

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, July 18, 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); Brian Hodgers (D2); Robert Sullivan (D2); Ben Glover (D3); Mark Wadsworth, Chair (D4); Liz Alward (D4); Bruce Moia (D5); Peter Filiberto (D5); and John Hopengarten (BPS).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Jane Hart, Planner III; Alex Esseesse, Assistant County Attorney; and Tonya Parker, Administrative Secretary.

Excerpt of Complete Agenda

Jacob Aaron Corporation; Gigi II, LLC; The BDM Financial Corporation; and Michael P. and Lori L. Melzer (Kim Rezanka)

A Small Scale Comprehensive Plan Amendment (22S.09) to change the Future Land Use designation from NC (Neighborhood Commercial) and CC (Community Commercial) to RES 15 (Residential 15). The property is 20.88 acres, located on the north side of Port St. John Parkway, approx. .30 mile west of Grissom Parkway. (No assigned address. In the Port St. John area.) (22SS00006) (Tax Accounts 2312160, 2312187, 2312255, 2312301, 2312312, 2312307, 2312339, 2312276, 2312262, 2312334, 2312264, 2312333, 2312332, 2312260, 2319284, 2312251, & 2312250) (District 1)

Jacob Aaron Corporation; Gigi II, LLC; The BDM Financial Corporation; and Michael P. and Lori L. Melzer (Kim Rezanka)

A change of zoning classification from GU (General Use), BU-1 (General Retail Commercial), and TU-2 (Transient Tourist Commercial), with an existing BDP (Binding Development Plan), to RU-2-15 (Medium Density Multi-Family Residential), and removal of the existing BDP. The property is 20.88 acres, located on the north side of Port St. John Parkway, approx. .30 mile west of Grissom Parkway. (No assigned address. In the Port St. John area.) (22Z00027) (Tax Accounts 2312160, 2312187, 2312255, 2312301, 2312312, 2312307, 2312339, 2312276, 2312262, 2312334, 2312264, 2312333, 2312332, 2312260, 2319284, 2312251, & 2312250) (District 1)

Kim Rezanka, Law Firm of Lacy Lyons Rezanka, stated she represents the contract purchasers, Blaze Capital Partners, LLC. The property is 20.88 acres and a conglomeration of 17 parcels. She said the developer is looking to develop 3-story multi-family, 288-unit apartment complex, with a maximum of 313 units, there will be a clubhouse and a pool, and there will be some garage parking. The thought in 2009 was to develop a hotel/motel, but there is not a need for in that location at this time. There was also planned to be 330,000 square feet of commercial, but there are not enough homes in the area to support that kind of development. The majority of the surrounding properties are vacant with a few commercial uses, such as Parrish Medical facility, a future gas station, and an FPL service center. She said her clients have been working with FPL and County staff as far as easements, stormwater, and accesses. The change of Future Land Use will allow this multi-family apartment complex; it is a great location for an apartment complex because it is close to I-95. The proposed use will not diminish the safety or quality of life in the existing area; the development will not have a negative impact on transportation, the level of services will not be impacted, and there are no school concurrency issues. The development will be on sewer and water and it will continue to maintain the drainage patterns currently in existence. With the change of Future Land Use to RES 15,

Policy 1.4 criteria indicates it is appropriate for these types of land uses for areas located east of I-95 and areas with access to arterial or collector roadways without impacting existing or designated lower density intensity areas, and this will not do that.

She stated for the rezoning portion of the request, they are requesting a change from GU, BU-1, and TU-2, and removal of an existing BDP that limited the property to a 220-room hotel and 335,000 square feet of commercial space. The development will be connected to centralized sewer and potable water, and there are no traffic or school concurrency issues. She said it is a challenging site to develop because there are some wetlands on it, which will be limited impact, and there are drainage easements along the frontage, and a County pond to the west, all of which will be taken into consideration during site planning. She said her client believes housing is needed in Brevard County and new rental property as well.

Henry Minneboo asked if the Scrub Jays are under control on the property.

Scott Nichol, DRMP & Associates, stated they have not completed an environmental assessment yet, but they are in the process. He said he knows there is a potential for them to be on the property.

John Hopengarten asked if Ms. Rezanka's clients have any objection to the proposed FPL service center that will be to the east of the apartment complex. Ms. Rezanka replied she does not believe so, but they know there will be substantial screening, and they are dealing with easement and stormwater issues with them, so the two purchasers have been working together.

Mr. Hopengarten stated the school district has designated Fairglen Elementary School for the area, which is quite a distance, and asked if the developer is planning a playground for the children who live in the apartment complex.

Chris Whitker, Blaze Capital Partners, 3256 NW 60th St., Boca Raton, Florida, stated the plan is preliminary, but they anticipate incorporating playgrounds and pocket parks to the extent they can, and it will be family friendly.

Mr. Hopengarten asked if Mr. Whitker has any objections to the FPL facility that will be next door. Mr. Whitker replied no, not with the screening that will be installed as well as the separation between the two developments.

Bruce Moia asked if it is City of Cocoa water and sewer. Mr. Nichol replied yes.

Peter Filiberto stated as far as the ingress and egress, he sees the resident entry and exit, and then the main entry and exit. He asked if the board wants to have two separate exits, or if both of them should be the main entrance.

Mr. Moia stated he believes that because it is over 200 units, they are required to have two means of ingress and egress.

Mr. Minneboo stated one is going to be right-in/right-out, and they are not going to be able to cross the median.

Mr. Moia stated the other one is the limited access of the I-95 corridor. The access cannot be moved any further west.

Liz Alward stated as far as the playground for the kids, the Bernice Jackson Community Center is less than a mile from the property and it has an indoor gym and playground. She said she thinks with having the FPL service center so close, and the hospital, the apartment complex should never lose power.

Motion by Liz Alward, seconded by Peter Filiberto, to recommend approval of the Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from NC and CC to RES 15. The motion passed unanimously.

Motion by Peter Filiberto, seconded by Liz Alward, to recommend approval of the change of zoning classification from GU, BU-1, and TU-2, with an existing BDP, to RU-2-15, and removal of the existing BDP. The motion passed unanimously.