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**U.S. Hwy 41 Overlay Committee
Meeting Minutes
For July 19, 2011**

Committee Members:

Barbara Compton
Tom Griggs - Absent
Karen Freiwald
Joel Meek
Michael Peterson
Sandy Council
Sam Cook
Alvin Cearley - Absent
Anita Jimenez – Absent
Tony Zipperer
Tom Grimm
Michael Parker

Hillsborough County Staff:

John Healey, Executive Planner
Jose Fernandez, Principal Planner
Carmen Telesca, Principal Planner
Tylon McGee, Historic Preservation Planner
Marylou Laycock, Recording Secretary

Guest Speakers:

None

Public

McDaniel, David
Fletcher, Penny

The July 19, 2011 US Hwy 41 Overlay Committee meeting was held at the SouthShore Regional Library and was called to order at 6:05 p.m.

A. INTRODUCTIONS:

John Healey, Executive Planner for Hillsborough County Planning & Zoning Division, opened the meeting by thanking everyone for being there, gave a brief overview of the purpose of the US Hwy 41 Overlay Committee, and introduced county staff who was present.

Mr. Healey introduced Jose Fernandez, Principal Planner and Project Manager for Hillsborough County Planning & Zoning Division. Mr. Fernandez thanked everyone for coming and for their support. Mr. Fernandez explained the objective of the project which is to improve the appearance of US 41 from Big Bend Road to Little Manatee (8 miles of corridor).

Fernandez gave a brief overview of all meetings held so far and also explained the remaining project meetings. He stated that once the Working Committee provides recommendations to prepare the zoning overlay district, a second open house will be held. County Staff will then write-up the code language and will initiate the Code Amendment process, which will also provide opportunity for everyone to provide input.

Mr. Fernandez went over the agenda for this meeting.

Mr. Fernandez introduced Cameron Clark, County Attorney's Office, who briefly went over the Sunshine Law and then handed out copies of an email that he sent to Mr. Fernandez explaining a question that was raised at the last committee meeting regarding if two or more committee members of the US Hwy 41 Overlay District committee is attending a different, unrelated meeting---such as a meeting of the Chamber of Commerce, under those circumstances, can a committee member address issues and questions raised by the Chamber of Commerce about US Hwy 41 Overlay District committee meetings while other Committee Members are present. And Mr. Cameron stated yes, a committee member can address issues or answer questions raised by the Chamber of Commerce (or by third parties at other outside meetings) about US Hwy 41 Overlay District committee meetings while other committee members are present. However, those committee members cannot directly discuss those issues with each other at that outside meeting, or anywhere else outside the context of a publicly-noticed US Hwy 41 Overlay District committee meeting.

Mike Peterson asked for clarification regarding US 41 committee members attending other meetings together and updating other boards or committee's and answering their questions regarding the US 41 project. Mr. Cameron stated that as long as you are filling your other committee functions, it would be ok – but not outside of a noticed committee meeting.

Sam Cook stated that he would be uncomfortable with making any statements to any other boards on behalf of the US 41 committee on the basis that he would be way of base with the topic they would be discussing because no gave him authority to take a position because his position may not be the committee's position and that no one should be speaking on behalf of the committee until the committee has taken a position.

Mr. Clark stated that you can't convey what you interpret the opinion of the committee, you're speaking about your opinion and you don't suddenly not have one outside this room because you are part of this committee. Obviously, someone in some outside meeting setting asks you what you think of this, you're not constrained to say what you think of it.

Mike Peterson stated that working committee members can't get together outside of the scheduled meetings to discuss any project matters and create an "agenda" that's created outside of the public view and operate further in that agenda. Mr. Cameron responded that it is sort of like the stereotype that people see like smoke filled room where people come out with some sore of plan, but know one knows what happened in order to reach that consensus. The purpose of the Sunshine Law is that there aren't any such meetings so that the public has an opportunity to see how this Sunshine committee comes to their opinions and recommendations.

Mike Peterson stated that he wouldn't want to have a personal opinion that I'm trying to steer the public into supporting my opinion to get other people to see my opinion by telling them a better to get them all excited and I shouldn't be talking. Mr. Cameron stated that to bear in mind that you are certainly not compelled to give your opinion if you feel that you shouldn't because you're part of the committee –

obviously that's up to you. But you are not constrained from participating in some outside meeting setting just because other members of the committee are also part of that committee. Mr. Peterson stated that talking about individual action, if more than one of us serve, lets say on a board or governmental affairs deal, what we would do is either have someone give a report of the tasks and if it looks like a discussion is going to ensue, everybody but one would have to excuse themselves from the meeting and let the group do what their going to do.

Mr. Cameron stated that the Sunshine Law creates requirements for the government and for members of the committee, so for instance, what John and Jose's requirements are they have to make sure that meeting is publicly noticed, minutes are kept of the meetings and made available to the public. The public can participate in the form of attending/viewing these meetings. There's no necessary right to public comment, just a matter to be a part of viewership and knowledge. Public comment is an optional thing, it's certainly allowed, it's not prohibited but it's not mandated. But the requirements for committee members have to do mainly with communication outside the setting. Because if committee members communicate completely outside the setting it would destroy the whole value of the publicly noticing and having the meetings available to the public.

B. EXERCISE: PRESERVE, CREATE & CHANGE

Mr. Fernandez explained the exercise and showed pictures of US Hwy 41. Mr. Fernandez went over how the exercise will be performed (by the sections below) by the working committee.

- Preserve – What do you want to maintain, protect and keep in US Hwy 41?
- Create – What do you want to create new in US Hwy 41?
- Change – What do you want to transform or change in US Hwy 41?

Two groups were formed composed by Apollo Beach and Ruskin community residents and/or business owners. Each group was asked to designate a member to be a reporter/moderator. Using the provided form, these groups were asked to provide individually at least three statements (within three minutes). They were then asked as a group (within seven minutes) to compare their responses with the members of their group and compile those responses that were repeated the most and to prioritize three for each category as the group consensus.

Group Report:

Apollo Beach (Mike Peterson, reporter)

Preserve:

1. Landscaped and water feature buffers such as those in front of Mira Bay, SouthShore Falls and Harbour Isles; identification signs such as the "Apollo Beach" signs at Elsberry and Flamingo and sidewalks.
2. Few stoplights, "green" medians, and retain turn lanes/median cuts.
3. Maintain the commercial clusters at Apollo Beach Blvd. and Flamingo, the vegetable stand at Leisey Rd., and the Ruskin Drive-In.

Create:

1. Screening (via landscaping where possible) open-storage of vehicles (used cares, U-Haul, etc.), parking lots, mobile homes, and other unsightly uses.
2. Convert abandoned packing houses to more attractive and functional uses, and modernize

- Flamingo Plaza to improve appearance.
- 3. Modernize bus tops to be more attractive and covered.
- 4. Consider reducing speed limit to 45mph.

Change:

- 1. Park-N-Ride lot for transit in future and sidewalks replaced with shaded multi-use trail someday.
- 2. Landscape buffering along entire length.
- 3. Replacement “community signs” at Big Bend Rd. and 19th Avenue.

Ruskin (Sam Cook, reporter)

Preserve:

- 1. Unique Ruskin buildings.
- 2. Four lanes.
- 3. Landscaping and green space.

Create:

- 1. Theme – façade improvement.
- 2. Connect N & S of bay – business
- 3. Underground Utility

Change:

- 1. Landscape conformity
- 2. Gateway, signage
- 3. Building that blend

At the end of the presentation of each group, Mr. Fernandez clarified that these were not definitive results. He explained that staff had prepared an online survey with the same questions to gather additional input from Apollo Beach and Ruskin residents and other stakeholders. The results of the survey was going to be summarized and bring to the Committee during the next meeting

C. STAFF PRESENTATION

Mr. Fernandez explained that what is appropriate of US Hwy 41 corridor depends of numerous factors including but not limited: location and function of the corridor, adjacent uses, lot configuration, future development potential, existing/future nodes of activity, approved zoning entitlements, community character, and ownership/maintenance. Mr. Fernandez then went over the District Study Area North Section (Apollo Beach) aerial map and the District Study Area South Section (Ruskin) aerial map.

Mr. Fernandez then went over the following information illustrated with maps (see maps on POverpoint Presentation made by Staff)

- Project Area Existing Land Uses for Apollo Beach and Ruskin and noticed the differences on existent uses for the Apollo Beach Section (agricultural, government and vacant) and Ruskin Section (commercial, store, and office uses)

- Project Area Future Land Uses for Apollo Beach and Ruskin and noticed the differences on projected uses for the Apollo Beach Section (Suburban Mixed Use 6, Light Industrial and Residential 6) and Ruskin Section (Office-Commercial and Residential 12)
- Project Area Zoning for Apollo Beach and Ruskin and noticed the differences on entitlements/zoning for the Apollo Beach Section (Planned Developments, Manufacturing, Agricultural-rural) and the Ruskin Section (Commercial General, Ruskin Town Center and Planned Development)
- Project Area Existing Parcels. For Apollo Beach, there are approximately 1534 acres (87.5%), with 116 parcels (44%). The average parcel size is 12.64 acres and the largest parcel is 161.81 acres. For Ruskin, there is approximately 220 acres (12.5%), with 143 parcels (55.2%). The average size parcel is 1.49 acres and the largest parcel is 9.37 acres.
- Ruskin Section: Parcel Frontage Size. The average frontage size is 181 feet, 19.1% of the parcels are within 100 to 120 feet, and 49.3% of parcels are within 76 to 150 feet.

He also explained that staff has preliminary observations regarding the character of U.S. 41 on Apollo Beach and Ruskin. He explained that the Apollo Beach Section and the Ruskin Section show a different development pattern, thus different character may be reflected on drafting the recommendations. The Apollo Beach section – Sub-Urban character, but intersection of Apollo Beach Blvd and US 41 (Activity Center). The Ruskin Section looks to have a Main Street character as it goes through the established Town Center.

He explained the need to have a discussion regarding the activity center or Town Center as called on Apollo Beach Community Plan. The Town Center is divided by U.S. 41 and the CSX crossing. It was important to acknowledge what is in place today (West) and what is proposed by Newlands Communities (East).

D. DISCUSSION & QUESTIONS

Mike Peterson suggested not to discuss a visual preference survey at this stage but to have a discussion with graphics of zoning terms that will be used to provide recommendations of the overlay. The idea was well received by the rest of the Committee

Mr. Fernandez made the proposal for the next meeting agenda by bringing the results of the online survey, discussing the Town Center of Apollo Beach and having a presentation of zoning concepts (as suggested by Mike Peterson) on August 25th. The proposal was accepted by the Working Committee members.

It was stated that an additional meeting may be needed to the project as a result of the request. There being no further business, the meeting was adjourned at 8:10 p.m.