Notice to Visitors: All persons who desire to speak on any public hearing item must fill out an Oath Card, sign the card, and submit to one of the City Planners. Speakers will be heard in the order received by the Chairman. The applicant may make a brief rebuttal if necessary. Anyone who speaks is considered a witness. If you have photographs, sketches, or other documents, you must provide 9 copies to one of the City Planners for distribution to the board members. These items will be retained by the Board members, City Attorney and City Staff.

Purpose: The purpose of the Planning and Zoning Board is to provide recommendations to City Council about all matters that are development applications or staff initiatives relating to the City’s comprehensive plan, known as the “Horizon 2030 Comprehensive Plan” and the City’s Land Development Regulations found in Subpart B of the Municipal Code of Ordinances.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. MINUTES
   Planning and Zoning Board Meeting of April 14, 2021
5. PUBLIC HEARING(S) –
   a. Large Scale Comprehensive Plan Map Amendment – PMG West Melbourne – (LSA-2021-04) - request to postpone

   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) 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
b. Rezoning – PMG West Melbourne – (REZ-2021-04) - request to postpone

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

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c. Large Scale Comprehensive Plan Map Amendment – Space Coast Business Center – (LSA-2021-03)

Comprehensive Plan Amendment No. 2021-03 (LSA) proposes to amend the City’s Future Land Use map for 36.73 acres of property from RES-2 (County: Residential Two) to PI (City: Parkway Interchange) land use designation.

Applicant: Rob Robb, PE, agent for Acquest Development, LLC
Location: East of the St. Johns Heritage Parkway, north of US 192, west of I-95

The proposed code changes will be acted upon by City Council with a recommendation from the Planning and Zoning Board.

d. Rezoning – Space Coast Business Center – (REZ-2021-03)

A request to rezone 36.73 acres of property from AU, (Agricultural Residential Use) to GTWY-I, (Gateway Interchange).

Applicant: Rob Robb, PE, agent for Acquest Development, LLC
Location: East of the St. Johns Heritage Parkway, north of US 192, west of I-95

The proposed rezoning will be acted upon by City Council with a recommendation from the Planning and Zoning Board.

7. PUBLIC COMMENT ON GENERAL MATTERS

8. PLANNING DIRECTOR REPORTS

9. BOARD MEMBER REPORTS

10. ADJOURN

All persons wishing to be heard or to have their opinion known should appear in person at these hearings or send written comments to City staff. All persons and parties are hereby advised that if they should decide to appeal any decision made by the City with respect to any matter considered at the public meeting or hearing described in this notice, they will need a record of the proceedings, and for such purpose, said person or party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286, Florida Statutes). In compliance with American with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City’s ADA coordinator at 837-7774 at least 48 hours in advance of this meeting.
NOTICE REGARDING COMMUNICATIONS MEDIA TECHNOLOGY AND PUBLIC PARTICIPATION

NOTICE IS HEREBY GIVEN that the West Melbourne Planning and Zoning Board will hold a public meeting on May 11, 2021, to which all persons are invited. The meeting will be conducted in City Council Chambers at the Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida 32904, and by means of communications media technology.

While a quorum of the Planning and Zoning Board will be physically present at the meeting, in order to accommodate as many members of the public as possible, and in keeping with Centers for Disease Control social distancing guidelines, some members of the Board may participate in the meeting via communications media technology.

Anyone who wishes to provide public input without personally appearing at the meeting may do so by sending an email to cfischer@westmelbourne.org. Emails must be received prior to 4:00 p.m. on Tuesday, May 11, 2021. All emails will be provided to the Planning and Zoning Board members. Should you wish to have your comment read aloud by City staff at the meeting, please indicate that in your email. The reading of public comments received by email will be limited to three (3) minutes.
Planning and Zoning Board

MINUTES

April 14, 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. PLEDGE OF ALLEIGANCE

3. ROLL CALL

Present:

Chairman Chris Jaudon
Vice Chair Rob Brothers
Board Member Paul Bernkopf (via Zoom)
Board Member Anna Kapnoula
Board Member Jim Liesenfelt
Board Member Jennifer Spagnoli
School Board Appointed Board Member Jennifer Parkerson

Absent: None

Staff present in person:

City Attorney Morris Richardson (via Zoom)
Planning Director Christy Fischer
Planning Administrative Assistant Diane McConnell

4. MINUTES

Planning and Zoning Board Meeting of March 9, 2021

Moved by Vice Chair Brothers, seconded by Board Member Spagnoli to approve the minutes as written. Motion passed, 6-0.

5. PUBLIC HEARING(S) –

a. Code Amendment to the Land Development Regulations – Chapter 98, Zoning, Commercial Parkway – Multiple-Family Dwellings (LDR-2021-01)
A proposed code amendment to Chapter 98, Zoning, Article III. Districts, Division 8, Commercial Parkway District, to remove multiple-family dwellings as a principal use to be consistent with the City’s Comprehensive Plan.

Applicant: City of West Melbourne
Location: Commercial Parkway Zoning District – Citywide

Planning Director Fischer explained this proposed code amendment was staff initiated after several conversations with the City Attorney and City Manager. She explained that the amendment only effects properties with a Commercial Parkway (C-P) zoning district by removing multi-family dwellings as a principal use. Removing multi-family dwellings as a principal use allows the C-P zoning district to be consistent with the Comprehensive Plan that does not allow residential uses in the Commercial future land use designation. She reminded the Board that final approval would come from City Council after two readings of the ordinance.

Planning Director Fischer added that the code change helps to clarify to those looking at the city code that multi-family dwellings are not permitted in the C-P zoning district. She clarified that multi-family dwellings are still allowed in various other future land use designations, including: Medium Density Residential, Urban Density Residential, Parkway Interchange, Urban Mixed Use, and Integrated Business. She then reviewed the zoning districts that are permitted in each of the future land use designations. She reminded the Board that this code change will allow the zoning code to be in compliance with the Comprehensive Plan. She stated City Council will consider the item the next Tuesday.

Chairman Jaudon asked for clarification on the various overlay districts and which zoning districts they permit.

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

Moved by Vice Chair Brothers, seconded by Board Member Kapnoula to recommend approval to City Council of the proposed code amendment to Chapter 98, Zoning, Article III, Districts, Division 8, Commercial Parkway District, to remove multiple-family dwellings as a principal use to be consistent with the Commercial future land use designation. Motion passed, 6-0.

6. PUBLIC COMMENT ON GENERAL MATTERS

None.

7. PLANNING DIRECTOR REPORTS

Planning Director Fischer informed the Board that they will have a May meeting, with possibly more than one item. An annexation-related Comprehensive Plan map amendment and zoning will likely come forward in June for a property along the St. John’s Heritage Parkway. She explained that staff is working on the budget for the City’s upcoming Comprehensive Plan update, which would include workshops and public hearings and can be a lengthy process. She said the Planning & Zoning Board would not start seeing meetings for the update prior to January 2022.
There was discussion between Chairman Jaudon and Planning Director Fischer related to the City’s overlay districts and clarification on uses and language presented.

8. BOARD MEMBER REPORTS

None.

9. ADJOURN

Chairman Jaudon adjourned the meeting at 7:01 p.m.

Chairman Chris Jaudon

______________________________

Christy Fischer, Planning Director
The applicant’s representative requested that the large scale comprehensive plan map amendment and rezoning listed on the agenda for PMG West Melbourne be postponed until June 9, 2021 to have more time to prepare for the public hearings. Since the two agenda items were advertised as a public hearing, the Planning and Zoning Board must make a motion to postpone the agenda item until June 9, 2021.

Staff’s recommended motion is:

Postpone the PMG West Melbourne’s proposed comprehensive plan map amendment and rezoning public hearings to the June 9, 2021 Planning and Zoning Board meeting.
To: Members of the West Melbourne Planning and Zoning Board

From: Christy Fischer, AICP, Planning Director

Date: May 11, 2021

SUBJECT

Amend the Future Land Use Map to change the future land use designation from Brevard County Residential 2 (RES-2) to City of West Melbourne Parkway Interchange (PI), if the 36.73 acre property is annexed (west of Interstate 95, north of US 192, east of the St. Johns Heritage Parkway).

RECOMMENDATION

Recommend the following motion:

Recommend that City Council approve transmittal of the large scale comprehensive plan map amendment LSA 2021-03 to change the future land use of the property from Residential 2 (RES-2) to Parkway Interchange (PI), conditioned on the properties being annexed and the execution of a density limiting development agreement.

FISCAL IMPACT

The funds for this advertisement of approximately $1250 comes from the applicant.
DISCUSSION

PROPERTY ADDRESS – located west of Interstate 95, near the intersection of St. Johns Heritage Pkwy and US 192 (SR 500)

APPLICANT/PROPERTY OWNER
Rob Robb, P.E, agent for Acquest Developers

PUBLIC HEARING DATE –
May 11, 2021 P&Z
May 18, 2021 City Council - transmittal

LOCATION RELATED TO SURROUNDINGS
West of I-95 near the intersection of St. Johns Heritage Pkwy and US 192

BRIEF SUMMARY OF REQUEST

This case is about changing the future land use designation on four parcels of property from Brevard County Residential 2 (RES-2) to City of West Melbourne Parkway Interchange (PI) to allow a mixed-use commercial and industrial development on 36.73 acres as part of the proposed Space Coast Business Center development. The applicant is proposing to build industrial and commercial units. The property that is subject to this comprehensive plan map amendment is shown in red outline on the aerial map here. The future land use designation assignment is contingent on the parcels being annexed.

STAFF RECOMMENDATION

APPROVE WITH CONDITIONS

COMPATIBILITY with the COMPREHENSIVE PLAN

The proposed map amendment is consistent with the policies in the City’s Horizon 2030 Comprehensive Plan that support urban uses such as the proposed mixed use development.

COMPATIBILITY with the LAND DEVELOPMENT REGULATIONS

The proposed map amendment to designate these parcels as Parkway Interchange (PI) is consistent with the zoning district requested, Gateway Interchange (GTWY-I). The developer will enter into a development agreement to self-limit apartment development to less than 25% of the site.

PROPERTY HISTORY

The property is vacant and has been used for various agricultural and nursery activities in the past. The property owners kept the site in unincorporated county for tax reasons and since this developer would like to build commercial and industrial units now, the properties are being annexed into the City to obtain city utilities.

ATTACHMENTS (CIRCLE)

Proposed Future Land Use Map Comprehensive plan

SUBMITTED PLANS

PUBLIC HEARING PETITION/ APPLICATION FORM

LEGAL NOTICE – advertised

LEGAL DESCRIPTION – as published

In the advertised legal notice
Property Information Table

<table>
<thead>
<tr>
<th>Applicant Owners/Acreage/Existing Use</th>
<th>Acquest Development, LLC for 36.73 acres – Vacant undeveloped</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing FLU in the County:</td>
<td>RES-2, Residential 2, 36.73 acres</td>
</tr>
<tr>
<td>Proposed FLU in the City:</td>
<td>PI, Parkway Interchange</td>
</tr>
<tr>
<td>Proposed Use:</td>
<td>Mixture of commercial and industrial</td>
</tr>
</tbody>
</table>

Background Information—
This is a request by the owner/applicant to submit to the State of Florida Department of Economic Opportunity (DEO), a change to the Future Land Use designation. The applicant is requesting to change a 36.73 acre site from Residential 2 (RES-2) to Parkway Interchange (PI), a mixed use future land use designation, and as a separate action to rezone the property from Brevard County Agriculture Use (AU) to Gateway Interchange (GTWY-I), also a mixed use district. The proposed map amendment is a large scale comprehensive plan map amendment because the property is more than ten (10) acres.

Future Land Use Designation to be changed on the property indicated below

Surrounding Properties

<table>
<thead>
<tr>
<th>Direction</th>
<th>Existing Use</th>
<th>Jurisdiction</th>
<th>Future Land Use (see attached maps)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Vacant land</td>
<td>City of West Melbourne</td>
<td>Low Density Residential</td>
</tr>
<tr>
<td>South</td>
<td>Space Coast Town Center</td>
<td>City of West Melbourne</td>
<td>Parkway Interchange</td>
</tr>
<tr>
<td>East</td>
<td>House and vacant land</td>
<td>City of West Melbourne</td>
<td>Industrial and Commercial</td>
</tr>
<tr>
<td>West</td>
<td>Vacant land, retention pond and St. Johns Heritage Pkwy.</td>
<td>City of West Melbourne</td>
<td>Parkway Interchange</td>
</tr>
</tbody>
</table>
Environmental Site Data—

Flood Zone: If this property is in a flood zone, building elevations for residents and construction of larger ponds will be required during the plan review process.

Natural Resources: The impact on surrounding natural resources will be assessed when the site is developed.

Development Potential for Large Scale Amendment:

The State requires that when a local government analyzes concurrency for a future land use amendment, the analysis be based on the most intense use allowed in the proposed future land use category. This maximum is not usually reflective of what can or cannot be built on the site after all other features are accommodated such as stormwater, parking, and buildings, but helps local governments in determining a worst case scenario for future planning of infrastructure.

<table>
<thead>
<tr>
<th>Future Land Use Designation</th>
<th>Maximum Intensity/Density per FLU</th>
<th>Maximum Development Potential for 36.73 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brevard County RES-2</td>
<td>Density: 2 dwelling units per acre</td>
<td>73 dwelling units</td>
</tr>
<tr>
<td>West Melbourne PI</td>
<td>Density: 20 dwelling units per acre with 25% limit set in a Development Agreement</td>
<td>Dwelling units: 184 dwelling units</td>
</tr>
<tr>
<td></td>
<td>Intensity: 1.0 FAR</td>
<td>Non-residential building area: Commercial at 12% of the acreage with a 1.0 FAR = 191,995 SF with 23% open space and 65% acreage of industrial = 1,039,973 SF</td>
</tr>
</tbody>
</table>

As a mixed use future land use designation, Parkway Interchange (PI) allows professional office, personal services, convenience stores, institutional uses, public facilities and multi-family development. However, the developer will commit to a voluntary limit of multi-family as 25% of the total site.

The table above shows that in the county, a total of 73 dwelling units could possibly be built. However, PI is different than other future land use designations in that it assumes that multi-family, industrial or commercial dominate the mix of uses and there is always 10% required open space. The PI designation requires 10% of open space and at least two other uses including commercial, industrial, institutional, or multi-family residential.

Since the developer will voluntarily limit the multi-family residential use so as not to not dominate the mix of uses (up to 25% but not the allowed 65% of the future land use designation), this would result in a maximum of 184 dwelling units on the site.

If commercial and industrial uses dominate the mix of uses as proposed by the developer, then this 36.73 acre site has the potential of up to 1,231,968 non-residential square feet (90% of the land area with at last 10% open space). It is important to note that there may not be much difference in the impact to city water and sewer capacity for 36.73 acres of mixed-use that contains commercial and industrial uses versus 9.18 acres developed with 184 dwelling units.
If the site were developed at the commercial and industrial maximum buildout allowed in PI—1,231,968 square feet of non-residential development—this would generate more average daily trips (Institute of Traffic Engineers Trip Generation Manual) than if the property remained in the County and had a maximum development potential of 73 dwelling units. However, the likelihood of a site being predominantly developed with 1.2 million square feet of commercial and industrial is unlikely, and a more likely total square footage may be a tenth or a quarter of that square footage with fewer concurrency impacts to water, sewer, solid waste, and stormwater systems. The likelihood of 184 multi-family units on the site is also unlikely given the fact that the developer wants to have 23% open space and 77% of commercial and industrial uses. Again, this will be solidified in a voluntary development agreement.

The Comprehensive Plan Future Land Use Element contains a policy which states that future land use map amendments such as this shall be evaluated upon location, adjacent land use, proposed development, buffering of non-like uses, and infrastructure capacity of water, sewer, and solid waste. The potential impact to infrastructure capacity and adjacent land uses were already mentioned, however, it is important to note from a land use compatibility perspective, that there would be negligible impact to the surroundings since much of the land is vacant to the north, east and west and because US 192 serves as a buffer to the proposed Space Coast Town Center to the south.

**Adequate Public Services/Facilities:**

The following narrative summarizes the maximum infrastructure and service impacts related to capacity of public facilities and preliminary concurrency evaluation of facility capacity. This type of analysis is required by Florida Statutes for comprehensive plan amendments, but does not reserve actual water or sewer capacity, to show only that there is still sufficient capacity to serve the property at maximum build out.

**Water and sewer concurrency** - City staff consulted with the Public Works Department. The comparison of development between Brevard County RES-2 and West Melbourne PI reveals that overall demand for water, sewer and solid waste has the potential of being higher, but still acceptable for urban intensities.

**Other Public Services—**

**Transportation:** Primary Access: St. Johns Heritage Parkway and US 192

The applicant’s traffic study indicates if developed in the county with 73 dwelling units, there would be 857 average daily trips (ADT). Staff has estimated traffic generation rates of 1000 ADT for 184 multi-family units (25% of land area) and 29,616 ADT for 77% of the land area being commercial or industrial uses. More ADT would be produced in the proposed future land use designation in the City than if the property remained in the County with no water or sewer to allow property intensification. The traffic study trip generation assumes that build out will be self-limited by the developer in the Parkway Interchange mixed use district and this may need not only a comprehensive plan map amendment but a text amendment too.

This property currently has frontage on US 192, and there may be an opportunity for a driveway on the St. Johns Heritage Parkway but it is not clear that the County, who intends for the parkway to be a limited access roadway, would grant two driveways onto the new parkway. Any additional improvements needed to the St. Johns Heritage Parkway or US 192 will be assessed by the governing agencies, Brevard County and FDOT, with input by the City. Since the St. Johns Heritage
Parkway is newly completed there are very few traffic counts available at this time on this arterial road, indicating there is sufficient capacity to accommodate this development and others along the parkway.

**Stormwater:** Any development of a site requires that stormwater runoff from roads, sidewalks, roofs, etc. be kept on the developed site and not impact surrounding uses.

**Fire & Police:** Brevard County Fire and Rescue provides fire protection and emergency services. City of West Melbourne Police will serve the property.

**School:** Since part of the proposed mixed use development may have apartments, school concurrency must be evaluated by Brevard Public Schools with this future land use map amendment.

**Staff Analysis—**

There are two types of amendments to a comprehensive plan: small scale and large scale. The proposed amendment is considered *large scale* because the size of the property on the future land use map is more than ten (10) acres. The Planning and Zoning Board, as the City’s Local Planning Agency (163.3174 F.S.), must hold a public hearing and deliberation hearing on the request and provide a recommendation to the City Council. The Council will ultimately determine whether to approve or deny the request.

**City Code Citation:**
Land Development Regulations Section 66-520. Amendment process.

**State Requirements:**
The following criteria have been reviewed to determine the appropriateness of the land use amendment request:

*Florida Statutes Ch. 163, pt. II:* The request is consistent with the provisions of Ch. 163, pt. II, F.S. which contain the criteria for required items needed for comprehensive plan future land use map amendments and sending these to the State and local agencies.

**Consistency with the 2010 Comprehensive Plan:**
According to the land development regulations (LDR) Section 66-518, comprehensive plan amendments must be in compliance with the City’s comprehensive plan and state requirements. The consistency review of the request with the comprehensive plan predominantly assesses whether the request is consistent with the intended designation, discourages urban sprawl, creates neutral or minimal concurrency impacts and has minimal impacts to natural systems.

The following is City staff’s analysis of urban sprawl, minimal concurrency impacts and impacts to natural systems:

*Future Land Use (FLU) Designation Evaluation*

**FLU Policy 3.3c:** “Parkway Interchange designations can be located at an intersection of the St. Johns Heritage Parkway and arterial roads which are in a half-mile proximity to Interstate 95. This designation is intended to promote a mix of uses with the recognition
that commercial types of uses will desire to be at the more prominent intersections and residential uses may be located behind the commercial activities.”

“PI Standards: Since the Parkway Interchange future land use designation encourages a high level of concentrated urban uses to promote internal trip capture by allowing a mix of varying uses, the following intensity and density levels are meant to promote urban development patterns:

i. Size - Area must contain a minimum of ten (10) acres and maximum of 200 acres of land.”

Staff Comments – The proposed assignment of PI future land use designation to this 36.73 acre property is consistent with the future land use policy promoting a mix of uses on larger acreages. The Parkway Interchange land use is intended for a property such as this one that will be joined with the master plan which has the intersection of St. Johns Parkway and US 192 and is within close proximity to I-95, less than ½ mile to I-95. This intent of this future land use designation is to guide and control development in a reasonable manner to provide efficiencies like better planned utilities, master planned properties not haphazard individual lot development. But this designation does not have a purpose of stopping growth which is prohibited by the State of Florida in the Bert J. Harris Act.

FLU Policy 5.6c: “Future Land Use Amendments- Amendments to the future land use map as either large scale or small scale map amendments shall be guided by these principles in addition to statutory requirements:

c. All land uses – Each amendment shall be evaluated upon the proposed location, adjacent land use, proposed development (amount of units or square footage of non-residential), facility capacity and buffering of uses between non-like designations, except for mixed use designations.”

Staff Comments – The future land use map change for this property to Parkway Interchange is in an area that soon will experience continued urbanization since the north segment of the St. Johns Heritage Parkway from U.S. 192 to the overpass of I-95 to Ellis Road interchange is complete and many developers have expressed an interest in building at the new interchange, Ellis Road. Controlling access (driveway intersections) along US 192 and the St. Johns Heritage Parkway, by mandating a development threshold, and requiring more attractive developments which have been shown to increase property value, provide psychological benefits to individual drivers, and to signify a deliberate planning effort.

FLU Policy 3.2: “Mixed Land Uses… By creating relationships between land uses, the mixed land uses will promote an integrated development pattern that contributes to the community’s future planning goals and long range vision for the future.“

Staff Comments – There are only three other properties on the west side of I-95 that have the Parkway Interchange designation and that is the Space Coast Town Center, property also owned by Acquest Development LLC on the west side of the St. Johns Heritage Parkway and property at the Ellis Road interchange. Having another property at the intersection of the St. Johns Heritage Parkway and US 192 with a mixed-use designation instead of a single-use designation allows
planned integrated development on this vacant land instead of a patchwork quilt of different uses adjacent to each other, each with separate driveway cuts onto US 192. The Viera community is an example of successful mixed-use development patterns.

**Multi-modal Policy 3.1 Coordinated Land Use Practices and Transportation Systems:**
“Utilize the city’s long-range planning practices and development review to coordinate land use practices and transportation system expansions....”

**Staff Comments** – Within several miles, there is direct access to over six aerospace and defense contractors: L3Harris, Embraer, DRS Technologies, Thales, Rockwell Collins, and Northrup Grumman. In addition, there are numerous other businesses that support these companies or are independent of these, representing thousands of jobs. Designating the 36.73 acres to be mixed use predominantly to be comprised of commercial and industrial uses allows a mixture of development at a major intersection which supports the city’s policies of coordinating land use and transportation systems. The northern edge of this property is only one mile away from the Ellis Road interchange and the City is striving to have this interchange be an attractive, efficient community asset.

**Urban Sprawl**

Comprehensive Plan amendments are reviewed to ensure compliance with the requirements of Florida Statutes, regarding urban sprawl.

**Staff Comments**—The proposed assignment of the Parkway Interchange (PI) future land use designation to a property that is poised to see an influx of urban development with the new intersection of the St. Johns Heritage Parkway and the I-95 interchange of US 192 is a logical extension of urban uses being centered along major road intersections.

**Public Service Standards and Infrastructure Systems Policy**

**FLU Policy 1.5** states, “Provide the community with a good quality of life by ensuring that there is adequate public services and infrastructure capacity for current and future developments. The City will meet the community’s public service demands by addressing the following:

a. City’s capacity to deliver basic public services and maintain its public facilities and infrastructure systems.”

**Staff Comments** – The City has capacity to deliver basic water and sewer services and to continue serving its existing customer base. Water and sewer are along Columbia Lane which is to the east of this property. Electrical lines are located along the north side of US 192 and development in the city limits must have underground electrical for their buildings.

**Public Facilities Policy 1.4, Development Expansion, states, “Require development to connect to city public utility services as part of the site and development review process...”**

**Staff Comments** – The City is requiring potable water and sewer services be provided to the site.

**Consistency with the Land Development Regulations (LDR):**

Staff also reviews the request to determine whether or not it is consistent with the LDRs.
LDR Section 66-519. Amendment application.
Staff Comments—The submitted application complies with the code requirements for its content and completeness. Staff has determined the request is consistent with the goals, objectives and policies in the Future Land Use Element and other portions of the Comprehensive Plan.

Conclusion –

Staff has analyzed the proposal by the applicant, and applying the Parkway Interchange future land use designation for this property is logical urban expansion at a major road intersection. This is based on the property being in close proximity to a new limited access arterial road (St. John’s Heritage Parkway) that is close to two highway interchanges and another major arterial. The property that is subject to this proposed future land use map amendment furthers the City’s policies of increased development in concentrated areas thereby reducing the need for utility line upsizing or the creation of new roads and furthers the policies for additional employment centers in the city limits besides the predominance of single-family residential neighborhoods we experience as a bedroom community. The location of this proposed Parkway Interchange future land use also furthers the Comprehensive Plan desire to have planned development areas instead of sporadic scattered development sites.

Public Notice:

The large scale comprehensive plan amendment was advertised with a map in the local section of the Florida Today in May and courtesy notices were mailed to the surrounding property owners within 500 feet of the property. No comments were received about this proposed future land use map amendment.

RECOMMENDATION

Recommend that City Council approve transmittal of the large scale comprehensive plan map amendment LSA 2021-03 to change the future land use of the property from Residential 2 (RES-2) to Parkway Interchange (PI), conditioned on the properties being annexed and the execution of a density limiting development agreement.

ATTACHMENTS

1. Future Land Use Maps
To: Members of the West Melbourne Planning and Zoning Board

From: Christy Fischer, AICP, Planning Director

Date: May 11, 2021

SUBJECT

Proposed rezoning of property located west of Interstate 95, along US 192 and east of the St. Johns Heritage Parkway from Brevard County Agricultural Use (AU) to City of West Melbourne Gateway Interchange (GTWY-I).

RECOMMENDATION

Recommend that City Council approve the rezoning of property from Brevard County AU to City of West Melbourne GTWY-I with the condition that the comprehensive plan map amendment (large scale) is approved.

FISCAL IMPACT

The funds for this advertisement of approximately $1250 comes from the applicant.
DISCUSSION

PROPERTY ADDRESS — located west of Interstate 95, along US 192 (SR 500) and east of St. Johns Heritage Pkwy.

APPLICANT/PROPERTY OWNER
Rob Robb, P.E, agent for Acquest Development LLC

PUBLIC HEARING DATES –
May 11, 2021  P&Z
May 18, 2021 City Council - transmittal

LOCATION RELATED TO SURROUNDINGS
West of I-95 at the intersection of St. Johns Heritage Pkwy. and US 192

BRIEF SUMMARY OF REQUEST
This case is about changing the zoning district on four parcels of property from Brevard County Agricultural Use (AU) to City of West Melbourne Gateway Interchange (GTWY-I) to allow a mixed-use commercial and industrial development on 36.73 acres for a proposed project called the “Space Coast Business Center”. The properties that are subject to this rezoning are shown in red outline on the aerial map here. The rezoning and future land use designation assignment is contingent on the properties being annexed.

APPROVE
APPROVE WITH CONDITIONS
DENY

COMPATIBILITY with the LAND DEVELOPMENT REGULATIONS
The proposed use of commercial and industrial uses is consistent with the GTWY-I zoning district. The property size and dimensions conform to the criteria in the GTWY-I zoning district.

ATTACHMENTS
Proposed zoning map

Background Information:

This is a request by a property owner for the City to rezone a the subject property from Brevard County Agricultural Use (AU) to City of West Melbourne Gateway Interchange (GTWY-I). The following information has been compiled to assist the Board in making a recommendation concerning this request.

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May 11, 2021

Agenda Item 5d
The applicant submitted a concept plan for the mixed-use commercial and multi-family development (see Attachment 2), and this layout is illustrative only and not part of a binding development plan.

<table>
<thead>
<tr>
<th>Applicant Owners/Acreage/Existing Use</th>
<th>Rob Robb, PE., agent for Acquest Development, LLC – Total 36.73 acres – Vacant land to be master developed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Zoning:</td>
<td>AU (Agricultural Residential Use County zoning)</td>
</tr>
<tr>
<td>Proposed Zoning:</td>
<td>GTWY-I (Gateway Interchange)</td>
</tr>
<tr>
<td>Proposed Use:</td>
<td>Future commercial and industrial with open space</td>
</tr>
</tbody>
</table>

The applicant desires to construct a mixed use commercial and industrial development (see attached Concept Plan) that may or may not include a small amount of multiple-family dwelling units on 36.73 acres of land. The following information has been compiled to assist the Board in making a recommendation concerning the rezoning request only. The applicant does not have an overall master development since they desire flexibility to build to suit depending on the tenants obtained. However, the applicant has provided a concept plan of their optimum development layout. The applicant is undergoing the annexation process and is aware that City Council desires to see fewer new apartments citywide and is willing to self-limit multiple-family housing as stated in the future land use staff report.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Existing Use</th>
<th>Jurisdiction</th>
<th>Zoning District (see attached maps)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Vacant land</td>
<td>City of West Melbourne</td>
<td>R-1A (Single Family Residential, 75’ x 100’)</td>
</tr>
<tr>
<td>South</td>
<td>Space Coast Town Center – vacant land</td>
<td>City of West Melbourne</td>
<td>GTWY-I (Gateway Interchange)</td>
</tr>
<tr>
<td>East</td>
<td>Vacant land and existing house (recently annexed properties)</td>
<td>City of West Melbourne</td>
<td>C-P (Commercial Parkway) and M-1 (Light Industrial)</td>
</tr>
<tr>
<td>West</td>
<td>Vacant land in the Space Coast Town Center master plan</td>
<td>City of West Melbourne</td>
<td>GTWY-I (Gateway Interchange)</td>
</tr>
</tbody>
</table>

**Environmental Site Data:**

**Flood Zone:** The property has the “AE” flood zone as determined by the 100-year base flood elevation maps which means the buildings will have to be at a certain elevation and additional retention pond storage may be needed, or they can request a waiver to the Federal Emergency Management Administration (FEMA) if they meet the FEMA criteria.

**Natural Resources:** The impact on natural resources will be assessed when developed through the site plan process. If there are wetlands on site, these will be either saved or mitigated as determined by the St. Johns River Water Management District.
Adequate Public Services/Facilities:

The impact of a possible development on water and sewer was analyzed as part of the large-scale future land use designation evaluation. There are no negative impacts to the City’s water or sewer facilities. School capacity will be analyzed since there may be up to 25% residential development.

Staff Analysis:

The applicant is requesting to rezone the property as follows:

<table>
<thead>
<tr>
<th>Acreage/location</th>
<th>Current Zoning</th>
<th>Proposed Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>36.73 acres</td>
<td>at the new interchange at St. John’s Heritage Parkway and US 192</td>
<td>AU (Agricultural Use) in unincorporated Brevard County</td>
</tr>
</tbody>
</table>

In reviewing the proposed rezoning request, the City assesses whether the request meets the minimum requirements in the Land Development Regulations and whether the request is consistent with the adopted Comprehensive Plan.

Development Potential and Zoning Suitability:

The GTWY-I zoning designation is allowed under the City’s Parkway Interchange (PI) mixed-use future land use designation for which the applicant is also requesting a large-scale comprehensive plan map amendment. The GTWY-I zoning is compatible with the land uses proposed to the west since non-residential uses, particularly light industrial, is frequently used next to arterials and highways and the larger employment centers. The developer has shown a potential lay out in the +36 acres with commercial high visibility uses near US 192 and industrial buildings behind these uses (see Attachment 2). However, the developer desires flexibility in the site layout so they are not requesting master concept plan approval which is different than what the “Space Coast Town Center” to the south which is a master planned community. Generally, the smaller the development area, the less likely the property owner and developers will want to artificially bind site layout in advance of obtaining tenants. The developer has stated there may even be a need to buffer the vacant single-family property to the north with a small project of apartments to separate the industrial from the single-family on another property. This is speculative but if City Council agrees with the developer’s request to allow up to 25% multi-family development on the site instead of 65%, this restriction would be placed in a development agreement after the future land use map amendment is transmitted to the State of Florida.

The site is in an area where other properties along US 192 have the GTWY-I zoning and this continues the rezoning trend along the parkway to allow parcels such as the subject parcel to have the flexibility of a mixture of uses. There is no doubt that the area next to the intersection node of the St. Johns Heritage Parkway and US 192 will develop. This development potential is strengthened because near this existing I-95 interchange, more than half a mile away is the new interchange of I-95 and Ellis Road, the gateway to industrial uses along Ellis Road and the Orlando Melbourne International Airport area.

Based on the existing land use in the area (commercial on the east side of I-95, and mixed use to the south), and vacant residential land to the north, the property is suitable for the GTWY-I zoning district. Once the rezoning is approved by City Council, any subsequent specific subdivision plans would undergo public hearings and the public would have an opportunity to discuss specific development layout. If the
developer decides later to have a master plan for their site, this would be reviewed by the City’s Board of Adjustment either as a Planned Commercial or Planned Industrial project.

**City Codes (Zoning):**

A statement from the City’s GTWY-I zoning district describes the area and reads,

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“Sec. 98-840. - Intent
(a) In 2015-2016, Brevard County constructed sections of the St. Johns Heritage Parkway from Malabar Road north to US 192 (SR 500, also known as West New Haven Avenue) as a limited access arterial. The roadway is intended to provide another north-south route, in addition to the existing routes, for vehicular movement from South Brevard to Central Brevard. The properties that are adjacent to the St. Johns Heritage Parkway have negotiated limited access to specific access points on the parkway with Brevard County. This area is designated as Parkway Interchange on the city’s future land use map in recognition of the probable future commercial character of the area.”
```

This paragraph reiterates what staff has stated in this report regarding the future commercial character of the area west of I-95 and the enhanced vehicular circulation in this area as consistent with this intent statement of the GTWY-I zoning district.

**Consistency with the 2010 Comprehensive Plan:**

The Large Scale Map Amendment staff report addresses the factors used to determine consistency of the future land use designation with the goals, objectives and policies in the Comprehensive Plan. These policies have been adequately met and the Florida Statute requirements for comprehensive plan amendments have been satisfied. It is reasonable to have a development pattern in a specific area that contains a variety of commercial and industrial uses next to each other and these uses typically are next to other large developments including apartment complexes in urban environments.

**Consistency with the Land Development Regulations (LDR):**

Staff also reviews the request to determine if it is consistent with other LDRs.

**Sec. 66-287 - Applications.**

*Staff Comments - The submitted applications comply with the code requirements for their content and completeness.*

**Sec. 66-288 - Review and recommendation on application.**

The rezoning request is forwarded to the Planning and Zoning Board for its recommendation and then to City Council for its determination. These findings are based on the LDRs, Comprehensive Plan, surrounding conditions, and the facts surrounding the case.

*Staff Comments - The GTWY-I zoning designation is allowed under the City’s PI future land use designation as long as the comprehensive plan map amendment is approved. This GTWY-I zoning accommodates an intense degree of development while maintaining a balance of open space, in a mixed use project.*
Sec. 98-846 – Performance standards. (GTWY-I, Gateway Interchange District)

“(1) General provisions:

a. The placement of the Gateway Interchange zoning district shall be consistent with the Parkway Interchange future land use policy which states that properties to have this zoning and future land use can only be at the intersection of the St. Johns Heritage Parkway and an arterial road, both of which must be within one-half mile to I-95.

b. The minimum area for application of the GTWY-I zoning district shall be ten acres of a contiguous area located adjacent to arterial roads.

c. The GTWY-I zoning district shall at a minimum contain three types of land use groups.

d. No one land use group shall comprise more than 90 percent of a designated GTWY-I zoned area.

e. All utilities, including telephone, television, electrical and other infrastructure shall be installed underground except for utility cabinets, lift stations or other devices that are required to be above ground.”

Staff Comments - The property to be rezoned meets the minimum project area and location requirements in the GTWY-I district and the performance standard. As mentioned previously, the property rezoning is consistent with the existing master plan for the Space Coast Town Center zoned GTWY-I along the St. Johns Heritage Parkway and flanking US 192/SR 500. Planning staff will review the revised development agreement once this is submitted. The table below describes GTWY-I uses as compared to the uses allowed in the existing AU zoning.

### Comparison of R-2 and GTWY-I Zoning:

<table>
<thead>
<tr>
<th>Comparison Feature</th>
<th>AU</th>
<th>GTWY-I</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Principle Uses</strong></td>
<td>Agricultural pursuits, dude ranches, fish camps, zoos, heliports, skateboard ramps, cell towers, foster homes, single-family dwelling including tiny houses, power substations</td>
<td>Industrial, institutional, commercial, multi-family</td>
</tr>
<tr>
<td>Maximum Intensity</td>
<td>Not applicable</td>
<td>45%</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>2.5 acres</td>
<td>43,560 SF (1 acre)</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>150 feet</td>
<td>125 feet</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>150 feet</td>
<td>125 feet</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>35 feet for residential structures; 45 feet for agricultural structures</td>
<td>65 feet generally, 120 feet for hotels</td>
</tr>
</tbody>
</table>

Staff Comments – Regarding the use table, as described under the row above labeled, “Principal Uses”, the AU and GTWY-I uses are vastly different. There is a large difference between the possible residential agricultural and industrial uses that the site could currently be developed as and the uses of a mixed-use
The site exceeds the minimum lot depth, and lot width of the GTWY-I district and is therefore compliant with the code dimensions.

Conclusion

The rezoning of this property would be compatible with the surrounding properties and is consistent with its integration with the large development of the “Space Coast Town Center”. The attached proposed development concept plan of non-residential and multi-family uses is consistent with the promotion of mixed-uses in the Gateway Interchange zoning district.

Public Notice – The rezoning request was advertised in May 2021 in Florida Today and notices were mailed to property owners within 500 feet to advise them of these public hearings on the rezoning and future land use map amendment.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning request from AU (Agricultural Use) to GTWY-I (Gateway Interchange) with the condition that the annexation and large-scale comprehensive plan map amendment are approved.

ATTACHMENTS

1. Zoning Maps
2. Concept Plan (just illustrative, not binding)
Attachment 1
Current Zoning Brevard County Agricultural Use (AU)

Proposed Zoning City of West Melbourne Gateway Interchange (GTWY-I)

R-1A
M-1
C-P
GTWY-I

GTWY-I
Attachment 2
Applicant’s Concept Plan