

ROCKLEDGE PLANNING COMMISSION MEETING MINUTES

Tuesday, June 1, 2021 - 6:00 p.m.

1. CALL TO ORDER

The Rockledge Planning Commission met on June 1, 2021 at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

MEMBERS PRESENT: Bob Theilacker, Chairman
Kevin Jarvis, Vice Chairman
Adam Copenhaver
Michelle Doyle
Karen Kuta
Ashley Lanier
Devin Lamoureux
Janet Monaco
Matthew Whalen
Erin Flynn (School Board Representative)

MEMBERS ABSENT: None

STAFF PRESENT: Dr. Brenda Fettrow, City Manager
John Cooper, Planning Director
Trina Gilliam, Senior City Planner
Joseph E. Miniclier, City Attorney
Melissa McDaniel, Recording Secretary
Deanna Pomichter, Permit Technician

With a quorum present, the meeting was called to order by Bob Theilacker, Chairman.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES & ATTENDANCE RECORD

- Meeting of March 2, 2021

Motion by Kevin Jarvis to approve the minutes and the attendance record of the March 2, 2021 meeting. Seconded by Karen Kuta. All voted in favor. Motion carried.

4. PUBLIC HEARINGS

- 4(A) Pineapple Gardens Nursing (Convalescent) Facility – Special Exception

Senior City Planner, Trina Gilliam gave a brief background and history of the property. Ms. Gilliam stated, the City received an application for a special exception seeking approval for the conditional use of Convalescent centers and homes, and nursing centers and homes in the R3 – Multi-family dwelling (High-Density) district on 1492 & 1504 S. Fiske properties.

Ms. Gilliam stated, the applicant is proposing the expansion to a 30-bed facility with an option for a second phase that includes the ability to construct a total of 80-beds.

Commissioner Kevin Jarvis noted that this property is very close to existing residential neighborhoods and questioned how the expansion would affect the residents. He asked for clarification on the words 'conditional use' for this proposal.

Ms. Gilliam stated, the area is already zoned for Multi-Family Dwelling (High Density) under Ordinance No. 1612-2012 and 1721-2017 by the Board of Adjustment in 2012 and 2017. The term 'conditionals use' is interchangeable with 'special exemption'.

Commissioner Karen Kuta questioned the definition of 'units'.

A discussion ensued in which Ms. Gilliam discussed the distinction between a unit as described for nursing homes versus a unit as described for an apartment building.

Public hearing opened at 6:08 p.m.

Kelly Hyvonen, 355 Spoonbill Lane Melbourne Beach, FL. 32951, a representative for the applicant, stated that they are seeking approval for a nursing home with 30 to 80 beds in one connected building, ideally keeping it at one story.

Commission Chairman Bob Theilacker questioned about the square footage of the new construction.

Adam Warner, 1504 S. Fiske Blvd Rockledge, FL. 32955, owner of Pineapple Gardens Nursing and applicant, stated they would be following the AHCA (Agency for Health Care Administration) guidelines. Ms. Hyvonen stated they would stay under the maximum lot coverage for the property.

Commissioner Kuta questioned if there was an increased need for convalescent care.

Mr. Warner stated that after a study, Rockledge had the lowest number of beds per capita for convalescent. This facility will offer convalescence, memory care, independent and all-inclusive care. "If you drop mom off tomorrow with a tooth brush, we'd take care of her."

Commissioner Matthew Whalen questioned if the building did go higher, what would be done to make it easier on the neighbors?

Ms. Hyvonen stated the structure would be made to look like family homes.

Commissioner Jarvis asked about landscape buffer.

Planning Director John Cooper stated that any landscaping and buffers would be reviewed during site plan review, should the special exception be granted.

Public hearing closed at 6:19 p.m.

Motion by Karen Kuta to recommend to the Board of Adjustment approval of the Pineapple Garden Special Exception request. Seconded by Adam Copenhaver. One opposed. Motion carried.

- 4(B) Huntington Lane Open Storage Yard – Special Exemption

Senior City Planner, Trina Gilliam gave a brief background and history of the property. Ms. Gilliam stated, the City received an application for a special exception seeking approval for conditional use of an open storage yard in the M1 – General Industrial District on the property located at the corner of Huntington Lane and Richard Road.

No representative present.

Ms. Gilliam added that there is no building currently on the property and the owner will put up a fence with possible barbed or razor wire and other security measures, possibly cameras and landscape.

Commissioner Whalen recommend the staff discuss with the applicant something other than barded or razor wire for aesthetics, stating that this property is in the redevelopment district.

The Chairman opened the meeting to the public at 6:25 p.m.

The Public hearing was closed 6:26 p.m.

Motion by Karen Kuta to recommend to the Board of Adjustment approval of the Douglas Emerick Open storage yard Special Exception request with the exemption proposed to use something other than barbed or razor wire. Seconded by Matthew Whalen. No opposed. Motion carried.

- 4(C) Cogswell C2 to RMU – Zoning District Amendment

Senior City Planner, Trina Gilliam indicated on the map where the property in question was located and gave a brief history. Ms. Gilliam stated, the City received an application for a zoning district amendment for the property located west of the Cogswell Street and Angela Avenue intersection. The applicant is requesting a zoning change from C2 – General Commercial District to RMU – Redevelopment Mixed Use District on 2 parcels totaling 4.36 +/- acres. The City has reviewed the application and finds that the proposed use is in harmony with the purpose and intent of the Zoning

Ordinance and the Comprehensive Plan fostering economic development and attracting more business to the Barton Boulevard area.

Commissioner Copenhaver asked the applicant what type of dwelling will be constructed on the property.

Kelly Hyvonen, 355 Spoonbill Lane Melbourne Beach, FL. 32951, a representative for applicant, stated that the owner is seeking some sort of Multi-family development and will be seeking density bonuses.

Commissioner Erin Flynn questioned the total number of units.

Stacey Yuan, 217 Springview Court Winter Springs, FL. 32708, 314-853-5087, owner of the property and applicant, stated around 108 units. Ms. Hyvonen added possibly less or more with potential impacts from waste water, parking, and landscaping.

The Chairman open the meeting to the public 6:34 p.m.

Karen Croft, 1410 Huntington Lane #1503 Rockledge, FL. 32955, resident of Carmel Condominium, questioned what would happen to the other side of the pond and possible traffic increases.

Commissioner Kuta responded that the maximum height for new construction would be 4 (four) stories and while there would always be potential traffic increases for new development, this property was always designed to have multiple family dwellings allowing residents to be with walking distance from Barton Boulevard.

David Person, 1410 Huntington Lane Rockledge, FL. 32955, resident of Carmel Condominium, questioned how this new construction would affect the retirement neighborhood, expressing concerns from residents.

Commissioner Kuta stated that a multitude of studies would be done with the proposed site and building plans to insure that all guidelines are followed.

Ms. Hyvonen offered correspondence with a point of contact within Carmel Condominium to keep the community up to date and stated if any issues were to arise, she would be open to a dialogue to discuss those issues.

The public hearing closed at 6:44 p.m.

Motion by Commissioner Kevin Jarvis to recommend approval to the City Council for the rezoning of the subject property. Seconded by Karen Kuta. No opposed. Motion carried.

5. SITE PLANS – None

6. UNFINISHED BUSINESS –

- MH – Mobile Home District - Land Development Regulations Amendment

Planning Director, John Cooper gave a background and analysis of the district in question stating that a rezoning would have an adverse effect on the residents and instead, offered a change to the Land Development Regulations (LDR) with a special exception added to sections 62.72 and 62.73.

What was the biggest concern of the residents?

Mr. Cooper stated that the biggest concern of the residents was that a commercial property would be permitted to replace a residential dwelling in the mobile home district. By making the proposed changes to the LDR, the residents who wished to build a single family home would save money through the special exception process in lieu of the rezoning process.

The Chairman opened the meeting to the public. Not hearing any comments from the public, the hearing was closed.

Motion by Kevin Jarvis to recommend approval to the City Council for the proposed changes and additions to the MH – Mobile Home zoning ordinance 62.72 and 62.73. Seconded by Karen Kuta. No opposed. Motion carried.

7. NEW BUSINESS –

- 7(A) Parking Regulations – Land Development Regulations Amendment

Planning Director, John Cooper stated the Planning Department continues to make updates to the Land Development Regulations (LDR) to ensure its compatibility and harmony with the growth of the City. Research identified deficiencies within its regulations as it relates to vehicle parking within Residentially Zoned districts and would propose amendments of the LDR to include additional parking standards within Residential Districts, Section 59.70, Section 59.73(8), and Section 55.15(D).

Commissioner Michelle Doyle suggested the proposed ordinances be posted where residents can easily view, i.e. Facebook, the City Website or City Paper.

City Attorney, Joseph Miniclier asked that ‘within 24 hour period’ be added to the amendment, changing the proposal to read; “it is unlawful for a person to park any vehicle, or cause any vehicle to be parked, in the front yard, corner side yard or any additional area of a lot or parcel of land situated between the public right-of-way and any residence overnight or for more than a four (4) hour period within a 24 hour period”

Commissioner Janet Monaco questioned what residents should do if this happens after hours when code enforcement is not available.

Mr. Cooper responded with residents should take a picture and email a complaint to Code Enforcement. Mr. Cooper informed the board that legislation being discussed to make Code Enforcement reactive instead of proactive. The proposed amendment before the commission is to make it so that it will be unlawful for any vehicle to be parked up to the front door/porch or side yard.

The Chairman opened the meeting to the public at 7:12 p.m. Not hearing any public comment the Chairman closed the meeting to the public.

Motion by Commissioner Kevin Jarvis to recommend approval to the City Council for the proposed changes and additions to the Land Development Regulations with amendment ‘within 24 hour period’ to Section 59.70, Section 59.73(8), and Section 55.15(D). Seconded by Karen Kuta. No opposed. Motion carried.

- 7(B) Nursing (Convalescent) Facility – Land Development Regulations Amendment

Planning Director, John Cooper stated the Planning Department continues to make updates to the Land Development Regulations (LDR) to ensure its compatibility and harmony with the growth of the City. Research has identified deficiencies within its regulations as it relates to Care Facilities in the R3 – Multi-family Dwelling (High Density) District. The Planning Department requests that the Planning Commission review the proposal to amend Section 62.52(c) (5).

The Planning staff review finds that the Older Adult Living Facility (OLAF), standards and requirements set forth in Section 83.50, permits a density cap of 25 dwelling units per acre with each dwelling unit counted as 0.50 units. However, many OLAF requirements are not conducive to Convalescent centers and homes, nursing centers and homes. The purpose of the amendment is to provide consistency between the care unit category by calculating units and density the same.

The Chairman opened the meeting to the public at 7:17 p.m.

Motion by Commissioner Kuta to recommend approval to the City Council for the proposed amendment to Section 62.52 (c)(5) of the Land Development Regulations Seconded by Kevin Jarvis. No opposed. Motion carried.

- Commissioner Matthew Whalen made a motion that council direct staff to review the Land Development Regulations with the intent to prohibit the use of barb and razor wire within the City. Seconded by Karen Kuta. One opposed. Motioned Carried.

ADJOURN- Meeting adjourned at 7:21 p.m.

Submitted by:

Melissa McDaniel
Recording Secretary

Approved by:

Bob Theilacker
Chairman