



Planning and Zoning Board

MINUTES

July 12, 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: Chair Chris Jaudon
Vice Chair Rob Brothers
Board Member Vernon Anderson
Board Member Paul Bernkopf
Board Member Anna Kapnoula
Board Member Jennifer Spagnoli

Absent: Board Member Jim Liesenfelt

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

Moved by Board Member Bernkopf, seconded by Board Member Kapnoula to excuse the absence. Motion passed, 6-0.

3. MINUTES

Planning and Zoning Board Meeting of June 8, 2022

Moved by Vice Chair Brothers, seconded by Board Member Bernkopf to approve the minutes. Motion passed, 6-0.

4. PUBLIC HEARING(S) –

a. **Small Scale Comprehensive Plan Map Amendment – ITG Townhomes at Pinecrest – 1425 Wickham Road (SSA-2022-06) and master plan requirement**

A request for a future land use map amendment to change the land use designation for the eastern most 2.4 acre portion of the 3.46 acre site located at 1425 Wickham Road from LD-RES (Low Density Residential) to MD-RES (Medium Density Residential) conditioned on approval of a development agreement for a mixed use master plan.

This property is located at the southeast corner of the intersection of South Wickham Road and Pinecrest Avenue in the City's Community Redevelopment Area.

Applicant: Jim Trauger agent for developer ITG

Location: 1425 Wickham Road, West Melbourne, southeast corner of the intersection of S. Wickham Road and Pinecrest Avenue.

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

Planner Curry presented the background with the applicant/owner information, the location, the acreage, existing and proposed use and the existing and proposed future land use. She explained the request is only for the eastern most 2.4 acres of the parcel and gave a history of the property. She explained the property was purchased in 2019 by ITG to redevelop a dilapidated house as a single-family attached townhome subdivision on the easternmost portion of the parcel along with mixed use vertical use buildings on the frontage of Wickham Road.

She talked about the Community Redevelopment Area (CRA) and the 2017 rezoning of this property and others along the Wickham Road corridor to Commercial Wickham (C-W) which allows a variety of business uses and the proposed townhouses as long as the future land use is Medium Density Residential (MD-RES). She explained there are more accompanying applications for this project namely, a development agreement, preliminary plat and a code change for the C-W mixed use that will come to the board in August.

She presented analysis on the surrounding future land uses and the maximum infrastructure and service impacts which demonstrated sufficient capacity for water, sewer, drainage and solid waste. She explained although there is a doubling in the amount of potential units, the number of units is still relatively small to have a minimal impact and there is an accompanying development agreement limiting the use to single-family attached townhomes and the vertical mixed use along the frontage of Wickham Road. She presented analysis to show consistency with the Future Land Use Goals, Objectives and policies and the CRA Redevelopment Master Plan. She recommended the following motion:

- Recommend approval to City Council to change the future land use from Low Density Residential (LD-RES) to Medium Density Residential (MD-RES) with the condition that the development agreement is approved.

She added public notice was sent out to the property owners within 500 feet and a legal ad appeared in Florida Today on June 27, 2022. Staff has heard from one of the adjacent property owners to the south on Rodes Place with concerns for possible flooding from the

development and invasion of privacy for their back yard. She advised the schedule of accompanying applications are as follows:

- August 4, 2022 P&Z Meeting for the accompanying development agreement, preliminary plat, and C-W mixed use code change hearings
- August 9, 2022 City Council Meeting for the Small Scale Comprehensive Plan Map Amendment Hearing, the accompanying development agreement, preliminary plat, and C-W mixed use code change hearings

Chairman Jaudon opened the public hearing.

Planning Director Fischer reiterated that this is step number one in this proposed project.

Jim Trauger, P.E., Trauger Consulting Engineers, Inc., 2210 Front Street, Suite 204 Melbourne, FL 32901 spoke on behalf of the applicant. He explained that they are working with staff on the development agreement for buffering, all the stormwater must be contained on site and the owner is fine with the development agreement and process. He indicated with the site plan development process, the details for this project regarding neighboring properties privacy concerns will be addressed as they are proposing a 6 foot tall privacy fence in order to save some of the tall canopy trees on site along with new plantings. He stated the property owner is located next door to this property and has a vested interest in the development of this property. He asked to be able to address any of the citizen's concerns following the public hearing comments.

The following citizens spoke about their concerns for the potential disappearance of "sense of place" and "neighborhood feel"; the belief that ITG is trying to maximize dollars by building multi-story, multi-family units; destroying a natural habitat and removing ambiance; development looking into their backyards, a six-foot tall privacy fence will not be enough; flooding from the canal as water rises during heavy rain; potential noise; destroying the view of the natural wooded area; and concerns with the municipality Melbourne Village not getting notification for the public hearings and some of the neighbors not receiving a notification.

- Jay Alan, 7044 Pinecrest Avenue, West Melbourne, FL 32904
- Julia Trenker, 395 Blue Heron Road, Melbourne Village, FL 32904

Planning Director Fischer clarified the property owners within 500 feet of the subject property get courtesy notifications, the address that the property appraiser has on file for those owners is where the notifications are mailed to and Melbourne Village would not have received a notice since the jurisdictions are not notified for government action.

Chairman Jaudon explained to the audience that the item being discussed tonight is for the land use designation change request and the items which have to do with the specific development of the site will come before the board at a different meeting. He asked that the discussion be limited to the request for land use designation change.

Mr. Trauger spoke in regards to the concerns of the citizens. He stated that multi-family is not what the developer is proposing since they are proposing 2-story ownership single-family townhomes much like any 2-story home you would typically see in a neighborhood except they are attached. He stated the site will not remain as it is, since the owners of the property want to develop it and it's going to be developed as something.

He talked about the proposed use as being a good transitional development since no units will be proposed along the eastern property line and tree preservation will be outlined in the development agreement. He also stated his opinion that this proposal would be a better fit than commercial development with all the things that go along with the commercial sites like dumpsters and parking lots for a view.

Discussion Included:

- Mixed use is allowed in the Community Redevelopment Area with single-family townhome ownership.
- The Development Agreement will make sure the design and density is “locked down”.
- This area could use a “shot in the arm” and Wickham Road has transformed the older single-family detached larger lot homes.
- Why can’t the property just be developed with maybe a 2 or 4 single-family homes?
- The property owner has proposed a mixed use project which is a permitted use in the CRA.
- The Community Redevelopment Area was established in 2017 to help improve the area.

Chairman Jaudon closed the public hearing.

Moved by Vice Chair Brothers, seconded by Board Member Kapnoula to recommend approval to City Council to change the future land use from Low Density Residential (LD-RES) to Medium Density Residential (MD-RES) with the condition that the development agreement is approved. Motion passed, 6-0.

b. Large Scale Comprehensive Plan Map Amendment Transmittal – St Johns River Water Management District (LSA-2022-02)

A request for a large-scale future land use map amendment to change the land use designation for property consisting of 59.24 acres from LD-RES (Low Density Residential) to INST (Institutional).

This property is located the west side of St. Johns Heritage Parkway, approximately 2,500 feet north of US-192 (SR 500).

Applicant: Richard Koller, PE agent for developer St. Johns River Water Management District

Location: West side of St. Johns Heritage Parkway, approximately 2,500 feet north of the intersection of US-192 (SR 500) and St. Johns Heritage Parkway (an existing pond)

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.

Planner Snay presented both the small scale amendment and rezoning staff reports together. She explained the location, acreage, applicant owner, existing use and proposed use and talked about the surrounding future land use designations and the current and proposed future land use for the subject property. She explained the difference between maximum potential units with the current future land use and the proposed future land use and the maximum intensity of the institutional development are increased but no buildings are being proposed with this request.

She talked about the comprehensive plan review analysis required by the state and stated there is sufficient capacity of public facilities for water, sewer, drainage and solid waste and stated the request is consistent with the Future Land Use and Conservation Elements. She presented analysis for the surrounding zoning compatibility of the rezoning request and advised P-1 is for public, non-profit and quasi-public uses and is compatible with the existing mitigation area and low density agricultural uses in the vicinity. She stated there was a legal ad in Florida Today on June 23, 2022 and notices were mailed to property owners within 500 feet of the subject property. She recommended the following motions:

- Recommend that City Council approve the large scale future land use map amendment for the properties located on the west side of St. Johns Heritage Parkway approximately 2,500 feet north of the intersection with US 192 from LD-RES (Low Density Residential) to INST (Institutional).
- Recommend approval of the rezoning request from R-1A (Single-Family Residential) to P-1 (Institutional) to City Council with the condition that the comprehensive plan amendment is approved.

Chairman Jaudon opened the public hearing.

Richard Koller, P.E., agent for developer St. Johns River Water Management District spoke on behalf of the applicant and the proposed project for the M-1 Canal Flow Diversion.

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

Discussion Included:

- Whether this change would allow construction of something different than the proposed project.
- Planning Director Fischer stated she had not seen a government entity construct something other than what the property had been acquired to develop.

Moved by Board Member Bernkopf, seconded by Board Member Spagnoli to recommend that City Council approve the large scale future land use map amendment for the properties located on the west side of St. Johns Heritage Parkway approximately 2,500 feet north of the intersection with US 192 from LD-RES (Low Density Residential) to INST (Institutional). Motion passed, 6-0.

c. Rezoning –St Johns River Water Management District (REZ-2022-05)

A request to rezone 59.24 acres located on the west side of St. John's Heritage Parkway approximately 2500 feet north of the intersection of US Highway 192 and St. Johns Heritage Parkway from R-1A (Single-family Residential) to P-1 (Institutional).

Applicant: Richard Koller, PE agent for developer St. Johns River Water Management District

Location: West side of St. Johns Heritage Parkway, approximately 2,500 feet north of the intersection of US-192 (SR 500) and St. Johns Heritage Parkway (an existing pond)

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 Spagnoli to recommend approval of the rezoning request from R-1A (Single-Family Residential) to P-1 (Institutional) to City Council with the condition that the comprehensive plan amendment is approved. Motion passed, 6-0.

5. PLANNING DIRECTOR REPORTS

Planning Director Fischer advised there will be a Planning and Zoning Board Meeting on August 4th which is a Thursday. Board Member Spagnoli informed the board she would not be able to attend the August 4th meeting.

She advised the board that there is an opportunity to attend a Planning Workshop for new members at the FAPA Conference in Orlando coming up soon in September.

She announced there had been a kickoff meeting for the Comprehensive Plan rewrite which would occur over the next year and would be broken into four segments.

6. BOARD MEMBER REPORTS

7. ADJOURN

Chairman Jaudon adjourned the meeting at 7:24 p.m.