
ROCKLEDGE PLANNING COMMISSION MEETING MINUTES

Tuesday, October 5, 2021 ♦ 6:00 p.m.

1. CALL TO ORDER / ROLL CALL

The Rockledge Planning Commission met in regular session on Tuesday, October 5, 2021, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

PRESENT:	Bob Theilacker (Chair)	Commissioner
	Kevin Jarvis (Vice Chair)	Commissioner
	Karen Kuta	Commissioner
	Barbara Cooler	Commissioner
	Matthew Whalen	Commissioner
	Adam Copenhaver	Commissioner
	Ashley Lanier	Commissioner
	Julie Rebelo	Commissioner

ABSENT: None

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 & ATTENDANCE RECORD

- Meeting on August 3, 2021

Commissioner Jarvis moved to approve the minutes and attendance record of the regular meeting on August 3, 2021; seconded by Commissioner Kuta. The motion carried unanimously.

4. PUBLIC HEARINGS

- A. Special Exception (SE-21-04)

Applicant: *Jennifer and Alvin Smith*
Address: *824 Pennsylvania Avenue*

Request: *Single-family dwelling in MH (Mobile Home) District per LDR Section 62.72(c)*

Planning Director Cooper introduced Special Exception application SE-21-04 for 824 Pennsylvania Avenue and explained that the applicant is seeking approval to allow the construction of a single-family dwelling in the MH (Mobile Home) District, which is a permitted use by Special Exception.

At 6:02 p.m., Chairman Theilacker opened the meeting to the public.

There being no public comment, Chairman Theilacker closed the public hearing.

Commissioner Jarvis moved to recommend approval of the Special Exception (SE-21-04) for 824 Pennsylvania Avenue to the Board of Adjustment; seconded by Commissioner Kuta. The motion passed by unanimous vote.

Commissioner Cooler moved that the special exception is consistent with the intent of the zoning district within which the special exception is sought; seconded by Commissioner Kuta. 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 Copenhaver. The motion carried unanimously.

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

Commissioner Copenhaver moved that a site plan for the special exception has been submitted pursuant to regulations and said site plan contains limitations and conditions on use of the property acceptable to the Commission and binding upon the property owner; seconded by Commissioner Kuta. The motion carried by unanimous vote.

Commissioner Rebelo 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 Kuta. The motion passed unanimously.

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

B. Special Exception (SE-21-05)

Applicant: *Cecil and Ava Cook/Robert Leland Smith (Agent)*

Address: *1922 Murrell Road*

Request: *Permit open storage yard in M1 (General Industrial) District per LDR Section 62.142(c)(14)*

Planning Director Cooper introduced Special Exception application SE-21-05 for 1922 Murrell Road and noted that the applicant is seeking approval to allow the construction of an open storage yard for recreational vehicles in the M1 (General Industrial) District, which is a permitted use by Special Exception.

At 6:08 p.m., Chairman Theilacker opened the meeting to the public.

There being no public comment, Chairman Theilacker closed the public hearing.

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

Commissioner Cooler moved that the special exception is consistent with the intent of the zoning district within which the special exception is sought; seconded by Commissioner Kuta. 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 Copenhaver. The motion carried unanimously.

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

Commissioner Copenhaver moved that a site plan for the special exception has been submitted pursuant to regulations and said site plan contains limitations and conditions on use of the property acceptable to the Commission and binding upon the property owner;

seconded by Commissioner Kuta. The motion carried by unanimous vote.

Commissioner Rebelo 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 Kuta. The motion passed unanimously.

Commissioner Jarvis moved to recommend approval of the Special Exception (SE-21-05) for 1922 Murrell Road to the Board of Adjustment; seconded by Commissioner Kuta. The motion passed by unanimous vote.

Planning Director Cooper clarified for the record that the preliminary site plans for both applications have been received and are currently under review; however, they are acceptable to the City.

C. Amendment to Development Agreement – Carolina Pines Apartments

Planning Director Cooper introduced the amendment to the Development Agreement for Carolina Pines Apartments and reported that the existing agreement was previously approved by City Council and executed on December 17, 2020. Property owner/developer RJM Merco, LLC has requested a revision to the agreement whereby the requirement for window shutters (5c) is removed, as the installation of functional shutters is cost prohibitive.

At 6:12 p.m., Chairman Theilacker opened the meeting to the public.

There being no public comment, Chairman Theilacker closed the public hearing.

Commissioner Jarvis moved to recommend approval of the Development Agreement Amendment for Carolina Pines Apartments and to forward the recommendation to City Council; seconded by Commissioner Kuta. The motion passed with seven (7) in favor and one (1) in opposition (Whalen).

D. Development Agreement (DA-21-01) – Ascend Apartments

Planning Director Cooper introduced the Development Agreement DA-21-01 for Ascend Apartments and explained that DHIC-Rockledge, LLC is seeking approval for the development of approximately 19.21 acres of property. The applicant desires to construct a 240-unit luxury apartment complex and up to three (3) commercial outparcels.

At 6:17 p.m., Chairman Theilacker opened the meeting to the public.

Ana Saunders, 321 S. Harbor City Blvd, Suite 4, Melbourne, affirmed that all terms of the agreement are acceptable to the applicant and requested approval of the Agreement.

Paul Tirri, 907 Ocaso Lane #202, noted concerns with the population increase and the low number of stores to accommodate residents. Further, Mr. Tirri shared that apartments are not clean and the possibility of trespassing may increase.

Ibis Berardi, 906 Ocaso Lane #202, voiced her support of the proposed plan and expressed her desire for a wall or barrier between the apartments and Bella Vista. Mrs. Berardi also requested that the piece of vacant property north of her townhome remain undeveloped.

Shirley Kennedy, 927 Ocaso Lane #203, expressed concerns with drainage due to current flooding issues in the area and asked that attention be given to a sufficient drainage plan. She echoed the desire for a wall or barrier.

Planning Director Cooper explained that many resident concerns will be addressed during the site plan approval and pre-construction processes, including drainage and commercial development as it relates to growth in the city.

Commissioner Copenhaver noted that stormwater and drainage is an issue that is taken seriously and will be addressed appropriately throughout the development process.

Planning Director Cooper clarified that a barrier is not a requirement; however, the applicant has proposed the installation of a barrier.

Commissioners discussed signage and intersection improvements. Ms. Saunders provided a brief history of a tri-party agreement relating to the intersection that will become the entrance into the new apartment complex on Barnes Boulevard and clarified that Lowes will pay a pro-rata share of the intersection signalization. Planning Director Cooper noted that traffic concerns will be addressed during the site plan approval process, and preliminary school concurrency approval has already been obtained.

Brett McQuaide, DHI Communities, 834 Highland Avenue, Orlando, reiterated that the complex will be a gated Class A development with luxury amenities. He addressed concerns regarding green space, commercial outparcel interest, drainage and retention issues, and the height of the buildings.

There being no further public comment, Chairman Theilacker closed the public hearing.

Commissioner Jarvis moved to recommend approval of the Development Agreement for Ascend Apartments and to forward the recommendation to City Council; seconded by Commissioner Kuta. The motion carried with seven (7) in favor and one (1) in opposition (Rebelo).

5. SITE PLANS

- None

6. UNFINISHED BUSINESS

- None

7. NEW BUSINESS

- None

8. ADJOURN

There being no further business to come before the Commission, Chairman Theilacker declared the meeting to be adjourned at 6:49 p.m.

Submitted by:

Jennifer M. LeVasseur
Recording Secretary

Approved by:

Bob Theilacker
Chairman