



Planning and Zoning Board

MINUTES

January 12, 2021

6:30 P.M.

City Council Chambers
and via Communications Media Technology*

1. CALL TO ORDER

Chair Jaudon called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

2. ROLL CALL

Attending in person: Chairman Chris Jaudon
Board Member Rob Brothers
Board Member Anna Kapnoula
Board Member Paul Bernkopf
School Board Appointed Board Member Jennifer Parkerson

Absent: Vice Chair Jennifer Spagnoli
Board Member Jim Liesenfelt

Moved by Board Member Bernkopf, seconded by Board Member Kapnoula to excuse the absences. Motion passed 4-0.

Staff present in person: City Attorney Morris Richardson, Planning Director Christy Fischer and Planner Denise Curry.

3. APPOINTMENT OF CHAIR AND VICE-CHAIR

Board Member Brothers nominated Chris Jaudon for Chair, Board Member Kapnoula seconded. There being no other nominations, the board voted 4-0 to appoint Chris Jaudon as Chair.

Board Member Brothers nominated Jennifer Spagnoli for Vice Chair, Board Member Kapnoula seconded.

Discussion:

Board Member Brothers upon further consideration noted that Jennifer Spagnoli has expressed in the past, she did not like being Vice Chair and withdrew his nomination. He added that he did not have a problem being Vice Chair, if he was nominated.

Board Member Kapnola nominated Board Member Brothers for Vice Chair, Board Member Bernkopf seconded. There being no other nominations, the board voted 4-0 to appoint Rob Brothers as Vice Chair.

4. ADOPTION OF 2021 CALENDAR

Moved by Board Member Bernkopf, seconded by Vice Chair Brothers to adopt the meeting calendar. Motion passed 4-0.

5. MINUTES

Planning and Zoning Board Meeting of December 8, 2020

Moved by Vice Chair Brothers, seconded by Board Member Kapnola to approve the minutes. Motion passed, 4-0.

6. PUBLIC HEARING(S) –

a. Large Scale Comprehensive Plan Map Amendment – Turnbaugh - (LSA-2021-01)

Comprehensive Plan Amendment No. 2021-01 (LSA) proposes to amend the City's Future Land Use map to designate COM (Commercial) on approximately +/-16.89 acres of property along US 192 and IND (Industrial) on contiguous property at 4910 Suapres Lane) consisting of 17.63 acres, more or less.

Applicant: William P. Turnbaugh

Location: A parcel on the north side of U.S. 192 and 4910 Suapres Lane. Both located west of Interstate 95, and west of Columbia Lane

The proposed Large Scale Map Amendment to the City's Future Land map will be acted upon by City Council with a recommendation from the Planning and Zoning Board as to whether to transmit the amendment to the State agencies or not.

Planner Curry presented the large scale comprehensive plan map amendment and rezoning together but explained there needed to be two separate motions. She explained the applicant, William Turnbaugh has submitted three requests, annexation, future land use map amendment and rezoning for the 34.52 acres.

She stated the existing use is single-family residential, a contractor's storage yard and a vacant undeveloped parcel. The proposed use is single-family residential, a contractor's storage yard and commercial. The existing Brevard County land use is Residential 2 and the proposed future land use is West Melbourne Low-Density Residential, Industrial and Commercial. She talked about the surrounding properties future land use designations and the required comprehensive plan review and analysis of the maximum infrastructure and service related impacts.

She stated the current zoning for the property is Brevard County AU, Residential Agricultural and the proposed residential zoning has changed since the staff report was distributed. The proposed zonings are West Melbourne R-1A instead of R-A, M-1 and C-P. She presented analysis of the compatibility with the surrounding zoning. She confirmed R-1A permits single-

family residential, M-1 permits a contractor's storage yard and C-P permits commercial development and the requested zonings are consistent with the LDR's and surrounding uses.

She recommended the following motions:

- Item 7a - Recommend to City Council to transmit the large scale comprehensive plan map amendment on the 34.52 acres of property located west of I-95 from Residential Two to Commercial, Industrial and Low Density Residential conditioned on the property being annexed.
- Item 7b - Recommend approval of the rezoning request from AU (Agricultural Use) to C-P (Commercial Parkway), M-1 (Light Industrial and Warehousing) and R-1A (Single-Family Residential) with the condition that the annexation and large-scale comprehensive plan map amendment are approved.

Chair Jaudon opened the public hearing.

William Turnbaugh, 4910 Suapres Lane, West Melbourne stated he could answer any questions the board may have but he didn't have anything to add to staff's presentation.

Planning Director Fischer clarified the R-1A, single-family residential zoning would be used primarily as a buffer strip of land between the single-family residential zoning to the north and the proposed M-1 industrial zoning that Mr. Turnbaugh has requested.

There was some discussion regarding the buffer strip and the residential zoning and the fact that the house would not sit on the proposed residentially zoned property.

Chair Jaudon asked for any other comments. Seeing none, he closed the public hearing.

Moved by Vice Chair Brothers, seconded by Board Member Bernkopf to recommend to City Council to transmit the large scale comprehensive plan map amendment on the 34.52 acres of property located west of I-95 from Residential Two to Commercial, Industrial and Low Density Residential conditioned on the property being annexed. Motion passed, 4-0.

b. Rezoning –Turnbaugh - (REZ-2021-01)

A request to rezone +/- 16.89 acres property on US 192 more or less from Brevard County AU, (Residential Agriculture) to City of West Melbourne C-P (Commercial Parkway) and +/- 17.63 acres at 4910 Suapres Lane from Brevard County AU (Residential Agriculture) to City of West Melbourne M-1, (Light Industrial and Warehousing).

Applicant: William P. Turnbaugh

Location: A parcel on the north side of U.S. 192 and 4910 Suapres Lane. Both located west of Interstate 95, and east of St Johns Heritage Parkway

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

Moved by Board Member Bernkopf, seconded by Board Member Kapnoola to recommend approval of the rezoning request from AU (Agricultural Use) to C-P (Commercial Parkway), M-1 (Light Industrial and Warehousing) and R-1A (Single-Family Residential) with the

condition that the annexation and large-scale comprehensive plan map amendment are approved. Motion passed, 4-0.

c. Large Scale Comprehensive Plan Map Amendment – Greenleaf – (LSA-2021-02)

Comprehensive Plan Amendment No. 2021-02 (LSA) proposes to amend the City's Future Land Use map for 23.27 acres of property from Brevard County RES-2 (Residential 2) and NC (Neighborhood Commercial) to City of West Melbourne LD-RES (Low Density Residential) land use designation.

Applicant: Bruce Moia, P.E., MBV Engineering, Inc. agent for EKS Incorporated

Location: West of Interstate 95 and west of Minton Road adjacent to Carriage Gate Drive

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 as to whether to adopt the amendment or not.

Planning Director Fischer presented the staff reports for the large scale amendment and the rezoning together but advised the board to make two separate motions. She talked about the three requests annexation, future land use map amendment and rezoning for the 23.27 acres. She explained the property is vacant/undeveloped but the applicant would like to develop a 55 unit subdivision in the future and in order to do that, the future land use must be changed from Brevard County RES-2 to West Melbourne LD-RES. The developer held a neighborhood meeting with surrounding residents on December 29th. She presented staff analysis on the surrounding future land use and the maximum potential impacts for services and infrastructure based on the current and proposed future land use designations. She stated with the LD-RES designation there would be an elimination of over 400,000 square feet of potential commercial development. She presented the rezoning request and analysis on the compatibility with surroundings. She recommended the following motions:

- Item 7c - Recommend to City Council to transmit the large scale comprehensive plan map amendment to change the future land use on the subject property provide from NC (Commercial) and RES-2 (Residential Two) to LD-RES (Low Density Residential).
- Item 7d - Recommend to City Council approval of the rezoning request to change the zoning from GU to R-1A with the condition that the comprehensive plan map amendment is approved.

Chair Jaudon opened the public hearing.

Cole Oliver, EKS Incorporated spoke regarding the requests. He stated that early on in their process and at the suggestion of city staff, they had decided on developing 75 foot-wide lots instead of 50 foot-wide lots which is about half of the maximum allowed by the Low Density Residential future land use designation. He reported the neighborhood meeting held on December 29th, proved to be useful as the residents were satisfied with the project since it would eliminate the possibility of neighborhood commercial development on the property.

Discussion Included:

- Minton Road traffic concerns – Minton Road is a Brevard County roadway and any improvements would be permitted by them.

- Cole Oliver explained Brevard County's position is there could be no traffic light located at the intersection of Minton Road and Carriage Gate Drive because of safety reasons due to the spacing between the light and the overpass. He added that he has been told by the residents who attended the neighborhood meeting, the county is in the design process for a stacking lane to be located in the median so cars could stack there and be able to safely merge into traffic.
- Planning Director Fischer reiterated it would be up to the county as to what improvements are to be made on Minton Road.

Chair Jaudon asked for any more comments. Seeing none, he closed the public hearing.

Moved by Vice Chair Brothers, seconded by Board Member Bernkopf to recommend to City Council to transmit the large scale comprehensive plan map amendment to change the future land use on the subject property provide from NC (Commercial) and RES-2 (Residential Two) to LD-RES (Low Density Residential). Motion passed, 4-0.

d. Rezoning – Greenleaf – (REZ-2021-02)

A request to rezone 23.27 acres of property from Brevard County GU, (General Use) to City of West Melbourne R-1A, (Single-Family Residential).

Applicant: Bruce Moia, P.E., MBV Engineering, Inc. agent for EKS Incorporated

Location: West of Interstate 95 and west of Minton Road adjacent to Carriage Gate Drive

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

Moved by Board Member Bernkopf, seconded by Board Member Kapnoula to recommend to City Council approval of the rezoning request to change the zoning from GU to R-1A with the condition that the comprehensive plan map amendment is approved. Motion passed, 4-0.

e. Code Amendment to the Land Development Regulations – Chapter 98, Zoning, Gateway Interchange – Service Station Regulations – (LDR 2021-01) – Postpone

A proposed code amendment to Chapter 98, Zoning, Article III. Districts, Division 22, Gateway Interchange District to allow and to provide regulations for service stations.

Applicant: Benjamin Hedrick, Esq., Akerman LLP represents Space Coast Town Centre I, LLC

Location: Gateway Interchange Zoning Districts – Citywide

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 item is not ready for public hearing and asked for a motion to postpone the item to the February 10, 2021 Planning and Zoning Board meeting.

Moved by Board Member Brothers, seconded by Board Member Bernkopf to postpone the item to the February 10, 2021 Planning & Zoning Board meeting. Motion passed, 4-0.

8. PUBLIC COMMENT ON GENERAL MATTERS

No comments from the public.

9. PLANNING DIRECTOR REPORTS & BOARD MEMBER REPORTS

Planning Director Fischer updated the board on the proposed signal at Imagine Way and informed them of the upcoming meeting for the Minton Road Feasibility Study.

10. ADJOURN

Chair Jaudon adjourned the meeting at 7:21 p.m.