



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1655, **Version:** 1

Subject:

MI Plaza Group, LLC (Matthew Phillips / Kim Rezanka) requests removal of an existing BDP; a CUP for an overnight commercial parking lot; and a CUP for Alcoholic Beverages (full liquor) for On-Premises Consumption in conjunction with a restaurant, in a PIP zoning classification. (20PZ00027) (Tax Account 2459292) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the North Merritt Island Dependent Special District Board conduct a public hearing to consider the following requests: 1.) removal of an existing BDP (Binding Development Plan); 2.) a CUP (Conditional Use Permit) for an Overnight Commercial Parking Lot (5.48 acres); 3.) a CUP for Alcoholic Beverages (full liquor) for On-Premises Consumption in conjunction with a restaurant (3,100 square feet) in a PIP (Planned Industrial Park) zoning classification.

Summary Explanation and Background:

The applicant is seeking three requests: 1.) removal of an existing BDP (Binding Development Plan); 2.) a CUP (Conditional Use Permit) for an Overnight Commercial Parking Lot (5.48 acres); 3.) a CUP for Alcoholic Beverages (full liquor) for On-Premises Consumption in conjunction with a restaurant (3,100 square feet) in a PIP (Planned Industrial Park) zoning classification. The property is located at 3345 North Courtenay Parkway.

The applicant is proposing to change the existing shopping center to cruise parking and overnight parking with related services, including a restaurant with full liquor. The proposal is for a park-and-ride lot with patrons transported by busses to cruise ships in Port Canaveral. This is the first overnight commercial parking lot to submit a request for a CUP since the code was created in 2018.

In January 2010, the parcel was approved for a CUP (**Z-11532**) for Alcoholic Beverages for On-Premises Consumption in Conjunction with a Restaurant along with a BDP limiting the CUP. The BDP had nine restrictions that limited the use and time of the restaurant. This CUP expired after three years on February 4, 2013, since no alcoholic beverage license was obtained.

In August 2008, the parcel was denied a CUP (**DNZ-11436**) for Alcoholic Beverages for On-Premises Consumption due to incompatibility with the surrounding neighborhood and access.

In February 2005, the parcel was denied a CUP (**DNZ-10949**) for of Alcoholic Beverages for On-Premises Consumption due to incompatibility with the surrounding neighborhood and the diminutive property values.

The Board should consider the compatibility with the surrounding area of the proposed CUP for Overnight Commercial Parking Lot and the impacts with the three other cruise parking lots along North Courtenay Parkway and the traffic concerns when the barge canal is open. The Board should also consider removal of the existing BDP and the conditions it imposes together with the proposal of the new CUP request for full liquor.

The Board should consider the compatibility of the proposed CUP with the surrounding area, and if any additional conditions beyond those cited in Sections 62-1901 and 62-1906 are necessary to mitigate potential impacts to the abutting community. Such conditions could include:

- a. Additional landscaping buffer or block wall along the westerly and southerly boundaries.
- b. Turn lane analysis will be required with the site development plan, to be reviewed by Brevard County Traffic Engineering, reviewed and permitted by FDOT, and the applicant shall be responsible for the design, permitting, and construction of all necessary roadway improvements prior to utilizing the site for cruise parking.
- c. Queuing of vehicles are prohibited along all public ROW's. A queuing plan shall be submitted with site plan demonstrating sufficient queuing distance, on-site.
- d. No parking signs shall be installed along the north and south sides of Duval St.
- e. Increased queueing distances on-site
- f. Limiting hours of restaurant and bar
- g. Limiting the seats of the restaurant
- h. Limiting to beer and wine only
- i. No outside entertainment activities
- j. Limit number of overnight commercial parking (pursuant to the parking code there are 153 surplus parking available for cruise parking)

Clerk to the Board Instructions:

Upon receipt of resolution, please execute and return to Planning and Development.