at the Town Hall, 105 Center Street, Dundee, Florida, with Chairperson Mel Percy presiding.

Board Member Burt stated that there was not a quorum present, as the Code requires four members to make a quorum. Board Member Clanton arrived at this time.

CALL TO ORDER:

Chairperson Percy called the meeting to order at 5:34 p.m.

PLEDGE OF ALLEGIANCE:

Chairperson Percy directed the Pledge of Allegiance.

ROLL CALL:

Board Members Present:	Board Member Clanton (<i>arrived at 5:34</i>) Board Member Brooks Board Member Burt Board Member Percy, Chrmn
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Board Members Absent:	Board Member Hall
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Staff Present:	Planning Director Doug Leonard Asst. Town Manager/Clerk DeLegge Asst. Town Attorney Don Wilson Asst. Town Clerk Gay
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Audience Present:	None
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TAB 1: APPROVAL OF MINUTES: February 18, 2008 Meeting

MOTION was made by Board Member Burt, seconded by Board Member Clanton, to approve the minutes of the February 18, 2008 meeting as amended.

Board Member Clanton had some concerns with the minutes. The minutes stated that there was no action taken regarding the item of the joint meeting. **The item failed due to lack of a motion.** She stated that there was a lot of discussion with the Board Members that should be in the minutes because there were a lot of valid points brought

up. Ron Hall stated in his comments that he was concerned that his questions were never answered. The questions are not in the minutes.

Board Member Burt commented on the minutes. On page 3 there is reference to Council Member Johnson and Vice Mayor Carden making comments when neither of them was present at this meeting. He asked a question of the builders that he wanted included in the minutes. **“Board Member Burt asked Mr. Carson what the estimated savings in construction costs might be if the proposal went into effect. Mr. Carson said it would be about \$15,000.00 per unit.”**

Assistant Town Manager/Clerk Joseph DeLegge introduced Kimberly Gay as the new Assistant Town Clerk. She has only been here two weeks. She made the attempt to do these minutes as we were in a hurry to get them done and she does not know the voices.

Assistant Town Clerk Gay apologized to the Board.

Board Member Clanton asked that the minutes be corrected and re-submitted for approval.

TAB 2: PUBLIC HEARING – FUTURE LAND USE AMENDMENT REQUESTS

A. PETITION FOR FUTURE LAND USE AMENDMENT, ESTES GROVES, ET. AL., REQUEST FOR LOW DENSITY RESIDENTIAL (LDR) FUTURE LAND USE FOR A 560 ACRE PROJECT (TEN PARCELS) LOCATED EAST OF LAKE MABEL LOOP ROAD, BISECTED BY CANAL ROAD, FROM APPROXIMATELY ½ MILE NORTH OF ALMBURG ROAD TO APPROXIMATELY ½ MILE SOUTH OF CANAL ROAD. ALSO INCLUDES 75 ACRES AT THE SOUTHWEST CORNER OF THE INTERSECTION OF LAKE MABEL LOOP ROAD AND CANAL ROAD

Planning Director Leonard stated that they met this past week with representatives of Estes Groves and Wheeler Farms. We had a number of questions for them concerning the size of the development and the complexity of what they are proposing. He did not feel that enough of the questions had been answered for this to be accepted and move it ahead as an Amendment to the Comprehensive Plan. Estes Groves and Wheeler Farms were both asked to amend their applications and resubmit them before the April 21, 2008 Planning and Zoning meeting. He asked the Board to defer these two agenda items. He would like to reschedule them for the April 21, 2008 meeting.

Board Member Burt did not have a problem with rescheduling, but he was concerned about the applicant.

Planning Director Leonard stated that he talked to Mr. Chilton, the family representative for the Estes Groves, and he spoke with the representatives of the Wheeler family. They were comfortable with it. He said that the Estes Groves project could get larger over time depending on the market and Mixed Use, to the

point of becoming a DRI. They wanted to defer both projects; Estes Groves and Wheeler Farms Land Use Amendments until the April 21, 2008 meeting.

- B. PETITION FOR A CHANGE OF FUTURE LAND USE CLASSIFICATION, WHEELER FARMS INC., REQUEST FOR A CHANGE FROM "LDR", LOW DENSITY RESIDENTIAL TO "COM" COMMERCIAL FUTURE LAND USE FOR A 76.4 ACRE PROJECT (2 PARCELS) LOCATED ON THE WEST SIDE OF LAKE MABEL LOOP ROAD ADJACENT TO THE SOUTH SIDE OF ALMBURG ROAD**

This item was included in the decision to defer until April 21, 2008.

MOTION was made by Board Member Clanton, seconded by Board Member Brooks, to defer to a future meeting **PETITION FOR FUTURE LAND USE AMENDMENT, ESTES GROVES, ET. AL., REQUEST FOR LOW DENSITY RESIDENTIAL (LDR) FUTURE LAND USE FOR A 560 ACRE PROJECT (TEN PARCELS) LOCATED EAST OF MABEL LOOP ROAD, BISECTED BY CANAL ROAD, FROM APPROXIMATELY ½ MILE NORTH OF ALMBURG ROAD TO APPROXIMATELY ½ MILE SOUTH OF CANAL ROAD. ALSO INCLUDES 75 ACRES AT THE SOUTHWEST CORNER OF THE INTERSECTION OF MABEL LOOP ROAD AND CANAL ROAD; and PETITION FOR A CHANGE OF FUTURE LAND USE CLASSIFICATION, WHEELER FARMS INC., REQUEST FOR A CHANGE FROM "LDR", LOW DENSITY RESIDENTIAL TO "COM" COMMERCIAL FUTURE LAND USE FOR A 76.4 ACRE PROJECT (2 PARCELS) LOCATED ON THE WEST SIDE OF LAKE MABEL LOOP ROAD ADJACENT TO THE SOUTH SIDE OF ALMBURG ROAD**

AYE: Clanton, Brooks, Burt, Percy
NAY: None

TAB 3: PUBLIC HEARING – ZONING REQUESTS

- A. PETITION FOR ZONING, ANTHONY GARCES, REQUEST FOR LOW DENSITY SINGLE FAMILY RESIDENTIAL (RSF-1) ZONING DISTRICT FOR A 5.047 ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF H.L. SMITH ROAD AND LAKE MABEL LOOP ROAD**

Planning Director Leonard stated that the Board Members had a description of this item from Planning Manager Marisa Barmby who is in a class and could not attend this meeting. This item has been heard in the past and Council has referred it back to the Planning and Zoning Board for recommendation for a specific zoning category. There are four existing zoning districts that could be assigned to the property: RSF-1, RSF-2, RSF-3, and Agriculture. They could consider the development of a new zoning district that may fit better. Staff's recommendation is for RSF-1. All of the adjacent properties within the Town are RSF-2. Mr. Morgan was present to represent the property.

Chairman Percy stated that the RSF-1 would be lower density than the adjacent properties.

Board Member Clanton stated that this was originally 5-acre lots minimum by the County. The Planning and Zoning Board was trying not to restrict the property to one house per five acres. They thought that two houses per five acres would be good. They had deferred to staff to come up with new zoning at that time.

Board Member Burt thought there was a big difference between Agriculture and RSF-1. He would like something in between.

Planning Director Leonard stated that as urbanization spreads, they will likely bump against low density, agricultural uses. When you bump against 40 or more acres, it is not as much of an issue as if it one to five acre lots. Those people live there because they do not want to be in the city. We are building a city right next to them. The water and sewer will be running right past their property. The County then allows density to go way up. The spread of urban services changes the pattern of development. A major buffer along the edge of the property can protect the rural setting. That is not an option on small lot like the one they are discussing now. There is also a developed subdivision across the street, which was developed after the five acre lots were there. His recommendation was RSF-1. He felt that was a reasonable density for this piece of property.

Board Member Brooks asked how many houses per acres were allowed with RSF-1.

Planning Director Leonard stated that it is 3.2 homes per acre maximum. They have to be eighty feet wide and 10,000 square foot minimums. The homes have to be a minimum of 1,600 square foot.

Board Member Clanton stated that there are multi-million dollar homes surrounding and abutting this property. She did not think that one home per acre would hurt the developer.

Mr. Leonard stated that there were mobile homes abutting the backside of the property. The Town Attorney stated that they need to pick a zoning district and understand that it may be in the range of 2 to 2-1/2 units per acre. He told them not to set an artificial density when the zoning district permits otherwise. This already lowers the density from five units per acre in the Future Land Use down to 3.2. Most of the Town's RSF-2 subdivisions are less than three units per acre.

Board Member Clanton stated that the developer talked about a PVC fence. The Board has asked Staff to come up with a transitional, where there would be one or two homes per acre.

Planning Director Leonard stated that they could work on that. One of the requirements they have for subdivisions is that there be a barrier along the public road. The Board could make a recommendation to Council that the barrier be extended down the east side in the form of a wall or fence and a buffer.

Chairman Percy stated that as he looks at this piece of property, he sees no way that they could max out. By the time they put in streets, retention, and setbacks, they will never get three houses per acre on that property. He said that no more than two houses per acre is what will likely happen.

Community Development Director Leonard agreed that it was going to be very close to that.

Board Member Clanton felt that they could restrict it that way.

Chairman Percy stated that they could either come up with a new zoning designation for the property, or put it in as RSF-1.

Community Development Director Leonard stated that they could work on a RSF-1A. It could allow no more than two homes per acre. There are other towns that have a zoning district for one-acre lots.

Board Member Brooks stated that she did talk to the people next door. At that time they were asking for RSF-3. He told her that he would be able to live it much easier if there was a buffer. He has since put his house up for sale.

Board Member Clanton asked if the property owners were notified officially.

Planning Director Leonard stated that they were officially notified. The property was also posted.

Board Member Brooks stated that the homeowners around this property must be in agreement with the RSF-1 zoning. There was no one at this meeting to comment about it.

Board Member Clanton wanted to know how to make sure that a substantial buffer was put in.

Planning Director Leonard told them to make their recommendation that the requirements for the subdivision, which is the wall, fence, and landscaping be extended down the eastern border of the subdivision.

Board Member Burt asked if they could spell out exactly what they want the buffer to be.

Planner Leonard stated that the developer chooses what will be in the buffer, but the Town Council would have to approve it.

MOTION was made by Board Member Burt, seconded by Board Member Brooks, to approve RSF-1 zoning for the Garces parcel located at the southeast corner of the intersection of H.L. Smith Road and Lake Mabel Loop Road, with the condition that a buffer is extended along the eastern end of the property.

Board Member Clanton asked if the motion could be amended to state: "with the understanding that there would not likely be more than two homes per acre."

Chairman Percy did not feel that it was necessary to amend the motion.

Planning Director Leonard read the agreement with the buffer conditions to the Board. PVC fencing is not allowed. This agreement would have to be approved by the Town Council.

AYE: Brooks, Clanton, Burt, Percy
NAY: None

TAB 4: STATUS REPORT

A. REPORT ON STATUS OF ITEMS THAT HAVE BEEN HEARD BY PLANNING AND ZONING BOARD AT PREVIOUS MEETINGS.

(This report is attached to these minutes as Exhibit A.)

Planning Director Leonard had a final comment.

Board Member Clanton asked if the Council approved the definition of floor area on first reading even after the Planning and Zoning Board denied it twice.

Planning Director Leonard stated that the Council did approve it. It will come back as a public hearing.

DELEGATIONS – QUESTIONS & COMMENTS FROM THE FLOOR

None

REPORTS FROM OFFICERS

- **PLANNING DEPARTMENT COMMENTS**

Planning Director Leonard stated that the Town's Comprehensive Plan outlines Future Land Use categories in a simple manner. There is nothing much in the way of a downtown or mixed use. What the developers of the Estes and the Wheeler property are proposing may move the Town into the mixed-use business. If there is a combination of different kinds of uses that fit together for a neighborhood center, (e.g.); they would set it up on the basis of square footage, parking spaces, and land area. From the Town's vision plan, what they were looking long range was that there were going to be some areas that would be commercial and mixed use. The handout he gave the Board Members was a background of mixed use. Also, attached to the handout was a mixed use

proposal that Estes has submitted to the Planning Department. We do not want to do a land use category for each development. We want one that fits for the entire town. He asked them to look the handout over. He pointed out some of the differences of mixed use to the Board.

Board Member Brooks asked if using mixed uses on development that is being built outside of town would pull everything out of town.

Planner Leonard stated that downtown should have a land use category that fits them. They will have to go through the Community Redevelopment process for the downtown area.

Board Member Burt commented that Planning Director Leonard thought they should get away from the idea that all business should be centered downtown, and have neighborhood centers instead.

Planning Director Leonard said that was correct. They are trying to lay the groundwork for a future town of up to 60,000 people.

Chairman Percy felt that a village center could become more commercial than the downtown area based on the idea that the downtown was not designed to be commercial. Parking is not available for anything except a small business.

Planner Leonard stated that the downtown could become the only part of town with historical significance, and not a retail center.

- TOWN ATTORNEY COMMENTS – None
- BOARD MEMBER COMMENTS

Board Member Brooks asked what the possibility would be of Mr. Garces coming before the Board of Adjustment and asking for a reduced setback because he cannot fit as many homes on the property as the zoning allows.

Community Development Director Leonard stated that there have been places where people have gotten variances for multiple lots. He said that he is against that kind of variance. You cannot zone by variance. He did not feel that there was a basis for it with this property.

Board Member Brooks stated that part of the Board's responsibility was to look over the plans and make a recommendation. Then Council would approve them. She wanted to know what happened to that process.

Community Development Leonard stated that the subdivision process does not go through the Planning Commission. Land use, zoning, and site plan review for non-residential and high density residential are what the Planning Commission looks at.

Board Member Clanton asked if Staff was still working on an RSF-1 transition.

Planner Leonard said that he thought they should work on an RSF-1A and an RSF-1AA, which would be one acre and half-acre lots. He will bring that back to them.

Board Member Burt stated that he hoped that the planners would be considering a special zoning category for the Scenic Highway. He did not think a single zoning category would be possible in that area. He is concerned that the view sheds and the appearance of Scenic Highway is preserved.

Community Development Director Leonard said that there are some policies for the Town that go beyond what the County is using. We require a 75-foot setback dedication of right of way from the centerline for subdivisions. That reserves 150 feet of right of way. He thought the Department of Transportation would require a two lane with intersection improvements where needed. The Council has designated an area of interest. They require the submission of plans for the 25-foot setback that is required in addition to the 75-foot setback. There will be pull-off locations along Scenic Highway where there are view sheds.

Board Member Clanton asked if that was also the area where there were mixed-use plans. She said that four-story buildings had been mentioned.

Community Development Director Leonard stated that there is a panoramic view to the south that would have tall buildings. The buildings to the southeast should not be tall enough that they would block the view.

Board Member Burt was concerned about the utility poles that are on both sides of Scenic Highway. He asked if anything could be done about it. He also wanted to know if the poles could be on one side of the road instead of both.

Community Development Director Leonard stated that he has talked to the power company. They said if we have millions of dollars they would move them. He will ask the power company about having the poles on one side of the road only.

Assistant Town Manager/Clerk DeLegge asked if one was a transmission line.

Planner Leonard said that one is a transmission line and one is service.

- CHAIRPERSON COMMENTS

Chairman Percy commented that it has been a good meeting.

ADJOURNMENT

Chairman Percy adjourned the meeting at 6:27 p.m.

CHAIRMAN MEL PERCY

ATTEST:

ASSISTANT TOWN MANAGER/CLERK DELEGGE