PLANNING COMMISSION, PASCO COUNTY, FLORIDA

ANNOTATED AGENDA

August 09, 2018

**THE DOCUMENT WAS PREPARED
IN AGENDA ORDER AS PUBLISHED
AND NOT IN THE ORDER IN WHICH
THE ITEMS WERE HEARD**

**PREPARED IN THE OFFICE OF
PAULA S. O'NEIL, CLERK & COMPTROLLER**

1:00 PM

**Historic Pasco County Courthouse, Board Rm 2nd FL
37918 Meridian Avenue, Dade City, Florida 33525**

Planning Commission: Michael J. Cox, CFP
Jaimie Girardi
Charles Grey
Peter Hanzel
Kevin Ryman
Roberto Saez, MBA, CGC, AIA

School Board Representative: Chris Williams

Legal Counsel: David Goldstein, Chief Assistant County Attorney

Staff: Nectarios Pittos, Director of Planning and Development
Ernest D. Monaco, Assistant Director of Planning and Development
Joaquin Servia, Development Review Manger
Denise Hernandez, Zoning Administrator/Special Projects Manager
Margaret W. Smith, P.E., Engineering Services Director/County Engineer

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CALL TO ORDER

Chairman Grey called the meeting to order at 1:34 p.m.

MOMENT OF SILENCE

A moment of silence was held in lieu of the Invocation.

PLEDGE OF ALLEGIANCE

Chairman Grey led the Pledge of Allegiance to the Flag.

ROLL CALL

Ms. Donalee Schmidt, Deputy Clerk, called the roll. All members were present.

SWEARING IN

Ms. Schmidt swore in those who planned to present testimony.

PROOF OF PUBLICATION

Ms. Schmidt noted the proof of publication.

PUBLIC COMMENT

There were none.

CONSENT

CONSTITUTIONAL OFFICERS - CLERK - MINUTES APPROVAL

C1 July 11, 2018 Planning Commission Meeting - Minutes for Approval
Memorandum PDD18-1270
Recommendation: Approve

The Commission approved the minutes for the July 11, 2018 Meeting.

Mr. Hanzel noted that Mr. Christopher Chittum had submitted a letter to Staff resigning from the Planning Commission prior to the July 11, 2018 Meeting. The Minutes showed that Mr. Chittum was absent.

Mr. Goldstein stated that the motion could include the revision to the Minutes with Mr. Chittum being removed completely instead as stated as absent.

The Commission approved the July 11, 2018 Minutes and to include the revision to the Minutes as stated by Mr. Goldstein.

PUBLIC HEARINGS

The Commission approved the Public Hearing Consent Agenda which included items P5, P6,

P7, and P11.

PUBLIC HEARING AT 1:30 P.M.

P1 AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, AMENDING SECTION 402.5.A. TEMPORARY USES TO PROVIDE FOR MOBILE FOOD OPERATIONS; AMENDING APPENDIX A, DEFINITIONS; PROVIDING FOR APPLICABILITY, REPEALER, SEVERABILITY, INCLUSION INTO THE LAND DEVELOPMENT CODE, AND AN EFFECTIVE DATE.
Memorandum PDD18-1298
Recommendation: Approve

Ms. Hernandez stated that the members would be acting as the Local Planning Agency for the item. She read the Ordinance title into the record and explained the item. Staff recommended approval.

Chairman Grey called for public comment. No one spoke.

Discussion followed regarding a reservation fee; concerns with departments having their own set of rules; departments would have their own agreements; certain properties being exempt from permitting requirements; a sixty day limit for food trucks to be allowed at a property; and mobile food operations for residential/non-residential areas and mixed uses.

The Local Planning Agency approved to amend Section 2, paragraph 6.b. to state 90 days instead of 60 days.

The Local Planning Agency approved the revision to Section 402.5.A.2.a to read "Non-Residentially Zoned for purposes of this Section, non-residentially zoned shall mean all property zoned PO-1, PO-2, C-1, C-2, C-3, I-1, I-2, and all office, commercial, industrial, or mixed use portions of an MPUD" as stated by Ms. Hernandez.

The Local Planning Agency approved item P1 as amended.

P2 CONDITIONAL USE (CONTINUANCE) - Patricia Webber Fesmire/North American Towers, LLC/Earthcom Services, Inc. - For a 195 Foot Above-Ground-Level Monopole Wireless Communications Facility in an A-C Agricultural District - Central Pasco County - Approximately 1,000 Feet South of SR 52 and Approximately 1,000 Feet East of Bellamy Brothers Boulevard - Containing a Proposed 10,000 Square Foot Fenced Compound Area
Memorandum PDD18-CU27C
Recommendation: Continuance Requested

Ms. Hernandez reviewed the item and stated that the applicant had requested a continuance to the September 6, 2018 Planning Commission meeting at 1:30 p.m. in Dade City.

Chairman Grey called for public comment. No one spoke.

The Commission approved to continue the item to the September 6, 2018 Planning Commission meeting at 1:30 p.m. in Dade City.

P3 CONDITIONAL USE REQUEST (CONTINUANCE) - VGA Realty, L LC/Nail Country and Tan Spa - Sale of Alcoholic Beverages (2COP): Beer and Wine Only, On-Premises Consumption, in Conjunction with the Operation of a Nail and Tan Spa in a MPUD Master Planned Unit Development District - South Central Pasco County - At the Northeast Corner of Bruce B. Downs Blvd. and Williamsburg Dr. - Section 31, Township 26, Range 20 (PC: 8/9/18; 1:30 p.m.; DC and BCC: 9/4/18; 1:30 p.m.; DC)
Memorandum PDD18-CU36
Recommendation: Continuance Requested

Ms. Hernandez reviewed the item and stated that the applicant requested a continuance to the September 6, 2018 Planning Commission meeting at 1:30 p.m. in Dade City due to "proper notice not being conducted on the item."

The applicant was present.

There were no objections.

The Commission approved to continue the item to the September 6, 2018 Planning Commission meeting at 1:30 p.m. in Dade City.

P4 SPECIAL EXCEPTION (CONSENT) – Duke Energy Florida, LLC. – a Special Exception for an Electrical Substation in an A-C Agricultural District – South Central Pasco County – On the North Side of Satinleaf Lane Approximately 650 Feet West of Smith Road – Section 15, Township 26 South, Range 20 East – Containing Approximately 10.12 Acres.
Memorandum PDD18-7343
Recommendation: Approve

Ms. Hernandez requested the item be pulled from the Public Hearing Consent Agenda due to objections.

Ms. Alexandra Laporte, Planning and Development, entered into the record the e-mails received in opposition.

Ms. Hernandez spoke regarding the information distributed in regard to ex-parte communications.

The Planning Commission members disclosed they had received e-mails from residents and had forwarded them to Ms. Hernandez.

Ms. Laporte reviewed the item using a PowerPoint presentation. She noted an amended Condition in regard to combining parcels at the site and the enhanced landscape buffer. She distributed the amended Condition to the members. Staff recommended approval.

Mr. Manny Vilaret, outside counsel by Duke Energy, reviewed the request using a PowerPoint presentation. The substation would increase the electrical service capacity and the drainage would be located entirely on site. He reviewed the landscape plan and spoke regarding the

drainage and the ingress and egress at the site.

Ms. Hernandez clarified that the Planning Commission was not discussing the parcel to the east which was approved for a Special Exception substation. The Planning Commission members were to look at the parcel called out in the Special Exception application.

Ms. Sara Guntrum, Duke Energy Substation Permitting Specialist, noted they had received the e-mails from the residents on Friday. She stated there had been an attempt to get photos of the subject site but were unable to because of private property along Satinleaf Lane and Smith Road. She spoke regarding the landscape plan and the proposed six foot high PVC fence.

Mr. Shawn Patel, Electrical Engineer with Black & Veatch, spoke regarding the substations tied into New River and Overstreet. The upgrades provided would increase the reliability of the Duke Energy substation.

Discussion followed regarding acreage of a parcel; the existing Special Exception at the site; the existing wetlands; the need for the retention pond would be to mitigate the wetlands and the proposed expansion; clarification of the 10.12 acreage area at the subject site; the landscape buffer Condition was unclear; the buffering at the site; the substation height; the height of the berms; the Commission members wanted a graphic to show what the buffering would look like from the residents' homes; the option to place the substation in a different direction to fit in the existing Special Exception site; an opaque fence in the landscape plan; the proposed plan for the two story dwelling; the purpose of the substation was to expand the larger transmission grid for the surrounding areas; the residents in opposition were not customers of Duke Energy; the transmission system process; the substation would contribute to the grid to provide electricity service to various homes; the height and amounts of the monopoles at the site; and for the applicant to take into consideration not to block the residents access.

MR. MICHAEL COX LEFT THE MEETING AT 3:25 P.M. AND RETURNED TO THE MEETING AT 3:26 P.M.

THE PLANNING COMMISSION RECESSED AT 3:33 P.M. AND RECONVENED AT 3:47 P.M. ALL MEMBERS WERE PRESENT.

Chairman Grey called for public comment.

The Commission approved to receive and file documents submitted by Staff.

Ms. Elise Batsel, Mr. Joshua Kling, Ms. Victoria Voightmann, Ms. Niraj Patel, Ms. Lee Schmidt, Ms. Molly Snow, and Mr. Ryan Riches spoke regarding the distance to the substation from the residents' homes; Pasco County's Comprehensive Plan; visual, lighting, noise, and glare concerns; some residents felt there were insufficient notice for the community meeting; the option to move the substation site further north for less impact on the surrounding residents; additional Conditions in regard to minimum feet in between trees, height requirements for mature trees, an enhanced berm, and for native trees to be preserved; County standards for noise; that the applicant did not return phone calls from a resident; the substation was built in 1999; concerns for decreased property values; the need for the applicant to show statistics of the proposed benefit for the project; the need for a fence at the site; Duke Energy had not looked at other locations; the residents did not lose power during the hurricane; and the need for the applicant to meet a portion of the voltage requirements by 2021 with the existing footprint.

The Commission approved to receive and file documents submitted by Ms. Elise Batsel.

The Commission approved to receive and file e-mails and a signed petition submitted by Ms. Elise Batsel.

Ms. Guntrum stated she had received the phone calls from Ms. Batsel and forwarded her concerns to Mr. Vilaret. They spoke with Ms. Batsel before the meeting regarding her concerns.

Mr. Goldstein noted most applicants would have requested a continuance.

Ms. Guntram was unaware they could request a continuance. She stated the final design was not complete and she requested a continuance.

Discussion followed regarding if the applicant could move the substation further to the north; that the applicant had performed a citing analysis; dates considered for the continuance; if the item was continued beyond 60 days, the applicant would be required to re-notice the hearing; and allegations of the hearing notice.

The Commission approved to continue the item to the September 6, 2018 Planning Commission meeting in Dade City at 1:30 p.m.

P5 ZONING AMENDMENT - (CONSENT) Gator Shop, LLC - Change in Zoning from R-1MH Single-Family / Mobile Home District and C-3 Commercial/Light Manufacturing Districts to a C-3 Commercial/Light Manufacturing District - West Central Pasco County - On the West Side of Land O' Lakes Boulevard Approximately 1,100 feet North of Gator Lane - Section 35, Township 25 South, Range 18 East - Containing Approximately 9.25 Acres
Memorandum PDD18-7274A
Recommendation: Approve

Ms. Hernandez reviewed the item. Staff recommended approval.

There were no objections.

Discussion followed regarding that the item had been before the Planning Commission as a Comprehensive Plan Amendment at a previous meeting.

The item was approved as part of the Public Hearing Consent Agenda.

P6 ZONING AMENDMENT (CONSENT) - Stern And Laurie Summers - Change In Zoning From C-2 General Commercial District to R-2 Low Density Residential District - South Central Pasco County - On the South Side of Black Lake Road Approximately One-Quarter Mile East of Chesapeake Drive Extending Southerly to Geneva Drive - Parcel I.D. # 26-26-17-0030-00100-0120- Containing Approximately 0.41 Acres
Memorandum PDD18-7340A
Recommendation: Approve

Ms. Hernandez reviewed the item. Staff recommended approval.

The applicant was present.

There were no objections.

The item was approved as part of the Public Hearing Consent Agenda.

P7 ZONING AMENDMENT (CONSENT) - Prime San Antonio, LLC – Change in Zoning from R-1MH Single-Family/Mobile Home District and C-2 General Commercial District to C-2 General Commercial District. – Central Pasco County – On the East Side of Pasco Road, Approximately 400 Feet North of S.R. 52, Extending Easterly to Fresco Lane.
Memorandum PDD18-7341
Recommendation: Approve

Ms. Hernandez reviewed the item. Staff recommended approval.

There were no objections.

The item was approved as part of the Public Hearing Consent Agenda.

P8 ZONING AMENDMENT (CONSENT) - Dorothy Dahm Bard Trust – Change In Zoning From R-4 High Density Residential District to MF-1 Multiple Family Medium Density District– South Central Pasco County – On the North Side of Willow Bend Parkway Approximately One-Half Mile East of Land O' Lakes Boulevard – Section 36, Township 26 South, Range 18 East – Containing Approximately 15.5 Acres.
Memorandum PDD18-7342d
Recommendation: Approve

Ms. Hernandez requested the item be pulled from the Public Hearing Consent Agenda due to objections. She requested a motion to receive and file letters of objection. She reviewed the item using a PowerPoint presentation. Staff recommended approval.

The Commission approved to receive and file documents submitted by Staff.

Mr. Goldstein and Mr. Hernandez held discussion regarding the zoning of the site and the maximum amount of units.

Mr. Michael Horner, applicant's representative, spoke regarding the maximum density. He stated there would be 58 to 64 units at the site. It was proposed as single family attached two story townhomes with a two car garage attached in clusters. The minimum square footage would be 2,000 with a minimum value of $300,000.00.

Chairman Grey called for public comment.

Ms. Sheryl Bowman and Mr. Dennis Derbes spoke regarding the close proximity to the subject property from a resident's home; traffic concerns; concerns with the compatibility for the area; insufficient notice to the surrounding residents; and the road condition of Willow Bend Parkway.

The Commission approved to receive and file documents submitted by Ms. Sheryl Bowman.

Ms. Hernandez clarified that the applicant had already been entitled to R-4. The density would be the same.

Mr. Horner thanked Mr. Derbes and Ms. Bowman and wished they could have met. He noted a proposed pond and fence next to Ms. Bowman's property.

Discussion followed regarding if the applicant was to sell the property; the project could not have a Condition to limit it to just townhomes because it was a Euclidean zoning; and that the applicant was willing to deed restrict to specifically state single-family attached homes.

The Commission approved the item based on the self-imposed deed restriction as stated by Mr. Michael Horner.

The Commission approved to receive and file documents submitted by Mr. Michael Horner.

P9 CONDITIONAL USE REQUEST (REGULAR) - Terry D. and Mary M. McKnight - A 110 Foot Observation Tower in an A-R Agricultural-Residential District - Northeast Pasco County - On the South Side of St Joe Road, Approximately 4,965 Feet East of Happy Hill Road - Containing Approximately 9.84 Acres
Memorandum PDD18-CU30C
Recommendation: Deny the Conditional Use Request

Ms. Erica Wenndlund, Planning and Development, reviewed the item using a PowerPoint presentation. Staff recommended approval with Conditions.

The Commission approved to receive and file documents submitted by Staff.

Ms. AnnMarie Dimaio, President of T-A-T Civic Association, spoke regarding financial difficulties.

Mr. Ernie Stetz, Polish American Pulaski Association representative, gave a brief history of the organization. He spoke regarding the programs they supported, the amount of members, and concerns regarding the access to the site. He stated that the club was a member's only club.

Chairman Grey called for public comment.

Discussion followed between Mr. Goldstein and Ms. Hernandez regarding alcohol allowed at the social club.

Mr. Rodney Martin, Ms. Emily Ellenburg, Mr. Ron Traenkle, and Mr. Bruce Zemke spoke regarding that the social club had "boasted" the amount of members; traffic issues; limited days and hours; concerns about the liquor license; poor road conditions; the club had been around for 10 years; the events at the club; the Gulf Coast Jewish Family Community Services and programs offered; the alcohol stored at the club; the building was alarmed and would have surveillance cameras installed; alcohol sales in the area; the clubhouse was built in 1927; the T-A-T Civic Association was incorporated in 1973; and that the club had always been a BYO Club.

Ms. Hernandez clarified alcohol sells would be to 6:00 p.m. on Sundays not 8:30 p.m.

The Commission approved the item per Staff's recommendation.

P10 CONDITIONAL USE REQUEST (REGULAR) - T-A-T Civic Association, Inc./Polish-American Pulaski Association, Inc. - Social Club in an R-4 High Density Residential District- Southwest Pasco County - At the South Side of Darlington Road, Approximately 100 Feet West of Chatlin Road - Section 25, Township 26 South, Range 15 East
Memorandum PDD18-CU35
Recommendation: Approval with conditions

Mr. Raymond Phillips, Current Planning, reviewed the item using a PowerPoint presentation. Staff Recommend approval with conditions.

Ms. Andrea Zelman, applicant's representative, thanked Staff for their assistance. She spoke regarding that the borrow pit was internal to the Bexley development. The fill dirt would be used for the office portion of the project.

Chairman Grey called for public comment. No one spoke.

The Commission approved the item per Staff's recommendation.

P11 CONDITIONAL USE REQUEST (REGULAR) - Bexley Ranch Land Trust - No Funding Required. South of Tower Road, West of Sunlake Boulevard, 16-26-18 0000-00100-0000
Memorandum CU18-0026
Recommendation: Approval with conditions

Ms. Hernandez requested the item be placed on the Public Hearing Consent Agenda. She reviewed the item. Staff recommended approval.

The applicant was present.

There were no objections.

The item was approved as part of the Public Hearing Consent Agenda.

Mr. Goldstein held discussion regarding the uniformity of the Agenda. He recommended to Staff to eliminate parcel ID numbers in the titles of the items.

Ms. Hernandez stated that the Board of County Commissioners had requested Staff include parcel ID numbers.

P12 ZONING AMENDMENT (REGULAR) - Lane Road MPUD Master Planned Unit Development - Hillvest, Inc. Rezoning Request from an A-R Agricultural-Residential and R-3 (Medium Density) Single-Family Detached Zoning Districts to an MPUD Master Planned Unit Development to Allow Up

to 336 Single-family Detached Dwelling Units on Approximately 68.00 Acres -Located Approximately 1,300 Feet South of the Intersection of S.R. 54 and Allen Road (Parcel ID Nos. 15-26-21-0030-04300-0000, 15-26-21-0030-04000-0010, 15-26-21-0030-05700-0021 and 15-26-21-0030-03900-0010)
Memorandum PDD18-7316
Recommendation: Approval with conditions

Ms. Hernandez explained the request using a PowerPoint presentation. She reviewed the letters of objection that were submitted. Staff felt the Conditional Use was not compatible with the area and that the Conditional Use was inconsistent with the Land Development Code. The site could not be buffered or screened. Staff recommended denial.

The Commission approved to receive and file documents submitted by Staff.

The Commission approved to receive and file additional documents submitted by Staff.

Discussion followed regarding a cell tower as a potential use and that the tower was decommissioned.

Mr. Ryman stated he knew Mr. Terry McKnight.

Mr. Terry McKnight, applicant, stated that the Zoning Department previously assured him he would not have an issue obtaining a permit for the tower. After he purchased the tower, he was not able to obtain a permit. He spoke regarding the location of the tower on the site and the elevation of the area. He reviewed and responded to the concerns of the objection letters from the residents.

The Commission approved to receive and file additional documents submitted by Mr. Terry McKnight.

Discussion followed regarding the proximity to the neighbor's properties.

Chairman Grey called for public comment.

Mr. Doug Stentz, Ms. Margaret Woods, and Ms. Barbara Stentz spoke regarding that the request did not meet all the requirements for the Conditional Use; concerns with the buffering; the location of the tower to the neighbor's properties; the elevation of the property; some residents had been in favor of the tower; privacy concerns; the tree canopies; and if some of the members did not know the applicant personally, would their opinions be different.

Mr. Goldstein stated that because Staff recommended denial there would be no Conditions of Approval before the members. If the Planning Commission wanted to approve the item they would need to continue the item for Staff to develop the Conditions of Approval.

Discussion followed regarding what prohibited the applicant from continuing with the tower and the members gave their opinions of the tower project.

Motion to continue the request for Staff to develop Conditions.

Discussion followed regarding the motion.

The Commission approved to continue the item to the September 6, 2018 Planning Commission meeting at 1:30 p.m. in Dade City with Mr. Jaime Girardi, Mr. Michael Cox, and Mr. Roberto Saez voting nay by a roll call vote.

Discussion followed regarding the suggested Conditions of Approval and photovoltaic panels.

Ms. Hernandez clarified for the public that the item would be continued at the September 4, 2018 Board of County Commissioners (BCC) meeting and heard at the October 9, 2018 BCC meeting in Dade City at 1:30 p.m.

Mr. Goldstein stated that the Planning Commission was a recommending body and a final decision on the item would be by the Board of County Commissioners.

ADJOURN

The meeting adjourned at 6:19 p.m.

Prepared by: Shannon Egbert, Records Clerk II, Board Records Division