

LOCAL PLANNING AGENCY MINUTES

JANUARY 24, 2011

The Chair, Henry Minneboo, called the meeting to order at 3:00 p.m.

Board members present were: Henry Minneboo, Chair; Laurilee Thompson; Aneta Ott, Vice-Chair; Linda Wise; Peter Aydelotte; Clyde Thodey; Jerry Jagrowski; Robert Ludwiczak; and John Stone.

Staff members present were: Christine Lepore, Asst. County Attorney; Cindy Fox, Planning, Zoning & Enforcement Manager; Stuart Buchanan, Planner II; and Candy Hanselman, Zoning Support Manager.

At the beginning of the meeting, there were seven regular members, and one alternate, present. The regular members voted throughout the meeting. Linda Wise arrived for discussion and voting for Item 2.

Henry Minneboo – This is the LPA meeting, which is advisory board to the Board of County Commissioners. And they'll hear the final decision on what we do today on February the 8th, at 9:00 a.m., and that will be for Item #1. Item #2 today will be heard on the 22nd. So those of you all that those pertain to, you need to make note of that. February 8th for Item 1, and February the 22nd for Item 2. And both of those are at 9:00 a.m., back in this same building. Do I have an approval of the LPA meeting minutes...

Motion by Aneta Ott, seconded by Jerry Jagrowski, to approve the minutes from the meeting on December 20, 2010. The vote was unanimous to approve the minutes, as submitted.

1. ERIC W. ADDINGTON – (Ty Harris) – requests a Small Scale Plan Amendment (11S.02) to change the Future Land Use Designation from Res 1 to CC on 8.03 acres. Located on the west side of I-95, approx. 655 ft. north of Stuckway Rd. (DISTRICT 1).

Stuart Buchanan – Stuart Buchanan, Brevard County Planning & Development Department. The first item on the agenda is an application for a small scale comprehensive plan amendment of 8.03 acres. This is at the northwest intersection of I-95 and the 5-A, Stuckway Road, exit. Just a little history on the area itself, as you're all aware, last December, last month, you adopted the Farmton Local Plan, which is directly to the west of this. This property itself was not included in that amendment, but is very close, nearby. The Farmton group has been actively purchasing, and putting under contract, all the property leading from their larger parcel up to I-95. And they have two reasons for this. One is that they want to make an entrance statement, a gateway, if you will, at the very first interchange that is in Brevard County. And the second reason is they - as part of the Farmton Local Plan, they agreed to dedicate to the County 200 feet of rights-of-way so that road can actually be put in on the west side of I-95. As you might remember, they also agreed to waive impact fee credits as part of this, and donate the property, outright. So what – one of the parcels that they have, which is on the – that they currently own – that's on the north side of where this right-of-way is, is abutting into the south of the subject parcel today. And if you look at your future land use map that's in your packet, you'll see that it already has a community commercial designation on it. When they donate the 200 foot of right-of-way to Brevard County, that is going to take away a lot of the depth on the parcel they already own. And they don't want to develop something that looks like a strip commercial development. So what they're doing is, they're purchasing this property that's behind it, and they're requesting a community commercial land use designation so that they can add depth to the parcel and do a better-looking development in the future, rather than trying to cram everything in there, for lack of a better term – to make it more aesthetically-pleasing. The applicant is here today to answer any questions that you have, as well as myself.

Henry Minneboo – O.K. The applicant want to come forward? State your name and address for the record, please.

Ty Harris – Good afternoon. My name is Ty Harris. I work with Glenn Storch, who I know you all know. I'm his partner – 420 South Nova Road, Daytona Beach, Florida. This is the first time I've gotten to be before you all. And Glenn asked me to come down here to address some of the issues with this parcel. I don't think

anybody can say it much better than what Stuart – how Stuart has described this. One thing that I would add is, if you look at the property that we're talking about, right now you would have entitlements for about eight homes. And, if you look at the property, you'd either be facing the back of an interchange or the front of an area that's designed as a commercial gateway, neither of which seems like a very good prospect for eight single-family homes. And, as Stuart indicated, this will give us some more depth. We're gonna lose depth when we donate that 200 feet of right-of-way. And one of the real challenges when you're doing any type of quality commercial is getting depth. As things kind of get tighter and shallower, that's when you start seeing that creeping strip kind of commercial. And, obviously, right now, that's something that we would completely want to avoid. And we have the opportunity not to put some of these properties under contract and to purchase them so that we can ensure, when we come in with our plan, that we are not constrained by any of those problems with shallowness with those commercial interchanges. So I'm here to answer any questions that you may have, but I think that's a pretty good summary of what we're trying to do.

Henry Minneboo – Any questions? (no response) Wow. Let me just ask a couple. The parcel in the front, you presently own – the one southernmost parcel - you own that already? That's contiguous to Stuckway.

Ty Harris – Yes, sir.

Henry Minneboo – O.K. And that was – that included the old Dairy Queen.

Ty Harris – Yes, sir.

Henry Minneboo – O.K. And that was probably a Shaw property. Do you remember?

Ty Harris – Swan, or Shaw, or one of them.

Henry Minneboo – O.K. Is that correct? Yeah, O.K. I'm trying to remember it. O.K. That's all I – I guess that's all I had. Is there anybody in the audience that'd like to speak for, or against, this change? (no response) Seeing none, I bring it back to...

Clyde Thodey – Motion to approve.

Henry Minneboo – Motion by Clyde, and seconded by Jerry (Mr. Jagrowski's second was made without a microphone; therefore, it is not audible on the record).

Henry Minneboo called the question, and the board recommended approval of the request. The vote was unanimous.

2. An ordinance amending Chapter 62, "Land Development Regulations", Code of Ordinances of Brevard County, Florida; amending Article IX, "Signs".

Cindy Fox – The second item is a proposed ordinance. On December 21, 2010, the Board of County Commissioners directed an amendment to Section 62-3301 of the Code to allow banners to be displayed at professional sports stadiums. So it's – this has been drafted to narrowly allow these banners at professional sports stadiums, which is a typical use, and standard practice, at this type of – these types of sports stadiums throughout the country. And, specifically, this ordinance adds a definition for professional sports stadiums and criteria consistent with the display of banners currently in the Code. And I have one small change to Page 2 of the proposed ordinance. We've gone ahead and have struck through, or decided to take out, under 2 (a), Banners, the last part of that sentence, where it begins, "On-site or off-site advertisement shall be allowed," we've just gone ahead and struck through that to make that a clearer sentence. It's not the intent of this

ordinance to regulate the content at the sports – professional sports stadiums. We've made that change, already. If you have any questions, I'll be happy to answer them.

Henry Minneboo – Is there any questions by the board? (no response) I was hoping the board would ask some questions, but this is smooth.

Clyde Thodey – Henry, let me ask Cindy something.

Henry Minneboo – Good, Clyde.

Clyde Thodey – Yeah, I know, I'm gonna ask a question. Cindy, is this flag pole stuff in relationship to variances that we gave when we were on variance? That's not gonna interfere with that?

Cindy Fox – No. This is – this ordinance has been designed specifically to allow the type of banners that they use at the sports stadiums, only. It doesn't address flags.

Clyde Thodey – O.K. Thank you.

Henry Minneboo – Seeing nobody out in the audience, I bring it back.

Clyde Thodey – Motion to approve.

Henry Minneboo – Motion by Clyde, and second by Robert (Mr. Ludwiczak's second was made without a microphone; therefore, it is not audible on the record).

Henry Minneboo called the question, and the board recommended approval of the ordinance. The vote was unanimous.

At the conclusion of the agenda, Mr. Minneboo introduced John Stone, newly-appointed alternate for District 4, to the other board members.

The meeting was adjourned at 3:10 p.m.