

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**

February 11, 2010

**1:30 P.M. – Historic Pasco County Courthouse, Board Room, 2nd Floor
37918 Meridian Avenue, Dade City, FL 33525**

DEVELOPMENT REVIEW COMMITTEE

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 County Attorney

ADVISORY STAFF

Cynthia M. Jolly, P.E.
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
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.

The proof of publication was provided to the Clerk.

MINUTES

None.

PUBLIC HEARINGS

VARIANCE PETITIONS

OTHER

- P1 S.R. 54 Medical Variance Request (VAC10-106) – Joe and Berna Cracium –
Location: On the north side of S.R. 54 and east of I-75 Section 07, Twn 26 S,
Rng 20E
Memorandum ZN10-106
Recommendation: Approval with conditions
Comm. Dist. 1**

Ms. Debra Zampetti, Zoning/Code Administrator, read the item into the record. She noted there was a correction to Finding of Fact Number 6. It should read “166 feet of right-of-way” and not “250 feet of right-of-way.” Staff recommended approval of the two variances.

MR. NURRENBROCK MOVED approval of the correction as read into the record by Ms. Zampetti.

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

Neither the applicant nor the applicant’s representative was present.

MR. NURRENBROCK MOVED to continue the item to February 25, 2010, 1:30 p.m., in New Port Richey.

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

P2 Class II, Dollar General @ Zephyrhills (IIPR10-004), Variance Request-Hanlex Development – On the east side of Gall Blvd. (U.S. 301), approximately 750 feet north of the apex of Gall Blvd. and Paul S. Buchman Hwy (S. R. 39), south of the Zephyrhills city limits; Section 14, Twn 26 S, Rng 21 E
Memorandum ZN10-116
Recommendations: Approval with conditions
Comm. Dist. 1

Ms. Debra Zampetti, Zoning/Code Administrator, read the item into the record. She explained each of the variances utilizing the overhead projector. Staff recommended approval with conditions.

Mr. Jeremiah Anderson, representative for the applicant, explained his variance requests.

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.

NON-VARIANCE PETITIONS
OTHERS

P3 Class II, Cypress Creek Town Center North Phases 1 and 2 Infrastructure Improvements and Cypress Creek Town Center North Bike and Pedestrian Plan (IIPR09-029) – Pasco Ranch, Inc. – Preliminary/Construction Site Plan, Stormwater Management Plan and Report, and Bike and Pedestrian Plan Location: Northeast corner of CR 54/Wesley Chapel Boulevard and State Road 56; Section 27, Twn 26 S, Rng 19 E
Memorandum: ZN10-099
Recommendation: Continuance Requested
Comm. Dist. 2

Staff requested the item be continued to February 25, 2010, 1:30 p.m., in New Port Richey.

MR. NURRENBROCK MOVED to continue the item to February 25, 2010, 1:30 p.m., in New Port Richey.

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

REGULAR

OTHERS

- R1 SunWest Harbourtowne Development of Regional Impact Development Agreement-Sunwest Acquisition Corporation-DRC: 2/11/10, 1:30 p.m., DC Recommendation: Continuance Memorandum PGM10-102A Recommendation: Continuance Requested Comm. Dist. 5**

Staff requested the item be continued to February 25, 2010, 1:30 p.m., in New Port Richey.

MR. NURRENBROCK MOVED to continue the item to February 25, 2010, 1:30 p.m., in New Port Richey.

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

Chairman Gallagher noted for the record that he had received an e-mail from Mr. Ben Harrill stating he agreed with the continuance.

MR. NURRENBROCK MOVED to receive and file the e-mail from Mr. Ben Harrill.

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

- R2 Livingston MPUD Master Planned Unit Development-Robert F. & Frances F. Grimsley/Mercantile Bank-The applicant is requesting to rezone 580 acres from varying zoning districts to MPUD to develop 1,800 residential units and a 22 acre school site/The property is directly abutting the south Pasco County Line, approximately one-quarter mile east of Meadow Pointe Boulevard and three-quarter mile south of future S.R. 56, Sections 35 and 36, Township 28 South, Range 20 East Memorandum ZN10-111 Recommendation: Approval with conditions Comm. Dist. 2**

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

Mr. Joel Tew, representative for the applicant, explained his rezoning requests and noted he had resolved the school site issue with Mr. Williams. He agreed with Staff's conditions.

Ms. Bibi Moore said she had no objections to the item. She asked several questions regarding Ranchette Road.

Discussion followed regarding the interconnect of the neighborhood of Ranchette Road; who would be developing/paving the roads outside of Village 10; the road joining Village 12; the increased amount of traffic on the roads; and the size of the parcels in Village 12 and 13.

Mr. Goldstein had concerns that Condition 31 did not address subsequent substandard road analysis and he thought one had not been done for this road. He suggested a sentence be added to Condition 31 stating "If the interconnection to Ranchette Road is required then a substandard road analysis needs to be performed."

Chairman Gallagher suggested that if the County decided to use it, it would be the developer's obligation to build/construct the road to County standards instead of the analysis. Mr. Goldstein agreed with the Chairman's suggestion.

MR. NURRENBROCK MOVED approval to add the language "that a plat connection was required by the County at preliminary plan and the developer would have to build it to County standards and no analysis, just pave it to County standards."

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

Mr. Nathan Edmonson voiced his concerns about Ranchette Road and the traffic in his neighborhood.

Discussion followed regarding the intersection of Chancy Road and Cross Creek; a route study being done for Oldswood; the need for more parallel roads; a 3,000 planned unit by the TECO power plant; and if the applicant required any other approval to extend the road to his property.

Further discussion followed regarding water, sewer and road assessments.

Mr. Goldstein said that Condition 25 was not very clear regarding the \$94,651.00 payment for Phase One and he was not sure what the relationship was between impact fees and the payment.

Discussion followed regarding Phase One and Phase Two in Condition 25; the applicant's interpretation of the condition; impact fees; explanation of why the

\$94,651.00 payment was included; off-site improvements in both Condition 25 and 26; and the proportionate share in Condition 26.

Mr. Goldstein asked Staff to add language in the first sentence of Condition 26 to read “In lieu of the above-mentioned Phase Two off-site improvements...”

MR. NURRENBROCK MOVED approval of the additional language as read into the record by Mr. Goldstein for Condition 26.

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

Mr. Goldstein directed Staff to add language in Condition 25 at the end of the paragraph that stated “The project’s proportionate share...” and to add the sentence, “The foregoing payment and/or construction requirements are impact fee creditable for Items C & D.”

MR. NURRENBROCK MOVED approval of the additional language as read into the record by Mr. Goldstein for Condition 25.

Mr. Goldstein asked Staff to change the wording in the last sentence of Condition 29 from “The buildout dates approved herein are inclusive of any and all extensions...” to read “The buildout dates and the construction deadlines approved herein are inclusive of any and all extensions...”

MR. NURRENBROCK MOVED approval of the additional language as read into the record by Mr. Goldstein for Condition 29.

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

Mr. Goldstein wanted clarification on Condition 26 the second paragraph. He directed Staff to amend the last sentence of the first paragraph from “Notwithstanding the foregoing...” to read “Notwithstanding any condition herein...”

MR. NURRENBROCK MOVED approval of the amended language as read into the record by Mr. Goldstein for Condition 26.

This motion was not called on.

Mr. Goldstein and Ms. Zampetti both suggested switching the paragraphs in Condition 26. In the first paragraph at the beginning of the last sentence it stated “Notwithstanding the foregoing...” should be switched with the next paragraph/sentence that read “The developer therefore also shall...”

MR. NURRENBROCK MOVED approval to revise Condition 26 as discussed.

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

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.

**R3 Class I, ALDI, Inc. – Holiday (IPR09-062), Manton Lane Access Discussion – ALDI, Inc. – Staff Initiated discussion of the elimination of the proposed Manton Lane entrance. Location: On the northwest side of Alternate U.S. 19, slightly west of its terminus with U.S. 19, at the southwest corner of Manton Lane and Alternate U.S. 19; Section 31, Twn 26 S, Rng 16 E
Memorandum ZN10-126
Recommendation: Other
Comm. Dist. 3**

Ms. Zampetti noted the item was brought to the Board for discussion and was not a public hearing. She received public feedback from the previous DRC meeting regarding the variances for a buffer and a drainage swale on the north side.

Discussion followed regarding the decision made by the DRC; the need for the northern entrance for trucks; the residents thought it would be used as a short cut; there was a violation of 618.4 Access Order, which would force the applicant for another variance; there was no expert testimony to the violation; and the applicant was not present for this discussion.

Further discussion followed regarding rescheduling the item for another public hearing; the County Engineer was not present at last week's meeting; Staff members were not present for this meeting/discussion; and to reconsider and re-advertise the item.

MR. JOHNSON MOVED to reconsider the item when it was properly noticed and have Staff advertise the variance from 618.4 Access Order.

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

**R4 Discussion-Land Development Code Re-Write - Processing of Applications – To Be Distributed
Memorandum PD10-054
Recommendation: Not Applicable
Comm. Dist. All**

Ms. Cindy Jolly, Development Director, explained the proposed changes of the review system and DRC's role in the review process utilizing the overhead projector.

Discussion followed regarding the following suggested changes: the applicant would send out a notification letter to homeowners within 500 feet of the project; add the requirement that a sign be posted; a 7 day timeframe from when the application was completed for the applicant to send out their letters of notification; the content of the letter to the developer should include final agency action would be approximately 30 days; include the appeal period of 30 days within the letter; issue a notice of intent for final determination to the developer; proposal to cut out the advertising ad; adding a neighborhood meeting for the big box developments; the decision to leave the 50,000 square feet as it currently was; mandatory neighbor development by right for 50,000 square feet or greater would still come to DRC for Class II; suggested adding if it was over 50,000 but was a targeted industry, maybe it could still be a development by right; commercial would still come to the DRC; the notification sign needed to be 4 x 8; and the neighborhood letters could include that their neighborhood meeting was scheduled for a particular date, time and place, if needed.

ADJOURN

The Committee adjourned at 3:48 p.m.

(SEAL)

DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
FEBRUARY 11, 2010

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

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