

Mr. Mucher asked if the public frontage road would be dedicated or remain private. Mr. Sweeney responded it will be not be a county dedicated road and will be the responsibility of the HOA, although the public will have access. Mr. Polackwich asked about minimum setbacks and lot sizes and inquired about the distance between residences. Mr. Sweeney explained the setback requirements. Mr. Matson added it is lower density than what is possible.

Mr. Polackwich asked if there was a median break at US Highway 1 at the entranceway. David Knight with KMA Engineering and Mr. Ryan Sweeney proceeded to answer the Commissioners questions about traffic configuration with relation to the project entrance. Chairman Day commented there is no traffic light at County Rd. 510. Mr. Sweeney noted there is a stop sign and directional arrows.

Chairman Day opened the floor for public comments, there were none. He then asked for a motion to approve the staff's recommendation.

ON MOTION BY Mr. Curtis Carpenter, SECONDED BY Ms. Beth Mitchell, the members voted unanimously (6-0) to approve staff recommendations on this Quasi-Judicial matter.

Public Hearing

Chairman Day read the following into record.

B. Sebastian Landing PD: Request for conceptual planned development (PD) plan and special exception approval for a 72-unit multi-family apartment complex with associated amenities. Gaddis Properties, LLC, Owner. WGI, Inc., Agent. Located on the east side of US Highway 1, south of 109th Street. Zonings: RM-6, Residential Multiple-Family (up to 6 units per acre) and CON-2, Estuarine Wetlands Conservation District. Land Use Designations: L-2, Low-Density Residential-2 (up to 6 units/acre) and C-2, Conservation-2 (up to 1 unit/40 acres). Density: 7.43 units/acre. [PD-20-11-05 / 2004120183 -87715] [Quasi-Judicial]

Chairman Day asked the Commissioners to reveal any ex-parte communication with the applicant or any conflict that would not allow them to make an unbiased decision. Mr. Polackwich said he spoke to two county employees regarding the project. The members stated that they had not had any ex-parte communication with the developer.

Mr. Sweeney reviewed information regarding the planned development process and gave a PowerPoint presentation, copies of which are on file at the Board of County Commissioners (BCC) office. Mr. Sweeney showed a location and aerial map of the 13.46 acre site. He explained the proposed plan is for a total of 72 multi-family units. All wetlands are to be preserved. Mr. Sweeney showed traffic circulation and landscape plans. Mr. Sweeney proceeded to answer questions from the Commissioners. Mr. Sweeney

explained the applicant is seeking a transfer of density from environmentally sensitive areas, which in this case are wetlands. He proceeded to explain there are limitations on the amount of density that can be transferred. The county encourages a transfer of density as incentive to protect and preserve wetlands. Mr. Sweeney ended his presentation by affirming the staff's recommendation with its associated conditions.

Chairman Day asked if the Commissioners had any questions. Mr. Sweeney proceeded to answer questions from the Commissioners regarding the zoning classification and land use designation. Mr. Polackwich asked Mr. Sweeney if public benefit was required and/or present. Mr. Sweeney explained the wetlands could be partially filled and developed, however, the public benefit is the permanent preservation of wetlands. Mr. Sweeney explained this project is the same or slightly lower in density compared to surrounding developments. Mr. Polackwich asked about special exception use and if the developer is required to show they will not negatively impact surrounding properties. Mr. DeBaal stated the code indicates the applicant shall have the responsibility to provide evidence to support their application, and that the developers presentation was forthcoming. Chairman Day opened the public hearing beginning with the developers presentation.

Mr. Joseph Paladin, President of Black Swan Consulting and Management Corporation and the owners representative, spoke and offered his contact information and availability any time to answer questions. He introduced the present project staff as follows: Matt Barnes, WGI, Inc. planner, Craig Chown, principal CGW mitigation bank, Mr. Ortega, traffic engineer, and David Ofstein, owner's representative. Mr. Paladin stated he feels the project will fulfill a need in the community, providing rental housing at market rates. Mr. Polackwich asked for clarity regarding location of adjacent properties. Mr. Paladin explained the project is surrounded by the single and multi-family home communities of Reflections and River Run as well as the Pleasantville assisted living facility.

Matt Barnes of WGI, Inc. then gave a presentation on behalf of the owner. He showed the site plan and explained landscape buffer and setback dimensions and highlighted the proposed open space. Mr. Barnes outlined the transfer of development rights and provided a breakdown. Mr. Barnes proceeded to explain benefits of the project include preservation of acres of wetlands and uplands, as well as landscape buffers and larger setbacks and open spaces than required. He noted the project is consistent and compatible with existing uses. Mr. Barnes proceeded to answer Commissioner questions about zoning along with Mr. Sweeney and Mr. Matson.

Mr. Joseph Braun, President of River Run Association, approached the podium and asked Mr. Barnes about the meaning of "low medium multi-family developments" as mentioned in his presentation. Mr. Barnes clarified he used that term colloquially and not as a defined term.

Mr. Craig Chown of CGW Mitigation spoke about the partnership with the county and how this project maximizes preservation. He pointed out that 151 acres South of the Grand Harbor subdivision and 1 mile of riverfront are preserved in the CGW mitigation bank.

Mr. Jeb Patelo, resident at 109th St. (private road North of the project) asked for clarification about the setbacks as the diagram seemed to show the River Run community on the north side. Mr. Sweeney responded and explained the location of the landscape buffers. Mr. Patelo expressed concern about a multi-story building being close to his house. Chairman Day showed the location of Mr. Patelo's property on the diagram. Mr. Patelo noted the building will partially shade his home. Commissioner Curtis Carpenter pointed out the developers diagram showed the specific distances and that the setback is 76 feet when only 15 feet is required. Mr. Patelo also expressed concern about making a U-turn on US Highway 1 to enter his street in the location of the project entrance because there is no traffic light planned. Mr. Sweeney explained the total average daily trips is below the threshold.

Mr. John Ferraro, resident of Reflections on the River asked the Commissioners why they want to consider making proposed changes. Chairman Day responded by pointing out this project could be much worse and that he believes this proposal is an excellent use of the land.

Ms. Audrey Bushey, President of the Board of Directors at Reflections on the River, approached the PZC. Ms. Bushey stated the main concerns of their residents are safety and security. She asked about the road that separates the two properties and asked about the landscape buffer. Mr. Sweeney showed the properties on the diagram. Ms. Bushey asked about the distance from the first building. Mr. Sweeney explained there is 85 feet of separation between buildings. Mr. Barnes and Mr. Sweeney proceeded to answer questions about the landscape buffers. Ms. Bushey also asked about lighting, expressing concern about the villas and the impact of lighting on privacy. Mr. Sweeney noted the lighting is shown on the diagram and is to be further reviewed by staff throughout the process. Ms. Bushey also expressed traffic impact concerns because a traffic light is not planned. Ms. Bushey expressed she would like the developer to take consideration in the type of plantings used in the buffer and that they were pleased with the buffer provided by the assisted living facility. Ms. Bushey asked if the buffer would be a wall or plantings. Mr. Sweeney indicated the buffer will be a berm of approximately 5 feet. Commissioner Stewart noted the developers diagram showed a type B buffer with a berm and a wall. Mr. Sweeney clarified it is to be a berm and a fence. Mr. Barnes clarified the buffer dimensions.

Paul Speas, resident of 6240 East Mirror Lake Dr. at Reflections on the River, asked for clarity about the berm. Mr. Barnes responded there will be a fence within the berm. Mr. Speas asked if non-native trees would be removed and replaced with native plants. Mr. Paladin responded that pepper trees will not be removed within the wetlands. Mr. Speas expressed concern about trash and overgrown weeds at the job site and asked for assurance the property will be maintained throughout the project. Mr. David Ofstein, representative of the owner, expressed they plan to be good neighbors and maintain the property. Mr. Speas expressed concern about preservation of wetlands and that he didn't want to see wetlands filled. Mr. Speas sent Mr. Sweeney pictures of what appears to be a Florida panther in the area and expressed concern for protected species. Mr. Sweeney

indicated there are more stringent environmental reviews after approval. Mr. Speas expressed concern about the property buffers and future traffic impact.

Mr. Joe Braun, President of River Run Association, spoke and indicated he had sent a list of questions to Mr. Sweeney. Mr. Sweeney responded most of the questions had been addressed by the developers presentation. Mr. Braun asked about the drainage of the three stormwater ponds. Adam Schildmeier with WGI, Inc. indicated the stormwater ponds are discharged toward the wetlands. Chairman Day asked if the water percolates through to the wetlands or surface flow. Mr. Sweeney responded surface flow. Mr. Braun asked if current zoning restricts the buildings to four stories in height. Mr. Sweeney responded they will be three story buildings. Mr. David Ofstein showed floor plans and conceptual elevations and explained the site plan regarding unit size and dimension. Mr. Braun asked about location of the buffer zone within the property dimensions. Mr. Ofstein showed a diagram of the buffer locations. Mr. Ofstein explained the developer has made efforts to minimize impacts to abutting properties and maximized incentives to preserve wetlands, pointing out the setbacks are further than required. Mr. Braun asked if any condominiums or co-ops are planned. Mr. Ofstein responded no and that the property is to be a market rate rental property with on site management. Mr. Braun asked if the planned development is a senior community. Mr. Ofstein responded it will not be a senior community. Mr. Ofstein briefly overviewed questions that had been addressed by the developers presentation. Mr. Ofstein indicated a community hotline number will be available if anyone has questions throughout the project.

Chairman Day asked if there are any other comments.

Mr. Speas commented that county staff have been very helpful throughout this process. Mr. Speas stated the assisted living developer worked well with the community and asked the same of this project. All agreed it is a team effort. Mr. Matson thanked him for the kind words.

There being no other comments, Chairman Day closed the public hearing and called for a motion.

Mr. Polackwich expressed concern for the single family home owner who spoke tonight and asked if there are any additional buffer characteristics that could be added to minimize the impact to this home owner. Mr. Sweeney pointed out it is the side of the building that faces the single family home. Mr. DeBaal stated his confidence that buffers and trees will be added to alleviate the problem. Mr. DeBaal encouraged the home owner to get Mr. Paladin's contact information. Mr. Mucher asked about the zoning history. Mr. Sweeney responded zoning and land use changes were made in the nineties. Mr. Carpenter expressed he understands concerns of the neighbors and pointed out the project could be much worse in respect to loss of wetlands and design.

ON MOTION BY Ms. Beth Mitchell, SECONDED BY Mr. Jordan Stewart, the members voted unanimously (6-0) to approve staff recommendations on this Quasi-Judicial matter.

Mr. Sweeny stated this matter still has to come before the Board of County Commissioners and there will be another round of mailings and postings tentatively in December.

Commissioner's Matters

There were none.

Planning Matters

Mr. Matson asked the Board to keep November 18th available as a tentative meeting date for the next meeting. Mr. Matson asked for a volunteer to alternate for the Affordable Housing Committee. Ms. Beth Mitchell volunteered. Chairman Day stated about a year ago a water workshop was discussed and that he still thinks this is a good idea. Mr. Matson agreed.

Attorney's Matters

There were none.

Adjournment

There being no further business, Chairman Day adjourned the meeting at 9:00pm.