

DEVELOPMENT REVIEW COMMITTEE, PASCO COUNTY, FLORIDA

MINUTES

**THE MINUTES WERE PREPARED
IN AGENDA ORDER AS
PUBLISHED AND NOT IN THE
ORDER THE ITEMS WERE HEARD**

DECEMBER 17, 2009

**1:30 P.M. – West Pasco Government Center, Board Room,
7530 Little Road, New Port Richey, FL 34654-5598**

DEVELOPMENT REVIEW COMMITTEE

ADVISORY STAFF

John J. Gallagher
County Administrator
Michael Nurrenbrock
OMB Director
Daniel R. Johnson
Assistant County Administrator
(Public Services)
Bruce E. Kennedy, P.E.
Assistant County Administrator
(Utilities Services)
Bipin Parikh, P.E.
Assistant County Administrator
(Development Services)
Chris Williams
District School Board of Pasco County

LEGAL COUNSEL

David A. Goldstein,
Chief Assistant County Attorney

Cynthia M. Jolly, P.E. - **ABSENT**
Development Director
Richard Gehring
Growth Management Administrator
James C. Widman, P.E. - **ABSENT**
Engineering Services Director
Debra M. Zampetti
Zoning/Code Compliance
Administrator
Ahsan Khalil - **ABSENT**
Transportation Planner II
Paul J. Montante
Technical Specialist II
Representative of the Clerk
of the Circuit Court
Frank Schlotter - **ABSENT**
Division Engineer
Michele Baker
Chief Assistant County Administrator

CALL TO ORDER

Chairman Gallagher called the meeting to order at 1:30 p.m.

ROLL CALL

Ms. Beverly Beeson, Deputy Clerk, called the roll.

Ms. Beeson swore in everyone who planned to present testimony.

MINUTES

**M1 November 19, 2009 - DRC Minutes-DRC Minutes for Approval
Memorandum ZN10-73
Recommendation: Approve
Comm. Dist. All**

MR. NURRENBROCK MOVED approval of the November 19, 2009, minutes.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

PUBLIC HEARINGS

VARIANCE PETITIONS

OTHERS

**P1 Zoning - Variance Request-CRF - Zephyrhills, LLC/Publix Store #1196-An increase in the maximum allowable sign structure area from 150 square feet to 181.3 square feet and an increase in the allowable number of wall signs from one to two on the south front building elevation. Location: On the west side of Eiland Boulevard, approximately 950' north of S.R. 54; Section 18, Twn 26 S, Rng 21 E
Memorandum ZN10-2003
Recommendation: Approval with conditions
Comm. Dist. 2**

Mr. Lee Millard, Assistant Zoning/Code Administrator, gave a brief explanation of the item. He distributed two documents to the Board; 1) a Site Plan Review Plan from November 16, 2007, which referenced Condition Number 3. The issue was regarding an easement to be constructed by Home Depot for interconnection for Publix; and 2) a letter from Corporate Counsel, Mr. Beebe, to Mr. Preston, Publix Supermarkets, Inc. Mr. Millard noted that Mr. Preston had asked Staff to distribute the letter to the members of the DRC for informational purposes. Staff recommended approval with conditions.

Discussion followed regarding Publix not having the ability to construct a road because Home Depot would not give them the easement.

Mr. Gregory Davis, Thomas Sign and Awning Company, said that at his last appearance before the Board he was instructed by the Chairman to meet with Publix and Home Depot in order to resolve the issue of the access road. He said both companies had met and had not been able to come to an agreement. The issues were from Home Depot regarding safety, public safety, the entering/exiting of trucks at the rear of the building, and the fear of litigation later on because of accidents. He requested the Board to consider his efforts of negotiations and to install the sign based on Staff recommendation. He noted he has reached an impasse with Home Depot in denying access to the property for the access road to be built.

Discussion followed regarding if there was any written communication from Home Depot; Mr. Davis' efforts to get the two companies together; documentation needed on Home Depot's letterhead; being held "hostage" by Home Depot because of their non-compliance issue; the owner's letter and their efforts with Home Depot should be sufficient; Staff had nothing in writing from Home Depot; no evidence that Home Depot had refused to give the easement; sending a certified letter to Home Depot; and citing Home Depot.

There was no public comment.

MR. NURRENBROCK MOVED approval of Staff's recommendation.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Chairman Gallagher directed Staff to send Home Depot a certified letter.

**P2 Zoning - Variance Request-Gerald M. Smithson and Frances E. Schochet-Variance Request to increase maximum allowed heights for: front-yard, masonry wall from 4' to 6'; east side lot line from 6' to 6'8"; front yard area from 5' to 6'8"; and side lot lines from 7' to 7'4". Location: On the north side of Edith Street, approximately 350 feet west of Ontario Drive
Memorandum ZN10-2006
Recommendation: Approval with conditions
Comm. Dist. 2**

Mr. Lee Millard read the item into the record and gave a brief explanation. Staff recommended approval with conditions as shown in the packet.

Ms. Darla Schwendeman, representative for the applicant, stated the homeowner had pulled a permit for the house and was under the impression the permit also covered the wall, so he proceeded to build. She noted that the wall was there for protection because of wolves and coyotes in the area.

Ms. Lauren Frazier, a neighbor of the owners, said all of her vehicles and her lawn mower had gasoline stolen from them; someone stripped the lugnuts off of the trailer to steal the tires; two wolves had come in through the back door into her bedroom. She noted that she had installed a fence around her house because of the wolves and coyotes.

MR. PARIKH MOVED approval of Staff's recommendation.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**P3 Class III, Ashley Lakes Commercial Subdivision (SDU09006), Preliminary/Construction Stormwater Management Plan & Report w/Variance & Alternative Standards Request-Nap Gunn 54, LLC-Location: Southeast corner of S.R. 54 and Gunn Hwy; Section 27, Twn 26 S, Rng 17 E Memorandum ZN10-047
Recommendation: Approval with conditions
Comm. Dist. 3**

Staff requested the item be continued to January 14, 2010, 1:30 p.m., Dade City.

MR. JOHNSON MOVED to continue to January 14, 2010, 1:30 p.m., Dade City.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**P4 Class II, Facts Engineering Expansion (IIPR09-030), Preliminary/Construction Site Plan, Stormwater Management Plan and Report with a variance from Section 603.9 for a reduction in width of the Type A landscape buffer. -FACTS Engineering, Inc.-Location: On the north side of Photonics Drive, approximately 300 feet west of Welbilt Blvd, within the Trinity DRI Commerce Park; Section 26, Twn 26 S, Rng 16 E Memorandum ZN10-052
Recommendation: Approval with conditions
Comm. Dist. 3**

Ms. Zampetti read the item into the record. Staff recommended approval with conditions as listed in the packet.

Mr. Chris Weddel, representative for the applicant, was present to answer any questions.

There was no public comment.

MR. NURRENBROCK MOVED to approve Staff's recommendation.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

P5 Class I, Trinity Preschool (IPR10-005), Variance Request-Fadi Malk, Inc.
Location: On the southeast corner of S.R. 54 and Celtic Drive; Section 22,
Twn 26 S, Rng 16 E
Memorandum ZN10-059
Recommendation: Approval with conditions
Comm. Dist. 4

Ms. Zampetti read the item into the record. Staff recommended denial of the petitioner's request, but recommended approval of a variance with conditions. The conditions would include that the applicant provide planters along the front of the building with a minimum length of 50 feet and a minimum width of 3 feet. The requirement was 5 feet so there would be a 2 foot deviation; the 3 feet would be measured from the interior of the planters and arranged along the outside edge of their 10 foot covered walkway. The minimum total length of the planter should be not less than 6% of the buildings square footage allowing for a reduction from the required 10% to approximately 6%, or from 240 square feet to 144 square feet.

The next variance requested was from the Type A buffer on Celtic Drive and if approved would relieve the applicant from installing a 10 foot landscape buffer. Staff recommended approval of eliminating the buffer on the east side. However, to the south of the parcel, there were areas that plantings could be placed.

The next variance requested was a Type D buffer and if approved would relieve the applicant from installing a 15 foot landscape buffer along SR 54 and allow for a reduction from the 15 foot landscape to 5.9 feet and eliminate the 18 inch berm due to the exiting vehicular-use area. Staff recommended approval of reducing it from 15 feet to 5.9 feet and eliminating the 18 inch berm; however, Staff's condition for that would be that all the required plantings be installed within the 5.9 foot buffer and that the shrubs would be maintained at a height of 36 inches, which would meet the intent of that provision.

Staff said there were 3 variances and there was no preliminary plan approval at this time. Staff recommended approval with conditions.

Mr. Braulio Grajales, representative for the applicant, agreed with Staff's recommendations, but said that his client had a problem with the building planter landscape. He gave a presentation utilizing the overhead projector. His client was willing to install 25 gallon containers with small plants and shrubs.

Discussion followed regarding the cost of the planters, the landscaping, striping, resurfacing and cutting the pavement, which were expensive; resurfacing the whole

parking lot; the projects financing; and to change the request to 25 gallon containers with small palm trees or shrubs.

There was no public comment.

MR. JOHNSON MOVED approval of Staff's recommendation.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**P6 Class I, Church of God, Fuentes de Amor (IPR08-073), Variance Request-Perma Built Construction-Section 319.8, to reduce Transportation Corridor from 71 feet to 35 feet from the centerline of Hudson Avenue, Section 618.12 to eliminate cross access/frontage/reverse frontage connection. Location: On the northeast corner of Hudson Avenue and Guava Street, at 7117 Hudson Avenue, approximately 1,200 feet west of U.S. 19; Section 27, Twn 24 S, Rng 16 E
Memorandum ZN10-066
Recommendation: Partial Approve
Comm. Dist. 5**

Ms. Zampetti read the item into the record. Staff recommended the applicant provide 40 feet from centerline.

Mr. Hugh McKinney, representative for the applicant, asked for clarification for his client of where Staff's recommendation of the 80 feet was made. He asked if it was from the property line, or from the center of road, which then would encumber the front of the building.

Discussion followed regarding the property line, which was 40 feet from centerline, and that would be 5 feet more than the applicant was asking.

Ms. Zampetti said the applicant was also requesting an additional variance to eliminate the 24 foot wide paved access easement to the east. Staff recommended approval of this variance request.

There was no public comment.

MR. PARIKH MOVED approval of Staff's recommendation.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

OTHERS

**R1 Northwood MPUD - Substantial Modification-Northwood Center, LLP, and MJG Ventures, Ltd.-Substantial modification to the originally approved MPUD conditions of approval and Master Plan. Location: On the northwest corner of Bruce B. Downs Boulevard (C.R. 581) and County Line Road South; Sections 35 and 36, Twn 26 S, Rng 19 E
Memorandum ZN10-060
Recommendation: Approval with conditions
Comm. Dist. 2**

Ms. Zampetti read the item into the record. Staff recommended approval with conditions.

Mr. George Baxter, applicant, noted the Findings of Fact stated the access was from SR 56 and it was not. He said it was from County Line about two miles away from the intersection of SR 56 and the extension of Northwood Palms Boulevard. He requested the correction be made pointing out the accesses on County Line Road. In Findings of Fact Number 16, he had completed the requirements for improvements and did not want to make more improvements. He agreed with Staff's recommendations but requested those two minor changes be added.

Ms. Zampetti agreed with the change to the access.

Discussion followed regarding the other conditions; this was a DRI with other owners, all of these conditions were already on there; some conditions may apply to one owner and some conditions to another; to acknowledge and say it was complied with parcel one, Staff needed to know that the improvements had been made; this condition was not about the pipeline project but was about intersection improvements along internal roadways and SR 56 and County Line Road; the north-south road through Northwood; could be intersection improvements to County Line Road; site access condition; and questions about how much land/acreage was left.

Mr. Goldstein suggested changing the words "intersection improvements" to "site access improvements," which would address Mr. Baxter's concerns.

MR. PARIKH MOVED to accept the revision as stated by Mr. Goldstein to change the words "intersection improvements" to "site access improvements."

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Mr. Chris Williams asked for an update on the status for a school site in the MPUD.

Mr. Richard Davis, representative for the Wood's family and land owners, said the Wood's family was committed to dedicating the school site.

There was no public comment.

MR. PARIKH MOVED approval of the rest of the agenda item as outlined by Staff.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Chairman Gallagher noted that the only change made was the condition stated by Mr. Goldstein regarding the intersection improvements.

**R2 Pasco Commerce Center MPUD - Rezoning Request-Pasco Industrial, Inc.- To rezone approximately 168.4 acres from A-C Agricultural to an MPUD to allow 1,200,000 square feet of corporate business park, et.al. uses; On the east and west sides of Pasco Road, east of I-75, Sections 04, 05, 08, and 09, Twn 25 S, Rng 20 E
Memorandum ZN10-070
Recommendation: Continuance Requested
Comm. Dist. 1**

Staff requested the item be continued to January 14, 2010, 1:30 p.m., Dade City.

MR. JOHNSON MOVED to continue the item to January 14, 2010, 1:30 p.m., Dade City.

Mr. Gallagher called on the motion; the vote was unanimous and the motion carried.

**R3 Main Street at Grandview Village Center MPUD Master Planned Unit Development (Pasadena Hills Village "D" [portion])-Main Street at Grandview Town Center, LLC-The applicant is requesting to rezone 51 acres from A-C Agricultural District to an MPUD Master Planned Unit Development District within the Pasadena Hills Special Area Plan/ Located on the southeast corner of Prospect road (C.R. 579-A) and Handcart Road; Section 18, Twn 25 S, Rng 21 E
Memorandum GM10-061
Recommendation: Approval with conditions
Comm. Dist. 1**

Ms. Dianne Naeyaert, Growth Management, read the item into the record. Staff had a correction on the first page of the approval; instead of 125,000 square feet of retail it would now be listed at 150,000 square feet of retail.

Staff requested changes within the conditions of approval: on page 3 of 11, Condition Number 21, the last sentence in the first paragraph to read: "Any deviations from the conceptual alignment that would materially impact the exit from, or entry into, another

property owner's parcel(s) within either Village D or Village C, or at the boundary between the two villages, shall require prior DRC approval for any such deviation from the conceptual alignment referenced herein." The remainder of that sentence should be struck through.

Mr. Joe Tew, representative for the applicant, had no objection to that change.

MR. NURRENBROCK MOVED approval to amend Condition 21.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Staff requested a change on page 8 of 11, Condition Number 48; they would like to add a sentence to the very end of the condition. The sentence would read, "Notwithstanding the foregoing even if no development agreement has been entered into, right-of-way donations required by these MPUD conditions shall occur when required by Condition Number 56."

Mr. Joe Tew, representative for the applicant, had no objection to that change.

Chairman Gallagher asked for a motion to amend Condition 49.

MR. NURRENBROCK MOVED approval to amend Condition 49.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Chairman Gallagher asked to amend the motion to Condition 48.

MR. NURRENBROCK MOVED approval to amend Condition 48.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Staff noted the revision to final condition was for Condition Number 62 on page 10 of 11; the entire condition should be struck through and replaced with the following: "Rezoning of this property with conditions does not relieve the developer of responsibilities under State law, including but not limited to DRI requirements under Chapter 380, Florida Statutes."

Mr. Joe Tew, representative for the applicant, had no objection to that change.

MR. NURRENBROCK MOVED to add the new paragraph Condition Number 62 as read into the record.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Staff recommended approval of the rezoning with the changes as read into the record.

Mr. Tew gave a presentation utilizing the overhead projector regarding both Agenda Items R3 and R4. He reviewed the consolidation concept plan that was done for the combination of the Price and the Grandview interests, and what they have done to give the DRC and the public a better idea of the Village Center portion of Village D in Pasadena Hills.

Discussion followed regarding the conditions becoming a prototype for the rezoning conditions for any given property/village; the Village Center project was T & D controlled and approved; discussion of Condition 53 regarding schools; the next step being the detailed conceptual plan, the preliminary plan, construction plans and controls; protection under provisions of Condition 52; specifics of the requirements for Condition 53; in the original language there was no obtainment of a school site; suggesting that Condition 53 was not needed or negotiate items in Condition 53 into the conveyance agreement with the district; a more typical prototype school would work in Village D; Condition 52 would fit every parcel; delete Condition 53 entirely and keep Condition 52; preliminary plan and submittal plan; each village had to provide the school site; every unit was inside of a village; not all villages were required to provide an elementary school; different levels of schools dependent upon whether they were type 1, 2 or 3; Mr. Tew to come up with a list of potential sites; no preliminary project could go to preliminary plan without a waiver or secure an agreement; Mr. Williams' concern about being too small and not having to build a school; Mr. Gallagher suggested Mr. Williams and Mr. Tew sit down and come up with a plan; Mr. Williams agreed with Condition 52; Mr. Williams was not comfortable with Condition 53; Mr. Tew was not willing to accept a metal school building in the middle of the village center in a T & D design; and Mr. Williams' issue was that he did not know what the standards and the costs were.

Discussion followed regarding municipal property; a water storage facility; the idea of a super park; looking at several parcels to be appraised; to decide which parcel the County wanted; a super park in the project with other parks; park maintenance issues; special assessments for park maintenance; a plan was in place for operation and maintenance; and clarification on the parks.

There was no public comment.

MR. PARIKH MOVED approval of Staff's recommendation with Condition Number 53 be worked out between Mr. Tew and Mr. Williams.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

R4 Harvest Hills MPUD Master Planned Unit Development (Pasadena Hills Village "D" [portion])-Price Realty, LLC and Florida Colonial Groves, Inc.-
The applicant is requesting to rezone 436.23 acres from A-C Agricultural District to an MPUD Master Planned Unit Development District located within the Pasadena Hills Special Area Plan/On the north and south sides of Prospect Road (CR 579-A) and the southwest corner of the intersection of Handcart Road and Prospect Road, Sections 13 & 18, Township 25 South, Range 20 & 21 East.
Memorandum GM10-062
Recommendation: Approval with conditions
Comm. Dist. 1

Ms. Naeyaert read the item into the record. Staff requested 3 changes be read into the record.

Mr. Leonard Johnson, representative for the applicant, had no objections with the changes to the conditions made by Staff.

Ms. Naeyaert stated the changes were regarding Condition Number 22, Condition Number 49, and Condition Number 63.

Chairman Gallagher asked Mr. Johnson if he had copies of the above-mentioned changed conditions.

Mr. Johnson said he had copies of the changed conditions.

Chairman Gallagher did not have copies of the changed conditions and directed Staff to read them into the record.

Staff read into the record the change to Condition Number 22 for the final sentence of the first paragraph: "Any deviations from the conceptual alignment that would materially impact the exit from, or entry into, another property owner's parcel(s) within either Village D or Village C, or at the boundary between the two villages, shall require prior DRC approval for any such deviation from the conceptual alignment referenced herein."

MR. NURRENBROCK MOVED approval of the change to Condition Number 22.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Staff read into the record the change to Condition Number 49 the final sentence of the condition which would read as follows: "Notwithstanding the foregoing even if no development agreement has been entered into, right-of-way donations required by these MPUD conditions shall occur when required by Condition Number 57."

MR. NURRENBROCK MOVED approval of the change to Condition Number 49.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Staff read into the record the final change to Condition Number 63 which was to strike the entire condition and replace it with the following: "Rezoning of this property with conditions does not relieve the developer of responsibilities under State law, including but not limited to DRI requirements under Chapter 380, Florida Statutes."

MR. NURRENBROCK MOVED approval to add the new paragraph to Condition Number 63 as read into the record.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Mr. Williams brought to the Board's attention that there were typos in Conditions 53 and 54. In Condition 53 it should read: "...to serve Village D or obtain a waiver from the School District indicating they will not require a school site within the Harvest Hills MPUD."

MR. NURRENBROCK AND MR. PARIKH MOVED to correct the typo as read into the record for Condition 53.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Mr. Williams also noted Condition 54 should read: "Should the developer and the School District identify a school site within the Harvest Hills MPUD ..."

MR. JOHNSON MOVED to correct the typos as read into the record for Condition 54.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Mr. Leonard introduced his entire staff to the Board.

Ms. Zampetti asked Mr. Leonard if he was in agreement with the Condition that Mr. Tew was concerned about and if he was in agreement with the Condition of the School Board.

Mr. Leonard said that it was Mr. Tew's Condition 53 and his Condition 54 and that he would like to have the same opportunity to discuss this before the Planning Commission.

Chairman Gallagher said that Condition 54 needed a motion to be worked out before it went back to the BCC.

MR. NURRENBROCK MOVED approval that Condition 54 needed to be worked out before it went back to the BCC.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Mr. Richard Davis, attorney for the applicant, showed excerpts of the book he submitted in support of his application by giving an overview of the intent and design of the project utilizing the overhead projector. He addressed the village master plan illustration; the village was divided into 4 four quadrants creating a neighborhood; each neighborhood had a park area and interconnected; the road network was designed to create the interconnection as stated in the Comp Plan; the Village Center contained the Village Square with mixed use and residential buildings; the open space and parks were critical aspects of the process; concept of the main street aerial; and to recognize the character and history of Pasadena Hills.

Mr. Blocky, Atwell Hicks, explained his thoughts and designs of the village; he used the T & D framework as his guide; the agricultural theme; the land was a citrus farm; traditional neighborhood development; over 500 acres of orchard area; a revenue component of the T & D; the heritage of the landscape and Pasco County; the two proposed schools; build a theme around the restaurants; redefined the heritage of the land; farmland could be community farm plots or privately owned; community gardens; agricultural advocacy; and cultural events festivals of the community.

Mr. Goldstein, Chief Assistant County Attorney, questioned the secondary roads having no right-of-way dedication requirements for North/South Avenue B and his concern of the roads connecting to other villages.

MR. NURRENBROCK MOVED to make the North/South Avenue B have right-of-way dedicated conditions.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Chairman Gallagher directed Mr. Davis to meet with Staff and go over all of the roads.

There was no public comment.

MR. NURRENBROCK MOVED approval of the remainder of the agenda item.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**R5 CPAL10-1(01) Staff Initiated Comprehensive Plan Amendments-Market Area Package-DRC Review and Recommendation
Memorandum PGM10-69
Recommendation: Approve
Comm. Dist. All**

Ms. Carol Clarke, Growth Management, read the item into the record. She requested that Staff be able to make the presentations but to continue all of the amendments to January 14th DRC meeting.

Ms. Quanlin Hu presented the Comprehensive Plan Amendment for the Market Area Package utilizing the overhead projector.

Discussion followed regarding the SR 54 upgrade study; the extension of SR 56 to US 301; the meaning of USA/TCEA; the meaning of minimum intensity, base density, and minimum density; a concern regarding the City of Zephyrhills wanting to be in the East Market Area; the financial consequences down the road regarding mobility fees; Highway 98 connection to Lakeland; questions about the plan excluding the municipalities; and questions regarding what transit orient design meant.

Mr. Howard Sursos III, Mr. Randy James, and Mr. Jim Craciollo spoke regarding the Parkway Hills West, LLC and Greenfill Place, LLC properties in the Central Market Area; an employment center for the area; concerns about the mobility fees; requirements for an Urban Service Area; built-up requirements; utility requirements; the Suncoast access; incentive plans; concerns about an EC in the North Market Area at the Interchange of 41 and 75; the amendment was not changing the future land use; the goals and missions of the North Market Area; language used regarding the ULI; concerns about being put at a disadvantage with impact fees and other costs; target businesses and incentives; and possibly having a workshop regarding the amendments.

Mr. King Helie, representative for the Mitchell family, asked that language be added stating the ULI development should occur between the Suncoast and US 41.

MR. JOHNSON MOVED to continue the item to January 14, 2010, at 1:30 p.m. in Dade City.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**R6 CPAL10-1(04) Staff Initiated Comprehensive Plan Amendments -Planned Development Open Space, Wetland Mitigation, and FLU Subarea-DRC Review and Recommendation
Memorandum PGM10-72
Recommendation: Approve
Comm. Dist. All**

Ms. Clarke read the item into the record and gave a brief explanation of the proposed changes. Staff recommended continuing the item to January 14, 2010, 1:30 p.m. in Dade City.

There was no public comment.

MR. JOHNSON MOVED to continue the item to January 14, 2010, 1:30 p.m., in Dade City.

Discussion followed regarding the amendments being effective before November; amendment to the sub-areas; recommended language on wetland mitigation; the ULI certainty and how much land should be in the open space; the Land Development Code; urban area versus rural or suburban areas; the need for standards; the strict requirements of the Comp Plan; the requirements for open space; from subdivisions to wetlands, then to neighborhood parks; certainty on residential; and the issue was non-residential and mixed use in urban areas that were not well qualified requirements.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

Mr. Goldstein said he heard complaints regarding EC land use. He noted that there were some land owners that did not seek EC because of the requirements for doing a corresponding MPUD with the EC unless it was Staff Initiated. He asked if there was any thought to eliminating that requirement for an EC.

Staff said they would look into that issue.

**R7 CPAL10-1(02), Staff Initiated Comprehensive Plan Amendments -Urban Service Area Designation-DRC Review and Recommendation
Memorandum PGM10-84
Recommendation: Approve
Comm. Dist. All**

Ms. Clarke read the item into the record and gave a brief explanation utilizing the overhead projector.

Discussion followed regarding that 50% of new residential development should be located within an urban service area; a policy standpoint the Board wanted; a designated urban service area; create an urban development standards; intergovernmental coordination; transit oriented design; the need for additional ROW along the 54 corridor; light rail or BRT on the 54 corridor; a light rail study was being done; TBARTA picked 54 as the pilot study to determine the type of facility; a mobility fee in the future; an amendment regarding a piece of property that was not developed yet; Staff has been working with developers regarding corridors; questions about school sites and the corridors; concurrency exception areas were only for transportation; and the School Board should be looking at this as an opportunity for busing costs.

Chairman Gallagher directed Staff to share the transportation information to Mr. Williams.

There was no public comment.

Mr. JOHNSON MOVED to continue the item to January 14, 2010, 1:30 p.m., in Dade City.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**R8 CPAL10-1(03), Staff Initiated Comprehensive Plan Amendments - Transit Oriented Development-CPAL10-1(03) Staff Initiated -DRC: December 17, 2009, 1:30 p.m., New Port Richey
Memorandum PGM10-85
Recommendation: Approve
Comm. Dist. All**

Ms. Justyna Buszewski, Growth Management, read the item into the record and gave an explanation utilizing the overhead projector.

Discussion followed regarding the size of open space; the mix of offices and retail with easy walking to open spaces; parks and court yards areas at the transit stations; the dedicated lanes were for buses only; portions of the lanes were for BRT and portions for light rail; whether there was a need for another 30 or 40 feet for the transit; was the express bus using the existing four or six lanes; TBARTA was working on the study for ROW and rails; communities using existing sections of roadway for rails; the location of the areas for the floating land use zones; park and ride areas; currently there were no transit station concept zones on US 19; why was Pinellas County not vocal regarding the US 19 corridor; was there anything to prevent transit land use on the US 19 corridor; the intensity of development that supported the light rail; a Resolution taxing everyone in the region for the TBARTA system; would there be any designated lanes for buses on US 19; was there any designation for floating land uses on the Suncoast and 75 corridors; and the need to show the park and ride locations on the map for US 19 and the Suncoast.

There was no public comment.

MR. PARIKH MOVED to continue the item to January 14, 2010, at 1:30 p.m. in Dade City.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**R9 NOTED ITEM: Annotated Agenda PGM10-63 from 12/03/09, DRC-
Developments of Regional Impact Standard Development Order Workshop-
Development of Regional Impact Workshop
Memorandum PGM10-63A
Recommendation: Not Applicable
Comm. Dist. All**

This item was noted.

ADJOURN

The Committee adjourned at 4:34 p.m.

(SEAL)

DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
DECEMBER 17, 2009

Office of Paula S. O'Neil, Clerk and Comptroller

Prepared By: _____
Beverly Beeson, Deputy Clerk
Board Records Department