

## **PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES**

The Brevard County Planning & Zoning Board met in regular session on **Monday, February 14, 2022**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were: Henry Minneboo (D1); Ron Bartcher (D1); Robert Sullivan (D2); Brian Hodgers (D2); Mark Wadsworth, Chair (D4); Liz Alward (D4); Logan Luse (D4-Alt); Bruce Moia (D5); Peter Filiberto, Vice Chair (D5); and John Hopengarten (BPS).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Cheryl Campbell, Comprehensive Planner; George Ritchie, Planner III; Kyle Harris, Associate Planner; Alex Esseeesse, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

### **Excerpt of Complete Minutes**

#### **Sunil Rajan, Sudhir Rajan, and Suresh Rajan (Kim Rezanka)**

A Small Scale Comprehensive Plan Amendment (21S.09) to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial). The property is 0.92 acres, located on the east side of N. Courtenay Pkwy., approx. 0.11 mile south of Skyline Blvd. (No assigned address. In the Merritt Island area.) (21PZ00082) (Tax Account 2412234) (District 2)  
This item was tabled from the 01/10/22 meeting.

Kim Rezanka, Attorney representing the applicant, handed exhibits to the board. The exhibits can be found in file 21PZ00082, located in the Planning and Development Department.

Jeffrey Ball noted that the proposed site plan Ms. Rezanka handed to the board has not been vetted by staff to make sure it meets the Land Development Regulations, it is for discussion purposes only.

Kim Rezanka stated she represents Nick Rahal, who is the contract purchaser for the .92-acre parcel of land located directly north of Divine Mercy Catholic Church on Courtenay Parkway. She said what she gave the board is a concept plan; however, it is the plan that has been submitted to FDOT for review and she hopes to submit for a site plan soon, which will also go to MIRA for its recommendation. She stated the reason for the change from Neighborhood Commercial to Community Commercial is to have a drive through on the property. Mr. Rahal owns the current Dunkin Donuts on the west side of N. Courtenay Parkway, next to the Solar Car Wash and the Cozy Corner Café, it is three different units on a 1.37-acre parcel, and it is a very confusing site to get in and out of, with traffic backing up into N. Courtenay Parkway during high traffic hours, so Mr. Rahal would like to move it to a larger site and make it a contemporary site with a double drive through. She stated the proposed new location is on the east side as opposed to the west side, so it will hit all of the traffic going to the Port and to S.R. 528, it's a better location for traffic because people can come in and continue on in the same direction. She noted the only residential is across the street to the west, and she has not received any public comments. She stated the proposed site plan depicts its own separate entrance access off of N. Courtenay Parkway, adjacent to the entrance into Divine Mercy Church. Rick Kern, the Engineer of Record, has met with FDOT and the driveway permit is close to being accepted. She explained that the preference is to have the entrance separate to avoid confusion and conflicts with traffic coming on Sunday mornings and other peak times. The church no longer has a school, but it has all of the buildings for a school, and it could open again. She said FDOT will require the request to Divine Mercy during its final review, but it would put the entrance up to the east and it would be very confusing. Mr. Rahal has talked with a consultant for the Diocese who does not think Divine Mercy will agree to it, but that will be required during FDOT review. There is

Neighborhood Commercial to the east to buffer any residential that could be developed there. There is a strip mall to the north, but there is a buffer of vacant land between it. She noted that MIRA approved the request unanimously.

No Public Comment.

Henry Minneboo asked if the church is not interested in any kind of access to their property.

Rick Kern replied yes, there has been some informal contact through a consultant of theirs. He said FDOT is ready to issue the permit as soon as the site plan is approved, and he will contact the church.

Mr. Minneboo asked if FDOT mentioned a potential right turn lane to get into the site. Mr. Kern replied no, the distance is too short for a right turn lane. He explained that FDOT doesn't want traffic coming out of the church making a right or left turn, be in conflict with somebody in the right turn lane, if it's a shared right turn lane, there would be some conflicts.

Peter Filiberto stated there will be two drive through lanes, so that should alleviate some of the traffic off of Courtenay Parkway. He asked if there will be a dry retention pond on the property. Mr. Kern replied yes. Mr. Filiberto noted there are some wetlands on the property and asked if they will be preserved. Mr. Kern replied yes, there is a small amount of impact.

Liz Alward stated the buffer on the north side will eventually be the entranceway into that property in the back if it becomes a subdivision, and asked if a wall will be required in the site plan, because it buffers residential. Mr. Rezanka replied yes.

Motion by Peter Filiberto, seconded by John Hopengarten, to approve the request for a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from NC to CC. The motion passed unanimously.