



Planning and Zoning Board

**MINUTES**

February 13, 2018

6:30 P.M.

City Council Chambers

**1. CALL TO ORDER**

The meeting was called to order at 6:30 p.m. with the Pledge of Allegiance by Chairman Liesenfelt.

**2. ROLL CALL**

Present were: Chairman Jim Liesenfelt  
Vice Chairman Chris Jaudon  
Board Member George Cronin  
Board Member Anna Kapnoula  
Board Member Jennifer Spagnoli  
Board Member Rob Brothers

Absent was: Board Member Paul Bernkopf

Moved by Vice Chairman Jaudon, seconded by Board Member Cronin to excuse the absence. Motion passed 6-0.

**3. INTRODUCTION OF NEW MEMBER – George Cronin**

City Attorney Richardson administered the oath of office for new Board Member Cronin.

**4. SELECTION OF CHAIR AND VICE-CHAIR**

Moved by Board Member Brothers, seconded by Board Member Spagnoli to retain Chairman Liesenfelt and Vice Chairman Jaudon as Chair and Vice-Chair. Motion passed, 6-0.

**5. MINUTES**

Planning and Zoning Board Meeting of January 23, 2018

Moved by Vice Chairman Jaudon, seconded by Board Member Brothers to approve the minutes as written. Motion passed, 6-0.

## 6. PUBLIC HEARING(S)

### a. Code Amendment - Chapter 98, Zoning – C-NH (Commercial New Haven) – (LDR 2017-03)

The applicant, Mr. Stayton Shaw is proposing revisions to Chapter 98, Zoning Code, to allow micro-distilleries use as a conditional use in the C-NH, (Commercial New Haven) zoning district.

*Applicant: Stayton Shaw*

*Location: The code changes would impact properties zoned C-NH in the City*

The proposed code changes will be acted upon by City Council with a recommendation from the Planning and Zoning Board

Planning Director Fischer explained the staff report. She stated the proposal is to revise the zoning code to allow artisan beverage establishments as a conditional use in the C-W (Commercial Wickham) and C-NH (Commercial New Haven) zoning districts as currently they are only allowed in the M-1 (Light Industrial and Warehousing) and M-2 (General Industrial) zoning districts. She explained the code amendment process and presented staff analysis on the applicant's proposal with staff suggestions to minimize residential-neighbor conflicts. She went over the new zoning definition of artisan beverage establishment and explained the distinction between craft distillery, nano-brewery, and winery/meadery. She spoke about how these definitions are geared toward small scale operations, artisan-like and small in nature. She presented the number of C-W, C-NH, M-1 and M-2 properties that might accommodate artisan beverage establishments and presented a map to show those areas. She talked about the local government comparison of craft/artisan beverage codes and presented the proposed list of conditional use criteria to allow artisan beverage establishments in the C-W and C-NH. She further explained the outdoor seating and residential commercial separation distance requirement and the production area limitation. She advised the board needs to make a motion recommending on the proposed C-NH and C-W zoning changes to include artisan beverage establishments as a conditional use. She stated the staff's recommendation is for City council to approve the zoning code changes to the C-NH and C-W districts to allow artisan beverage establishments as conditional use with specific performance criteria. She advised the applicant is present to answer any questions.

Chairman Liesenfelt opened the public hearing and asked from any comments from the audience. Seeing none, he closed the public hearing.

The applicant, Mr. Stayton Shaw addressed the board and expressed appreciation for the consideration of the revisions to allow micro-distillery operations within the C-NH and C-W zoning districts. He stated the criteria presented is reasonable to their business operations, fits well in the proposed areas and respects the residents in the areas.

#### Discussion Included:

- The process of making distilled beverages and particularly rum involves molasses and sugar.
- The type of services to be offered includes a viewing window for patrons to watch the process, a tasting room and possibly an outdoor seating area.
- The code was designed to provide flexibility knowing most of these types of businesses are start-up businesses to allow for change in business plans.
- The use of the word "artisan".
- The next step if this code is amended, would be for the applicant to go through the conditional use process with the Board of Adjustment.

- It has been discussed with the applicant that if any issues arise where the use expands to the point that it won't be compatible with the area, then probably the business has outgrown the space and will need to find a place within the industrial zoning areas of the City.
- The number of parking spaces required is based on the use and is set up for customers parking and on square footage of manufacturing space.
- Service access orientation requirement and the intent to minimize delivery truck traffic.
- There is a buffer wall requirement between any commercial and residential use which the height of the wall or opaque fence is measured from finished floor elevation.

Moved by Vice Chairman Jaudon, seconded by Board Member Brothers to recommend to City Council to approve the zoning code changes to the C-NH and C-W districts to allow artisan beverage establishments as conditional use with specific performance criteria. Motion passed, 6-0.

**b. Large Scale Comprehensive Plan Map Amendment – Community Redevelopment Area (CRA) Overlay - (LSA-2017-03 Adoption)**

Comprehensive Plan Amendment No. 2017-03 (LSA) proposes to amend the City's Future Land Use map to add the Community Redevelopment Area Overlay land use designation.

*Applicant: City of West Melbourne*

The proposed Large Scale Amendment to the City's Future Land map will be acted upon by City Council with a recommendation from the Planning and Zoning Board.

Planner Curry presented the staff report. She reminded the board this is a follow-up action to the 2012 establishment of the Joint City-County Community Redevelopment Area (CRA) and this is adoption stage since the Comprehensive plan amendment had been transmitted in December. She explained the text changes to the policies were included in the Future Land Use Element of the Comprehensive Plan but the map designation was not done when the CRA was established so this action is to designate the CRA Overlay area on the Future Land Use map. She went over the Future Land Use policies and the underlying land use designations in the CRA on Wickham Road, Ellis Road and New Haven Avenue. She explained this is a large scale amendment because it involves more than 10 acres and is consistent with the Future Land Use Element policies. She recommended the following motion: recommend that City Council approve the adoption of the large scale map amendment to the City's Future Land Use Element, (Volume 1 of the "Horizon 2030 comprehensive Plan"), adding the "Community Redevelopment Area Overlay" to the Future Land Use map.

Chairman Liesenfelt opened the public hearing and asked for any comments. Seeing none, he closed the public hearing.

Discussion included:

- There were no comments from the state's review and there was a "no adverse impacts" letter sent to the city.

Moved by Board Member Brothers, seconded by Board Member Kapnola to recommend that City Council approve the adoption of the large scale map amendment to the City's Future Land Use Element, (Volume 1 of the "Horizon 2030 comprehensive Plan"), adding the

“Community Redevelopment Area Overlay” to the Future Land Use map. Motion passed, 6-0.

City Attorney Richardson briefed the board on quasi-judicial proceedings.

**8. FINAL PLAT(S) – Item(s) to be considered by the advisory board (Planning and Zoning Board)**

**a. Lake Ibis Commerce Park, (industrial subdivision) – (FP- 2017-05)**

The applicant is requesting approval of the final plat for Lake Ibis Commerce Park, which contains a total of 16 lots and 2 tracts on 15.769 acres, more or less.

*Applicant: Robert Cochran Jr.*  
*Location: West side of Lake Ibis Drive, north of Ellis Road*

The Planning and Zoning Board recommendation on whether the final subdivision drawing meets minimum code requirements is provided to the City Council.

Planner Curry presented the staff report. She gave the background, and history of the project. She explained that a small strip of property (a swale) on the north edge of the property is in the City of Melbourne and is the subject of an interlocal and stormwater management agreement to be revised and executed prior to the recording of the final plat. She explained the necessary infrastructure is in place and the subdivision infrastructure is complete and once the final plat is recorded, lots can be sold for individual construction. She presented property photos and showed the layout of the subdivision. She presented analysis to show consistency with the LDR's and City reviews. She stated the plat has satisfied all outside agencies permits and requirements. She advised the applicant's representative is available to answer questions. She recommended the following motion: recommend approval to City Council of the final plat of Lake Ibis Commerce Park subdivision with the following conditions:

1. Approval and acceptance of the “Bill of Sale” and “Maintenance Bonds” for infrastructure improvements.
2. Execution of the stormwater maintenance and interlocal agreements with the City of Melbourne.

Robert Lee, the project engineer stated he was available to answer any questions.

Discussion Included:

- Clarification of markers on the plat.
- Sidewalks

Moved by Board Member Kapnoura, seconded by Board Member Spagnoli to recommend approval to City Council of the final plat of Lake Ibis Commerce Park subdivision with the following conditions:

1. Approval and acceptance of the “Bill of Sale” and “Maintenance Bonds” for infrastructure improvements.
2. Execution of the stormwater maintenance and interlocal agreements with the City of Melbourne.

Motion Carried, 6-0.

**b. Cypress Landings Phase One (residential subdivision) – FP-2017-01**

The applicant is requesting approval of the final plat for Cypress Landings Phase One, which contains a total of 71 lots and 13 tracts on 72.55 acres, more or less.

*Applicant: KB Home Jacksonville, LLC*  
*Location: West of Imagine School and north of Walmart*

The Planning and Zoning Board recommendation on whether the final subdivision drawing meets minimum code requirements is provided to the City Council.

Planning Director Fischer presented the staff report. She explained the background information, location and size, number of lots and tracts and their purpose. She stated the required infrastructure for Phase One is complete and once the final plat is recorded, lots can be sold. She talked about the transportation analysis that had been done in 2013 with the preliminary plat review and how that resulted in proportionate fair share traffic agreement and the agreement to extend Imagine Way and Durham Drive. She presented the layout of the subdivision and property photos and explained the features of the plat. She provided analysis to show consistency with the LDR's and talked about the lot width deviation on the curves and how the applicant is requesting a waiver for the deviation which had been allowed in the past by City Council. She highlighted the particular lots where this had occurred. She spoke about the City reviews from engineering, water and sewer, transportation, and stormwater management. She stated Cypress Landings has satisfied all outside agency permits and requirements and advised the applicant is present to answer questions. She recommended the following motion: Recommend approval to City Council of the of Cypress Landings Phase One final plat with the following conditions:

1. Submittal of the recreation fee prior to the City's signatures on the Phase One mylar.
2. Finalization of maintenance bond and bill of sale documents for the roads, water and sewer public facilities.

Wes Hinton, KB Home Jacksonville thanked the board for their consideration and asked for a favorable decision from the board.

Discussion Included:

- Same street name Potenza used for looped street because it creates less confusion for emergency responders.
- The unusual shape of Lot 134 could be because of the pre-existing wetland in that area needed for a conservation area.
- Waiver letter vs. variance process for lot deviations.

Moved by Vice Chairman Jaudon, seconded by Board Member Brothers to recommend approval to City Council of the of Cypress Landings Phase One final plat with the following conditions:

1. Submittal of the recreation fee prior to the City's signatures on the Phase One mylar.
2. Finalization of maintenance bond and bill of sale documents for the roads, water and sewer public facilities.

Motion passed, 6-0.

## **9. PUBLIC COMMENT ON GENERAL MATTERS**

No public comments

## **10. PLANNING DIRECTOR REPORTS & BOARD MEMBER REPORTS**

Planning Director Fischer advised there would be a meeting on March 13, 2018.

## 11. ADJOURN

Chairman Liesenfelt adjourned the meeting at 8:15 p.m.

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Chairman Liesenfelt

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Denise Curry, Planner