



Planning and Zoning Board

MINUTES

May 10, 2022

6:30 P.M.

City Council Chambers

1. CALL TO ORDER

Board Member Liesenfelt called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

2. ROLL CALL

Present: Board Member Paul Bernkopf
Board Member Jim Liesenfelt
Board Member Anna Kapnoula
Board Member Vernon Anderson

Absent: Chair Chris Jaudon arrived at 6:50 p.m.
Vice Chair Rob Brothers
Board Member Jennifer Spagnoli

Staff present: Planning Director Christy Fischer
Planner Denise Curry
City Attorney Morris Richardson

Moved by Board Member Bernkopf, seconded by Board Member Kapnoula to excuse the absences with the exception of Chair Chris Jaudon who had notified staff of his delay. Motion passed, 4-0.

Planning Director Fischer introduced newly appointed Board Member Vernon Anderson.

3. MINUTES

Planning and Zoning Board Meeting of April 13, 2022

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

4. PUBLIC HEARING(S) –

a. Large Scale Comprehensive Plan Map Amendment Transmittal – St Johns Heritage Parkway Subdivision on Platt property – (LSA-2022-01) - POSTPONE

Postpone - A request for a future land use map amendment to change the land use designation for property, located east of the St. Johns Heritage Parkway and bordered by the Space Coast Town Center to the north; Brandywine Estates Subdivision to the east and undeveloped land to the south consisting of 51.38 acres from Brevard County RES-1 and RES-2 to City of West Melbourne MD-RES (Medium Density Residential).

Applicant: Chris Ossa agent for developer Pulte Home Company, LLC and property owner Rhonda J. Hammer, Successor Co-Trustee Trust Agreement

Location: Approximately 81 feet south the intersection of US 192 and St. John's Heritage Parkway, on the east side of St. Johns Heritage Parkway.

The proposed large scale comprehensive future land use map amendment will be acted upon by City Council with a recommendation from the Planning and Zoning Board.

Planning Director Fischer explained Items a, b and c are not ready for public hearings at this time and asked the board to continue the hearings until the June 8, 2022 Planning and Zoning Board meeting.

City Attorney Richardson advised the term should be “continue” instead of “postpone”.

The motion to continue the public hearing is listed under Item c.

b. Rezoning –St Johns Heritage Parkway Subdivision on Platt property (REZ-2022-02) - POSTPONE

Postpone - A request to rezone 51.38 acres located approximately 81 feet south of the intersection of US Highway 192 and St. Johns Heritage Parkway along the east side of St. Johns Heritage Parkway Brevard County AU (Agricultural Residential) to City of West Melbourne R-2 (One, Two and Multi-family Dwelling).

Applicant: Chris Ossa agent for developer Pulte Home Company, LLC and property owner Rhonda J. Hammer, Successor Co-Trustee Trust Agreement

Location: Approximately 81 feet south the intersection of US 192 and St. John's Heritage Parkway, on the east side of St. Johns Heritage Parkway.

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

The motion to continue the public hearing is listed under Item c.

c. Development Agreement – Walter E Platt Trust & the Carlyn P Platt Trust for Pulte Homes – (DA -2022-02) - POSTPONE

Postpone - A request for development agreement approval which provides development standards and restricts the development of 51.38-acre site located approximately 81 feet south

of the intersection of US Highway 192 and St. Johns Heritage Parkway located on the east side of St. Johns Heritage Parkway the proposed Pulte Homes St Johns Heritage Parkway project.

Applicant: Chris Ossa agent for developer Pulte Home Company, LLC and property owner Rhonda J. Hammer, Successor Co-Trustee Trust Agreement

Location: Approximately 81 feet south the intersection of US 192 and St. John's Heritage Parkway, on the east side of St. Johns Heritage 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 Bernkopf, seconded by Board Member Kapnoula to continue the public hearings for items a, b and c to the June 8, 2022 Planning and Zoning Board meeting. Motion passed, 4-0.

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

CLERK'S NOTE: This item was heard later in the meeting but is being left here for continuity.

Request for approval for 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

Chairman Jaudon reconvened the meeting at 7:00 p.m.

Planning Director Fischer presented the code amendment report. She explained there was a special Council workshop on August 17, 2021 and staff was asked to strengthen the landscape code based on clear cutting of existing trees at new apartment sites. She stated the landscape code was last changed in 2013 and these proposed changes would be applicable city wide to multi-family, mixed use, commercial, industrial and institutional districts. She explained the proposed changes were drafted by a landscape architect consultant (S&ME) and a four person guiding committee to review the consultant's proposals over a series of 5 to 6 meetings. She described the issues that were identified with the current landscape code and talked about each of them.

She presented the proposed revisions to the tree/landscape code which includes an update of survey information; tree replacement for trees 4 inches or greater and now more trees being required; update of minimum tree requirements and invasive species list; tree permit requirements and a significant change of an inch to inch requirement for replacement trees that are 36 inches or greater. She further explained the tree replacement table has been revised to add more categories of tree sizes; landscape plan designs added to reflect Florida Statutes; revised trees, shrubs and groundcover to add to tree canopy diversity; additional criteria/clarification on landscape buffer requirements for multi-family and non-residential; single family lots expanded to allow fruit trees instead of just citrus trees; improved irrigation installation, inspection and maintenance criteria; low impact development bonus section added.

She stated these proposed changes accomplish City Council's request to have more tree replacement requirements and gives a minimum percentage of 10% for tree preservation; and

includes a new section for low impact development landscaping which includes images for commonly asked question and updates the landscape code. She advised the board that the “Manual of Acceptable Plantings” still needs to be updated and is in the process of being reviewed. She recommended approval of the landscape and tree code revisions that provide more stringent requirements for tree removal, preservation and general landscaping.

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

Discussion Included:

- Fees were removed from the code and are now adopted by resolution.
- The fine amount is embedded in the code Sec. 71-105 Tree Protection measures to deter the removal of the protective barriers after the inspection and when construction starts. City Attorney Richardson advised that a statement regarding the removal of protective barriers would be followed by Code Enforcement Action should be added.
- Changes to Sec. 71-113, On-site tree replacement – change from as approved by the “Planning Director” to as approved by the “City Manager or designee”.
- Developers generally tend to replace trees rather than pay into the tree bank reserve fund which is better than having them pay into the fund, since this adds canopy back to the environment.

Moved by Board Member Bernkopf, seconded by Board Member Kapnoula to recommended approval of the landscape and tree code revisions that provide more stringent requirements for tree removal, preservation and general landscaping with the revisions to Sections 71-105 and 71-113. Motion passed, 5-0.

5. FINAL PLAT - SCTC Phase 1A Replat (SIT-2022-01)

A request to amend the Space Coast Town Center Phase 1A plat to create Lot 2 for the development of Artesia Multi-family project, creation of a private roadway to provide access to St. Johns Heritage Parkway and create two open space tracts.

Applicant: Francisco J Alonso, PE, agent for property owners

Location: West of I-95 on US Hwy 192 at St. Johns Heritage Parkway

Planner Curry presented the staff report. She gave the background information including the property owner, the size of the property, and location. She explained the Space Coast Town Centre East Phase I, created Lot 1 with 5 tracts including 2 tracts for future development consisting of more than 100 acres. She explained this request is to create Lot 2 in the Space Coast Town Center subdivision along with three tracts from a portion of one of the future development tracts created with Phase I. She informed the board that the final plat process is a two-part process with a recommendation from the Planning and Zoning Board and final governing body approval from City Council.

She presented the tract information and the final plat drawing to show the location of Lot 2 and the tracts. She stated all the required documents have been submitted for the final plat, the plat conforms to F.S. 177, survey review, and staff will ensure that all the final items are met prior to the signing of the final plat mylar. She further explained the property (Lot 2) cannot be sold until the final plat is approved and recorded and legal review would occur prior to recording the plat.

She presented analysis regarding the infrastructure and explained the city reviews. She stated the engineering review involves reviewing the stormwater management, water and sewer lines and facilities and all must be adequate to meet the minimum design standards for development. She explained the Space Coast Town Centre has a number of trips vested per their 2018

Development Agreement for traffic and the developer must submit a trip vesting report form with the number of peak hour trips for this phase of their subdivision. The City will keep an accounting of the remaining capacity of vested trips based on the trip vesting report form. She stated outside agency permits must be obtained with the finalization of the construction drawings. She recommended the following motion:

Recommend approval to City Council of the Final plat of Space Coast Town Centre East – Phase 1A subdivision with the following conditions:

1. Developer will finalize construction drawings to comply with City Codes.
2. Obtain outside agency permits.
3. Submit a Trip Vesting Report signed by a traffic engineer per the 2018 Development Agreement between Space Coast Town Centre, LLC and the City of West Melbourne.

Robert Gorlow, 7485 Fairway Drive, Suite 430, Miami Lakes, FL 33014 spoke regarding the request and asked the board to recommend approval.

Moved by Board Member Kapnoula, seconded by Board Member Bernkopf to recommend approval to City Council of the Final plat of Space Coast Town Centre East – Phase 1A subdivision with the following conditions:

1. Developer will finalize construction drawings to comply with City Codes.
2. Obtain outside agency permits.
3. Submit a Trip Vesting Report signed by a traffic engineer per the 2018 Development Agreement between Space Coast Town Centre, LLC and the City of West Melbourne.

Motion passed, 4-0.

Chairman Chris Jaudon arrived at 6:50 p.m.

Board Member Liesenfelt called a 10 minute recess in order to have Chairman Jaudon reconvene the meeting at 7:00 p.m.

6. PLANNING DIRECTOR REPORTS

Planning Director Fischer advised there will be a June meeting.

7. BOARD MEMBER REPORTS

No reports.

8. ADJOURN

Chairman Jaudon adjourned the meeting at 7:30 p.m.