



BOARD OF COUNTY COMMISSIONERS

Description of Request
21PZ00082
Rajan

Planning & Development Department
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Supplement to Comprehensive Plan Amendment Application

1. **Type of Application:**

Small-scale Comprehensive Plan Future Land Use Map Amendment

Large-scale Future Land Use Map Amendment

Comprehensive Plan Text Amendment

Plan Element(s) of Text Amendment request: _____

2. **Applicant:** Kimberly Rezanka **Staff Planner:** _____

3. **Comprehensive Plan Amendment Information:**

Adopted Future Land Use Designation: NC

Requested Future Land Use Designation: CC

Existing Zoning: BU-1-A

Proposed Text Amendment (if applicable): Attach the proposed text amendment in a strike- thru/underlined format along with one copy on a CD in Microsoft Word, rtf or text format.

4. **Description of Request/Justification: Must include a written statement explaining the rationale and the appropriate data and analysis necessary to support the proposed change.**

Text amendment supplemental information shall include any goal, objective, policy, implementation strategy, directive and any supporting data and analysis, including maps, figures and tables, and; (1) Identification of the particular element of the plan on which the request is based; and, (2) Citation of the existing language which is proposed to be changed; and, (3) Proposed rewording of the existing language or the wording of proposed new text.

See Attached.

(Use additional sheets if necessary)

**Comprehensive Plan Amendment for Dunkin' Donuts:
Parcel Id. 24-36-14-00-574, Merritt Island, FL (the "Property")**

The change in the FLUM from NC to CC is requested to allow the purchaser to build and operate a Dunkin' Donuts with a drive-through lane. The NC Designation specifically disallows drive-through lanes (FLUE Policy 2.5), as does Sec. 62-1481(11), Brevard County Code. Further, NC is intended to serve "the needs of the immediate residential area." However, the Property for which the change is requested, located on N. Courtenay Parkway and Skyline Boulevard, is located in an area that "serve(s) several neighborhoods, sub-regional and regional areas and provide(s) an array of retail, personal and professional uses", as contemplated by the CC Designation (FLUE Policy 2.7).

The expansion of N. Courtenay Parkway over the years has drastically changed the amount and type of traffic, as well as the amount and type of consumers, in the area of the Property. Many of the surrounding commercial uses located near the Property on N. Courtenay Parkway are more intense uses than those contemplated by NC, and all serve many neighborhoods, people from all over Central Brevard, and tourists. Immediately north of the Property is a 17,100 square foot strip commercial center which, although located in a NC Designation, is more appropriate to a CC designation, per FLUE Policy 2.7. Across N. Courtenay Parkway and north is a Florida Community Bank with five (5) drive-thru lanes, and it is partially in a NC Designation. Further north across N. Courtenay from the Property is a 14,000 square foot multi-tenant shopping center with a restaurant, a tailor, and a pawn shop, among other uses.

Therefore, the development in the area has become inconsistent with the existing FLUM designation of NC. The proposed Dunkin' Donuts is in keeping with the nature of N. Courtenay Parkway, as exemplified by other restaurants and uses with drive-throughs along this more northerly portion of N. Courtenay Parkway up to SR528, i.e., banks, restaurants, RaceTrac, Cumberland Farms. N. Courtenay Parkway is a major roadway, and NC is no longer appropriate for this Property due to the change in conditions of this area.

The need for the drive-through has required the need for a FLUM change from NC to CC. The CC Designation is consistent and compatible with the properties and uses in close proximity to the Property. This Dunkin' Donuts use can be considered a "transitional activity" between the intense transportation corridor of N. Courtenay Parkway and the residential uses to the east of the Property (FLUE Policy 2.14). Dunkin' Donuts will provide appropriate buffering (wall and landscaping), lighting, hours of operation and setbacks to minimize any adverse impacts on the properties to the east and south.

Finally, a review of FLUE Policy 2.1, the Property is accessible from N. Courtenay Parkway, the CC designation is compatible as explained above, the development trends (including a Sonic Restaurant and Starbucks to the north) are consistent with this FLUM change, the expansion and changes to N. Courtenay Parkway has resulted in new commercial development, the Parkway in an arterial roadway with capacity, this is not a commercial strip center but an appropriate commercial use for the area and this is not large enough to be a community commercial center.