



Planning and Zoning Board

**MINUTES**

May 14, 2019

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 arrived at 6:39 p.m.  
Board Member George Cronin  
Board Member Jennifer Spagnoli  
Board Member Paul Bernkopf  
Board Member Anna Kapnoula  
Board Member Rob Brothers

**3. MINUTES**

Planning and Zoning Board Meeting of April 10, 2019

Moved by Board Member Brothers, seconded by Board Member Cronin to approve the minutes as written. Motion passed, 7-0.

**4. PUBLIC HEARING(S) –**

**a. Small Scale Comprehensive Plan Map Amendment – Circle Drive Property - (SSA-2019-02)**

Comprehensive Plan Amendment No. 2019-02 (SSA) proposes to amend the City's Future Land Use map to establish COM (Commercial) land use designation for 3.49 acres, more or less of property.

*Applicant: David Menzel, MAI Design Build, LLC, representing OM Hospitality, LLC, property owner*

*Location: Southeast corner of Circle Drive and West New Haven Avenue*

The proposed Small 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.

Planning Director Fischer presented the staff report. She explained the presentation would be for both for the small scale comprehensive plan map amendment and the rezoning but there needed to be two separate motions. She told the board the property is currently being annexed into the city and must be assigned a city land use designation and zoning for the 3.49 acre vacant parcel. She stated the applicants plans are to develop a hotel on the parcel but no site plans have been submitted to the City yet. She stated the existing land use designation is Brevard County Community Commercial and the proposed city land use designation is Commercial. She talked about the surrounding future land use designations and showed photos of the property. She presented analysis regarding the difference in potential maximum commercial development between the county and city land use designations and showed consistency with the comprehensive plan future land use element policies. She provided a comparison the existing county zoning of BU-1 (General Retail Commercial) and the proposed city zoning of C-P (Commercial Parkway) with the ICO (Interchange Commercial Overlay). She stated it is compatible with the surrounding commercial uses along New Haven Avenue and the C-P zoning permits hotels which is suitable for this area being less than one mile from the interchange in the ICO. She recommended the following motions:

1. Item 5a – recommend that City Council approve the small scale comprehensive plan map amendment (SSA 2019-02) to change the future land use for a 3.49 acre property located on the south side of New Haven Avenue from Brevard County Community Commercial (CC) to City of West Melbourne Commercial (COM).
2. Item 5b – recommend approval of the rezoning request from Brevard County BU-1 to West Melbourne C-P with the ICO with the condition that the small scale comprehensive plan map amendment is approved.

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

David Menzel, MAI Design Build LLC spoke about the plans for a Hilton “Tru” hotel to be developed on the property, a 98-room contemporary hotel.

Discussion included:

- The site plan will go to the Board of Adjustment for review.
- The parking will be designed around the building with a right in right out onto New Haven Avenue.
- There will be a restaurant which will share the stormwater system and parking. The height can be up to 65 feet with additional setbacks in the ICO.
- 4-story building works for this prototype (Tru by Hilton) with an extended height grand lobby.
- Buffering will be required to the south by the residential uses with a 6 ft. high opaque fence.
- The property is on the outskirts of the Interchange Commercial Overlay District.

Moved by Vice Chairman Jaudon, seconded by Board Member Kapnoula to recommend that City Council approve the small scale comprehensive plan map amendment (SSA 2019-02) to change the future land use for a 3.49 acre property located on the south side of New Haven Avenue from Brevard County Community Commercial (CC) to City of West Melbourne Commercial (COM). Motion passed, 7-0.

**b. Rezoning – Circle Drive Property – (REZ-2019-03)**

A request to rezone 3.49 acres, more or less of property to C-P (Commercial Parkway).

*Applicant: David Menzel, MAI Design Build, LLC, representing OM Hospitality, LLC, property owner*

*Location: Southeast corner of Circle Drive and 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 Chairman Jaudon, seconded by Board Member Bernkopf to recommend approval of the rezoning request from Brevard County BU-1 to West Melbourne C-P with the ICO with the condition that the small scale comprehensive plan map amendment is approved.

**c. Small Scale Comprehensive Plan Map Amendment – 2840 Fellwood Lane - (SSA-2019-01)**

Comprehensive Plan Amendment No. 2019-01 (SSA) proposes to amend the City's Future Land Use map to establish LD-RES (Low Density Residential) land use designation for 5.04 acres, more or less of property.

*Applicants: Howard and Bobbie Fulton, property owners*

*Location: 2840 Fellwood Lane*

The proposed Small 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 explained the presentation would be for both for the small scale comprehensive plan map amendment and the rezoning but there needed to be two separate motions. She presented the background information regarding the size of the property, owners, existing use, current Brevard County future land use and the proposed City future land use. She elaborated that the property is currently being annexed into the city and needs a city future land use designation and zoning. She talked about the surrounding future land use being all low density residential whether located in the city or the county. She explained the property is part of the Fellwood Estates subdivision and the owner would like connection to city water. She explained the city had partnered with the developers to upsize the water lines along Fell Road to enable future connections. She presented analysis on the maximum potential residential development, and consistency with the future land use element and the availability of water and sewer. She talked about the rezoning request and presented analysis to show compatibility with the surrounding uses along Fell Road. She recommended the following motions:

1. Item 5c – recommend that City Council approve the small scale comprehensive plan map amendment to change the future land use for 5.04 acre property located at 2840 Fellwood Lane from Brevard County Residential 4 (RES-4) to City of West Melbourne Low-Density Residential (LD-RES).
2. Item 5d – recommend approval of the rezoning request from Brevard County AU to West Melbourne R-1AAA with the condition that the small scale comprehensive plan map amendment is approved.

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

Howard Fulton, 2840 Fellwood Lane spoke about his desire to connect to water and now that the lines are closer to his property with the recent development of Parkside subdivision and the proposed John's Landing, so now it is time.

Discussion Included:

- The city has partnered with developers of Parkside to upsize the water line to enable future connections and with John's Landing to upsize the sewer line for future connections.
- The location of the water and sewer lines and where they are being extended from in order to make the connections to Mr. Fulton's property.

Moved by Vice Chairman Jaudon, seconded by Board Member Bernkopf to recommend that City Council approve the small scale comprehensive plan map amendment to change the future land use for 5.04 acre property located at 2840 Fellwood Lane from Brevard County Residential 4 (RES-4) to City of West Melbourne Low-Density Residential (LD-RES). Motion passed, 7-0.

#### **d. Rezoning – 2840 Fellwood Lane - (REZ-2019-02)**

A request to rezone 5.04 acres, more or less of property to R-1AAA (Single-Family Residential).

*Applicant: Howard and Bobbie Fulton, property owners*  
*Location: 2840 Fellwood Lane*

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

Moved by Board Member Brothers, seconded by Board Member Cronin to recommend approval of the rezoning request from Brevard County AU to West Melbourne R-1AAA with the condition that the small scale comprehensive plan map amendment is approved. Motion passed, 7-0.

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

No public comment.

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

Planning Director Fischer talked about development in the city and referenced a handout provided to each member which covered some of the development projects. She talked about Ellis Road interchange development and how no plans have been submitted for the old 7-11 building on the corner of Minton and New Haven and the only permit was for removal of the fuel tanks. She explained there has been an increase in new hotel proposals lately. She updated the board regarding the Parkway Interchange text amendment process and the City Attorney's interpretation of Florida Statutes.

Vice Chairman Jaudon initiated discussion regarding the fracking bill which did not proceed in the State of Florida legislature. Staff commented they would inquire as to whether other cities in Brevard County had contemplated restrictions to ban fracking.

**7. ADJOURN**

Chairman Liesenfelt adjourned the meeting at 7:17 p.m.