



Planning and Zoning Board

MINUTES

January 10, 2023

1. CALL TO ORDER

Chairman Jaudon called the meeting to order at 6:34 p.m.

2. ROLL CALL & REVISED CALENDAR

Present: Chairman Chris Jaudon
Board Member Paul Bernkopf
Vice Chair Rob Brothers
Board Member Anna Kapnoula

Absent: Board Member Jim Liesenfelt
Board Member Jennifer Spagnoli
Board Member Vernon Anderson

Staff present: Planning Director Christy Fischer
City Attorney John Cary
Planner Cynthia Snay

Moved by Board Member Bernkopf, seconded by Board Member Kapnoula to excuse Board Member Liesenfelt, Board Member Spagnoli; and Board Member Anderson. Motion passed 4-0.

Director Fischer presented the changes to the Planning & Zoning Board calendar, stating that the February meeting was changed to February 15, 2023. Chairman Jaudon asked if this was the only change, Director Fischer confirmed that it is the only calendar change.

Attorney Cary asked Director Fischer if an action motion would be required. Director Fischer responded in the negative. Attorney Cary requested that Staff provide clarification for the meeting jumping back and forth between Tuesday and Wednesday. Director Fischer responded that she would explain this.

Chairman Jaudon questioned if November 7, 2023 was the correct November date, as he had a different date and that November 7, 2023 may be an election date. Director Fischer indicated she would follow up and get back with the board members to confirm the November date.

3. MINUTES

Planning and Zoning Board Meeting of December 6, 2022, with two minor changes.

Moved by Board Member Brothers and seconded by Board Member Bernkopf to approve the minutes. Chairman Jaudon requested two minor modifications on the last page. Motion passed 4-0.

5. PUBLIC HEARING(S) –

a. Code Amendment to the Land Development Regulations – Chapter 74, Development Standards – Parking Regulations – (LDR-2022-04) –

An update to the previous Chapter 74, Development Standards, Article II. Off-Street Parking and Loading Areas and access revisions.

Applicant: City of West Melbourne
Location: Citywide

Planner Snay presented a request to amend Chapter 74, Development Standards, Article II. Off-Street Parking and Loading Areas and access revisions. She stated that this is a Staff initiated code change to update the parking ratio for shopping centers that are less than 70,000 square feet in size and to add a new Section 74-56 establishing a methodology for mixed use projects. She stated that the original code changes were presented to council who asked for revisions on various items.

Planner Snay reviewed the modifications proposed to Section 74-53, General Standards stating staff recommended the changes to Section 74-53(f) to make it consistent with the landscape code and Section 74-53(i) to require lighting in the rear of a shopping center.

Planner Snay reviewed the changes to Section 74-54 indicating the proposed changes are intended to make the parking code consistent with the landscape code and to modify the depth of a parking space, only when it abuts perimeter landscaping, from 18 feet to 17 feet.

Planner Snay reviewed the changes to Section 74-55 indicating staff was recommending eliminating the ratio for nightclubs; creating two shopping center parking ratios of 1/275 square feet for centers 70,000 square feet or less and 1/300 square feet for shopping centers greater than 70,000 square feet; and provided for mixed use parking studies, to provide for appropriate parking in these centers. Staff included a nonconforming clause to ensure that the proposed changes do not have a negative impact on existing smaller shopping centers.

Planner Snay reviewed the new Section 74-56 providing a standard methodology to conduct a mixed use parking study. Planner Snay indicated staff has determined that Section 74-56B should be struck from the proposed code due to the ambiguous wording and staff does not perceive overflow parking being an issue.

Chairman Jaudon opened the public hearing. Seeing no one, the public hearing was closed.

Chairman Jaudon opened the board discussion on the item.

Moved by Board Member Brothers, seconded by Board Member Kapnoura, to recommend City Council approve Ordinance No, 2023-01, changes to the parking code, Motion passed 4-0.

Chairman Jaudon opened discussion on the motion. Chairman Jaudon requested clarification on what Staff requested be eliminated. Director Fischer responded that Section 74-56 item B be eliminated as it is ambiguous, the remaining sections suffice to capture what Staff is attempting to accomplish. She further stated that staff is limiting the maximum parking space reduction to 25%, which is what Council and the developer would want to know.

Chairman Jaudon questioned the information provided for the two parking studies, drawing attention to the information provided for MetroWest, indicating that there is a big difference between the required parking and what the parking study showed for MetroWest. Director Fischer responded by explaining the parking study process and product received.

b. Small Scale Comprehensive Plan Map Amendment – Space Coast Town Center – Inclusion of Martinez Property – West side of St. Johns Heritage Parkway, south of the intersection of US-192 and St. Johns Heritage Parkway (SSA-2022-08) –

A request for a future land use map amendment to change the land use designation for the 19.71 acre property located on the west side of St. Johns Heritage Parkway approximately 1,200 feet south of the intersection of US-192 and St. Johns Heritage Parkway from Brevard County CC (Community Commercial) and NC (Neighborhood Commercial) to PI (Parkway Interchange).

Applicant: Benjamin Hedrick: Esquire, agent for Space Coast Town Center
Location: West side of St. Johns Heritage Parkway, approximately 1.201.5 feet south of the intersection of US-192 and St. Johns Heritage Parkway.

Attorney Cary requested that the board members report any Quasi-Judicial disclosures: ex-parte communication or if they visited the property. No disclosures were made.

Planning Director Fischer presented a request to change the land use of the 19.71 acre property located on the west side of St. Johns Heritage Parkway, south of the intersection of US-192 and St. Johns Heritage Parkway, from Brevard County CC (Community Commercial) and NC (Neighborhood Commercial) to PI (Parkway Interchange). She stated that the applicant would like to include the property into the existing Space Coast Town Center Master Plan. She presented a map showing the existing and proposed land use and zoning, and provided a brief history of the property and the maximum infrastructure analysis. Director Fischer pointed out that in order to fit into the Space Coast Town Center, the property needs the Parkway Interchange (PI) land use and Gateway Interchange District (GTWY-I) zoning designations.

Director Fischer reviewed the overall impacts on the proposed land use amendment with regards to water, sewer, traffic and education. She stated that worse case development impacts may be slightly higher than the existing land use but this is not as issue, as the true use is stated in the development agreement. She further indicated that the applicant did not complete the school capacity analysis and Staff is recommending that a condition of approval be that Staff receive the school capacity analysis prior to the application being heard by City Council.

Director Fischer further indicated that the applicant's request is consistent with the City's Goals, Objectives and Policies of the Comprehensive Plan and compatible with the surrounding uses.

Chairman Jaudon opens public hearing. There were no public comments.

Board member Brothers asked staff if they had talked about this property in the past year regarding annexations. Director Fischer affirmed that the project had been before the board with a number of alterations. She requested that the applicant discuss the property transactions.

The developer, Bob Gorlow, 7485 Fairway Drive, Miami Lakes, FL 33014, addressed the board, indicating that the property was purchased in March. He further stated that the property had been targeted before the existing master plan property was purchased. Chairman Jaudon asked the developer if there are any concerns with the condition that the school capacity analysis be required prior to the project being heard by the City Council. Mr. Gorlow indicated that there is not a problem, as it was an administrative issue on his part that they had not completed.

Board Member Kapnoula asked if the developer was intending to have apartments on the site, if so where on the site and the number of apartment units that they are proposing. Mr. Gorlow indicated that they are proposing apartment units on the site, behind the proposed retail and commercial uses adjacent to St. John's Heritage Parkway. Director Fischer requested that they wait for the discussion on the Developer's Agreement as it would be easier to understand the project. Mr. Gorlow indicated that the overall density would be the same but for this project it would be no more than 25 units/acre. Director Fischer stated that the overall density would be 22 du/acre for the gross density of the Space Coast Town Center.

Moved by Board Member Bernkopf, seconded by Board Member Brothers, to recommend approval of Ordinance No. 2023-03 changing the future land use from Brevard County CC (Community Commercial) and NC (Neighborhood Commercial) to City of West Melbourne PI (Parkway Interchange) with the condition that a school concurrency evaluation be submitted prior to City Council hearing. Motion passed 4-0.

c. Rezoning – Space Coast Town Center – Inclusion of Martinez Property – West side of St. Johns Heritage Parkway, approximately 1,200 feet south of the intersection of US-192 and St. Johns Heritage Parkway (REZ-2022-09) –

A request to rezone 19.71 acre property located on the west side of St. Johns Heritage Parkway, approximately 1,200 feet south of the intersection of US-192 and St. Johns Heritage Parkway from Brevard County BU-2 (Retail, Warehousing & Wholesale Commercial) and AU (Agricultural Residential) to City of West Melbourne GTWY-1 (Gateway Interchange District).

Applicant: Benjamin Hedrick, Esquire, agent for Space Coast Town Center
Location: West side of St. Johns Heritage Parkway, approximately 1,201.5 feet south of the intersection of US-192 and St. Johns Heritage Parkway.

Planning Director Fischer presented a request to change the zoning of the property located on the west side of St. Johns Heritage Parkway, south of the intersection of US-192 and St. Johns Heritage Parkway, a 19.71 acre property, from Brevard County BU-2 (Retail, Warehousing & Wholesale Commercial) and AU (Agricultural Residential) to City of West Melbourne GTWY-1 (Gateway Interchange District). The applicant would like to include the property into the existing Space Coast Town Center Master Plan. She reviewed the surrounding land uses and presented a map showing the existing and proposed zoning designations. She provided a brief history of the property and the maximum infrastructure analysis. Director Fischer pointed out that in order to fit into the Space Coast Town Center, the property need the Parkway Interchange (PI) land use and Gateway Interchange District (GTWY-I) zoning.

Director Fischer indicated that the proposed rezoning is closing a gap in between properties in the Gateway Interchange Zoning District. Staff analysis would be the same as the Comprehensive Plan application.

Moved by Board Member Bernkopf, seconded by Board Member Brothers, to recommend approval of Ordinance No. 2023-04 rezoning the property from Brevard County (BU-2) (Retail, Warehousing & Wholesale Commercial) and AU (Agricultural Residential) to City of West Melbourne Gateway Interchange (GTWY-I) with the condition that the small-scale comprehensive plan map amendment is approved. Motion passed 4-0.

d. Development Agreement – Space Coast Town Center – Inclusion of Martinez Property- West side of St Johns Heritage Parkway, south of the intersection of US-192 and St. Johns Heritage Parkway Lane –

A request to amend the Space Coast Town Center development agreement for the inclusion of the Martinez property into the Space Coast Town Center project for 19.71 acres to be part of the overall Space Coast Town Center private development. The development agreement provides development standards and restricts the development of the property.

Applicant: Benjamin Hedrick, Esquire, agent for Space Coast Town Center
Location West side of St. Johns Heritage Parkway, approximately 1,201.5 feet south of the intersection of US-192 and St. Johns Heritage Parkway.

Director Fischer presented a second request to amend the Space Coast Town Center development agreement and revision of the master plan, for the inclusion of the Martinez property into the Space Coast Town Center project, for 19.71 acres to be part of the overall Space Coast Town Center private development. She explained that the subject property and amendment would be bound by the same conditions and regulations as the original Space Coast Town Center development agreement. She further provided a brief history of the project. The subject property is now up to 178.69 acres. The Parkway Interchange (PI) land use designation has a requirement to allow a maximum 200 acreage. She stated that this project is under this requirement.

Director Fischer indicated that the analysis points out the request is consistent with the comprehensive plan and land development regulations. Director Fischer requested that the board review the master plan found in their packet. Director Fischer pointed out that the developer has indicated that they are keeping all of the same percentages as the prior master plan only spreading it out over a larger area.

Director Fischer requested that Mr. Gorlow come forward to address any questions the board might have.

Board member Brothers asked if the apartments will be the same as those on the east side of the development. Mr. Gorlow indicated, at this time, that is the intent of the development. Chairman Jaudon asked what was currently built for the overall project. Mr. Gorlow indicated that the apartments by Integra are built and fully leased.

Director Fischer continued her presentation. The developer's agreement before you will amend the 2019 developer's agreement. Notices were mailed out in September and will go to City Council on January 17, 2023.

Board Member Brothers, seconded by Board Member Bernkopf to recommend approval of the 2nd Amendment to the Development Agreement adding 19.71 acres of property affected by the same terms and conditions of the agreement, & including the revised Conceptual Master Development Plan. Motion passed 4-0.

6. PLANNING DIRECTOR REPORTS

Planning Director Fischer provided information to the Board from the Brevard County School Board Technical Committee. She stated that the City and School Board have an interlocal agreement that indicates the two entities would coordinate development. She stated that the School of Science is planning to change traffic patterns, which the City has an interest due to impacts on city roads and to the shared parking lot.

Director Fischer requested that the board members attend the Comprehensive Plan workshop on January 22, 2023 and January 23, 2023.

Board member Kapnoula inquired on whether or not staff can get enrollment/attendance numbers as there are a number of frozen schools. Director Fischer referred her to school board staff and will provide information about the contact person at the school district.

Director Fischer indicated that the schools are decreasing traditional school attendance and increasing in specialty schools, such as the school of science, online schools and home schooling. This in turn will impact the school finances, as schools get paid on a per student basis.

Chairman Jaudon inquired on the school data found in the Comprehensive Plan and when it will be updated. Director Fischer responded that the City relies on the data collected by the school district.

7. BOARD MEMBER REPORTS

Board member Brothers provided information on the City Managers State of City Address and invited all of the members to the event being held at 5:30 pm at Promise Café on Wednesday, November 11, 2023.

8. ADJOURN

Chair Jaudon adjourned the meeting at 7:28 p.m.