



Planning and Zoning Board

MINUTES

April 11, 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
Board Member Paul Bernkopf

3. MINUTES

Planning and Zoning Board Meeting of March 13, 2018

Moved by Vice Chair Jaudon, seconded by Board Member Bernkopf to approve the minutes as written. Motion passed, 7-0.

4. PUBLIC HEARING(S)

a. Initial site plan – Carlton Apartments (SIT-2018-03, Concept Plan)

The applicant is requesting initial site plan approval for Carlton Apartments consisting of 385 units on 69.53 acres, more or less. The deliberation of approving/approving with conditions or denying the initial/concept plan is a quasi-judicial function only performed by the Planning and Zoning Board per City Code.

Applicant: B.S.E. Consultants, Inc. agent for The Mahaffey Company
Location: West side of Hollywood Boulevard at Imagine Way

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

Planning Director Fischer presented the staff report. She talked about the location, size, zoning and the proposed development. She explained the two-step site plan process for multi-family development and presented the initial site plan and features of the plan. She explained a condition of approval is for the building to be built with the architectural features as depicted in the initial site plan submittal and that any substantial change in this initial site plan would have to come back to the Planning and Zoning board for review and that the approval is for an eighteen month period and if no construction happens within that timeframe, the initial site plan expires.

She presented staff analysis to show the initial site plan meets the code requirements for content. She explained the environmental and site data and the maximum number of units per acre allowed on this property because of the Palm Bay Road Overlay density limits. She talked about the lot coverage and building setbacks on the initial site plan and how they met city requirements. She talked about the required recreation fee and traffic improvements; and explained the coordination with the school board regarding the capacity of current schools Riviera Elementary, Central Middle School and possibly Heritage High. Ms. Fischer advised the applicant is available to answer questions and recommended the following motion: Approve the initial site plan for Carlton Apartments based on the staff analysis with the following conditions:

1. City Council determination on the development being a gated community.
2. The architectural features of the development shall be as depicted on the architect's drawings.
3. The project will pay the code requirement portion of fee in lieu of providing public recreation prior to final site plan approval.
4. The applicant, City staff and Brevard County staff meet to discuss a funding mechanism for a signal warrant study at Imagine Way and Hollywood Blvd.
5. The applicant aligns all new and existing lanes of Imagine Way (both sides to prevent offset alignment for through and turn movements)
6. The applicant provides analysis of whether a box culvert is needed for the new segment of Imagine Way over the canal.
7. Extend the proposed north bound turn lane in Hollywood Blvd. to be 195' in length.
8. SJRWMD and FDEP permits are obtained for the new water, sewer lines and impacts to the wetlands. The applicant will have to meet the discharge limits imposed by the Melbourne Tillman Water Control District of stormwater to its system.
9. Paver blocks or other stones be used to temporarily connect the two sidewalks that will flank either side of Imagine Way until a cross walk is installed at the entrance to the new development when Imagine Way is extended westward.

Chairman Liesenfelt opened the public hearing.

Ana Saunders, B.S.E. Consultants Inc. spoke on behalf of the Mahaffey Company. She stated they are happy to work with all of staff's recommended conditions and would build a permanent sidewalk instead of a temporary sidewalk for condition number nine.

Discussion included:

- Signal warrant – Brevard County permitting process – should work with the City and the County as part of the determination. There was clear direction on the issues from Brevard County very early on in the process since this is not a new project. Ana Saunders explained this multi-family project has been ongoing since 2006 with different developers.

- Interconnection to the commercial development to the south was not possible because the location of the wetlands blocked access and there is a vacant property in between along Hollywood Boulevard.
- There will be a missing segment of sidewalk due to the undeveloped parcels between the commercial shopping center and this proposed apartment complex and there really is no legal mechanism to force the undeveloped parcels to provide the missing segment of sidewalk across another private property until that vacant private property develops. Asked staff to approach the County for a sidewalk.
- School concurrency paperwork has been submitted to the school board.
- Turn lane length – applicant will provide an extra 20 feet per the condition.
- Landscaping – There will be a full set of landscaping plans provided with the final site plan process that will meet or exceed City requirements.
- Electrical service will all be underground.
- Attractive front view elevations that will face the road and a decorative fence with stone columns is proposed along the frontage. William Mahaffey talked about using up-lighting and well-lit traffic areas and the use of decorative lamps throughout the site.
- Placement of fencing around the stormwater ponds will be determined by SJRWMD requirements.
- Capacity of Hollywood Boulevard – Gil Ramirez, LTG, spoke about ADT Average Daily Trips and Average Annual Daily Traffic which he explained are nominal and really never are hit in real life as being 2870 Daily trip pm 196 and am 172 two way and 1435 entering and 1435 exits.
- Was consideration given to the addition of 2nd south bound ingress/egress to the traffic light? – The applicant explained it was decided that the “right out only” ingress/egress would split the traffic and it is also designed for emergency access and was not considered the main entrance to the apartment complex.

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

Moved by Vice Chair Jaudon to approve the initial site plan for Carlton Apartments based on the staff analysis with the following conditions:

1. City Council determination on the development being a gated community.
2. The architectural features of the development shall be as depicted on the architect's drawings.
3. The project will pay the code requirement portion of fee in lieu of providing public recreation prior to final site plan approval.
4. The applicant, City staff and Brevard County staff meet to discuss a funding mechanism for a signal warrant study at Imagine Way and Hollywood Blvd.
5. The applicant aligns all new and existing lanes of Imagine Way (both sides to prevent offset alignment for through and turn movements)
6. The applicant provides analysis of whether a box culvert is needed for the new segment of Imagine Way over the canal.
7. Extend the proposed north bound turn lane in Hollywood Blvd. to be 195' in length.
8. SJRWMD and FDEP permits are obtained for the new water, sewer lines and impacts to the wetlands. The applicant will have to meet the discharge limits imposed by the Melbourne Tillman Water Control District of stormwater to its system.
9. Permanent sidewalk to connect the two sidewalks that will flank either side of Imagine Way until a cross walk is installed at the entrance to the new development when Imagine Way is extended westward.

Motion passed, 7-0.

b. Large Scale Comprehensive Plan Map Amendment – Robert Cochran’s property as part of Hibiscus Springs multi-family site - (LSA-2018-01)

Comprehensive Plan Amendment No. 2018-01 (LSA) proposes to amend the City’s Future Land Use map for property from COM (Commercial) MD-RES (Medium Density Residential) to City of West Melbourne UD-RES (Urban Density Residential) land use designation.

Applicant: MBV Engineering Inc. agent for Continental 436 Fund, LLC
Location: South side of Hibiscus Blvd, west of Dairy Road and north of West New Haven Avenue

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 both staff reports together but advised the board there needed to be two separate motions. She talked about the location and size of the property, explained the proposed use, existing future land use designation and the proposed future land use designation. She explained the specific analysis required by Florida Statutes and done by staff for comprehensive plan reviews and the maximum infrastructure and service impacts to demonstrate sufficient capacity for sewer, water drainage and solid waste. She talked about the surrounding properties future land use designations and explained the consistency with the Comprehensive plan Goals, Objective, and Policies. She explained the maximum potential development for commercial development versus medium-density residential development and that based on the analysis of the differences, there is an elimination of commercial square footage which has a higher impact than multi-family on public services. She explained the rezoning request and presented a snapshot of the zoning map of the current zoning with the proposed zoning. She presented the analysis showing the request is consistent with the land development regulations and the surrounding uses. She added the location of this property is appropriate for multi-family development because of the proximity of many defense contractors/employers, Melbourne Square Mall and accessibility to public bus transportation. She concluded with the recommended motions:

1. Item 5b - Recommend to City Council to transmit the large scale comprehensive plan map amendment to change the future land use on the subject property from COM (Commercial) and MD-RES (Medium Density Residential) to UD-RES (Urban Density Residential).
2. Item 5c - Recommend to City Council approval of the rezoning request to change the zoning from C-P, R-A and M-1 to R-3 with the condition that the comprehensive plan map amendment is approved.

Chairman Liesenfelt opened the public hearing.

The following persons spoke about the request:

- Carol Fox, 8041 Daventry Dr. Melbourne, FL 32940 – concerned about the impacts to the canal; wildlife and fencing; location of emergency access; and inconvenience during construction with dirt and debris.
- Seth Keno, 235 Ladybug Court, West Melbourne, FL 32904 – concerned with traffic at the emergency exit on the southern portion of the property; safety of children playing with regards to the traffic; and the increase of traffic on Evans, Nasa and Hibiscus.

Elizabeth Adler, Continental Properties spoke about their business being based out of Wisconsin and having been in business for 35 years. She explained they are requesting a land use and zoning change in order to be able to submit site plans for review for the Springs at Hibiscus apartments. She described the site as being split by the Crane Creek Drainage Canal with townhome style/individual apartment living (meaning everyone has direct access to the parking lot and does not use shared hallways); pet friendly; and amenities including a clubhouse and car-care maintenance area. She described the project as a unique housing opportunity for the City. She also introduced Bruce Moia, MBV Engineering as part of the development team.

Discussion Included:

- Public notice and neighborhood meeting.
- Crossing the canal with a wooden bridge.
- Access point on Hibiscus and its location.
- The loss of commercial property on Hibiscus.
- Environmental Phase 2 Study is required because of prior industrial use of a portion of the property.
- There is at least a 70' buffer between the properties to the south.
- Emergency Access with a transponder onto Canal Street.
- Traffic Study – based on proposed land use and zoning reduces traffic impacts.
- Reclaimed water – not available in that location from the City of West Melbourne.
- Advising potential residents regarding schools – School concurrency paperwork has been submitted to the school board
- Elizabeth Adler advised their market studies only show about 5% of the residents will have school age children which translates to about 25 students.

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

Moved by Vice Chair Jaudon, seconded by Board Member Kapnoula on Item 5b - recommend to City Council to transmit the large scale comprehensive plan map amendment to change the future land use on the subject property from COM (Commercial) and MD-RES (Medium Density Residential) to UD-RES (Urban Density Residential). Motion passed, 7-0.

c. Rezoning – Robert Cochran’s property as part of Hibiscus Springs multi-family site - (REZ-2018-02)

A request to rezone property from C-P (Commercial Parkway) M-1 (Light Industrial and Warehousing) R-A (Residential Agricultural) to R-3 (Multiple-Family Dwelling).

Applicant: MBV Engineering Inc., agent for Continental 436 Fund, LLC
Location: South side of Hibiscus Blvd, west of Dairy Road and north of West New Haven Avenue

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

Moved by Vice Chair Jaudon, seconded by Board Member Kapnola on Item 5c - Recommend to City Council approval of the rezoning request to change the zoning from C-P, R-A and M-1 to R-3 with the condition that the comprehensive plan map amendment is approved. Motion passed, 7-0.

6. PUBLIC COMMENT ON GENERAL MATTERS

No Comments

7. PLANNING DIRECTOR REPORTS & BOARD MEMBER REPORTS

Planning Director Fischer informed the board on upcoming roadway improvements and talked about the zoning and land use matrix update.

Vice Chair Jaudon asked for clarification on new legislation and how it affects cell tower locations.

There was also some discussion regarding drive through businesses in the Town Center Overlay and the sidewalk gap study and whether there is funding to update it.

8. ADJOURN

Chairman Liesenfelt adjourned the meeting at 9:03 p.m.

Chairman Liesenfelt

Denise Curry, Planner