

## **PLANNING AND ZONING COMMISSION**

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (PZC) on Thursday, May 22, 2025 at 6:00 PM in the Commission Chambers of the County Administration Building, 1801 27th Street, Vero Beach, Florida. You may view a video of the meeting and/or review the meeting agenda, backup material and minutes on the [Indian River County website](#).

Present were the following members: Chairman **Dr. Jonathan Day**, District 4 Appointee; Vice Chairman **Mr. Thomas Lowther**, Member-at-Large; **Mr. John Campbell**, District 1 Appointee; **Mr. Robert Votaw**, District 2 Appointee; **Mr. Calvin Reams**, District 3 Appointee; **Mr. Mark Mucher**, District 5 Appointee; and **Mr. Jordan Stewart**, Member-at-Large.

**Mr. Chip Landers**, Alternate Member; and **Ms. Teri Barenborg**, non-voting School Board liaison were absent.

Also present were IRC staff members: Ms. Susan Prado, Deputy County Attorney; Mr. Ryan Sweeney, Assistant Planning and Development Services Director; Mr. Brandon Creagan, Chief Planner of Current Development; Ms. Sibel Bode, Senior Planner; and Recording Secretary, Ms. Lisa Plesnarski, Commissioner Assistant.

### **Call to Order and Pledge of Allegiance**

Chairman Jonathan Day called the meeting to order at 6:00pm. All stood for the Pledge of Allegiance.

### **Additions and Deletions to the Agenda**

Mr. Brandon Creagan, Chief Planner of Current Development introduced new Senior Planner Sibel Bode.

### **Approval of Meeting Minutes**

There were none.

### **Item #4 Public Hearing**

Chairman Day read the following:

**4A.** Floresta Gardens: Request for conceptual planned development (PD) plan and PD rezoning approval, and concurrent preliminary PD plan/plat approval for a 44-lot single-family residential development. K. Hovnanian Southeast Florida Division, LLC, Applicant. MBV Engineering, Inc., Agent. Zoning: A-1, Agriculture-1 (up to 1 unit per 5 acres). Land Use Designation: L-1, Low-Density Residential-1 (up to 3 units/acre). Proposed Density: 2.43 Units/Acre. (PD-24-07-05 / 2001020054-96566) [**Quasi-Judicial**].

Chairman Day asked if any of the commissioners had any ex-parte communication pertaining to this request. There were none.

*The secretary administered the testimonial oath to those present who wished to speak.*

Mr. Brandon Creagan, Chief Planner of Current Development, gave an analysis of the request for conceptual planned development (PD) plan and PD rezoning approval, and concurrent preliminary PD plan/plat approval and gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners Office (BCC Office).

Mr. Creagan briefly reviewed the rezoning and PD plan process and explained that the Planning and Zoning Commission (PZC) will make a recommendation for final approval by the Board of County Commissioners (BOCC). Mr. Creagan showed the location of the subject site on a location map for reference and described the location as south of 8<sup>th</sup> Street, north of 4<sup>th</sup> Street, west of 43<sup>rd</sup> Avenue and east of 58<sup>th</sup> Avenue. Mr. Creagan said the site is currently zoned A-1 and the request is to rezone to PD planned development. Mr. Creagan showed an aerial map of the existing conditions with a map of the proposed development overlayed. Mr. Creagan described the 44 unit conceptual PD planned development will have various lot sizes and a standard roadway pattern. Mr. Creagan showed a traffic circulation map and said there will be one standard loop road with internal roadway connections as well as a full access connection to 8<sup>th</sup> Street. Mr. Creagan showed a landscape plan map and gave a brief description of the planned perimeter buffers. Mr. Creagan also gave an overview of the planned dedications, improvements, and conditions and reviewed some of the public benefits of the proposed project.

Mr. Creagan noted there was a Town Hall style meeting held on April 29, 2025 at 6:00pm which was hosted by the applicant, and County staff attended. Mr. Creagan said there were approximately 28 property owners in attendance. Mr. Creagan said the applicant and County staff responded to questions and there were no design changes discussed or requested. Mr. Creagan ended his presentation by recommending that the PZC grant preliminary PD plan/plat approval, subject to the BCC approval of the PD rezoning and conceptual PD plan request, and recommend that the BCC grant PD rezoning and conceptual PD plan approval for Floresta Gardens PD with the conditions listed in the staff report.

Chairman Day asked if there were any Commissioner questions. Mr. Votaw expressed concern about the 6 foot side setbacks on the 62 foot wide lots and the issue of proper drainage easement between houses. Mr. Votaw also spoke about the need to accommodate concrete pads for air conditioning units and garbage bins. Mr. Votaw said these are technical questions that immediately come to mind which could be solved by putting a 40 foot product on a 62 foot lot, however, the applicant is proposing a 50 foot product on a 62 foot lot. Mr. Votaw spoke about the discussion at a recent BOCC meeting on the subject of development. Mr. Votaw also expressed concern about construction challenges for this type of project and asked some questions about access to the property. Mr. Creagan responded that safeguards have been put in place to ensure the main access to the project is maintained, which will be grandfathered, and deferred to the

applicant for further information. Mr. Creagan said this type of housing is being seen more often and explained that staff enters into negotiations with applicants to obtain some (additional) public benefits.

Mr. Lowther also spoke about the discussion that took place at the last BOCC meeting regarding density and said people often bring up the nearby Hampton Park development with him in conversation. Mr. Lowther noted some other communities in the County that were built on property that was previously zoned agricultural and rezoned for planned development. Mr. Lowther said he watched the 2021 PZC meeting for the Hampton Park development and that a comment was made that it was going to be affordable housing. Mr. Lowther gave the opinion that he does not consider the starting price of the Hampton Park homes affordable housing. Mr. Lowther said he is not in favor of this and would rather see rezoning to RS-3. Mr. Votaw agreed and said he is in support of property owner's rights but that he has additional concern about the 20 foot garage setback and that cars and trucks will be overhanging sidewalks.

Mr. Sweeney explained that most of the new developments in the South County area are planned developments. In response to a question from Mr. Lowther, Mr. Sweeney said the size of the parcel adjacent to the west of the subject parcel is about 20 acres. Mr. Sweeney clarified that the six foot side setback is doubled so it is actually 12 feet between each home. Mr. Sweeney said there are only 2 homes backing up to the subject parcel and there will be significant landscape buffers in between. Mr. Mucher said he shared the concerns expressed by the other Commissioners. Mr. Mucher said the average car length is 18-20 feet so he feels there is not a lot of room allowed for driveway parking. Mr. Campbell expressed concern for drainage between homes and whether or not EMS would be able to access a backyard if necessary. Mr. Sweeney said there is no conveyance between homes and that drainage is designed to run off via curb and gutter to the road and deferred to the applicant for further detail.

Mr. Reams commended staff for an excellent presentation. Mr. Reams spoke about being a native of Indian River County and that we have a quality of life not shared by Counties to the South that we want to maintain. Mr. Reams said that he questions the age of the traffic study done for 8<sup>th</sup> Street and gave the opinion that we are putting a lot of residents onto a congested two lane road.

There being no further commissioner questions or comments, Chairman Day opened the Public Hearing.

Mr. Norman Mett, of 5155 9<sup>th</sup> Lane, was present and explained he lives in Laurel Oaks right across the street from the entrance of the subject property. Mr. Mett spoke to Mr. Reams concerns about traffic on 8<sup>th</sup> Street and noted the nearby Hampton Park development is just now starting to sell. Mr. Mett spoke about more students being sent to Glendale Elementary School next year because Rosewood School is closing. Mr. Mett spoke on behalf of the residents of Laurel Oaks and expressed their concern about zoning changes and approvals for planned developments in consideration of the need for

infrastructure improvements. Mr. Mett spoke specifically about 8<sup>th</sup> Street and said traffic already makes turning out of their development difficult.

Mr. Joe Rivera of 755 49<sup>th</sup> Avenue was present and explained he owns property adjacent to the subject property. Mr. Rivera said he is concerned about adequate privacy buffering. Mr. Rivera also expressed concern about stormwater runoff and asked if runoff would run to the canal. Mr. Rivera said that 49<sup>th</sup> Avenue does not have public sewer and asked if there would be a possibility to connect if he builds a home at the corner of 8<sup>th</sup> Street and 49<sup>th</sup> Avenue.

Mr. Bo Bar-Navon, Director of Land for K. Hovnanian, was present on behalf of the applicant. Mr. Bar-Navon said the Project Engineer and Planner, Ms. Angelena Vitter with MBV Engineering, and Mr. Matt Nelson, K. Hovnanian Director of Entitlements, were also present to answer any questions. Mr. Bar-Navon spoke about the County's Comprehensive Plan and noted the subject property is located within the Urban Service Boundary and the intent is for the property to be developed. Mr. Bar-Navon said they spent a year working with staff through the PD process and noted the benefits of open space, increased buffers, and additional public benefits. In response to some of the Commissioner comments, Mr. Bar-Navon said the air conditioner units will not be on the ground but attached to an outside wall and out of the way of the drainage swale between homes. Mr. Bar-Navon gave a brief description of the homes they plan to build and said they will be higher end, one-story, three-car garage homes with higher ceilings and upgraded kitchens that will be priced in the \$600K – 800K range. Mr. Bar-Navon spoke about the drainage and treatment requirements and that none of the stormwater will be directed toward neighboring property. Mr. Bar-Navon also said they performed required testing with a traffic engineer to determine criteria were met and noted a traffic impact fee will be paid by homeowners toward Countywide improvements. Mr. Bar-Navon said the project is an intelligent, negotiated design and that they spend a considerable amount of money to get the project to this point of progress and gave the opinion they should not be denied approval due to emotional reasons or unsubstantiated concerns.

There being no further questions, Chairman Day closed the Public Hearing.

Chairman Day asked if there were any further commissioner questions. There being no further commissioner questions, Chairman Day called for a motion.

Thomas Lowther made a motion to deny the request to rezone from A-1 to PD, Planned Development. Deputy County Attorney Susan Prado reminded the Commissioners that a denial needs to be based on substantial competent evidence of facts presented and consistent with the law under the County Code. Mr. Lowther said he feels a rezoning from A-1 to PD does not complement this parcel of property and that rezoning to RS3 or a smaller step would be more relevant.

**ON MOTION BY Thomas Lowther, SECONDED BY Robert Votaw. The Commission voted (4-3) to deny the request to rezone from A-1, Agricultural-1 to PD, Planned Development,**

**and to deny the associated conceptual PD plan and concurrent preliminary PD plan/plat on this Quasi-Judicial matter.**

### **Commissioners Matters**

There were none.

### **Planning Matters**

Mr. Sweeney said there will most likely be agenda items for the next meeting scheduled for June 12, 2025.

### **Attorney's Matters**

Ms. Prado spoke about tonight's discussion regarding PD's. Ms. Prado said the Commission can make suggestions to the BOCC about the PD process. Chairman Day asked if there was a formal way, or if tonight's vote would imply the suggestion. Ms. Prado said it is something that would be brought up under commissioner's matters and suggested they look at our PD Code 915 to see if they have comments or suggestions. Mr. Lowther spoke about the possibility of a future workshop with the BOCC for discussion. Mr. Reams commented that a comparison to the way they do things in Port St. Lucie did not sit well with him. Mr. Campbell agreed with the sentiments expressed by Mr. Reams and said that the density of this type of construction does not seem to fit with the vision of the County.

### **Adjournment**

There being no further business, the meeting was adjourned at 6:50pm.