



Planning and Zoning Board

MINUTES

April 13, 2022

6:30 P.M.

City Council Chambers

1. CALL TO ORDER

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

2. ROLL CALL

Present: Chairman Chris Jaudon
Board Member Paul Bernkopf
Board Member Jennifer Spagnoli
Board Member Jim Liesenfelt
Board Member Anna Kapnoula

Absent: Vice Chair Rob Brothers

Staff present: Planning Director Christy Fischer
Planner Denise Curry
City Attorney Morris Richardson
Planning Intern Malia Staker
Planner Cynthia Snay

Moved by Board Member Bernkopf, seconded by Board Member Kapnoula to excuse the absence. Motion passed, 5-0.

Planning Director introduced Planning Intern Malia Staker and Planner Cynthia Snay to the board.

3. MINUTES

Planning and Zoning Board Meeting of March 8, 2022

Moved by Board Member Spagnoli, seconded by Board Member Bernkopf to approve the minutes.

Chair Jaudon asked City Attorney Richardson whether on Page 2 in the 4th paragraph regarding disclosures if it should be noted in the minutes that there were no disclosures. City Attorney Richardson advised it should be noted in the minutes for consistency.

The maker and the seconder agreed to amend the motion to include the correction. Motion passed, 5-0.

4. PRESENTATION – Space Coast Transportation Planning Organization

Georganna Gillette, Executive Director, Space Coast Transportation Organization updated the Planning and Zoning Board on road projects and other transportation improvements over the past year. She reiterated that the Ellis Road widening was the number one priority.

5. PUBLIC HEARING(S) –

a. Small Scale Comprehensive Plan Map Amendment – 3780 and 3820 Minton Road – (SSA-2022-03)

A request for a future land use map amendment to change the land use designation for the western most 6.29 acre portion of the 9.69 acre site located at 3780 and 3820 Minton Road from COM, (Commercial) to IND, (Industrial).

*Applicant: Tony Masone agent for property owners Fred and Ann Boozer
Location: Approximately 320 feet west of Minton Road, at the northwest corner of Minton Road and Norfolk Parkway.*

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

Planner Curry presented both the small scale comprehensive map amendment and the rezoning together but advised the board there needed to be two separate motions. She explained the location of the property, the two requests, size of the property, existing and proposed use and the existing and proposed future land use designation. She explained the frontage along Minton Road would remain Commercial future land use and the proposal is for Industrial (indoor climate controlled storage locker facility) to be placed behind the commercial properties. She gave the properties' history of being annexed into the City in 2004 and designated with the COM future land use designation, each had a single-family residence that has since been demolished and the properties have been vacant for years. She stated that the property does not have any direct access to Norfolk Parkway since there is a tract of land between the subject property and Norfolk Parkway owned by DR Horton.

She described the surrounding properties existing use and future land use designations and showed what the current and proposed future land use looks like on the future land use map. She explained the required analysis for the future land use map amendment and talked about the maximum infrastructure and service impacts. She presented analysis to show consistency with the future land use goals, objectives and policies. She stated even though there is a potential for more square footage, the impacts are reduced with industrial development versus commercial development.

She presented the rezoning request and explained the current and proposed zoning. Ms. Curry talked about the surrounding properties' zoning and the compatibility of the proposed zoning. She stated that the M-1 zoning district allows self-storage facilities. She added the applicant has agreed to a development agreement that would limit the industrial use to only indoor self-storage

with a specific building/site layout. She stated the request is consistent with the land development regulations and surrounding uses, with approval of the development agreement. She concluded with the following recommended motions:

- Item 6a - Recommend to City Council to adopt the small scale comprehensive plan map amendment on the 6.29 acres of property located west of Minton Road from Commercial to Industrial.
- Item 6b - Recommend approval of the rezoning request from C-1 (Low Density Commercial) to M-1 (Light Industrial and Warehousing) with the accompanying Developer's Agreement and conditioned on upon the small-scale comprehensive plan amendment being approved.

Chair Jaudon opened the public hearing. He asked Planning Director Fischer about the previous/past request regarding self-storage on this property.

Planning Director Fischer explained the previous request in 2017 involved a code change to the current zoning to allow a self-storage facility which would be applied citywide in the zoning district and staff had recommended denial, so the applicant withdrew the request prior to proceeding to City Council. She stated this is the same property owner but the request is different in that a portion of the properties have been requested to be rezoned to M-1 which allows the self-storage. She also explained that the owner has agreed to limit the use to only an indoor self-storage facility with a binding development agreement which would apply to this property only in perpetuity.

Board Member Bernkopf asked the applicant if there had been any communication with the residents that came out in opposition of the past request.

Tony Masone answered that he had reached out to the homeowner's association at Sawgrass Lakes to discuss and inform them of the plans.

Board Member Kapnoola had questions regarding the design of the indoor storage facility.

It was a consensus of the board to have Planning Director Fischer present the development agreement staff report as it had pertinent information on the design of the facility that may answer some of the board's questions.

Planning Director Fischer presented the background information for the development agreement and stated the reason for the agreement is to limit the industrial use to indoor self-storage and define site layout parameters. She explained that a development agreement is a legal mechanism to assure the public of additional features that might add to the compatibility with the surrounding area are in place. The applicant has agreed to limit the use, size of interior units, hours of operation, façade treatments and provide additional landscaping next to Norfolk Parkway to assure compatibility. She presented analysis to show consistency with the Comprehensive Plan policies and she showed several renderings from the applicant with the layout of the site. She stated the agreement is consistent with the Comprehensive Plan and the Land Development Regulations as well with the intent of limiting the industrial use to only indoor self-storage facility and commitments for design and landscaping along the developer's portion of property facing Norfolk Parkway. She recommended the following motion:

- Recommend to City Council to approve the Boozer development agreement which is compliant with the City's Land Development Regulations and Comprehensive Plan and limits the development to an indoor self-storage facility with restrictions.

Development Agreement Discussion Included:

- Parking shown on the rendering is just conceptual – the site plan will go through the site plan review process and parking will meet code and not necessarily be located behind the building.
- External access – the only external access will be to the building itself and not to the internal storage lockers. Mr. Masone explained the building is designed so you drive your car inside the building and there will be lifts to storage units on upper floors so you would access the units only from the inside.
- Security – the facility will have 24/7 video security.
- The building could possibly be 2-story or 3-story. The applicant did not know yet. Board member preferred the 3-story requirements.
- Fence height – There was some discussion on the fence height requirements and how the fence height is measured. There was also discussion on whether both a fence and landscaping should be required or should there be a choice.
- Landscaping – There will be enhanced landscaping required in the development agreement to ensure compatibility with the surrounding properties.
- No storage of hazardous materials – There is a typo in the development agreement the word “no” is missing in front of storage hazardous materials – It should read “no storage of hazardous materials”.
- Type D landscaping – There are various types of landscaping and a landscape architect would know what “Type D” landscape buffer is but it is simply more lush landscaping than a typical landscape buffer.
- Future plans for frontage – There are no specific plans for the commercial frontage as of yet. There have been discussions with a daycare facility and a drive thru restaurant but nothing firm.
- Signage – There can be no offsite signage so there will be no signage on Norfolk Parkway or Minton Road if the storage lot is separate from the commercial. There was discussion that a shopping center sign could be permitted for the property so there could be signage along Minton Road for the facility.

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

Moved by Board Member Liesenfelt, seconded by Board Member Spagnoli to Recommend to City Council to adopt the small scale comprehensive plan map amendment on the 6.29 acres of property located west of Minton Road from Commercial to Industrial. Motion passed, 5-0.

b. Rezoning – 3780 and 3820 Minton Road (REZ-2022-03)

A request to rezone the western most 6.29 acre portion of the 9.69 acre total site located at 3780 and 3820 Minton Road from C-1, (Low Density Commercial) to M-1, (Light Industrial and Warehousing).

*Applicant: Tony Masone agent for property owners Fred and Ann Boozer
Location: Approximately 320 feet west of Minton Road, at the northwest corner of Minton Road and Norfolk Parkway.*

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

Moved by Board Member Spagnoli, seconded by Board Member Bernkopf to recommend approval of the rezoning request from C-1 (Low Density Commercial) to M-1 (Light Industrial and Warehousing) with the accompanying Developer's Agreement and conditioned on upon the small-scale comprehensive plan amendment being approved. Motion passed, 5-0.

c. Development Agreement – Sawgrass Center – (DA -2022-01)

A request for development agreement approval which provides development standards and restricts the development of a proposed "indoor climate control self-storage facility" on the western most 6.29 acres of the 9.69 acre total at 3780 and 3820 Minton Road for the proposed project to be called Sawgrass Center.

*Applicant: Tony Masone agent for property owners Fred and Ann Boozer
Location: Northwest corner of Minton Road and Norfolk Parkway*

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

Moved by Board Member Liesenfelt, seconded by Board Member Kapnoura to recommend to City Council to approve the Boozer development agreement which is compliant with the City's Land Development Regulations and Comprehensive Plan and limits the development to an indoor self-storage facility with agreement restrictions and adding the five following items:

1. Page 3, Item 4, regarding no exterior door openings to add the word "individual" in front of storage unit
2. No sign allowed for the facility on Norfolk but could allow a shopping center sign on Minton Road
3. Merge items 14 and 15 that pertain to 2-story and 3-story facilities and have one set of criteria regardless of the number of stories
4. Add an option for fencing or Class D landscaping buffer along Norfolk Parkway
5. Fix typo to read "no storage of hazardous materials"

Motion passed, 5-0.

d. Small Scale Comprehensive Plan Map Amendment – City Owned Park Hill properties – (SSA-2022-02)

A request for a future land use map amendment to change the land use designation for five (5) parcels of city owned property totaling 4.51 acres, more or less, located on Park Hill Boulevard south of Henry Avenue from LD-RES, (Low Density Residential) to INST, (Institutional).

*Applicant: City of West Melbourne
Location: Park Hill Boulevard south of Henry Avenue.*

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

Planning Director Fischer presented both the small scale amendment and the rezoning together but advised the board there needed to be two separate motions. She stated this is a city initiated request and explained that the five parcels are city owned properties that have been acquired over the years with the last purchase being on the east side of Park Hill Boulevard for the

proposed municipal water treatment plant. Since the parcels are to be used for municipal purposes, they should have the future land use designation of Institutional. She talked about the surrounding future land uses and how it makes sense to designate these properties with the institutional future land use since they may be redeveloped for municipal purposes to include a water treatment plant. She explained the comprehensive plan consistency review and the specific policies that applied. She presented the rezoning request of P-1 to be consistent with the institutional land use designation and gave analysis on the compatibility with the surrounding zonings. She recommended the following motions:

- Item 6d: – Recommend that City Council approve the small scale future land use map amendment for the properties located on the east and west side of Park Hill Boulevard, north of the City of West Melbourne wastewater tank and pond from LD-Res (Low Density Residential) to INST (Institutional).
- Item 6e: - Recommend approval of the rezoning request from R-1AA (Single-Family Residential) to P-1 (Institutional) to City Council with the condition that the comprehensive plan amendment is approved.

Chair Jaudon opened the public hearing.

The following residents voiced their concerns with the requests citing a possible decline in their property values, being able to see large tanks from their homes, possible increase in offensive odors from the municipal operations and the present odors from the sewer plant:

1. Johann Brockhausen, 3363 Alice Street, West Melbourne, FL 32904
2. Bill and Liza Mercado, 380 Dorset Drive, West Melbourne, FL 32904
3. Michael Wilson, 377 Dorset Drive, West Melbourne, FL 32904

City Attorney Richardson advised the City is looking into more options for odor management for the sewer plant and a stormwater pond has been constructed to help with flood control in the older neighborhood (1928 subdivision). At the present time, the potable water treatment plant has not been designed so the City is not sure about the layout of the site.

Planning Director explained that the Planning and Zoning Board is advisory to the City Council and at this time the small scale comprehensive plan and rezoning are being considered for the properties and not the specifics with the design of the water treatment plant. She stated the design of the plant will come later and City Council will approve the specific plans for the ultimate construction and use of the property. She stated there are sufficient funds to provide extra landscaping on site that could be used as a visual buffer as requested by a homeowner.

Moved by Board Member Bernkopf, seconded by Board Member Kapnoula to recommend City Council approve the small scale future land use map amendment for the properties located on the east and west side of Park Hill Boulevard, north of the City of West Melbourne sanitary sewer tank and pond, from LD-Res (Low Density Residential) to INST (Institutional). Motion passed, 5-0.

e. Rezoning – City Owned Park Hill properties (REZ-2022-02)

A request to rezone five (5) parcels of city owned property totaling 4.51 acres, more or less, located on Park Hill Boulevard south of Henry Avenue from R-1AA, (Single-Family Residential) to P-1, (Institutional).

Applicant: City of West Melbourne
Location: Park Hill Boulevard south of Henry Avenue.

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 approval of the rezoning request from R-1AA (Single-Family Residential) to P-1 (Institutional) to City Council with the condition that the comprehensive plan amendment is approved. Motion passed, 5-0.

Additional advisory comment:

Moved by Board Member Liesenfelt, seconded by Board Member Bernkopf to recommend to City Council for the use of the tallest and best landscaping/buffering to effectively hide the potable water treatment plant and actively work with the neighbors to ensure satisfactory buffering.

f. Land Development Regulations Code amendment – Landscape Code (LDR 2022-03)

Request to postpone revisions to Chapter 71, Natural Resources and Stormwater, Article IV, Landscaping and Tree Preservation to update the landscape code.

Applicant: City on behalf of citizens

Location: Citywide applicability

Moved by Board Member Liesenfelt, seconded by Board Member Kapnoula to postpone the revisions to Chapter 71, Landscape Code to the May 10, 2022 Planning and Zoning Board Meeting. Motion passed, 5-0.

6. PLANNING DIRECTOR REPORTS

Planning Director Fischer advised the board that there will be a meeting in May.

7. BOARD MEMBER REPORTS

Board Member Kapnoula talked about an expo on manufactured housing she attended in Orlando recently and gave a handout of information from the expo to each board member.

8. ADJOURN

Chairman Jaudon adjourned the meeting at 9:07 p.m.