

CITY OF PALM BAY, FLORIDA

PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY REGULAR MEETING 2019-07

Held on Wednesday, June 5, 2019, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Mr. Rainer Warner led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Philip Weinberg	Present
VICE CHAIRPERSON:	Leeta Jordan	Present
MEMBER:	Nancy Domonousky	Present
MEMBER:	Donny Felix	Present
MEMBER:	Khalilah Maragh	Present
MEMBER:	Kevin Reed	Absent
MEMBER:	Rainer Warner	Present
NON-VOTING MEMBER:	Vacant (School Board Appointee)	

CITY STAFF: Present were Mr. Patrick Murphy, Assistant Growth Management Director; Mr. Christopher Balter, Planner II; Ms. Chandra Powell, Recording Secretary; Mr. James Stokes, Board Attorney.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting No. 2019-06; May 1, 2019. Motion by Mr. Warner, seconded by Ms. Maragh to approve the minutes as presented. The motion carried with members voting unanimously.

ANNOUNCEMENTS:

1. Mr. Weinberg addressed the audience on the meeting procedures and explained that the Planning and Zoning Board/Local Planning Agency consists of volunteers who act as an advisory board to City Council.

OLD BUSINESS:

1. ♣CU-10-2019 – RAYMOND FISCHER

Mr. Balter presented the staff report for Case CU-10-2019. The applicant had requested a conditional use to allow for a proposed event hall, as established by Section 185.08. Staff recommended Case CU-10-2019 for approval subject to compliance with all City codes and other governmental regulations.

Ms. Domonousky questioned whether the proposed event hall would be enclosed, and she wanted to know the types of events planned for the venue. Mr. Robert Robb with Robb and Taylor Engineering (representative for the applicant) explained that there were two structures on the property. The applicant wanted to enclose the eastern portion of the open pole barn to provide bathrooms and a warming kitchen, and the rest of the facility would remain open with wind screening for inclement weather. The facility could be used for various types of events.

Mr. Warner inquired whether additional buildings were proposed for the site. Mr. Robb stated that there would be no other structures on the property besides the two existing buildings. However, there were plans for building, parking, landscape, and signage improvements.

The floor was opened and closed for public comments; there were no comments from the audience, and there was no correspondence in the file.

Motion by Ms. Maragh, seconded by Mr. Warner to submit Case CU-10-2019 to City Council for approval of a conditional use to allow for a proposed event hall, as established by Section 185.08, and subject to staff conditions. The motion carried with members voting unanimously.

NEW BUSINESS:

1. CP-7-2019 – STEVEN CIANCIO

Mr. Murphy presented the staff report for Case CP-7-2019. The applicant had requested a small scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Multiple-Family Residential Use. Staff recommended Case CP-7-2019 for approval, pursuant to Chapter 163, Florida Statutes.

Ms. Maragh asked if the land use change was needed to expand the assisted living facility (ALF) located on the property. Mr. Murphy clarified that the land use change was to allow the accessory use of a parking lot for the adjacent ALF to the east, and that no vertical development was proposed.

Mr. Steven Ciano (applicant) stated that he was the owner and developer of the site. He confirmed that there would be no vertical construction on the property. The land was purchased in June of 2018 to accommodate the future employee and visitor parking needs of a second phase of the ALF.

Mr. Murphy noted that there was a petition in the file with 39 area residents in opposition to the request.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) spoke in favor of the request. He was pleased that there would be additional parking in the area; however, he was concerned about possible modifications to the stormwater system being funded with City stormwater fees. Mr. Murphy assured the board that tax dollars would not be used for any improvements on the site, and that the drainage outfall from the proposed parking lot would flow into the existing drainage system along the north edge of the ALF property.

Mr. Barry Hansen (resident at Venetian Bay Condo) spoke against the request. Gran Avenue NE was not a wide street. There was an existing problem with speeding vehicles from the direction of the ALF, and the road could not accommodate additional traffic. He was concerned that the multiple-family designation would permit a building to locate on the site in the future. He wanted speed bumps installed on Gran Avenue for safety.

Ms. Jean Hudson (resident at Venetian Bay Condo) spoke against the request. She stated that there had been a traffic fatality in the area. She did not want to lose the bald eagles and other wildlife at the subject site and suggested placing the parking lot on the opposite side of Dixie Highway NE.

Mr. Doug Taylor (resident at Rhum Cove Condominium) was concerned about the drainage flowing south into the marina where there were manatees, a protected species. He wanted to make sure that enough safeguards would be in place to protect the manatees, neighbors, and the marina.

In response to comments from the audience, Mr. Ciancio described how his ALF site was currently used by the Brevard County Zoological Society as the first oyster restoration reef within the Indian River. Residents of the ALF enjoyed monthly fishing extravaganzas and barbecues, and he had allotted five parking spaces for general public use for access to the dock. He emphasized the importance of water retention and filtration protections.

The floor was closed for public comments.

Ms. Domonousky questioned whether there were stop signs on Gran Avenue and the likelihood of a stop light on Dixie Highway. Mr. Murphy noted that stop signs were at the intersection of Gran Avenue and Dixie Highway and at Gran Avenue and Pearl Court NE. The Florida Department of Transportation would require signal warrants to be met before a stop light could be considered at Dixie Highway.

Motion by Ms. Maragh, seconded by Ms. Jordan to submit Case CP-7-2019 to City Council for approval of a small scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Multiple-Family Residential Use, pursuant to Chapter 163, Florida Statutes and subject to staff conditions.

Ms. Domonousky inquired whether the Public Works Department could install speed bumps on Gran Avenue. Mr. Murphy explained that residents typically worked with the Public Works Department and privately funded the speed bump installations. He would inform the Public Works Department about the discussion. Mr. Stokes added that Fire Rescue generally did not support speed bumps on public streets, and because of the ALF, Fire Prevention should be included in the discussion.

A vote was called on the motion by Ms. Maragh, seconded by Ms. Jordan to submit Case CP-7-2019 to City Council for approval of a small scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Multiple-Family Residential Use, pursuant to Chapter 163, Florida Statutes, and subject to staff conditions. The motion carried with members voting unanimously.

2. ♣CPZ-7-2019 – STEVEN CIANCIO

Mr. Murphy presented the staff report for Case CPZ-7-2019. The applicant had requested a zoning amendment from an RS-3, Single-Family Residential District to an RM-20, Multiple-Family Residential District. Staff recommended Case CPZ-7-2019 for approval to be consistent and compatible with the Future Land Use designation of Case CP-7-2019.

Mr. Steven Ciano (applicant) stated that the proposed zoning change would allow a parking lot to be built to accommodate employees and visitors for the future phase two development of his assisted living facility (ALF).

Ms. Domonousky remarked on how the additional parking lot and retention pond were for servicing phase two of the ALF. Mr. Ciano stated that this was correct.

The floor was opened for public comments.

Mr. Barry Hansen (resident at Venetian Bay Condo) stated that he had the same objections to the request as stated during Case CP-7-2019.

The floor was closed for public comments, and there was a petition in the file of 39 residents in opposition to the request.

Mr. Warner believed that the applicant was proceeding in good faith by listening to the concerns of area residents and by supporting conservation. The parking lot was needed to support the ALF.

Motion by Mr. Warner, seconded by Ms. Maragh to submit Case CPZ-7-2019 to City Council for approval of a zoning amendment from an RS-3, Single-Family Residential District to an RM-20, Multiple-Family Residential District, based on staff comments. The motion carried with members voting unanimously.

OTHER BUSINESS:

Staff informed the board that the July 3, 2019 Planning and Zoning Board meeting was rescheduled to July 10, 2019 to avoid a lack of a quorum.

ADJOURNMENT:

The meeting was adjourned at approximately 7:47 p.m.

Philip Weinberg, CHAIRPERSON

Attest:

Chandra Powell, SECRETARY

♣Quasi-Judicial Proceeding.