PLANNING COMMISSION, PASCO COUNTY, FLORIDA

ANNOTATED AGENDA

September 06, 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**

1:30 PM

**Historic Pasco County Courthouse, Board Rm 2nd Fl
37918 Meridian Avenue, Dade City, Florida 34654**

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

Vice-Chairman Ryman called the meeting to order at 1:29 p.m.

MOMENT OF SILENCE

A moment of silence was held in lieu of a prayer.

PLEDGE OF ALLEGIANCE

Vice-Chairman Ryman led the Pledge of Allegiance to the Flag and reviewed the procedures that would be followed.

ROLL CALL

Ms. Shannon Egbert, Deputy Clerk, called the roll. All members were present with the exception of Chairman Grey who was absent.

SWEARING IN

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

PROOF OF PUBLICATION

Ms. Egbert noted proof of publication.

PUBLIC COMMENT

There were none.

CONSENT

No items.

PUBLIC HEARINGS

The Commission approved the Public Hearing Consent Agenda which included items PC2, PC3, PC5, and PC6.

PUBLIC HEARING CONSENT

PC1 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-CU27

Recommendation: Continuance Requested

Ms. Hernandez reviewed the item and stated that the applicant had requested a continuance to the November 15, 2018 Planning Commission meeting at 1:30 p.m. in Dade City. The applicant would be responsible to re-notice the item.

The Commission approved to continue the item to the November 15, 2018 Planning Commission meeting at 1:30 p.m. in Dade City.

PC2 ZONING AMENDMENT (WITHDRAWAL) - Phillip Michael, Inc. - Change In Zoning From R-1MH Single-Family/Mobile Home District to a C-1 Neighborhood Commercial District - South East Pasco County - On the Northeast Corner of the Intersection of S.R. 54 and Evans Street Containing Approximately 0.27 Acres
Memorandum PDD18-7346
Recommendation: Approve

Ms. Hernandez reviewed the revisions on Staff's Memorandum in regard to Findings of Fact numbers 1 and 12.

There were no objections.

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

PC3 CONDITIONAL USE REQUEST (CONSENT) – ABMM2, LLC/ Board & Brush - Sale of Alcoholic Beverages (2COP): Beer and Wine Only; On-Premises Consumption, in Conjunction with the Operation of a Creative Art Studio in a C-2 General Commercial District – South Central Pasco County – at the Northwest Corner of the Intersection of Bruce B. Downs Blvd and Stockton Drive
Memorandum PDD18-CU37
Recommendation: Approval with conditions

Ms. Hernandez reviewed the item.

The applicant was present.

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

PC4 CONDITIONAL USE REQUEST (CONSENT) – GSD Investments, LLC – Multiple-Family Dwellings in a C-2 General Commercial District - Northwest Pasco County – On the North Side of Hudson Avenue, Approximately 500 Feet West of US Highway 19 – Containing Approximately 4.79 acres
Memorandum PDD18-CU38
Recommendation: Approval with conditions

Ms. Hernandez requested the item be pulled from the Consent Agenda.

Mr. Allen Grace, Planning and Development, explained the item using a PowerPoint presentation.

Mr. Goldstein mentioned Condition 7 had some typos in regard to the word "required." He asked Staff's intent with the language "may be required" and "will be required."

Discussion followed regarding a traffic study; the impact to schools; and the multi-generation rates.

Ms. Shelly Johnson, the applicant's representative, spoke regarding the types of units and the amount of rent.

Vice-Chairman Ryman called for public comment.

Ms. Holly DiFabio and Ms. Kathy Webber spoke regarding flooding and drainage issues; the eagle's nest on a cell tower; the natural springs in the area; the access to the site; and privacy and trespassing concerns.

The Commission approved to receive and file documents submitted by Ms. Holly DiFabio.

Ms. Johnson responded to the resident's concerns.

Ms. Hernandez reviewed the buffering requirements and she mentioned that the site was in an Urban Service Area which meant there would be no height requirements.

The Commission approved the item per Staff's recommendation.

PC5 CONDITIONAL USE (CONSENT) - Christine Schneider - Sale of Alcoholic Beverages (2COP): Beer and Wine, On-Premises Consumption, in Conjunction with an Event Center and Service of Alcoholic Beverages in Outdoor Areas, in a C-2 General Commercial District. - South Central Pasco County - on the East Side of Land O'Lakes Boulevard, Approximately 900 Feet South of Swans Landing Drive
Memorandum PDD18-CU39
Recommendation: Approval with conditions

Ms. Hernandez reviewed the revisions on Staff's Memorandum in regard to the Findings of Fact and the recommended Conditions. With Conditions 3 and 5, the applicant had requested that the hours of operation for the event facility be 9:00 a.m. to 10:00 p.m. She clarified that on Condition 7 the words "Beer Garden" be stricken to state "areas." She stated that the Conditions had been shared with the applicant prior to the hearing.

There were no objections.

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

PC6 ZONING AMENDMENT (CONSENT) - Christine Schneider - Change in Zoning from R-2 Low Density Residential District and R-3 Medium Density Residential District to C-2 General Commercial District - South Central Pasco County - on the East Side of Land O'Lakes Boulevard, Approximately 900 Feet South of Swans Landing Drive
Memorandum PDD18-7348
Recommendation: Approve

Ms. Hernandez reviewed the revisions on Staff's Memorandum in regard to the Findings of Fact.

There were no objections.

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

PUBLIC HEARING AT 1:30 P.M.

P7 COMPREHENSIVE PLAN TEXT AMENDMENT: AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN PROVIDING FOR AMENDMENTS REMOVING THE REFERENCE OF THE DEVELOPMENT REVIEW COMMITTEE TO POLICY FLU 2.1.7, STANDARDS FOR REVIEW OF REZONING REQUESTS; RURAL NEIGHBORHOODS; POLICY FLU 2.3.3, STANDARDS FOR REVIEW OF REZONING REQUESTS: RURAL CHARACTER AREAS AND RURAL NEIGHBORHOOD PROTECTION AREAS FOR THE PROTECTION OF EXISTING RUAL NEIGHBORHOODS; POLICY PSF 4.3.2: INPUT ON COMPHREHENSIVE PLAN AMENDMENTS; REPLACING THE REFERENCE OF THE DEVELOPMENT REVIEW COMMITTEE AND SUBSTITUTING THE PLANNING COMMISSION TO POLICY FLU 7.1.13: STARKEY RANCH MAXIMUM LEVELS OF DEVELOPMENT (2),; POLICY ED 1.2.2: TARGET BUSINESS INCENTIVE PROGRAM,
Memorandum PDD18-1233
Recommendation: Approve

Mr. Ed Zotian, Planning and Zoning and Long Range Planning, informed the members they were sitting as the Local Planning Agency (LPA). He explained the item using a PowerPoint presentation.

Mr. Goldstein noted a typo in the title of one of the slides in regard to Comprehensive.

Discussion followed regarding the Starkey Ranch development.

There was no public comment.

The Local Planning Agency approved the item per Staff's recommendation.

P8 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-CU30
Recommendation: Deny the Conditional Use Request

Ms. Hernandez noted that at the August 9, 2018 Planning Commission meeting the item was continued with a vote of 4-3 in order for Staff to bring forward Conditions of Approval that could mitigate the adverse effects.

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

Ms. Hernandez reviewed all 17 Conditions of Approval using a PowerPoint presentation.

Discussion followed regarding Condition 13 on monitoring the use of the tower; the distance from the tower to the lake; that the applicant had agreed to all the Conditions of Approval; Conditions 7 and 8 in regard to cell phone use; and that the item had come before the Board of County Commissioners (BCC) in 2016 as an appeal in regard to a permitted or accessory use.

Mr. Goldstein and Ms. Hernandez held discussion in regard to additional cell phone language for Condition 7 and 8.

Vice-Chairman Ryman called for public comment.

Mr. Steve Futch and Mr. Doug Stentz spoke regarding zoning issues; privacy concerns; and mailing notice issues.

Mr. Goldstein reviewed the vote from the August 9, 2018 Planning Commission meeting and asked Mr. Terry McKnight, applicant, if he would be comfortable with a vote since Chairman Grey who was in favor of the item was absent or he could ask for a continuance.

Discussion followed regarding the opinions of the members who voted nay at the August 9, 2018 Planning Commission meeting.

The Commission approved to amend Conditions 7 and 8 to "exclude cell phones."

Mr. Cox spoke regarding his opposition to the item in regard to the Land Development Code.

The Commission approved the item based on the 17 Conditions of Approval with Mr. Michael Cox and Mr. Roberto Saez voting nay.

Ms. Hernandez mentioned that Staff's recommendation to the BCC would stay the same which would be to "deny the Conditional Use request" and would include the Planning Commission's recommendation along with the Conditions of Approval.

Discussion followed regarding Condition 10 that the observation tower would not run with the land.

P9 ZONING AMENDMENT (REGULAR) – Marie A. Crosby – Change in Zoning from an A-C Agricultural District to a C-2 General Commercial District – Southwest Pasco County – On the West Side of Anita Way, Approximately 270 Feet South of Old Country 54 – Containing Approximately 1.23 Acres
Memorandum PDD18-7349
Recommendation: Approve

Ms. Erica Wennlund, Planning and Development, explained the item using a PowerPoint presentation. She noted that on March 12, 2018 an Ordinance violation warning notice was issued to the applicant.

Discussion followed between Mr. Goldstein and Ms. Wennlund regarding the Comprehensive Plan policy for Commercial and Residential Land Use.

Ms. Kara Crosby, co-owner of the subject property, answered questions from the members in regard to the type of business and Building Codes.

Ms. Hernandez stated that the applicant would need to comply with the Land Development Code Section 403 and she spoke regarding the Comprehensive Plan Policy Future Land Use 1.6.1 Commercial Development.

Vice-Chairman Ryman called for public comment.

Ms. Lyndia Pummill, Mr. Richard Pummill, and Ms. Karen Snelling spoke regarding the opposition to commercial zoning; the road issues; mud and dirt issues; and the amount of trucks and trailers that went in and out of the property.

The Commission approved to receive and file documents submitted by Ms. Lyndia Pummill.

Ms. Marie Crosby, applicant, spoke regarding a meeting with the Long Range Development Board. She addressed the concerns from the neighbors in regard to the mud issues and the road maintenance.

Discussion followed regarding the zoning of the property and the Land Use; the definition of Commercial Infill; the landscape buffer at the site; the criteria for a major home occupation; and that the site was an Euclidian Zoning District which meant you could not Condition it unless the applicant would be willing to put a deed restriction on the property or enter into a Development Agreement.

Ms. Hernandez reviewed the allowances in a C-2 District.

The Commission denied the request.

Mr. Goldstein stated the item would go before the Board of County Commissioners for final decision.

WALK-ON

W1 SPECIAL EXCEPTION (CONTINUANCE) – Duke Energy Florida, LLC - PDD18-7343

Ms. Hernandez reviewed the item. She stated that at the August 9, 2018 Planning Commission meeting the applicant had requested a continuance to the September 9, 2018 Planning Commission meeting. The applicant had requested another continuance to the October 11, 2018 Planning Commission meeting at 1:30 p.m. in Dade City. The applicant would be responsible to re-notice the item.

The Commission approved to continue the item to the October 11, 2018 Planning Commission meeting at 1:30 p.m. in Dade City.

W2 ZONING AMENDMENT (CONTINUANCE) – James A. Winkelmann and Adriana Briggs - PDD18-7347

Ms. Hernandez reviewed the item. The applicant requested a continuance to the September 27, 2018 Planning Commission meeting at 1:30 p.m. in New Port Richey.

The Commission approved to continue the item to the September 27, 2018 Planning

Commission meeting at 1:30 p.m. in New Port Richey.

Ms. Hernandez handed out I-Pads to the members. She noted that an electronic signature for mileage reimbursement would not be accepted. The members would have to mail it or hand her the document at a Planning Commission meeting. She gave an update on the member's e-mail addresses.

Discussion followed regarding paper copies.

ADJOURN

The meeting adjourned at 3:39 p.m.

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