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# ROCKLEDGE PLANNING COMMISSION MEETING MINUTES

Tuesday, April 5, 2022 ♦ 6:00 p.m.

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## 1. CALL TO ORDER / ROLL CALL

The Rockledge Planning Commission met in regular session on Tuesday, April 5, 2022, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

**PRESENT:**

Bob Theilacker (Chair)	Commissioner
Karen Kuta	Commissioner
Barbara Cooler	Commissioner
Matthew Whalen	Commissioner
Julie Rebelo	Commissioner

**ABSENT:**

Kevin Jarvis (Vice Chair)	Commissioner ( <i>excused</i> )
Ashley Lanier	Commissioner ( <i>unexcused</i> )

**STAFF PRESENT:**

Dr. Brenda Fettrow	City Manager
John Cooper	Planning Director
Joseph E. Miniclier	City Attorney
Jennifer M. LeVasseur	Recording Secretary

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

## 2. PLEDGE OF ALLEGIANCE

- A salute was given to the flag, and the Pledge of Allegiance was repeated in unison.

## 3. APPROVAL OF MINUTES AND ATTENDANCE RECORD

A. Regular Meeting on March 1, 2022

***Commissioner Kuta moved to approve the minutes and attendance record of the regular meeting on March 1, 2022; seconded by Commissioner Cooler. The motion carried unanimously.***

## 4. PUBLIC HEARINGS

A. Zoning District Amendment (ZDA-22-03)

*Applicant: Port Village, LLC/Summit Shah (Manager)*

*Address: 3435 S. Fiske Boulevard*

*Request: Change of Zoning Classification from C1 (Neighborhood Retail Commercial) District to C2 (General Commercial) District*

Planning Director Cooper presented the application for the rezoning of 3435 S. Fiske Boulevard from the C1 (Neighborhood Retail Commercial) District to the C2 (General Commercial) District in Planning District 7 and noted that the property is surrounded by properties that are zoned C2. Staff determined that the amendment would be compatible with the Comprehensive Plan.

At 6:04 p.m., Chairman Theilacker opened the public hearing.

John Angelillo, 1475 Martin Road, requested that residents on Martin Road be contacted prior to the project being finalized, as development in the area has created significant drainage issues. Additionally, he relayed traffic concerns regarding the intersection of Fiske Boulevard and Roy Wall Boulevard.

Alice Deakins, (address exempt), echoed concerns relating to traffic dangers and worry for the residences in the area and subsequent drainage issues on Martin Road. She requested that existing issues be resolved before proceeding.

Igor Chuyan, (address exempt), reiterated that development in the area has created a fishbowl effect for properties that were previously existing prior to new development, and drainage is a huge concern.

Michael Harmon, HOA President for Palm Cove, (address exempt), reported that the property's previous use created significant noise and parking issues, and permitted uses under the C2 zoning could create similar problems. He echoed concerns relating to drainage and traffic and suggested that the rezoning would be inappropriate before drainage and traffic studies are completed.

Mary Mulligan, 2341 Bridgeport Circle, voiced concerns regarding noise.

There being no further public comment, the public hearing was closed.

Planning Director Cooper explained that property rights must be legally preserved. He confirmed that the footprint will not change, and the applicant intends to use the property as a daycare. The application is thoroughly vetted for compatibility, and the proposed use is more compatible and less strenuous than the current zoning of C1. He clarified the ownership of Martin Road and Fiske Boulevard, as well as the procedure for community notifications.

Planning Director Cooper provided clarification to the Commission pertaining to the zoning classification of the vacant property to the south of the subject property, as well as permitted uses for businesses.

***Commissioner Kuta moved to recommend approval of the rezoning of 3435 S. Fiske Boulevard (ZDA-22-03) from C1 to C2 and to forward***

***the recommendation to City Council; seconded by Commissioner Rebelo. The motion passed unanimously.***

B. Special Exception (SE-22-01)

*Applicant: Leesky Legacy Enterprises, LLC/Iresha Owens*

*Address: 830 S. Fiske Boulevard*

*Request: Pursuant to LDR Section 62.102(c)(7), Permit a Child Care Center in the C1 (Neighborhood Retail Commercial) District*

Planning Director Cooper introduced Special Exception application SE-22-01 for 830 S. Fiske Boulevard and explained that the applicant is seeking approval to permit a child care center in the C1 (Neighborhood Retail Commercial) District.

At 6:29 p.m., Chairman Theilacker opened the public hearing.

There being no public comment, the public hearing was closed.

Planning Director Cooper explained that the applicant could place a playground on the southern portion of the property as long as it is not fronting the property.

***Commissioner Kuta moved that the special exception is consistent with the goals, objectives and policies of the Comprehensive Plan; seconded by Commissioner Cooler. The motion carried without objection.***

***Commissioner Kuta moved that the special exception is consistent with the intent of the zoning district within which the special exception is sought; seconded by Commissioner Rebelo. The motion passed without objection.***

***Commissioner Kuta moved that the special exception does not create any adverse impacts to adjacent property through the creation of noise, light, vibrations, traffic, utility requirements, or stormwater runoff that would not have been created had the property been developed for a principal use permitted in the applicable zoning district; seconded by Commissioner Rebelo. The motion carried unanimously.***

***Commissioner Kuta moved that the special exception will not create any unusual police, fire or emergency services requirements; seconded by Commissioner Rebelo. The motion passed by unanimous vote.***

***Commissioner Kuta moved that the special exception meets all the requirements of the zoning district in which it is located such as lot requirements, building setback requirements, lot coverage, height, buffer yards, off-street parking, signs, storage, landscaping, etc.; seconded by Commissioner Rebelo. The motion passed unanimously.***

***Commissioner Kuta moved that the special exception does meet the requirements of the Rockledge Land Development Regulations and to forward the recommendations to the Board of Adjustment; seconded by Commissioner Whalen. The motion passed by unanimous vote.***

## **5. SITE PLANS**

- None

## **6. UNFINISHED BUSINESS**

- None

## **7. NEW BUSINESS**

- A. Action Item: Elections for Chairperson and Vice Chairperson

City Attorney Miniclier provided a brief overview of the process of nominating a Chairperson and a Vice Chairperson.

Commissioner Kuta nominated Commissioner Theilacker as Chair.

***No other nominations were heard. Commissioner Kuta moved to elect Commissioner Theilacker by acclamation; seconded by Commissioner Rebelo. The motion carried unanimously, and Commissioner Theilacker was declared Chair.***

Commissioner Whalen nominated Commissioner Jarvis as Vice Chair.

***No other nominations were heard. Commissioner Kuta moved to elect Commissioner Jarvis as Vice Chair by acclamation; seconded by Commissioner Rebelo. The motion passed without objection, and Commissioner Jarvis was declared Vice Chair.***

## **8. ADJOURN**

There being no further business to come before the Commission, Chairman Theilacker declared the meeting to be adjourned at 6:39 p.m.

Submitted by:

Jennifer M. LeVasseur  
Recording Secretary

Approved by:

Bob Theilacker  
Chairman