



AGENDA REPORT
March 7, 2019

Brevard County Board of County Commissioners (Tim Lawry) request a change of zoning classification from BU-1 and IU to GML(H), and removal of an existing BDP on the IU portion only. (18PZ00162) (District 4)

SUBJECT:

Brevard County Board of County Commissioners (Tim Lawry) request a change of zoning classification from BU-1 (General Retail Commercial) and IU (Light Industrial) to GML(H) (Government Managed Lands, High-Intensity), and removal of an existing BDP (Binding Development Plan) on the IU portion only. The property is 6 acres, located on the southwest corner of Pineda Causeway and the Florida East Coast Railroad right-of-way. (2905, 2915, and 2925 Pineda Causeway, Melbourne.) (18PZ00162) (District 4)

FISCAL IMPACT:

None.

DEPT/OFFICE:

Planning and Development

REQUESTED ACTION:

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from BU-1 (General Retail Commercial) and IU (Light Industrial) to GML(H) (Government Managed Lands, High-Intensity), and removal of an existing BDP (Binding Development Plan) on the IU portion only.

SUMMARY EXPLANATION and BACKGROUND:

The County is seeking a change of zoning classification from General Retail Commercial (BU-1) and Light Industrial (IU) with a Binding Development Plan (former Binding Site Plan) to Government Managed Lands, High-Intensity (GML(H)) for the purpose of expanding an office/warehouse complex. The BSP is proposed for removal, as it depicted the future development of BU-2 and IU uses and connectivity to a greater interconnected mixed-use development that did not come to fruition as planned.

The southeast portion of the site was purchased in 2002 and the northwest portion was purchased in 2016. The County Public Works Department has plans to expand the existing warehouse in order to add a Traffic Operations Center and sign manufacturing shop. The location is uniquely connected to the fiber optic infrastructure necessary to perform the remote traffic operations oversight necessary.

The GML(H) zoning classification can accommodate office, warehouse and manufacturing uses. This site is located on the south side of Pineda Causeway between Wickham Road and the FEC railway adjacent to the Holy Trinity Episcopal Academy. Parcels across Pineda Causeway and the FEC railway are within the Town of Palm Shores.

The Board may wish to consider whether the GML(H) zoning classification is consistent with the surrounding BU-1 and IU zoning classifications and development patterns.

On February 11, 2019, the Planning and Zoning Board heard the request and unanimously recommended approval.

ATTACHMENTS:

Description

- ▢ **Administrative Policies**
- ▢ **Staff Comments**
- ▢ **GIS Maps**
- ▢ **Existing BDP**
- ▢ **Planning and Zoning Minutes**

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning and land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the director of the planning and development staff, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County planning and development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan appeals, vested rights or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For re-zoning applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in

existing neighborhoods within the area which could foreseeably be affected by the proposed use;

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:
 - 1. historical land use patterns;
 - 2. actual development over the immediately preceding three years; and
 - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
 - 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
 - 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of service will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with (a) all written land development policies set forth in these administrative policies; and (b) the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element and transportation elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any (a) substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits and vested rights determinations."

Section 62-1151 (c) of the Code of Ordinances of Brevard County directs "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) *Approval procedure.* An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use...

...In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odor, glare and noise, particulates, smoke, fumes and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) *General standards of review.*

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in section 62-1151(c) plus a determination that the following general standards are satisfied. The Board shall make the determination whether an application meets the intent of this section.
 - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1) the number of persons anticipated to be using, residing or working under the conditional use; (2) noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3) the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an MAI certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
 - a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1) adequate to serve the proposed use without burdening adjacent and nearby uses, and (2) built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the

numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.

- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than thirty-five (35) feet higher than the highest residence within 1000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“...The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare...”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate the section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest MPO traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (ALOS): Acceptable Level of Service currently adopted by the County.

Current Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The LOS that a proposed development may generate on a roadway.

H.12

RESOLUTION NO. 18PZ00162

On motion by Commissioner Smith, seconded by Commissioner Lober, the following resolution was adopted by a unanimous vote:

WHEREAS, BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS has requested a change of zoning classification from BU-1 (General Retail Commercial) and IU (Light Industrial) to GML(H) (Government Managed Lands – High Intensity), with removal of BDP (Binding Development Plan) on IU portion only, on property described as Tax Parcel 520, as recorded in ORB 7544, Pages 553 – 555, of the Public Records of Brevard County, Florida; and Tax Parcel 529, as recorded in ORB 4563, Pages 1249 – 1250, of the Public Records of Brevard County, Florida. **Section 19, Township 26, Range 37.** (6 acres) Located on the southwest corner of Pineda Causeway and the Florida East Coast Railroad right-of-way. (2905/2915/2925 Pineda Cswy., Melbourne)

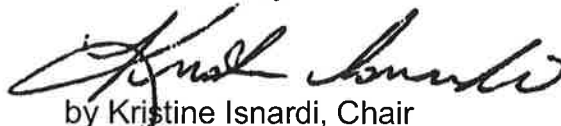
WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board recommended that the application be approved; and

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from BU-1 and IU to GML(H), be approved, and the Planning & Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of March 7, 2019.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Kristine Isnardi, Chair
Brevard County Commission
As approved by Brevard County Commission on
March 7, 2019.

ATTEST:



SCOTT ELLIS, CLERK
(SEAL)

(P&Z Hearing – February 11, 2019)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years. The granting of this zoning does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard county Comprehensive Plan and other applicable laws and ordinances.

REZONING REVIEW WORKSHEET

18PZ00162

Commission District # 4

Hearing Dates: P&Z 02/11/19

BCC 03/07/19

Owner Name: Brevard County Board of County Commissioners

Request: BU-1 & IU to GML(H), and removal of BDP (former BSP)

Subject Property:

Parcel ID# 26-37-19-00-520; 26-37-19-00-529

Tax Acct.# 2606131; 2625666

Location: Southwest corner of Pineda Cswy and F.E.C. Railroad right-of-way

Address: Tax Parcel 520 = 2905/2915/2925 Pineda Cswy; Tax Parcel 529 = No assigned address

Acreage: 6

Consistency with Land Use Regulations

YES/NO

YES

YES

Current zoning can be considered under the Future Land Use Designation. Sec. 62-1255

Proposal can be considered under the Future Land Use Designation. Sec. 62-1255

Would proposal maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	BU-1 & IU	GML(H)
Potential*	BU-1 – 29,868 sq. ft. IU – 44,809 sq. ft.	73,181 sq. ft.
Can be Considered under FLU MAP	YES BU-1 – Community Commercial IU – Industrial NO BU-1 - Planned Industrial	YES GML – Allowed in all Land Use designations

*Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

	ADT	PM PEAK		
Trips from Existing Zoning	5,147	90	Segment Number	250A
Trips from Proposed Zoning	5,044	89	Segment Name	Pineda Wickham - US 1
Maximum Acceptable Volume (MAV)	41,790	3,761	Acceptable LOS	D
Current Volume	33,122	2,981	Directional Split	0.53
Volume With Proposed Development	33,019	2,980	ITE CODE	
Current Volume / MAV	79.26%	79.26%	730	
Volume / MAV with Proposal	79.01%	79.23%		
Current LOS	C	C		
LOS With Proposal	C	C		
Findings	<input checked="" type="checkbox"/> Non-Deficiency		<input type="checkbox"/> Deficiency	

Background & Purpose of Request

The County is seeking a change of Zoning classification from General Retail Commercial (BU-1) and Light Industrial (IU) with a Binding Development Plan (former Binding Site Plan) to Government Managed Lands [GML(H)] for the purpose of expanding an office/warehouse complex. The BSP is proposed for removal, as it depicted the future development of BU-2 and IU uses and connectivity to a greater interconnected mixed-use development that did not come to fruition as planned.

The southeast portion of the site was purchased in 2002 and the northwest portion was purchased in 2016. The County Public Works Department has plans to expand the existing warehouse in order to add a Traffic Operations Center and sign manufacturing shop. The location is uniquely connected to the fiber optic infrastructure necessary to perform the remote traffic operations oversight necessary.

Land Use Compatibility

The subject property retains the Community Commercial (CC), Planned Industrial (PI) and Industrial (IND) Future Land Use (FLU) designations. Although BU-1 zoning is consistent with the CC FLU designation, it is not consistent with the PI FLU designation. The IU zoning is consistent with the IND FLU designation. The proposed GML(H) zoning classification is consistent with any FLU as noted within Exhibit A of Section 62-1255 of Brevard County Code. Rezoning this parcel to GML would eliminate the need for any change in FLU designation.

FLUE Policy 2.2 designates the role of Zoning Regulations in the Designation of Commercial Lands.

The zoning process regulates the types and intensities of uses for a parcel of land. Criteria which aid in assessing zoning compatibility shall include consideration of the following standards:

Criteria:

- A. Permitted/prohibited uses;
- B. Existing commercial zoning trends in the area;
- C. Compatibility of the proposed use with the area, pursuant to Administrative Policy 3;
- D. Impact upon Level of Service (LOS) standards for roads, potable water service, sanitary sewer service and solid waste disposal;
- E. Impact upon natural resources, including wetlands, floodplains, and endangered species; and
- F. Other issues which may emerge specific to a particular property which may be addressed through performance based zoning criteria.

FLUE Policy 2.7 identifies "development activities that may be considered within the Community Commercial Future Land Use Designation..."

Existing strip commercial;
Transient commercial uses;
Tourist commercial uses;
Professional offices;
Personal service establishments;
Retail establishments;
Non-retail commercial uses;
Residential uses;
Institutional uses;
Recreational uses;
Public facilities;
Transitional uses pursuant to Policy 2.14; and
Planned Industrial Park development (as permitted by PIP zoning).

This request should be evaluated within the context of **Policy 2.14A** of the Future Land Use Element, which establishes locational criteria for non-retail commercial uses, as follows:

A. Non-retail commercial land uses shall be limited to those areas where non-retail commercial or industrial characteristics are established or planned so as to protect residential areas from their influence. Non-retail uses, including wholesaling, contracting, heavy repair services, paint and body shops, storage and warehousing uses, may serve as a transitional use between the following higher intensity and lower intensity uses, in the following listed Future Land Use designations:

Higher Intensity Uses: Heavy Industrial or Light Industrial activities.

Lower Intensity Uses: Community Commercial, Planned Industrial Park or Planned Business Park uses.

Future Land Use Designations: Community Commercial, Heavy/Light Industrial or Planned Industrial (Planned Industrial permits PIP zone uses only).

Roadway Access Requirements: Convenient access to a major transportation corridor or along a railroad corridor with visual buffering from such corridors.

FLUE Policy 3.2 designates the role of Zoning Regulations in the Designation of Industrial Lands.

Zoning regulates the specific types and intensities of uses. Criteria which aid in assessing zoning compatibility shall consider the following standards:

Criteria:

- A. Permitted/prohibited uses;
- B. Existing industrial zoning trends in the area;
- C. Compatibility of the proposed use with area;
- D. Impact upon Level of Service (LOS) standards for roads, potable water service, sanitary sewer service and solid waste disposal; and
- E. Impact upon natural resources, including air and water, wetlands, floodplains, and endangered species;
- F. Other issues which may emerge specific to a particular property which may be addressed through performance based zoning criteria.

FLUE Policy 3.5 designates the Planned Industrial Land Use Designation.

The Planned Industrial land use designation is intended to accommodate the clustering of light industrial and business uses in settings which provide special attention to the integration of infrastructure, such as circulation, parking, and utilities, while placing emphasis upon aesthetics of the project and compatibility with abutting properties and properties within the industrial park. These parks shall be designed to limit intrusion into residential areas. Appropriate uses are those that operate within enclosed buildings such as manufacturing, assembling, fabricating, warehousing and retailing activities. Hotel and motel accommodations that serve the travel needs of employees or clients associated with firms within the planned industrial or business parks are also appropriate. Marinas may also be considered within this land use designation. Appropriate locations for planned industrial parks shall be based upon the criteria listed below. Table 3.1 summarizes the specific development parameters listed below as well as issues that affect decision making for rezoning requests and for site plan review, as described in Policies 3.2 and 3.3.

Criteria:

- A. Planned industrial park project sites shall incorporate at least three (3) acres.
- B. Planned industrial parks must be within 660 feet of the major transportation corridors. Major transportation corridors include such roadways as Interstate 95, U.S. Highways 1 and 192, and State Roads 3, 46, 50, 528, 524, 520, 518, and 516.

FLUE Policy 3.7 designates the Light Industrial Uses in the Heavy/Light Industrial Designation.

Light industrial land uses involve manufacturing, assembling, fabricating and warehousing activities which are generally conducted indoors. Such uses have the potential to adversely affect surrounding land uses; therefore, light industrial development proposals shall be reviewed for compatibility with surrounding land uses. Locations for light industrial land uses shall be based upon the following minimum criteria:

Criteria:

- A. Light industrial land uses shall not be located within 660 feet of major transportation corridors, unless such uses are located west of railroad right-of-way along U. S. Highway 1 and are served by a spur or other connection to the rail line or are water-dependent or water-dependent uses or meet the criteria below.
- B. Light industrial land uses may also be considered within 660 feet of the major transportation corridors if they are located contiguous to an established industrial park (lands separated by roads are considered contiguous), and if such lands have existing IU (light industrial) zoning and such zoning has existed for at least ten years, provided that such lands contain natural vegetation affording sufficient visual screening from the transportation corridor. Under these circumstances, all natural vegetation shall be retained within a minimum 15 foot roadway buffer area unless it is determined by the County that such vegetation needs to be replaced due to the poor health or viability of the vegetation. Drainage works and all other improvements shall not be permitted within the 15 foot roadway buffer area. The landscaping requirements of this provision shall be carried out in addition to the requirements of Brevard County Landscaping Regulations. Major transportation corridors include such roadways as Interstate 95, U.S. Highways 1 and 192, and State Roads 3, 46, 50, 528, 524, 520, 518 and 516.
- C. Sites for light industrial land uses shall be at least 20,000 square feet in size.
- D. Floor Area Ratio (FAR) for a light industrial land use project should not exceed 2.48.

The Board should evaluate the compatibility of this application within the context of the Board's Administrative Policies 1 - 8 of the Future Land Use Element, as outlined on pages 2 through 5 of the Administrative Policies.

Environmental Constraints

Please refer to comments provided by the Natural Resource Management Department.

Applicable Land Use Policies

The request is for a change of Zoning classification from BU-1 and IU zoning to GML(H) for the purpose of expanding an office/warehouse complex. The BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling. The IU zoning classification permits light industrial land uses within enclosed structures. The minimum lot size is 20,000 square feet, with a minimum width of 100 feet and a minimum depth of 200 feet.

The purpose of the GML government managed lands zoning classification is to recognize the presence of lands and facilities which are managed by federal, state and local government, special districts, nongovernmental organizations (NGOs) providing economic, environmental and/or quality of life benefits to the county, electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission, and related entities.

The site has had three previous zoning actions which date back to June 10, 1982. Under the first zoning change **Z-6034**, the property was zoned from General Use (GU) to BU-1 and IU subject to a Binding Site Plan. The second zoning change rezoned the property from BU-1 and IU to BU-2 and IU under **Z-6492** on October 6, 1983. A BSP condition was added which limited the BU-2 portion to warehouse use. The third zoning change occurred under **Z-10022(a)** on the BU-2 portion of the property on January 29, 1998. This action removed the Binding Site Plan (from a portion of the overall site) and changed the zoning back to BU-1. A BSP remains on the IU zoned portion of the lot which is being requested to be removed as part of this zoning action.

The property lying north of Pineda Causeway is within the city limits of Palm Shores. Their zoning classification is C-2 – General Commercial. The provisions of the C-2 District are intended to apply to an area intended to be

developed and preserved as a major commercial center serving the commercial needs of the community and the region. The types of uses and other restrictions are intended to promote adequate protection from conflicts with adjacent residential and other noncommercial uses, and to minimize the interruption of traffic along adjacent thoroughfares. This zoning contains aspects of both the BU-1 and BU-2 county zoning classifications. The property lying east of the FEC railroad right-of-way is also within the city limits of Palm Shores. Their zoning classification is M-1 – Light Industrial. The provisions of the M-1 District are intended to apply to an area located in close proximity to transportation facilities and which can serve manufacturing, warehousing, distribution, wholesaling and other industrial functions of the town and the region. Restrictions in this section are intended to minimize adverse influences of the industrial activities on nearby nonindustrial areas. This zoning contains aspects of BU-1, BU-2 and IU county zoning classifications. The property lying south of this site is zoned IU. The property lying to the west is zoned BU-1 and IU with a Binding Site Plan.

The recent zoning trends within a 0.5 mile radius of this site include three zoning actions.

17PZ00109 approved 4/25/2018 changed the zoning from Planned Industrial Park (PIP) to Multi-family Residential (RU-2-15) zoning. This action lies 2,780 feet in a NNW direction.

17PZ00068 approved 8/03/2017 added a conditional use permit for cement, concrete and concrete building products to a site zoned Heavy Industrial (IU-1). This action lies 2,400 feet in a Northerly direction.

16PZ00071 approved 10/13/2016 changed the zoning from Government Managed Lands [GML(H)] to General Retail Commercial (BU-1) zoning. This action lies 375 feet in a Westerly direction.

For Board Consideration

The County is seeking a change of Zoning classification from General Retail Commercial (BU-1) and Light Industrial (IU) with a Binding Development Plan (former Binding Site Plan) to Government Managed Lands [GML(H)] for the purpose of expanding an office/warehouse complex. The BSP is proposed for removal, as it depicted the future development of BU-2 and IU uses and connectivity to a greater interconnected mixed-use development that did not come to fruition as planned.

The southeast portion of the site was purchased in 2002 and the northwest portion was purchased in 2016. The County Public Works Department has plans to expand the existing warehouse in order to add a Traffic Operations Center and sign manufacturing shop. The location is uniquely connected to the fiber optic infrastructure necessary to perform the remote traffic operations oversight necessary.

The GML(H) zoning classification can accommodate office, warehouse and manufacturing uses. This site is located on the south side of Pineda Causeway between Wickham Road and the FEC railway adjacent to the Holy Trinity Episcopal Academy. Parcels across Pineda Causeway and the FEC railway are within the Town of Palm Shores.

The Board may wish to consider whether any additional buffering from the adjacent institutionally developed property to the south is necessary in order to ensure compatibility with the existing surrounding development.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Rezoning Review
SUMMARY

Item #: 18PZ00162 Zoning Request: BU-1 & IU to GML High Intensity P&Z Hearing Date: 02/11/19	Applicant: Lawry C/O Brevard County BCC Hearing Date: 03/07/19
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This is a preliminary review based on environmental maps available to the Natural Resources Management (NRM) Department at the time of this review and does not include a site inspection to verify the accuracy of this information. This review does not ensure whether or not a proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations. In that this process is not the appropriate venue for site plan review, specific site designs that may be submitted with the rezoning will be deemed conceptual and any comments or omissions relative to specific site design do not provide vested rights or waivers from these regulations, unless specifically requested by the owner and approved by the Board of County Commissioners. If the owner has any questions regarding this information, he/she is encouraged to contact NRM prior to submittal of any development or construction plans.

Natural Resource	Preliminary Assessment	Natural Resource	Preliminary Assessment
Hydric Soils/Wetlands	Mapped	Coastal Protection	N/A
Aquifer Recharge Soils	Not mapped	Surface Waters	N/A
Floodplains	Mapped	Wildlife	Potential

Comments:

This review relates to the following property: Twp. 26, Rng. 37, Sec. 19
Tax ID Nos. 2606131 & 2625666

The subject parcel contains mapped NWI wetlands as shown on the NWI Wetlands map; an indicator that wetlands may be present on the property. Section 62-3694(c)(3)b has allowances for wetland impacts for commercial or industrial land use activities along Mitigation Qualified Roadways (MQRs). Pineda Causeway is an MQR at this location. The applicant shall complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any land clearing activities, plan or permit submittal.

Portions of the property are mapped as being within the floodplain as identified by the Federal Emergency Management Agency (FEMA), and as shown on the attached FEMA Flood Zones Map. The property is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. Additional impervious area increases stormwater runoff that can adversely impact nearby properties unless addressed on-site. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Information available to NRM indicates that federally and/or state protected species may be present on the property. The subject property has a large mapped Florida Scrub Jay polygon over the site as shown on the Scrub Jay Occupancy Map. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Per Section 62-

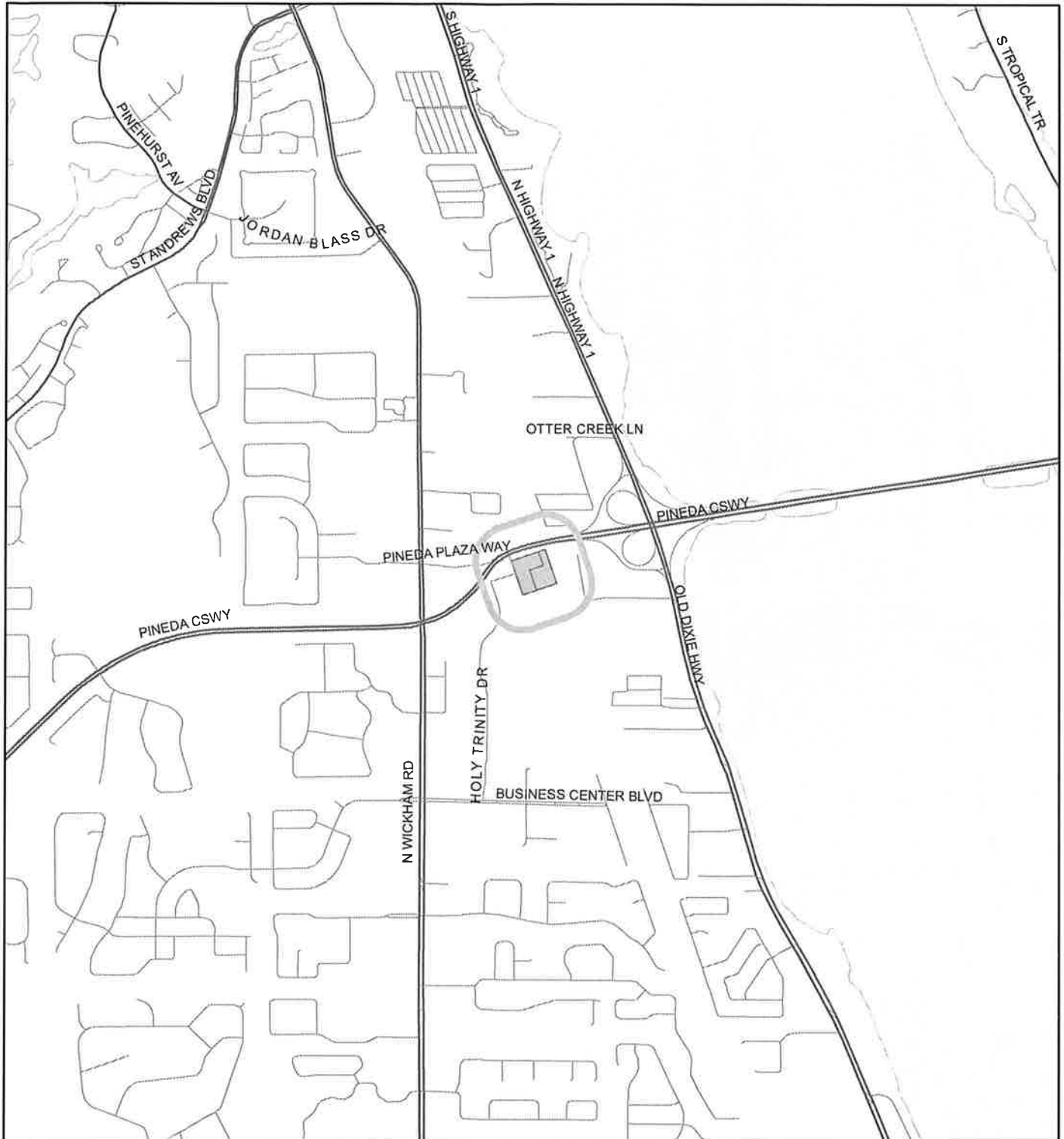
Staff Comments: Page 7
(18PZ00162)
02/11/19 PZ // 03/07/19 BCC

4341(18), Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

LOCATION MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

18PZ00162



1:24,000 or 1 inch = 2,000 feet

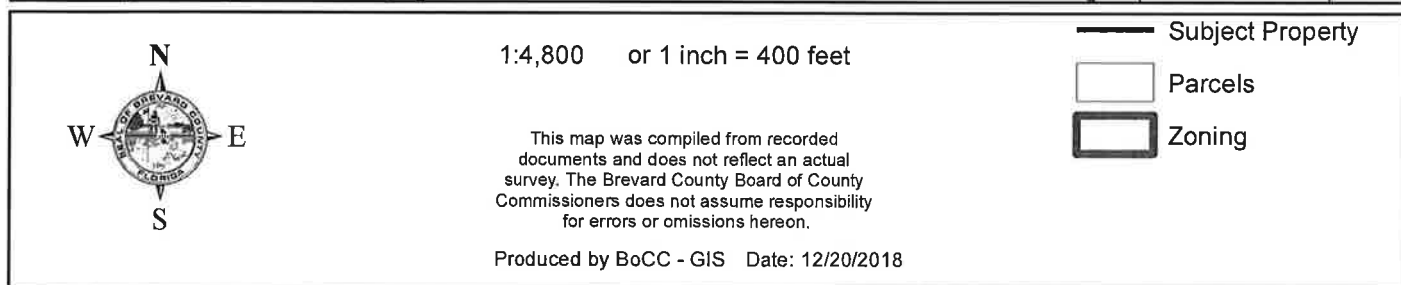
Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

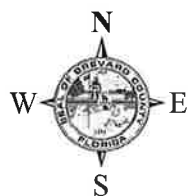
Produced by BoCC - GIS Date: 12/20/2018

Buffer
Subject Property

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
18PZ00162



18PZ00162

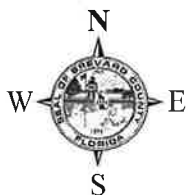


— Subject Property
 □ Parcels

Produced by BoCC - GIS Date: 12/20/2018

AERIAL MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
18PZ00162



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2018

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

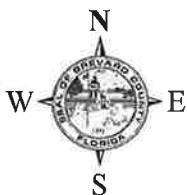
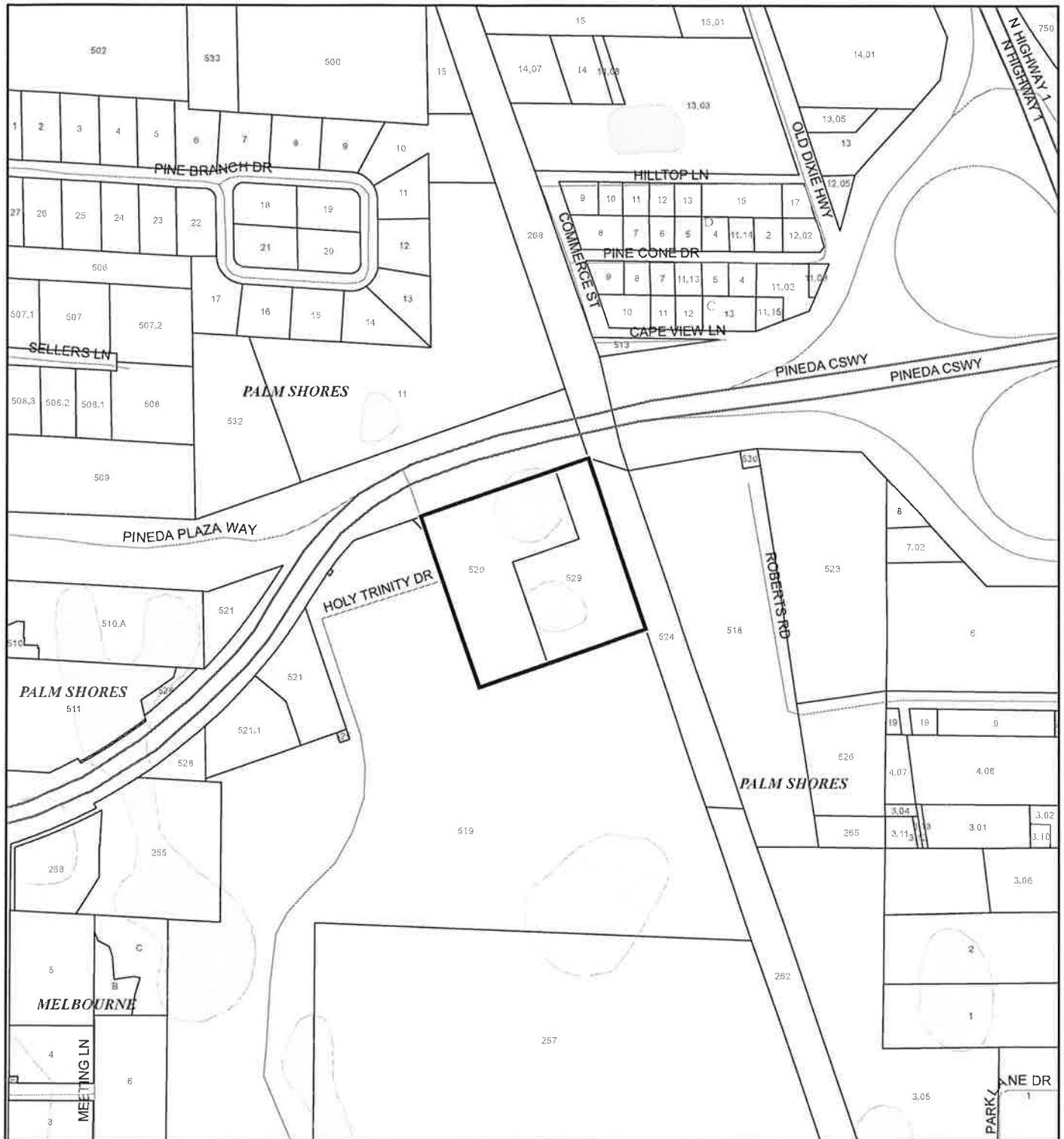
Produced by BoCC - GIS Date: 12/20/2018

— Subject Property
□ Parcels

NWI WETLANDS MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

18PZ00162



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 12/20/2018

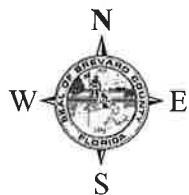
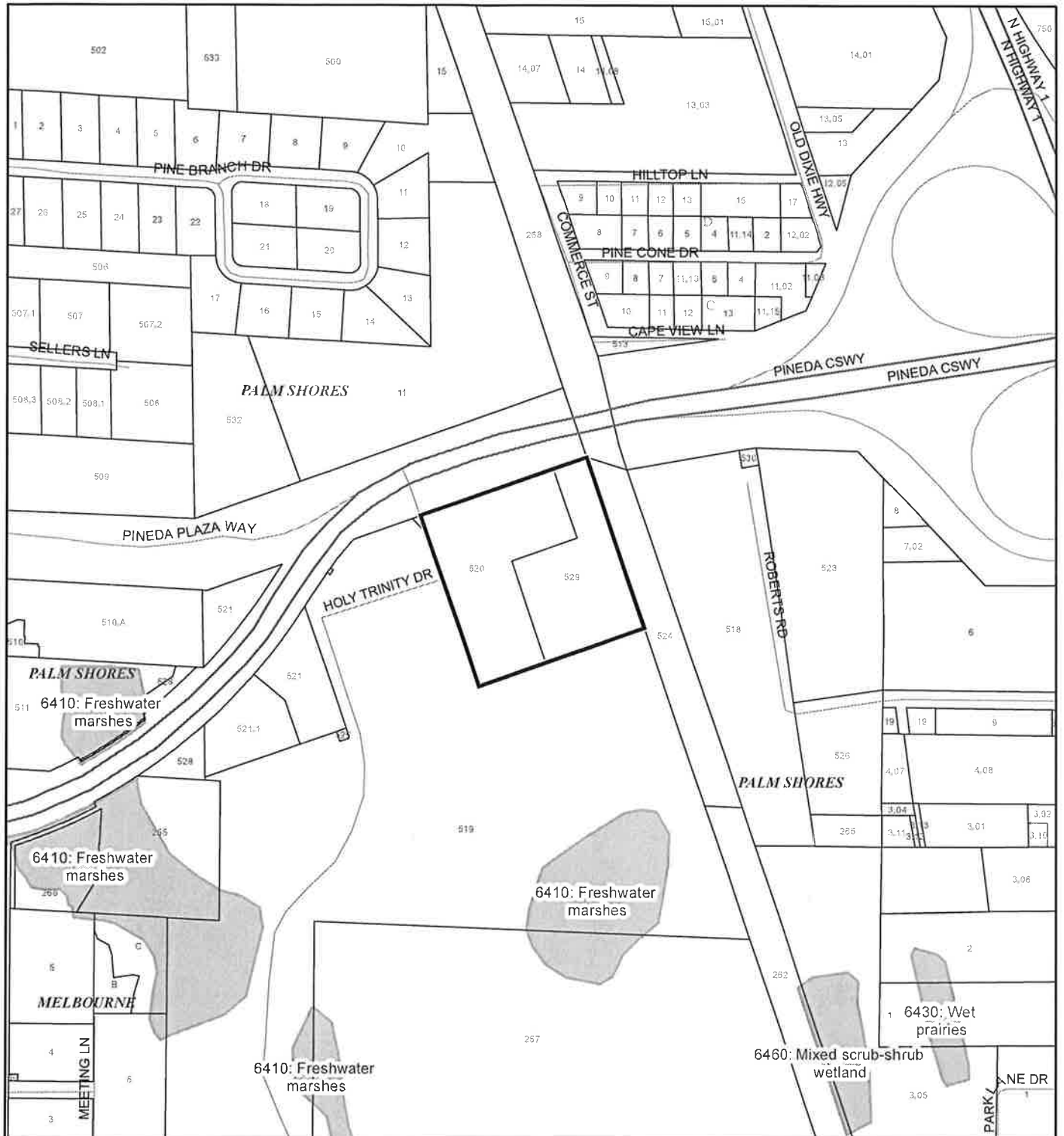
National Wetlands Inventory (NWI)

	Estuarine and Marine Deepwater		Freshwater Pond
	Estuarine and Marine Wetland		Lake
	Freshwater Emergent Wetland		Other
	Freshwater Forested/Shrub Wetland		Riverine
	Subject Property		Parcels

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

18PZ00162



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 12/20/2018

SJRWMD FLUCCS WETLANDS

- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

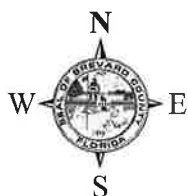
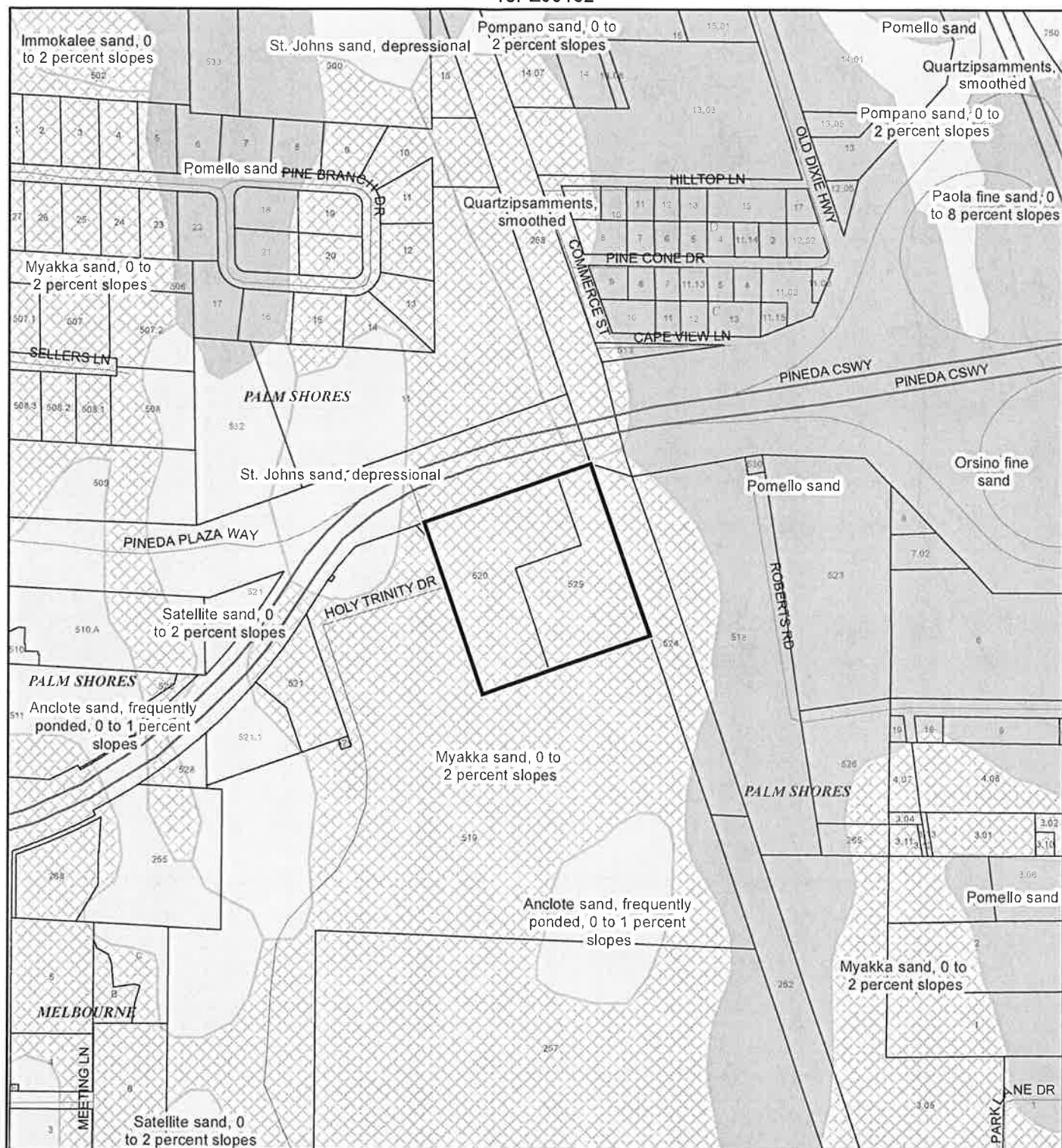
Subject Property

Parcels

USDA SCSSS SOILS MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

18PZ00162



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 12/20/2018

USDA SCSSS Soils

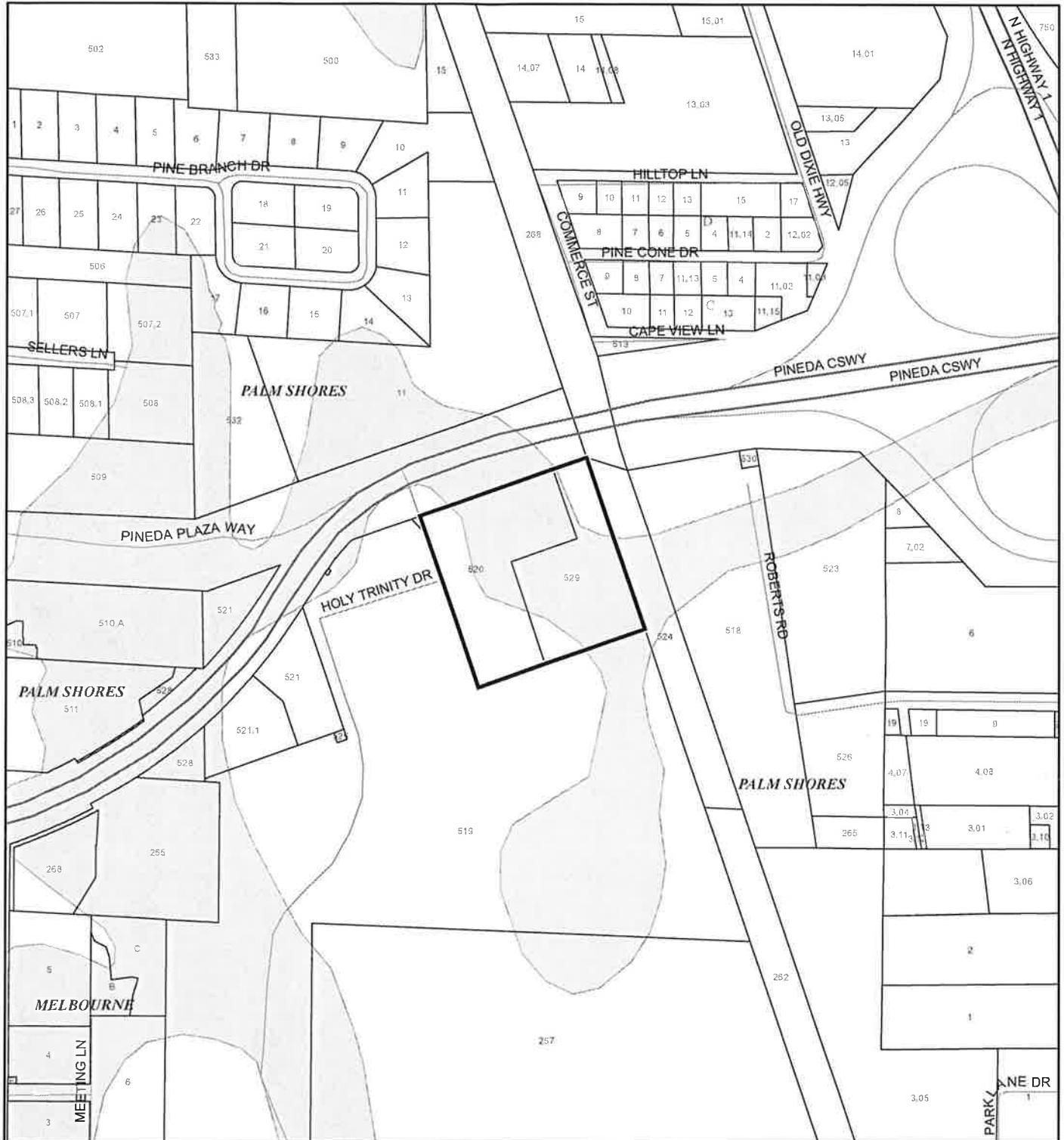
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

18PZ00162



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 12/20/2018

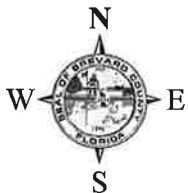
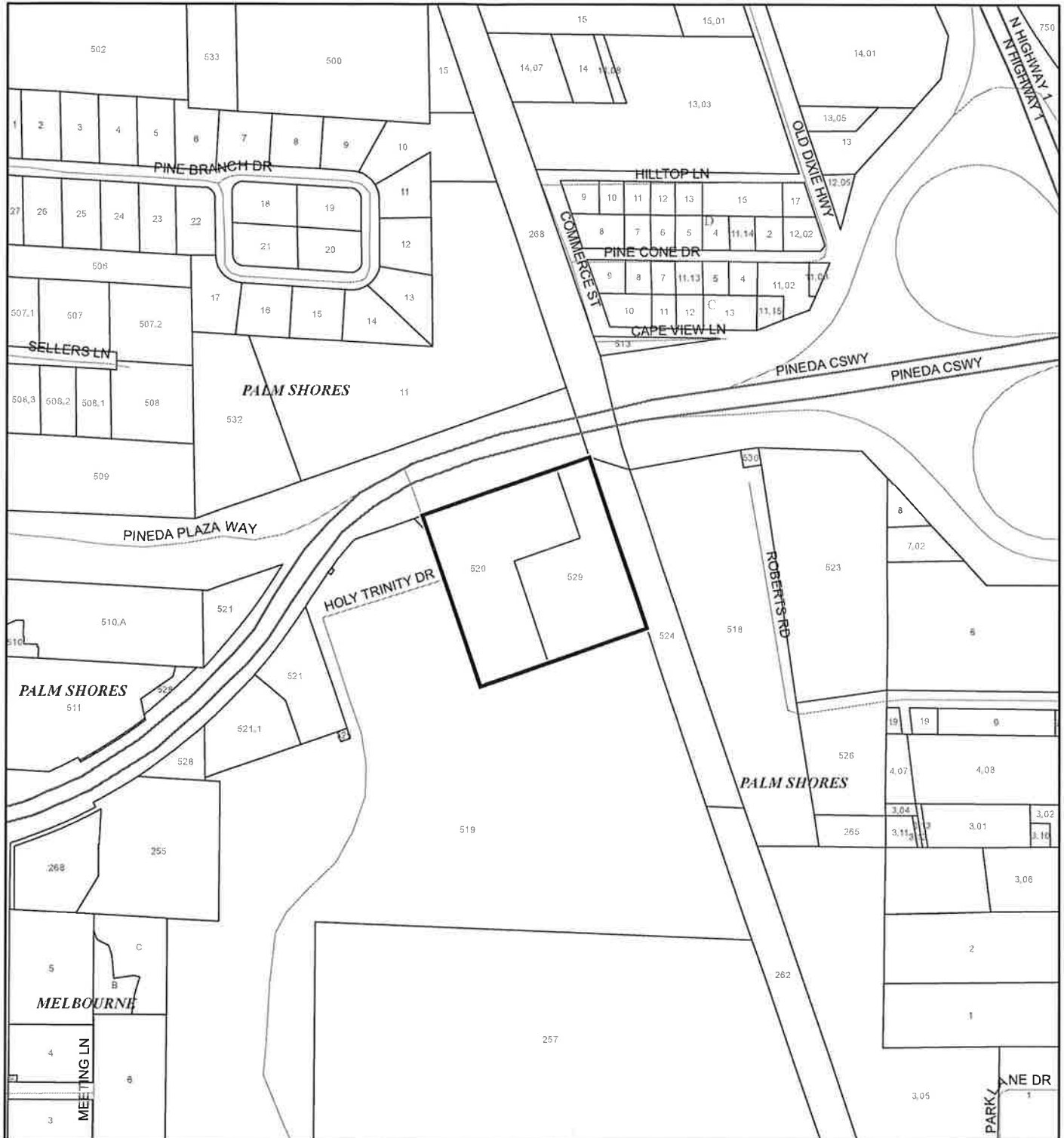
FEMA Flood Zones

- | | | |
|---|------------|----------------------|
| A | AO | X |
| AE | Open Water | X Protected By Levee |
| AH | VE | |
| 0.2 Percent Annual Chance Flood Hazard | | |
| 0.2 Percent Annual Chance Flood Hazard Contained in Channel | | |
| Subject Property | | Parcels |

EAGLE NESTS MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

18PZ00162




1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 12/20/2018

 Subject Property

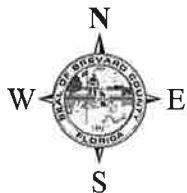
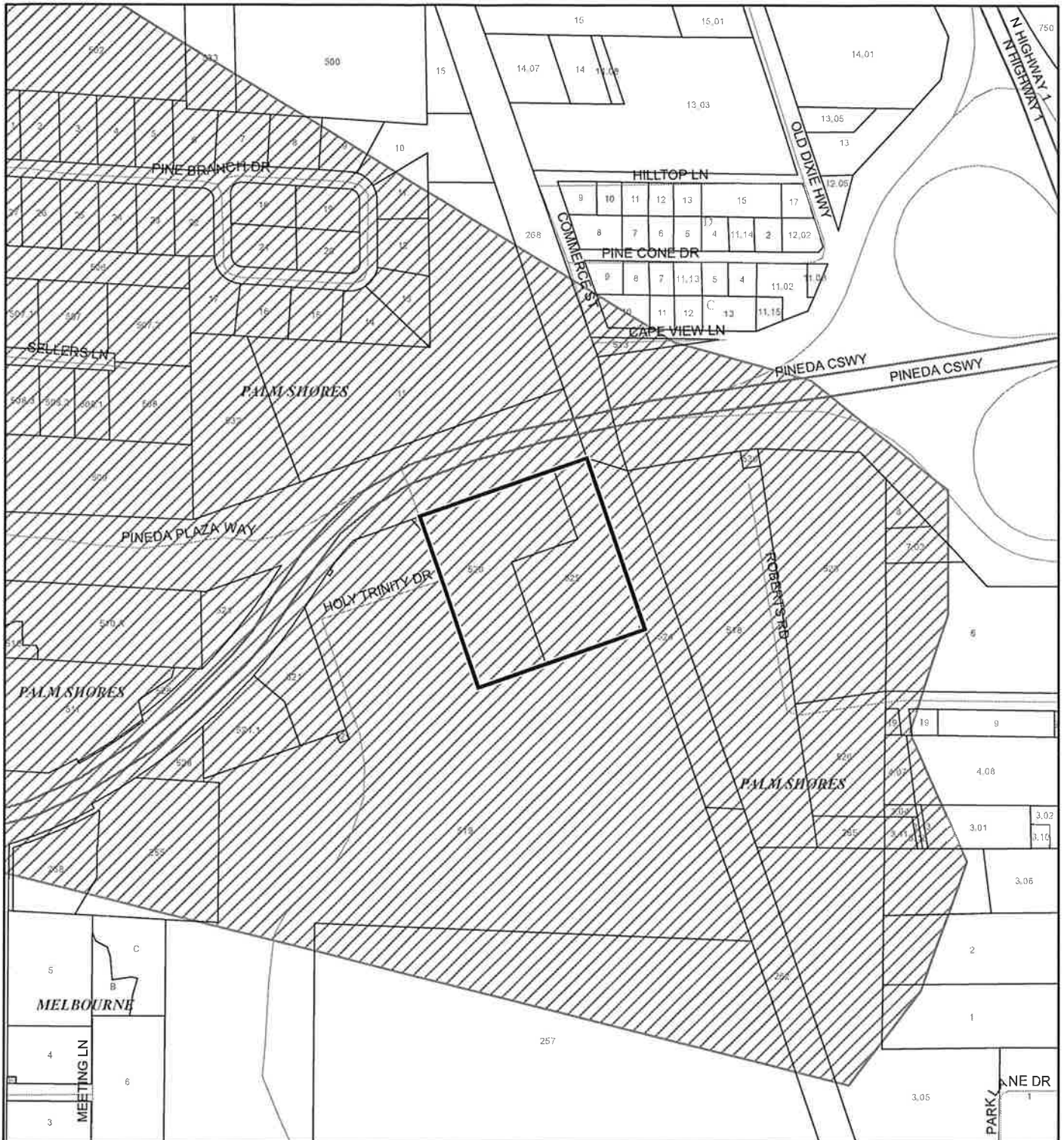
 Parcels

 Eagle Nests
FWS 2010

SCRUB JAY OCCUPANCY MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS




18PZ00162



1:4,800 or 1 inch = 400 feet

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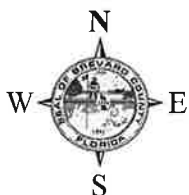
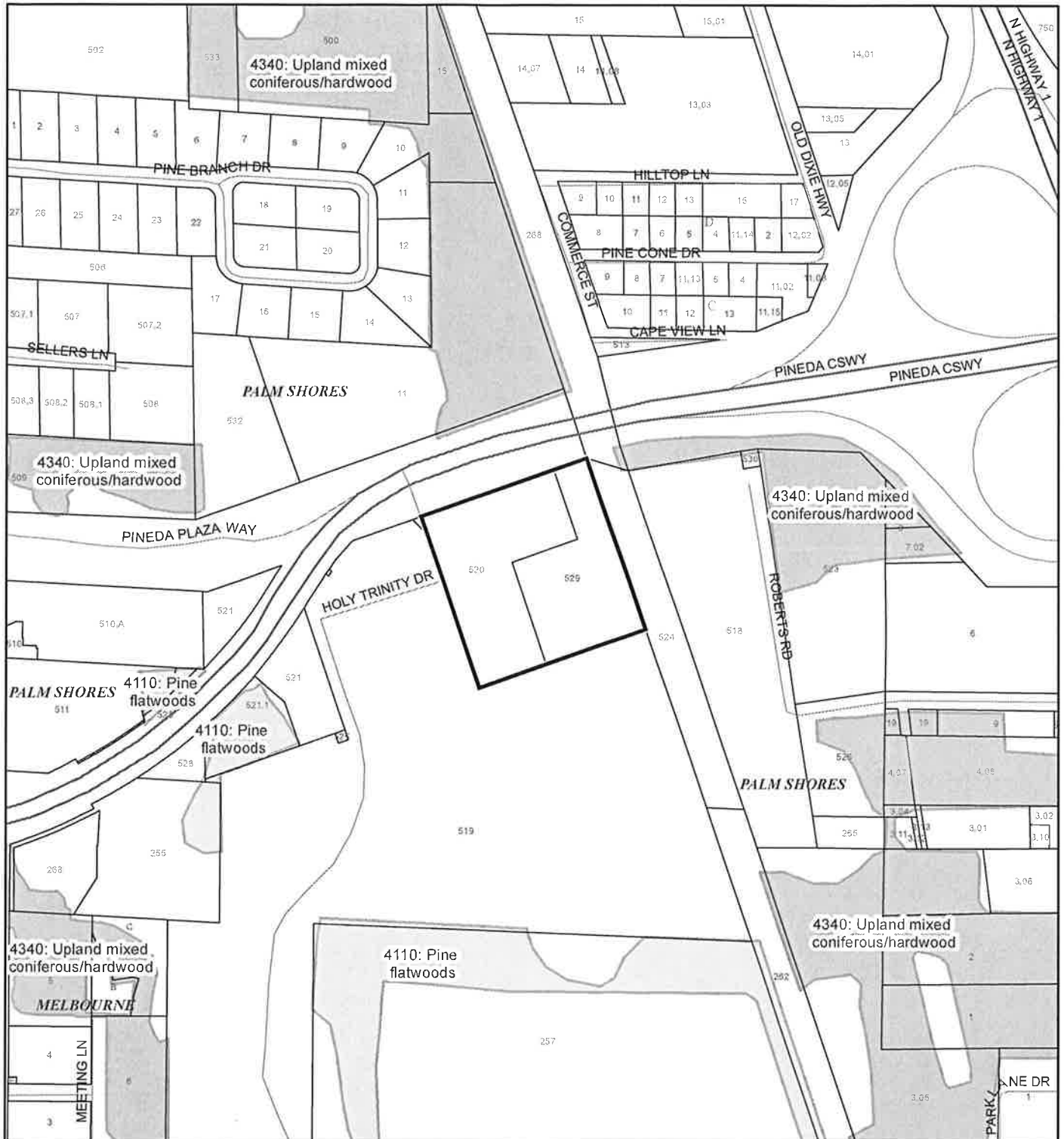
Produced by BoCC - GIS Date: 12/20/2018

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

18PZ00162



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/20/2018

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property Parcels

RESOLUTION NO. Z-6492

On motion of Commissioner Wickham , seconded by
Commissioner York , the following resolution was
unanimously adopted:

WHEREAS, CROCUS LIMITED & MAJOR HOLDINGS LIMITED, FLORIDA INVESTING &
FINANCING CORPORATION & BREVARD-FLORIDA PROPERTIES
has/have applied for a change of classification from AU to IU; AU to RU-2-10
with a Conditional Use Permit for Sewer Facilities; BU-1 to RU-2 and a revision
to Binding Site Plan

on property described as SEE ATTACHED LEGAL DESCRIPTION

Section 19,30 & 31 Township 26 S, Range 37 E, and,

WHEREAS, a public hearing of the Brevard County Planning and
Zoning Board was advertised and held, as required by law, and
after hearing all interested parties and considering the adjacent
areas, the Planning and Zoning Board recommended that the appli-
cation be *approved and,

WHEREAS, the Board, after considering said application and
the Planning and Zoning Board's recommendation and hearing all
interested parties and after due and proper consideration having
been given to the matter, find that the application should be
*approved , now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard
County, Florida, that the requested change of classifications & revision to BSP
be *approved and, that the zoning classification relating
to the above described property be changed to IU; RU-2-10 & BU-2
and the Planning and Zoning Director is hereby directed to make
this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become
effective as of October 6, 1983.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

ATTEST:
R. C. WINSTEAD, JR., Clerk

by D. Gene Roberts
Chairman

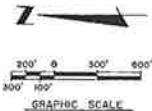
by D.C.

(SEAL)

(Hearing - 9/26/83)
*Approved subject to Section 77 Binding Site Plan

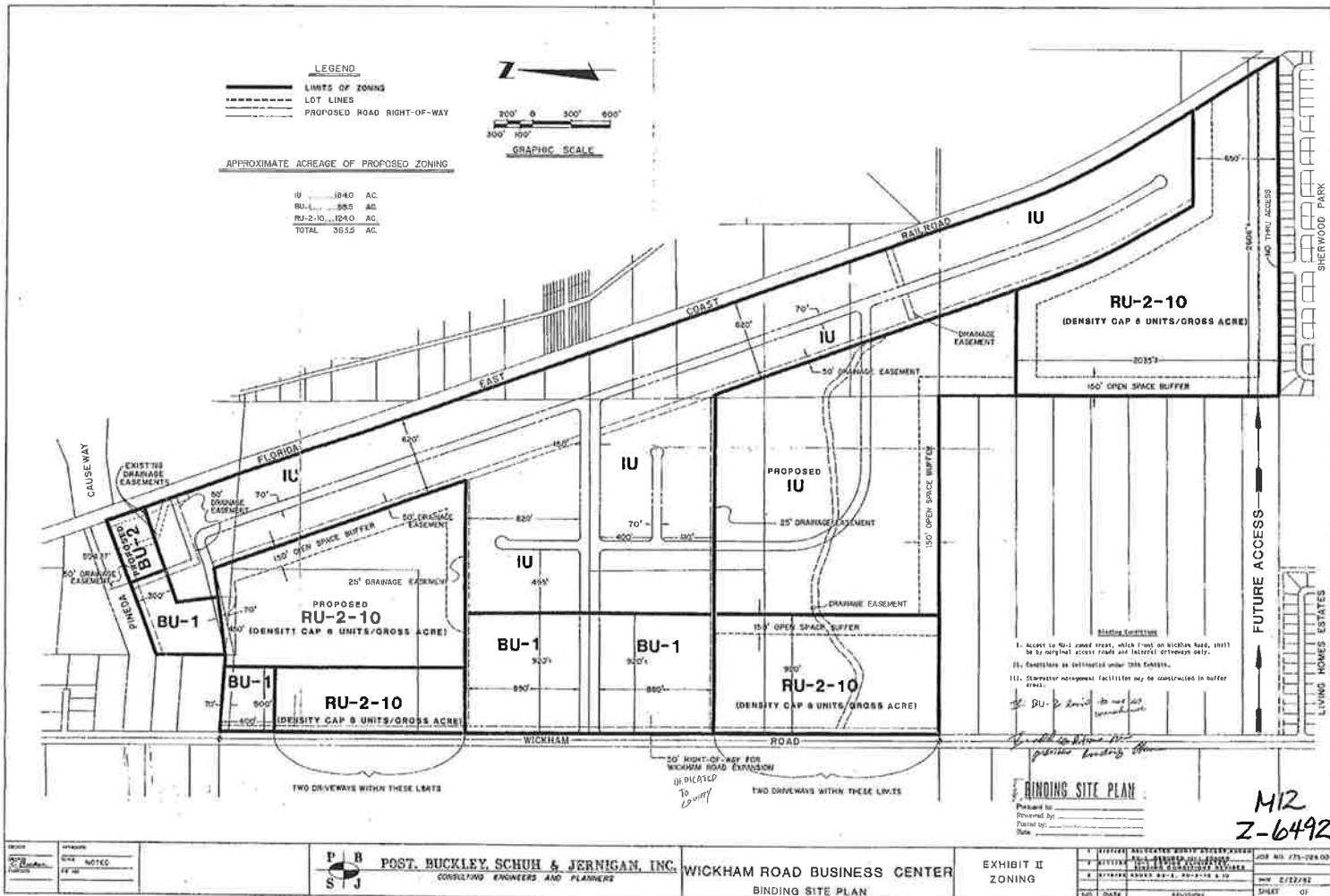
101
Z-6492

LEGEND
 ——— LIMITS OF ZONING
 - - - - - LOT LINES
 - - - - - PROPOSED ROAD RIGHT-OF-WAY



APPROXIMATE ACREAGE OF PROPOSED ZONING

IU 104.0 AC.
 RU-2-10 58.5 AC.
 RU-2-10 124.0 AC.
 TOTAL 286.5 AC.



- I. Access to 40-1 zoned tract, which front on Wickham Road, shall be by original access roads and lateral driveways only.
- II. Condominiums as delineated under 1986 Subchapter.
- III. Stormwater management facilities may be constructed in buffer areas.

BU-1 & RU-2-10 do not all conform to the existing zoning.
Wickham Road Extension

BINDING SITE PLAN

Prepared by: _____
 Reviewed by: _____
 Printed by: _____
 Date: _____

M12
 Z-6492

DATE: 04/10/05		BY: [Signature]		DATE NOTED: 04/10/05		P B S J		POST, BUCKLEY, SCHUH & JERNIGAN, INC. CONSULTING ENGINEERS AND PLANNERS		WICKHAM ROAD BUSINESS CENTER BINDING SITE PLAN		EXHIBIT II ZONING		1. REVIEWED: [Signature] 2. APPROVED: [Signature] 3. DATE: 04/10/05		SHEET OF	
----------------	--	-----------------	--	----------------------	--	------------	--	--	--	---	--	----------------------	--	---	--	----------	--

BSR
EX 57.48

RESOLUTION NO. Z-6034

On motion of Commissioner Steele, seconded by
Commissioner Wenner, the following resolution was
unanimously adopted:

WHEREAS, CROCUS LIMITED & MAJOR HOLDINGS LIMITED, FLORIDA
INVESTING & FINANCING CORP. & BREVARD-FLORIDA PROP. INC.
has/have applied for a change of classification from AU & GU to IU-1,
AU & GU to IU, AU & GU to BU-1 and AU & GU to RU-2-10
on property described as SEE ATTACHED LEGAL DESCRIPTION

Section 19/30/31, Township 26 S, Range 37E, and,

WHEREAS, a public hearing of the Brevard County Planning and
Zoning Board was advertised and held, as required by law, and
after hearing all interested parties and considering the adjacent
areas, the Planning and Zoning Board recommended that the appli-
cation be No Recommendation and,

WHEREAS, the Board, after considering said application and
the Planning and Zoning Board's recommendation and hearing all
interested parties and after due and proper consideration having
been given to the matter, find that the application should be

approved IU, BU-1 and, now therefore,
RU-2-10 Cap of 6*

BE IT RESOLVED by the Board of County Commissioners of Brevard
County, Florida, that the requested change of classifications
be approved IU, BU-1 and, that the zoning classification relating
RU-2-10 Cap of 6*
to the above described property be changed from AU & GU to IU, BU-1
and RU-2-10 with a Cap of 6 units per acre*
and the Planning and Zoning Director is hereby directed to make
this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become
effective as of June 10, 1982.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

ATTEST:

by JOE H. WICKHAM
Chairman

R. C. WINSTEAD, JR., Clerk

by D.C.

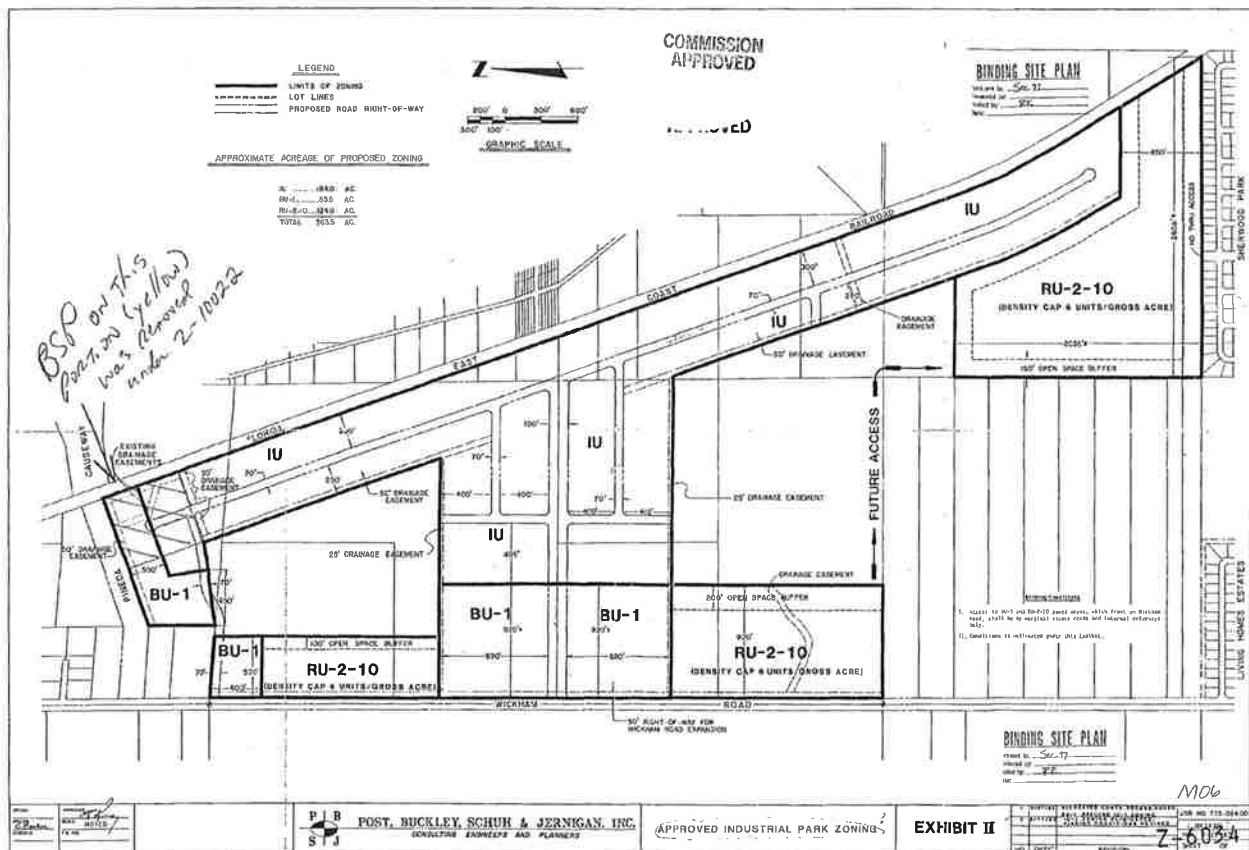
(SEAL)

(Hearing - 5/24/82)

*Subject to a Binding Site Plan

I 01
Z-6034

(20)



RESOLUTION NO. Z-10022(a)

On motion by Commissioner Cook, seconded by Commissioner O'Brien, the following resolution was adopted by a unanimous vote:

WHEREAS, WILLIAM J. PAGE

has/have applied for a Mixed-Use District Boundary Expansion and a change of classification from BU-2 w/Binding Site Plan to BU-2 w/removal of Binding Site Plan on 3.47 acres

SEE ATTACHED LEGAL DESCRIPTION

Section 19,

Township 26 S,

Range 37 E, and,

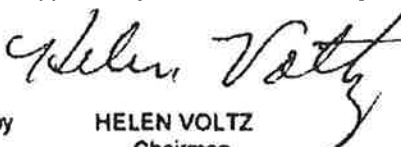
WHEREAS, a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing interested parties and considering the adjacent areas, the Planning and Zoning Board recommended that the application for a change of classification from J-2 w/Binding Site Plan to BU-2 w/removal of Binding Site Plan be approved and,

WHEREAS, the Board, after considering said application and the Planning and Zoning Board's recommendation and hearing all interested parties after due and proper consideration having been given to the matter, find that the application should be APPROVED as BU-1, now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested Mixed-Use District Boundary Expansion and a change of classification from BU-2 w/Binding Site Plan to BU-2 w/removal of Binding Site Plan be APPROVED as BU-1 & Removal of Binding Site Plan; and APPROVED Mixed-Use Expansion, and that the zoning classification relating to the above described property be changed to BU-1 w/removal of Binding Site Plan & w/Mixed-Use District Boundary Expansion and the Growth Management Director or designee is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of January 29, 1998.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida
As Approved by the Board on January 29, 1998.


by HELEN VOLTZ
Chairman

TEST:

ANDY CRAWFORD, CLERK

EAL)

Hearing - January 5, 1998)

A: Smolen/Selig - Approved Mixed-Use District Boundary Expansion. Vote was unanimous.

Z: Selig/Smolen - Approved zoning change to BU-2 w/removal of Binding Site Plan. Vote was unanimous.

IN GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

2 10022A

PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, February 11, 2019, at 3:00 p.m.**, in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were: Henry Minneboo, Chair; Ron Bartcher, Rochelle Lawandales, Brian Hodgers, Ben Glover; Ron McLellan; Peter Filiberto; and Dane Theodore.

Staff members present were: Erin Sterk, Planning and Zoning Manager; Jad Brewer, Assistant County Attorney; Paul Body, Planner II; and Jennifer Jones, Special Projects Coordinator II.

Henry Minneboo, Chair, announced that the Board of County Commissioners will have the final vote on the recommendations made by the Planning and Zoning Board on Thursday, March 7, 2019, at 5:00 p.m.

Excerpt from complete agenda

Brevard County Board of County Commissioners – (Tim Lawry):

A change of zoning classification from BU-1 (General Retail Commercial) and IU (Light Industrial) to GML(H) (Government Managed Lands – High Intensity), with removal of an existing BDP (Binding Development Plan). The property is 6 acres, located on the southwest corner of Pineda Causeway and the Florida East Coast Railroad right-of-way. (2905, 2915, and 2925 Pineda Causeway, Melbourne) (18PZ00162) (District 4)

Tim Lawry – My name is Tim Lawry, and what we have is a traffic operations center, and we have a traffic operations management building that we're going to construct. The operations center is already there, it's an existing warehouse that we're turning into the operations center, and for the future management building that will come later.

Ron Bartcher - The sign facility, is that an existing facility that you're moving there?

Tim Lawry – Yes, it is.

Ron Bartcher – Do you have any measurements of how much noise that creates for the neighborhood?

Tim Lawry – It doesn't make any noise. The metal signs get fabricated somewhere else and is brought in; the only thing that they're doing there is laminating the stickers onto the signs.

Ron Bartcher – Are there existing businesses in that warehouse?

Tim Lawry – There was until the County purchased it and everybody moved out.

No public comment:

Rochelle Lawandales – I'll make a motion to approve.

Ron McLellan – Second.

Henry Minneboo called for a vote on the motion as stated, and it passed unanimously.