

HERNANDO COUNTY PLANNING & ZONING COMMISSION

Minutes of December 14, 2009

The Hernando County Planning & Zoning Commission (P&Z) met in regular session on December 14, 2009, at 9:00 a.m., in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida. Members present were: Robert Widmar, Chairman; Lisa Hammond, Vice Chairman; Denis Riley; Thomas Comunale; Ronald Caldi; and Amber K. Wheeler, representing the Hernando County School Board. This meeting was advertised and video recorded.

Also present were: Ronald F. Pianta, AICP, Planning Director; Omar DePablo, Planner II; Paul Wieczorek, AICP, Senior Planner; Jeff Kirk, Assistant County Attorney; Charles Mixson, County Engineer; and Cynthia Bogert, Administrative Secretary II and Notary Public for the State of Florida.

Meeting Called to Order

The meeting was called to order at 9:00 a.m. followed by a moment of silence and the Pledge of Allegiance. Chairman Widmar instructed the audience of the established time limits. The members of the Commission and Staff introduced themselves to the audience. All individuals providing testimony were sworn in by a Notary Public for the State of Florida and would be confirmed under Oath in this record.

Ex Parte Communications

The Commission members were polled for ex parte communications. Comm. Hammond stated that back in August 2009, she spoke with Don Lacey and Cliff Manuel from Coastal Engineering Associates about the Brooksville Quarry project (CPAM0703). The other Commission members had no ex parte communications. Commissioners Riley and Caldi visited all sites on the agenda, and Chairman Widmar visited all sites except Agenda Items F4, F5, and F6 (the three comprehensive plan amendments).

Mr. Kirk provided the standard admonition in that the P&Z decisions had to be based on the evidence presented at the hearing and not from anything that takes place outside the meeting.

Announcements

Mr. Pianta announced that the Evans petition (CPAM0905) was withdrawn by the applicant. He suggested moving the item from the Standard Agenda (Item F6) to the Unified Agenda as Item E2 and the P&Z acknowledge the withdrawal of the petition. Chairman Widmar polled the audience for anyone interested in this petition. No one came forward.

Approval or Modification of the Agenda

The Agenda for December 14, 2009, was submitted for approval. Standard Agenda Item F6 (Evans, CPAM0905) was moved to Unified Agenda Item E2.

MOTION Comm. Hammond moved to approve the amended Agenda. The motion was seconded by Comm. Riley, and carried 5-0.

Adoption of the Informational Packets into Evidence

The Agenda packet submitted to the Commission prior to the hearing, which included written information regarding all cases to be considered and the staff reports prepared by the Hernando County Planning Department staff, was accepted into evidence at the hearing.

MOTION Comm. Hammond moved to adopt the informational packet into evidence. The motion was seconded by Comm. Caldi, and carried 5-0.

UNIFIED AGENDA

Review of the Minutes - November 8, 2009

The P&Z approved the minutes of the November 8, 2009, meeting of the Hernando County Planning and Zoning Commission as written.

Evans Properties, Inc. - Comprehensive Plan Amendment - CPAM0905

Purpose: An amendment to modify the Objectives and Policies of the Future Land Use Element and to amend the Future Land Use Map for a 562 acre parcel from Rural to Rural Cluster Overlay

Location: North and South side of Hayman Road, east of Batten Road

Representative: Donald R. Lacey, AICP, Sr. Vice President, Coastal Engineering Associates, Inc.

The P&Z acknowledged the petition withdrawn by the applicant as noted by Mr. Pianta during staff announcements. Mr. Pianta clarified that this item will appear on the January 12, 2010, BCC agenda as advertised at which time the BCC will also acknowledge the withdrawn petition.

MOTION Comm Riley moved that the Planning and Zoning Commission approve the modified Unified Agenda. The motion was seconded by Comm. Comunale, and carried 5-0.

STANDARD AGENDA

Sue Seggie - Special Exception Use Permit - SE0912

Purpose: Special Exception Use Permit for a Home Occupation, namely to allow Beauty Shop

Location: Southeast corner of Eldridge Road and Hallcrest Avenue

Representative: Sue Seggie

Mr. DePablo reviewed the staff report. It is recommended that the Planning and Zoning Commission approve the Special Exception Use Permit with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall be limited to two (2) or fewer clients at any one time.
3. The petitioner shall obtain all required permits and licenses from the applicable state agencies.
4. Hours of operation shall be limited to 10:00 AM - 6:00 PM, Monday through Saturday.
5. Parking spaces must be provided on the existing driveway, with no parking allowed within the roadway ROW.
6. The resident of the home shall be the only employee and no additional employees shall be permitted.

Ms. Seggie, under oath, indicated that she did not have a problem with staff recommendations.

Chairman Widmar asked for public comment. Ellen Beener, a resident of Hallcrest Avenue, under oath, supported the request but expressed concern with overflow parking and preferred no large signs on the property.

At Chairman Widmar's request, Staff addressed concerns referenced in correspondence opposing the petition, which the Planning Department received prior to the hearing.

Ms. Seggie clarified that there would be no signs and she would be the only employee. She responded to questions posed by the Commission regarding the parking,

MOTION Comm. Hammond moved to approve staff's recommendations. The motion was seconded by Comm. Caldi, and carried 5-0.

B&T Enterprise Services Inc./Bruce Peach - Rezoning - H0927

Purpose: Rezoning from PDP(GHC)/Planned Development Project (General Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with a specific C-2/(Highway Commercial) use for an Automotive Dealer establishment, including the principal selling of used cars

Location: North side of County Line Road, approximately 550' east of Mariner Boulevard

Representative: Bruce Peach, 5 Star Auto Repair & Sales

Mr. DePablo reviewed the staff report. It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the rezoning from PDP(GHC) to PDP(GC) with a specific C-2 use for an Automotive Dealer establishment, including the principal selling of used cars with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall provide a 5' landscape buffer along County Line Road.
3. No parking or display of vehicles shall be permitted within the right-of-way.
4. In accordance with the requirements of the Spring Hill Fire Rescue, a fire lane, with lines (yellow) and the proper lettering 20' wide shall be placed off the face of the building, and no vehicles shall be allowed to be parked or stored in this area.
5. The petitioner shall provide the minimum parking standards for the existing auto repair establishment.
6. Vehicles displayed for sale shall be limited to the area designated on the master plan.

The petitioner was not present. Assistant County Attorney Jeff Kirk advised the P&Z that they can take action on the petition since it has been duly advertised.

Chairman Widmar asked for public comment. No one came forward.

Mr. Pianta and Mr. DePablo addressed concerns raised by Commissioners Riley and Hammond regarding parking display vehicles on a gravel surface. Mr. DePablo stated the 5' landscape buffer under condition #2 would move those vehicles back to a paved area. Mr. Pianta was not concerned with display vehicles parked on a gravel surface, and did not feel additional paving was necessary.

Responding to Comm. Comunale's concerns with the access, Mr. DePablo referenced the County Engineer's recommendation that there be no access from County Line Road. Chairman Widmar suggested including the restriction as a performance condition.

Chairman Widmar asked if a condition should be added to address a dedication of 25' of right-of-way to the county. Upon conferring with County Engineer Charles Mixson, Mr. Pianta replied that it was unlikely the petitioner would pay additional impact fees or obtain additional permits since it was an existing facility and use. Therefore, Mr. Pianta suggested the condition reflect that the petitioner work with the County Engineer on the provision of additional right-of-way.

MOTION Comm. Caldi moved to recommend approval to the BCC per staff's recommendations with the following additional performance conditions:

7. There shall be no direct access to County Line Road.
8. The petitioner shall coordinate with the County Engineer regarding the dedication of additional right-of-way.

The motion was seconded by Comm. Riley, and carried 5-0.

NOTE: A brief recess was taken at this time.

Hernando County Board of County Commissioners - Rezoning - H0926

Purpose: Revision to a previously approved Public Service Facility Overlay District for a Health Department Facility and Sewer Treatment Plant

Location: North side of Forest Oaks Boulevard, approximately 2,300' east of US Hwy 19

Representative: Jean Rags, Director, Hernando County Health and Human Services

Mr. DePablo reviewed the staff report. It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the modification to an existing Public Service Facility Overlay District for a Sewer Treatment Plant and Health Department facility with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. All structures shall be located a minimum of 50' from all perimeter property lines.
3. Access shall be as indicated on the master plan and shall be coordinated with the County Engineer. Any required access improvements shall be the responsibility of the petitioner.
4. The Health Department facility shall be limited to a maximum of 50,000 square feet for the site, and shall be limited to two (2) stories in height.
5. An additional 20,000 square feet shall be permitted for future expansion of the Health Department facility.
6. A 10' landscape buffer enhanced to 80% opacity shall be provided along Forest Oaks Boulevard and a 5' landscape buffer shall be provided along the west property boundary of the Health Department facility. The existing wall along the north of the site shall remain and 8' high trees, at the time of planting, shall be placed on the north side of wall.
7. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Further, copies of any required permits shall be provided prior to any site disturbance.
8. The Health Department facility shall comply with the County's LDR minimum design requirements for commercial development.
9. All onsite lighting for the Health Department facility shall provide for full cutoff fixtures and retain all light on site to prevent any light spillage into neighboring residential uses. Onsite lighting shall be reduced by 50% during non-operating hours.

10. The development of the Health Department facility shall comply with the requirements of Spring Hill Fire and Rescue pertaining to fire protection and fire safety.
11. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.

Ms. Rags, under oath, reviewed the proposed increased square footage as outlined in the staff report.

Chairman Widmar asked for public comment. No one came forward.

In response to questions posed by the Commission, Ms. Rags and Mr. DePablo reviewed an aerial map of the site to describe the proposed height of the building, and planting of trees to enhance the visual buffer. Mr. Pianta noted performance conditions addressed the future expansion; therefore, the expansion would only go through the permitting process when developed. Mr. Pianta clarified that Burns Road was previously vacated during the initial master plan approval.

Elizabeth Callaghan, Administrator of the Health Department, under oath, confirmed that the future 20,000 square foot expansion would include a two story building. The parking depicted on the site plan will accommodate the future expansion. Mr. Pianta concurred.

MOTION Comm. Hammond moved to recommend the BCC approve staff's recommendations. The motion was seconded by Comm. Riley, and carried 5-0.

Mills Land Mgt. Corp. and E.R. Jahna Industries, Inc. - Comprehensive Plan Amendment - CPAM0904

Purpose: An amendment request to change the Future Land Use Map for a 158 acre parcel from Rural to Mining

Location: North side of Cortez Boulevard, just east of the CSX mainline railroad

Representative: Darryl W. Johnston, Esquire, Johnston and Sasser, PA

Mr. Wiczorek reviewed the staff report. It is recommended that the Planning and Zoning Commission review the proposed amendment to the Future Land Use Map to designate the 158 acre parcel as Mining and recommend to the Local Planning Agency and Board of County Commissioners that CPAM 09-04 be transmitted to the Department of Community Affairs for review.

Mr. Johnston, under oath, reviewed their comprehensive plan amendment request. He agreed with staff recommendations, noted that experts were available to answer any questions, and asked the P&Z to recommend staff's recommendation to the BCC.

Chairman Widmar asked for public comment. No one came forward.

Comm. Riley asked the applicant to utilize rail transportation whenever possible since it is located adjacent to existing rail tracks. Mr. Johnston was unsure a spur was available to the property.

Mr. Johnston addressed questions posed by Comm. Comunale regarding the wetlands, explaining they would not consume any groundwater to excavate the mining deposits. He discussed mitigation of some wetlands while displaying an exhibit via overhead projection.

Scott Wuitschick, under oath, answered questions posed by Chairman Widmar regarding the height of the proposed berm and water bypass drainage. He clarified that the water will not drain to adjacent properties. Mr. Johnston advised Chairman Widmar that the location of the crushing plant depicted on the site plan was conceptual.

Mr. Pianta advised the Commission that the county has mining regulations and a permitting procedure through the Development Department which would address some of the questions being posed.

Kirk Davis, a geologist with E.R. Jahna Industries, and Mr. Johnston addressed questions posed by Comm. Caldi regarding post-mining reclamation requirements. Mr. Wieczorek explained that if the comprehensive plan amendment is approved, the property would have to be rezoned. Reclamation issues would then be addressed during a detailed review through the mining permitting process.

Mr. Johnston advised Comm. Hammond that the property is fenced and would be secured to address her concern that passive recreational activities on adjacent conservation property could access this site.

Mr. Wieczorek explained the review process by the Department of Community Affairs in response to Comm. Comunale's questions.

MOTION Comm. Comunale moved to recommend the LPA and BCC transmit CPAM0904 to the DCA per staff's recommendation. Comm. Hammond seconded the motion and the motion carried 5-0.

NOTE: A recess was taken between 9:57 a.m. and 10:07 a.m.

Brooksville Quarry, LLC - Comprehensive Plan Amendment - CPAM0703

Purpose: An amendment to change the Future Land Use Map for a 4,282 acre tract from Industrial, Mining, Conservation, Commercial, and Rural to Planned Development District; to amend the Future Land Use Element to add specific policies for the Planned Development District; and to amend Section D, Future Land Use Map - Mapping Criteria and Land Uses Allowed to add mapping criteria and land uses allowed for the Planned Development District and to amend the 5 year Schedule of Capital Improvements contained in the Capital Improvements Element

Location: North side of US 98 and Lake Lindsey Road, east of CR 491

Representative: Jacob D. Varn, Attorney, Fowler, White, Boggs, PA

The Commission unanimously agreed to grant the applicant a total of 90 minutes for their presentation as requested in Mr. Varn's letter of December 9, 2009.

Mr. Wieczorek stated the Planning Staff had no issues with the policy cluster contained in the application packet. Reviewing the staff report, he referenced policies 1.01F(9) and 1.01F(10) on page 18 and their importance when considering an application of this magnitude, and he read the four categories of issues under Section F, Discussion of Issues, starting on page 39.

While reviewing Section J of the staff report, Mr. Wieczorek noted consideration should be given that the project was still outside the existing potable water distribution network and existing sanitary sewer collection network, and those services would not be available without further network infrastructure to support the development. In conclusion, the four items presented under Section H, Staff Recommendations, are pertinent and the applicant should demonstrate compliance with the following four planning issues and related comprehensive plan policies if the plan amendment package is to be transmitted to the Department of Community Affairs:

- (1) the timing is not premature and will not lead to an unwanted development pattern;
- (2) the proposed project does not constitute urban sprawl;
- (3) the need for additional residential units over the planning horizon is demonstrated by supporting data and analysis; and
- (4) infrastructure and supporting facilities/services can be planned, funded and provided to support growth over the planning horizon.

Regarding the needs analysis, Mr. Wieczorek indicated that the supply side calculations and formula proposed by the applicant represented a professionally accepted methodology. The policy makers would need to look at the results to determine whether or not the number can be supported by the county. He added that the applicant revised the sprawl analysis; however, four sprawl indicators highlighted in the report need to be addressed as part of the application and presentation process.

Mr. Wieczorek advised the P&Z that representatives from the County Utilities, Parks and Recreation, and Business Development departments were available to answer questions.

Mr. Varn, under oath, stated the following individuals would be offering expert testimony: Don Lacey will testify on planning issues, Cliff Manuel, P.E., will testify on infrastructure issues, Linda Shelley will testify on urban sprawl issues, and Elton Smith P.E., will answer questions on transportation.

Mr. Varn explained that the comprehensive plan amendment had been filed in the latter part of 2006 and they had worked with County staff and DCA over the past three years. He opined that the proposed amendment was appropriate and beneficial to the county. Mr. Varn gave an overview of the process for comprehensive plan amendment review, transmittal to DCA, ORC report rendering, and final adoption.

Displaying Exhibits V-1 and V-2 via overhead projection, Mr. Varn reviewed the subject site, noting that over 4,000 acres have been mined and approximately 150 acres remain to be mined. Only a small portion of land was required to be reclaimed, as a majority of the property was mined over the past 40 years prior to the adoption of reclamation requirements. He described the proposed use as a sustainable

community with mixed uses and opined that it would not be considered urban sprawl. Construction of the development would not occur until around 2025. Mr. Varn stated the speakers following him will address the four areas of concern identified in the staff report.

Mr. Don Lacey, Vice President of Coastal Engineering, under oath, addressed planning issues. He discussed how the proposal will be a sustainable community due to its location and size. Several proposed policies orient themselves to being energy and resource efficient within the project. Displaying Exhibits D1 and D2 via overhead projection, Mr. Lacey described in detail the conceptual layout and various uses and amenities. A non-vehicular pathway network will interconnect all the uses to reduce the use of cars. The town center will be designed on a pedestrian scale with a mix of uses. An elementary or K-8 school is proposed near a community park. Ten acres are allocated for civic uses. A resort area including a lake feature, areas for golf courses, and a nature preserve and wildlife corridor are proposed. Over 1,000 acres of open space, not including the active portions of the golf course, will be left. Large buffers are proposed to separate areas to the east and north.

Mr. Lacey discussed green programs and standards to be more energy efficient which are addressed in proposed policies. The eastern portion of the project will be mined until 2018, after which it will become part of the development. Quarry residents along the outer edge to the north will be notified of the adjacent agricultural uses and activities. Mr. Lacey reviewed proposed infrastructures, including roads, allocation for a school site, park sites, and central sewer and water.

Mr. Lacey defined needs analysis as potential housing inventory divided by the demand, using BEBR data for projected population and county comprehensive plan policies. He explained that there is no defined methodology on how to do a needs analysis as long as it is a professionally acceptable methodology. He discussed four categories to determine the potential inventory of units – existing platted lots within subdivisions, approved but undeveloped developments, residentially designated areas on the Future Land Use Map using three units per acre, and the comprehensive plan policy referencing areas within 1320' of a residential designation which can be developed residentially with Board approval. Working with staff, they came up with an allocation ratio of 2.35 currently, or 2.54 if the Quarry Preserve is added. He opined that the multiplier was well within the realms of acceptability.

Mr. Cliff Manuel, President and owner of Coastal Engineering, under oath, addressed issues regarding infrastructure. Displaying Exhibits C1 through C7, Mr. Manuel discussed use of potable water and how they will recycle rainwater for irrigation. He reviewed the comprehensive plan policy of 350 gallons per day per connection for water use, and discussed how they plan to work with the Hernando County Utilities Department (HCUD) regarding conservation measures to reduce potable water consumption in this development.

Mr. Manuel discussed existing and proposed wellfields in the county and how the Quarry site can be used for a wellfield. The water was tested for quality and can be used for drinking with minor chlorination. The proposed onsite system can serve 100% of potable water needs for the development, an alternative stormwater system is proposed for non-potable needs, and excess potable water can be used to supply water needs to the south under the direction of the HCUD. He discussed methods for sanitary sewer by building an onsite temporary package treatment and how the proposed development

will generate close to \$3 million in impact fees to the County's Water and Sewer District. Regarding solid waste, he indicated there was sufficient capacity for this project.

Addressing other infrastructure, Mr. Manuel discussed the 35 acres set aside for a school site and additional agreements required with the School District, and he agreed with staff's conclusion. While discussing recreation, open space and parks, he agreed to work with the Parks and Recreation Department to ensure the district park facilities provided by the Ernie Wever Park, are properly sized for the needs generated by the proposed project. Regarding transportation, Mr. Manuel reviewed staff's conclusions specific to Policy 107G(39) outlined in the staff report, agreed with staff's conclusion, and indicated they would address all the transportation issues. He discussed the fire and law enforcement sections of the staff report and agreed with staff's conclusions regarding those services.

Mr. Varn introduced Linda Shelly as their last speaker, noting she was a lawyer and previously worked as a secretary for the Department of Community Affairs during the time the urban sprawl rule was adopted.

Ms. Shelly, under oath, gave an overview of what urban sprawl is and the leapfrog concept. She discussed how an urban sprawl analysis was done for the project. Using Exhibits L-1 and L-2, she reviewed the 13 indicators of urban sprawl from Florida Administrative Code, Rule 9J-5, explaining why nine indicators were not present in this project. She reviewed the four indicators staff believed were present (#2, #6, #7, and #10).

Referencing indicator #2, distance from urban areas, Ms. Shelly explained that a community development as proposed takes a lot of land and there were no other locations in the county available and suitable for this type of development. Addressing indicators #6 and #7 relative to infrastructure which was discussed by Mr. Manuel, she related to how they have been working with the county to ensure they use available capacity and ensure future capacity needs are met. Under indicator #10 regarding infill development, she referenced the DCA rule and 20 development controls. She opined that this was not urban sprawl and cited a portion of the DCA rule. She concluded the criteria that would indicate this as sprawl was very minor and had been addressed by the project, and the project would provide an opportunity to discourage the proliferation of sprawl elsewhere by providing an excellent product for the citizens.

In conclusion Mr. Varn noted there were over 10,000 lots currently identified in the residential category that would not have central water and sewer and were on dirt roads. He felt that type of development should not be encouraged. He asked the P&Z to recommend the BCC transmit the amendment to DCA.

Chairman Widmar asked for input from representatives of county departments prior to public comment.

Mr. Pat Fagan, Parks and Recreation Manager, under oath, discussed how the project would provide recreational infrastructure internal to the development that the county would not have to pay for, and how impact fee money will be used towards the expansion of the Ernie Wever Youth Park.

Mr. Michael McHugh, Director of Business Development, under oath, elaborated on the business park component of the development and policy statement, and how they tried to make it self-sustaining.

He discussed the reservation of 85 acres for the business park to accommodate targeted industries and employment.

Mr. Joseph Staph, Utilities Director, under oath, gave an overview of projects to obtain groundwater to supply the Spring Hill area. He explained that they would be pursuing the acquisition of groundwater resources from the general direction to the north and east over the next five to ten years whether or not the Quarry project moves forward. If the project moves forward, they will adjust their plans accordingly.

Chairman Widmar asked for public comment. The following people spoke under oath in favor of the petition: Vaikunta Murty Gulivindala, Bob Sartor, Leana Morton, and Gary Schraut. The following people spoke under oath against the petition: Frank Trama, Joe Murphy, Kathryn Ramirez (submitted pictures), Amanda Hutchinson, Janey Baldwin, and Pete Niemier.

The applicant's representatives responded to questions posed by public testimony regarding the wildlife corridor along the north and the north/south wildlife corridor along the eastern boundary. Mr. Varn confirmed that project had no connection to the cannery, and he discussed the anticipated money that would be generated over the term of the project, with no cost to the public for infrastructure.

At Chairman Widmar's request, Ms. Amber Wheeler discussed school issues by indicating the comments in her October 1, 2009, letter still existed. She asked that the language in proposed Policy 1.07(G)(1)(b)(1) indicate there would be exactly 1300 age-restricted units, and suggested the school capacity impact table on page 39 of the applicant's packet be revised to show the maximum potential for the development, noting that single-family units would have the most impact. She asked if the policy in the adopted comprehensive plan capping neighborhood school capacity to 400 seats was flexible, as this project had a potential for more than 400 elementary students.

Ms. Wheeler stated that there was no formal agreement regarding the donation of a school site and that the school site dedication has not been officially presented to the School Board. In addition, the School Board had no agreement to put the school site on the five-year plan, which is a main component of school concurrency, so that issue may appear in the ORC report. Lastly, she noted that the applicant did not address how they would handle middle and high school capacity if an issue arises in the future.

Mr. Varn responded by indicating the issues raised by Ms. Wheeler are addressed later in the process and not at the comprehensive plan transmittal level. They discussed how the different housing types would generate different school capacities. Discussion ensued. Ms. Wheeler stated that any unresolved issues can be settled at the adoption hearing.

Chairman Widmar proposed the P&Z discuss the four issues enumerated on page 41 under Staff Recommendations – timing, urban sprawl, needs, and infrastructure — one topic at a time. Under item #1 regarding timing, Comm. Comunale indicated he had concerns and reservations. Comm. Riley agreed that the proposal was premature and had concerns with its location. County Staff and Mr. Varn responded to various questions posed by the Commission members.

Mr. Pianta asked the P&Z to consider that other approved developments were either developing slowly or not at all, a significant extension of infrastructure would be required to serve this development, and

since this is a long term development, they need to envision what the county would look like in 25 years.

Chairman Widmar concluded that the project was not premature as it was a long term development, the mining operation would cease in 2018 with no responsibility for reclamation, and either the site could remain an open pit or some action could be taken within the next eight years. He commented that just because the P&Z recommends approval of the comprehensive plan amendment does not mean they get the rezoning, so inventory is not being added immediately. Mr. Pianta disagreed, clarifying that if the area is designated for development, there would be an obligation to provide a zoning to allow what was approved in the comprehensive plan amendment.

Responding to concerns by Comm. Hammond regarding sustainability of the development, Mr. Varn confirmed that criteria will be included in the DRI process requiring non-residential development during various phases of build out. He addressed concerns raised by Comm. Riley about assurances that all components of the development will be completed. Mr. Pianta clarified that the policy commitments agreed to would guide the development.

The Commission discussed issue #2 relative to urban sprawl. Comm. Caldi envisioned urban sprawl as strip centers along US 19 in Pasco County and unplanned development. He did not consider this proposal as urban sprawl as it was well conceived and a tightly contained project. Comm. Hammond did not see it as urban sprawl but did see it as leap frog. She had concerns with its location and proximity to roadway networks. Comm. Riley felt it was clearly not urban sprawl and thought its proximity to the Suncoast Parkway was a positive feature.

Comm. Comunale opined that it was urban sprawl, as there was no capital improvements along US 98 and no funding available for those improvements. Mr. Pianta noted that policies proposed indicated either the developer has to pipeline improvements or phase the development so transportation infrastructure is provided. He pointed out that the long range transportation plan does not have adequate funding for any improvements on US 98; any improvements would have to be negotiated through the development.

Mr. Elton Smith, with the Wilson Miller firm representing the applicant, under oath, confirmed that as part of the development agreement under the DRI process, once the funding agreement for road improvements is in place, the project is added to the long range plan. Mr. Pianta clarified that he was referencing unavailable revenue for the long term transportation plan, not the capital improvement element or the work program. Mr. Varn clarified that if the project moves forward, they would have to provide their proportionate share to improve US 98.

Mr. Lacey answered questions posed by Chairman Widmar regarding how the project would be sustainable if the business park is not built until after the 800th residence as referenced on pages 9 and 21 of the application packet. Mr. Lacey displayed Exhibit D-3 while addressing Chairman Widmar's opinion that this project was leap frogging, explaining that this project was a distance away from existing entities and would create its own community.

Under item #3 regarding the need for additional residential units over the planning horizon, Mr. Pianta clarified that staff accepted the revised data and analysis report and the resulting land use allocation

ratio provided by the applicant as a professionally accepted methodology. The question to discuss is whether the particular allocation number provides adequate flexibility for the county to grow over the planning horizon.

Comm. Hammond discussed the decreased population since 2007, and challenged the proposed inventory because of the unoccupied dwellings and developments in the county. With the current economy and exodus from Florida, she felt the 2.54 number was too low for inventory. She questioned how many homes needed to be available to choose from. Mr. Pianta elaborated on the calculation for the anticipated population growth. He asked the P&Z to consider whether there was available land to support population growth into the future, or should there be more choices available. When considering the 2.54 number, the P&Z should consider what unique characteristics the county has or the project provides to support the number. He indicated that DCA looks at that number in conjunction with the urban sprawl question.

Comm. Caldi noted fluctuation in the housing market over the year and commented that the county needed to be prepared for future growth. He opined that the applicants must have some reassurances that there will be growth to support their project. Chairman Widmar agreed. Discussion ensued.

Comm. Comunale opined that the amount of available land for residential development was underestimated and agreed with Comm. Hammond that the 2.54 figure was low.

Addressing item #4 regarding infrastructure, Joseph Staph, HCUD Director, answered questions regarding the projected life of Cell 3 for solid waste and the formula used to calculate potable water consumption. He noted that solid waste flow has diminished over the past three years, and even with the projected addition of the Quarry project, the cell would last longer than the projected 15 years. He noted that the number of active accounts for potable water has diminished as well.

In response to a question posed by Chairman Widmar regarding levels of service, Mr. Pianta clarified that the numbers are refined over time as conditions warrant.

Mr. Wieczorek answered questions posed by Comm. Comunale regarding the Glen Sub-regional Wastewater Treatment expansion. Mr. Pianta did not believe that reclaimed water from the Glen plant would be available for this project because of the existing demand for reclaimed water from other developments.

Comm. Caldi questioned why transportation issues were not addressed. He was concerned that there were identified traffic impacts but no plans on how they will be addressed given there was no funding in the planning horizon and the current financial situation of the County and the State.

Mr. Pianta responded that infrastructure improvements will be negotiated during the DRI process and it would not be appropriate to address specific impacts at this time. The proposed policy cluster requires that the applicant either phase development so there is adequate infrastructure available, or agree to a pipelining of improvements to support their development. Staff is concerned that there may be other unfunded needs as a result of this development; however, different studies are done for the DRI process. Discussion ensued regarding funding and the level of service impacts which are addressed in the DRI process, and the accelerated level of impacts if the development is approved.

Mr. Wieczorek responded to Comm. Hammond's question that the 10 acre site reserved for public facilities was adequate in size. Comm. Hammond was concerned with response times using existing fire stations for the project. Mr. Manuel noted the County was proposing a fire station on Thrasher Road which would serve this development. However, the public use site can be used for a fire station.

Mr. Smith answered questions posed by Comm. Riley regarding traffic flow improvements and traffic control devices to the major roadway network.

Chairman Widmar questioned why only four projects were listed in the CIE of the applicant's original proposal. Mr. Pianta replied that was based on the five year plan for development.

Chairman Widmar questioned if staff still felt the water and sewer infrastructure issues were inconsistent based on the applicant's presentation and what they were willing to fund or co-fund. Mr. Pianta elaborated on negotiations for water and sewer agreements where the developer typically pays for infrastructure needed to support the particular development. However, he pointed out that the infrastructure for this area is not there and referenced Policies 1.04(C)(4) and (5) of the County comprehensive plan.

Chairman Widmar opened the discussion to general comments. Comm. Comunale opined that issues were subjective and still unresolved. Mr. Wieczorek responded to questions posed by Comm. Riley regarding notification to adjoining jurisdictions, including Citrus County, and the current land uses along the Citrus border. Comm. Hammond commented that this was a beautiful concept. Chairman Widmar discussed his likes and dislikes of the four issues discussed.

Chairman Widmar noted in Staff's introduction that they did not object to the written goals and objectives as presented by the applicant. Mr. Wieczorek concurred.

MOTION Comm. Comunale moved to recommend the LPA and BCC not transmit CPAM0703 to the DCA. The motion failed for lack of a second.

MOTION Comm. Caldi moved to recommend the LPA and BCC transmit CPAM0703 to the DCA. Chairman Widmar seconded the motion and the motion carried 3-2 with Commissioners Hammond and Comunale voting nay.

Land Development Regulations - Review of the Amendment to Zoning Ordinance (PDP/Commercial Marine)

Mr. Pianta reviewed Planning Memorandum PD-178 dated November 16, 2009, which outlines the proposed revisions to the requirements for planned development projects, particularly for commercial marine uses. It is recommended that the Planning and Zoning Commission review the proposed updates to the Land Development Regulations for planned development projects, and provide any comments or proposed modifications to the Board of County Commissioners for consideration at a public hearing.

Comm. Hammond asked why front setbacks were not listed under the Perimeter Setbacks on page 5, lines 8-9. Mr. Pianta replied that they are dictated by the functional classification of the adjoining roadway addressed under lines 25-29 of the same page. In this case, the front setback would be 35 feet.

Chairman Widmar asked for public comment. No one came forward.

MOTION Comm. Hammond moved to recommend the Board of County Commissioners approve the amendment as presented. Comm. Riley seconded the motion, and the motion carried 5-0.

Commissioners and Staff Issues

Chairman Widmar, thanked the P&Z as this was his last meeting serving as Chairman. He indicated that he did not want to be re-elected as Chairman next year.

The Commission extended holiday wishes to everyone.

Other Business

There being no further business, the meeting was adjourned at 2:58 p.m.

Signed,

Robert Widmar, Chairman
Hernando County Planning & Zoning Commission

cjb