

**TOWN OF ST. LEO
REGULAR COMMISSION MEETING
January 14, 2013
7:10 PM**

OPENING Mayor Hamilton

INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Hallett

ROLL CALL Donna DeWitt, O.S.B. – Mayor Pro Tem
James Hallett, O.S.B. - Commissioner
William E. Hamilton - Mayor
John “Jack” Gardner – Commissioner
Robert Courtney – Commissioner

STAFF Joan Miller - Town Clerk
Patricia Petruff, Esquire – Attorney

<u>GUESTS</u>	Frank Mezzanini	Jeanne Plecenik
	Dan Fowler	Jim Wells
	Robert Inslee	Marie Oplesch
	Peggy Burns	Tom Wieland
	Deputy Barry Arnew	Prioress Roberta Bailey, O.S.B.
	Mary Clair, O.S.B.	Brian Surak
	Glen Greenfelder	Gail Greenfelder
	Jacqueline Bayliss	Sean VanGuilder
	Peggy Prather	2 other Lake Jovita residents

MINUTES **MOTION: TO APPROVE THE MINUTES OF THE COMMISSION MEETING ON DECEMBER 10, 2012.**

MOTION BY: Commissioner Hallett

SECOND: Commissioner Gardner

Discussion.

VOTE: Unanimous for Approval, 5/0

EXPENSES AND BUDGET REVIEW

MOTION: TO ACCEPT FINANCIAL REPORT DATED JANUARY 14, 2013.

MOTION BY: Commissioner Hallett

SECOND: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval, 5/0

MAYORS REPORT

Prodigy – Jacqueline Bayliss

Jacqueline Bayliss announced the Prodigy Cultural Arts Program 2013 Showcase Month, spotlighting the visual & performing arts of youth February 1st through February 28th. The theme will be “CommUNITY begins with...” The Prodigy Cultural Arts Program is grateful to the Town of St. Leo for showcasing artwork by local “at risk” youth between the ages of 7 and 17.

PLANNERS REPORT

SLU PUD Modification #4

Dan Fowler outlined changes to the current and future projects contained in the master plan. He also introduced the new Saint Leo University, Vice President of Business Affairs, Jeanne Plecenik.

The current plan is to change the old plant-ops building, the construction offices and Marmion/Snyder Center, each for Institutional Use.

Reclaimed water storage construction should start early February of 2013.

The old ROTC building will be removed. The conversion of the admissions building to institutional use at the main entrance of SLU will be converted to the music department. The modular building to the west of the plant ops building is a modular building leased by SLU and will be removed from campus.

Discussion.

Planner, Jan Norsoph delivered his staff review overview and analysis for PUD #10-A, Minor Modification #4. He recommended approval for this modification with conditions.

**MOTION TO APPROVE SAINT LEO UNIVIERSITY CAMPUS
MASTER PLAN PUD #10-A MINOR MODIFICATION #4 WITH
CONDITIONS RECOMMENDED.**

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval 5/0

LOCAL PLANNING AGENCY PUBLIC HEARING

Participants were sworn in by Clerk Miller included Brian Surak, Prioress Roberta Bailey, O.S.B., Glen Greenfelder, and Frank Mezzanini.

The local planning agency public hearing was opened.

Planner Norsoph described the property on Wichers Road and the desire to amend the Future Land Use Map from 9.9 acres of Agricultural land use to the Institutional land use category.

He explained that the Local Planning Agency was meeting to determine a recommendation for the Town Commission to act upon. Norsoph spoke about the difference between large and small scale comprehensive plan amendments. In this case only the requirements of a small scale amendment need to be followed. Only one hearing is necessary and then a 31 day appeal period occurs.

Amending the Town FLUM and Text Amendments

FLUM Saint Leo University acquired the present Monastery which has an Institutional land use designation. The plans for a new Monastery facility are located on Agricultural land near Wichers Road. The change of land use would be compatible to adjacent land uses. No major impact would result from changing the land use from Agricultural to Institutional use.

PUBLIC HEARING

FUTURE LAND USE AMENDMENT FOR CHANGE OF ZONING FROM AGRICULTURAL TO INSTITUTIONAL ZONING DISTRICTS AND TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT INSTITUTIONAL LAND USE CATEGORY.

Norsoph reviewed the criteria and consistency standards that need to be considered prior to determining his recommendation.

Brian Surak spoke on behalf of Holy Name Monastery. He described the impact of traffic on SR 52 and Wichers road, sewer, and water requirements. Norsoph compared the potential changes of this property to the Town Comprehensive Plan.

Commissioner Hallett requested clarification of a site plan document that had been included in the packet. For the file, the correct document was noted in the monthly packet which will be on file in the clerk's office.

Text Amendments

Proposed changes reflect adjustments to recognize small-scale institutional developments. Future Land Use Element Policies were discussed (1.3.1, 1.3.2, and 1.3.3).

Based on the total analysis, the staff recommended the Local Planning Agency approve the proposed Future Land Use Map (FLUM) amendment from Agricultural to Institutional and also the proposed text amendments as being consistent with the goals, objectives and policies of the Town Comprehensive Plan-2025. Norsoph suggested approval and adoption of Ordinance 13-01 which would then be submitted to the state planning agency as required by State Statutes.

Discussion.

Public comment. Frank Mezzanini requested clarification as to why a PUD will be required for this project. Glen Greenfelder asked about PUD and Site Plan review requirements.
The public hearing was closed.

Resolution 13-08

MOTION TO APPROVE RESOLUTION 13-08, BY THE TOWN OF ST. LEO TOWN COMMISSION ACTING AS THE LOCAL PLANNING AGENCY PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, RECOMMENDING THAT THE TOWN OF ST. LEO TOWN COMMISSION ADOPT A SMALL SCALE PLAN AMENDMENT, INITIATED BY THE TOWN OF ST. LEO TOWN COMMISSION, TO THE TOWN OF ST. LEO COMPREHENSIVE PLAN-2025 FUTURE LAND USE MAP (FLUM) FOR AN APPROXIMATE 9.9 ACRE TRACT LOCATED GENERALLY AT THE SOUTHEAST CORNER OF STATE ROAD 52 AND WICHERS ROAD FROM THE AGRICULTURE LAND USE CATEGORY TO THE INSTITUTIONAL LAND USE CATEGORY; SAID DESCRIBED SMALL SCALE PLAN AMENDMENT (FLUM AMENDMENT CASE #12-A); AND ADOPTING A SMALL SCALE PLAN TEXT AMENDMENT TO THE TOWN OF ST. LEO COMPREHENSIVE PLAN-2025 FUTURE LAND ELEMENT RELATED TO THE INSTITUTIONAL LAND USE CATEGORY; AND RECOMMENDING THAT THE TOWN OF ST. LEO TOWN COMMISSION APPROVE THE REZONING OF THE SUBJECT PROPERTY (REZONING CASE RZ, #12-A) FROM THE AGRICULTURAL ZONING DISTRICT TO THE INSTITUTIONAL ZONING DISTRICT .

MOTION BY: Commissioner DeWitt

SECOND BY: Commissioner Gardner

Discussion.

VOTE: Unanimous for Resolution 5/0

Attorney Petruff confirmed the correct Resolution number as being 13-08 (not 13-02), and clarified the intent of this resolution which includes the small scale map amendment, small scale text amendment to the Comprehensive Plan and recommendation to the Town Commission to approve the rezoning for the 9.9 acre parcel, to go from Agricultural Zoning to Institutional Zoning. She then asked the Commission to vote once again on Resolution 13-08 as read.

MOTION BY: Commissioner DeWitt

SECOND BY: Commissioner Gardner

Discussion.

VOTE: Unanimous for Resolution 5/0

The Local Planning Agency portion of the meeting was closed.

The Town Commission then convened to consider the recommendation of the Local Planning Agency as well as Ordinance 13-01 (small scale map amendment and the small scale text amendment for the 9/9 acre site). Ordinance 13-01 only requires one reading.

Norsoph explained the property in question and how it would impact/or not impact the existing uses, scale of project development, surrounding zoning districts conditions, impact to property values, development of surrounding properties, and determined that this small scale plan is consistent with the goals, objectives and policies of the Town Comprehensive Plan-2025 (compatibility and consistency). He then recommended that the rezoning be approved.

Having no discussion, the Public Hearing was closed.

Ordinance 13-01

MOTION TO APPROVE AN ORDINANCE PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT, INITIATED BY THE TOWN OF ST. LEO TOWN COMMISSION, TO THE TOWN OF ST. LEO COMPREHENSIVE PLAN-2025 FUTURE LAND USE MAP (FLUM) FOR AN APPROXIMATE 9.9 ACRE TRACT LOCATED GENERALLY AT THE SOUTH EAST CORNER OF STATE ROAD 52 AND WICHERS ROAD FROM THE AGRICULTURE LAND USE CATEGORY TO THE INSTITUTIONAL LAND USE CATEGORY; SAID DESCRIBED SMALL SCALE PLAN AMENDMENT (FLUM AMENDMENT CASE #12-A); ADOPTING A SMALL SCALE PLAN TEXT AMENDMENT TO THE TOWN OF ST. LEO COMPREHENSIVE PLAN-2025 FUTURE LAND ELEMENT RELATED TO THE INSTITUTIONAL LAND USE CATEGORY; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR FINDINGS OF FACT; AND PROVIDING AN EFFECTIVE DATE.

MOTION BY: Commissioner Gardner

SECOND BY: Commissioner DeWitt

VOTE: Unanimous for Resolution, 5/0 vote

The Rezoning of the 9.9 acres from Agricultural to Institutional Density is consistent and compatible to Land Development Code.

Public Hearing opened.

Donna DeWitt declared that no personal financial gain would result from her vote during current Monastery matters.

Ordinance 13-02

AN ORDINANCE PURSUANT TO SECTION 166.041, FLORIDA STATUTES, ADOPTING AN AMENDMENT TO THE TOWN OF ST. LEO ZONING MAP FOR AN APPROXIMATE 9.9 ACRE TRACT LOCATED GENERALLY AT THE SOUTHEAST CORNER OF STATE ROAD 52 AND WICHERS ROAD FROM THE AGRICULTURAL ZONING DISTRICT TO THE INSTITUTIONAL ZONING DISTRICT; HEREBY DESCRIBED AS REZONING (RZ) CASE #12-A; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR FINDINGS OF FACT; AND PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE ORDINANCE 13-02 AS READ.

MOTION BY: Commissioner Hallett
SECOND BY: Commissioner Gardner
VOTE: Unanimous for Resolution, 5/0 vote

Ordinance 13-03 – First Reading

This ordinance proposes LDC text amendments related to definitions, open space and Planned Unit Development (PUD) requirements. The definition of the term “religious facility” relates to the federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). This act ensures that religious facilities are treated equally with other land uses in terms of land development controls and zoning. The LDC uses the term religious facility; however, provides no definition. These changes do not alter the development or environmental characteristics of the Town.

Definition of Religious Facility, permitted uses, dimensional standards, PUD guidelines and requirements were discussed.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF ST. LEO, FLORIDA AMENDING PART III LAND DEVELOPMENT CODE OF THE TOWN OF ST. LEO CODE OF ORDINANCES, ARTICLE III. DEFINITIONS, ARTICLE VII. ZONING DISTRICT AND ARTICLE X. DEVELOPMENT REVIEW PROCEDURES AND DEVELOPMENT STANDARDS AND GUIDELINES FOR GENERAL SITE PLANS AND PLANNED UNIT DEVELOPMENTS; AND PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Discussion.

CLERKS NOTES

McKean Property / A Cup of Organic-Doug Torres

Doug Torres has submitted an application for a Temporary Use Permit for his mobile unit to be placed on McKean property. He has an appointment with FDOT on January 28, 2013 to request permission to use certain driveways. If Torres mails public notices by the appropriate date, the Temporary Use Permit may an agenda item at the February meeting.

Elections The Town Clerk said that Qualification Materials will be available on January 22, 2013. Municipal qualifying begins at noon on Tuesday, February 12th until noon on Tuesday, February 19th. Information encouraging citizens is available both in the Tampa Bay Times and on the Town of St. Leo website.

TECO A letter is in tonight's packet from James Adcock of TECO. This letter is a follow up of a project initiated by Clerk Miller to confirm appropriate billing is occurring for Town residents.

EPWC An East Pasco Water Coalition Meeting will be held at the City of Dade City Commission Chambers on January 17th at 10am. Clerk Miller is Chair for the group this year.

MAP The next Municipal Association of Pasco Meeting will be held in San Antonio on February 7th. Please contact the Clerk's Office to confirm attendance. DeWitt and Hallett will attend.

Grass Carp Terry Schrader is going to contact Florida Fish Farm to order fish once all permits are in order.

NEW BUSINES

Christmas Drive and Town Hall Erosion

Commissioner Gardner was asked to inspect Christmas Drive to determine what is needed to fix cracks in the road. Gardner was also asked to consider ways to prevent further erosion of the hill behind Town Hall.

Shakespeare Trail – Commissioner Courtney said that municipal property is adjacent to Shakespeare Trail and he may be submitting a request to the Town to assist in repairing the road.

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 9:00 P.M.

MOTION BY: Commissioner DeWitt

SECOND BY: Commissioner Gardner

Discussion.

VOTE: Unanimous for Approval, 5/0

Respectfully, Joan Miller, M.M.C.