



Planning and Zoning Board

**MINUTES**

October 13, 2021

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 Anna Kapnoula  
Board Member Jim Liesenfelt

Absent: Vice Chair Rob Brothers  
School Board Appointee (non-voting) Jennifer Parkerson

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

Motion by Board Member Bernkopf, seconded by Board Member Kapnoula to excuse Vice Chair Brothers absence. Motion passed, 5-0.

**3. MINUTES**

Planning and Zoning Board Meeting of September 14, 2021

Motion by Board Member Spagnoli, seconded by Board Member Kapnoula to approve the minutes. Motion passed, 5-0.

Planning Director Fischer introduced new employee Planning Department Administrative Assistant Denise Lynne Conville.

#### 4. PUBLIC HEARING(S) –

##### a. **Large Scale Comprehensive Plan Map Amendment – PMG West Melbourne – (case # LSA-2021-04)**

Comprehensive Plan Amendment No. 2021-04 (LSA) proposes to amend the City's Future -Land Use map for 51.38 acres of property from RES-2 and RES-1 (County Residential) to UD-RES (City Urban Density Residential) future land use designation.

*Applicant: Tara Tedrow, PA, Lowndes Law, agent for PMG West Melbourne  
Location: East of the St. Johns Heritage Parkway, south of Space Coast  
Town Center, west of Brandywine Estates*

Planning Director Fischer presented the comprehensive plan amendment, rezoning and development agreement together and advised the board there needs to be separate motions for each item. She gave the background information including the location, applicant/owner, size, existing use and the proposed use of the property. She talked about current future land use and the proposed future land use. She spoke about the State of Florida analysis requirements for the comprehensive plan amendment and presented the surrounding future land uses and maximum development potential analysis. She spoke about a previous plan for development called "Watershed" and the plan included this property but when that project did not happen, this property opted out of the master development and retained the county land use and zoning.

She spoke about the current zoning and the requested zoning, presented the concept plan and showed an aerial map with the proposed 615 units in context of the area. She described the development agreement process and presented a flow chart. She explained that the developer is self-limiting the density for the project, assuring enhanced architecture and a solid wall as a buffer along the east property line in the developer's agreement which has a duration of 30 years.

She stated that the requests are inconsistent with several of the goals, and objectives of the comprehensive plan and explained each in detail. She concluded by advising the board the transmittal hearing, rezoning and development agreement is scheduled for the October 19 2021 City Council Meeting and public notice appeared in Florida Today newspaper with property owner notification in a 500 foot radius to the subject property. She stated that the applicant's representative is in the audience to answer questions.

Chairman Jaudon opened the public hearing.

Attorney McGregor T. Love, 215 Eola Drive, Orlando, FL 32801 spoke on behalf of the applicant and stated that Dan Coakley from PMG West Melbourne was also in the audience to answer any questions. He expressed his opinion that the surrounding property analysis should only consider land in the City and not any surrounding land that is not in the City and he disagreed with the staff analysis presented because the proposed development is compatible to the surrounding land uses and in particular to Space Coast Town Center because of the walkability from this property to the Space Coast Town Center.

Mary Johannessen, 2990 Indiana Street, Melbourne, Florida 32904 spoke in support of the staff's analysis. She disagreed with not looking at other surrounding properties that were not in the City and including them in the analysis. She expressed concerns with traffic at U.S.

192 in the area of Brandywine Lane and the interchange area of Interstate 95. She stated it is a congested area even with the St. Johns Heritage Parkway.

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

Discussion Included:

- The Traffic Study was done by VHB and reflects 925 peak hour trips at the time certificate of occupancies are issued. Planning Director Fischer explained the segments and intersections included in the study. Dan Coakley explained the study recommended lane widening for the entrance of the development and he confirmed it could be a turn lane. Planning Director Fischer presented a comparison to other developments in the area. This proposed project has 5040 Average Daily Trips compared to the SCTC multi-family site which has 16,813 ADT. She commented about trip distribution and its impact on traffic. She pointed out the project has two ways in and out that is required by code.
- There were questions about whether the proposed project is consistent with the City's Visioning Policy. Planning Director Fischer was asked, of the projects within a one-mile radius of this proposed project, the total number of multi-family residential proposed. Planning Director Fischer responded that she did not have a definite number since each property has a different threshold but she could add up the numbers and could provide a definite number.
- Characterize the relative size or quantity of units in the proposed project in comparison with other projects that have been recently developed. Planning Director Fischer responded that it is one of the larger developments with 615 units because most have been in the 300 unit range. So this has quite a bit of density and there are valid concerns with compatibility.
- There were questions as to whether this project follows a traditional land use pattern. Planning Director Fischer explained traditional neighborhood development and talked about Space Coast Town Center trying to obtain walkability. There were comments that this proposed development seems out of place within the context of the area. Planning Director Fischer explained there are plans to develop single-family homes to the south in the City of Melbourne.
- Dan Coakley explained their product is "not cookie cutter" type homes, the development will look a lot different and is scaled to merge with the single-family Brandywine properties to the east. He elaborated that this type of community does not exist in West Melbourne. He explained there is a huge trend in single-family rentals and a different product will attract a different type of renter. The type of renter they will attract are types that are more likely to stay longer and buy later.
- Attorney McGregor Love stated this project is not out of place since the SCTC is nearby to service this proposed community. He said the rental community would look similar to single family owned homes but would have access to more work and retail uses and provides diversity of housing type since the city anticipates a community and an employer hub in the area.
- Since the word "townhome" has been used to describe a type of housing in the proposed project, Planning Director Fischer provided clarification of the city's definition of townhome as being privately owned lots not just the building type.
- Dan Coakley stated the units are not apartments but separate units which operates much like a townhome and functions as a single family home but is a rental.
- There was discussion on whether there was consideration for a lower number of units being proposed. Dan Coakley responded that it has been looked at and below a

certain number it doesn't make economic sense. He was asked if he knew that rents have doubled in the area. He answered this project is unique and would not compete with multi-family rental properties such as SCTC since they are not offering the same housing type.

Motion by Board Member Liesenfelt, seconded by Board Member Kapnola to deny transmittal of the comprehensive plan amendment.

Discussion on the motion:

Board Member Liesenfelt moved to amend the motion, for clarification, to the affirmative to transmit the comprehensive plan amendment. The seconder agreed to the amendment.

Roll Call Vote as follows:

Board Member Liesenfelt – nay  
Board Member Spagnoli – nay  
Board Member Bernkopf – nay  
Board Member Kapnola – nay  
Chairman Jaudon – nay

Motion failed, 5-0.

**b. Rezoning – PMG West Melbourne – (case # REZ-2021-04)**

A request to rezone 51.38 acres of property from AU, (County Agricultural Residential Use) to R-3, (City Multiple-Family Dwelling).

*Applicant: Tara Tedrow, PA, Lowndes Law, agent for PMG West Melbourne*  
*Location: East of the St. Johns Heritage Parkway, south of Space Coast Town Center, west of Brandywine Estates*

Motion by Board Member Liesenfelt, seconded by Board Member Kapnola to deny the rezoning to R-3. Motion passed, 5-0.

**c. Development Agreement – PMG West Melbourne – (part of case # REZ-2021-04)**

A development agreement on the 51.38 acres of property to limit density if the property is rezoned.

*Applicant: Tara Tedrow, PA, Lowndes Law, agent for PMG West Melbourne*  
*Location: East of the St. Johns Heritage Parkway, south of Space Coast Town Center, west of Brandywine Estates*

Motion by Board Member Spagnoli, seconded by Board Member Bernkopf to deny the Development agreement. Motion Passed, 5-0.

**5. PLANNING DIRECTOR REPORTS**

Planning Director Fischer reported on the status of the Ellis Road widening project funding. She updated the board on the Comprehensive Plan update and talked about the upcoming Request for Qualifications (RFQ) process and timeline. She explained that instead of face to face

workshops with the public much of the public participation would more than likely be done digitally, since there was more participation via computer during the Town Center process.

**6. BOARD MEMBER REPORTS**

No reports

**7. ADJOURN**

Chairman Jaudon adjourned the meeting at 7:47 p.m.