

TOWN OF MALABAR
PLANNING AND ZONING ADVISORY BOARD
REGULAR MEETING
WEDNESDAY NOVEMBER 10, 2010
7:30 PM
MALABAR COUNCIL CHAMBER
2725 MALABAR ROAD
MALABAR, FLORIDA

AGENDA

- A. CALL TO ORDER, PRAYER AND PLEDGE**
- B. ROLL CALL**
- C. ADDITIONS/DELETIONS/CHANGES**
- D. CONSENT AGENDA :**
 - 1. Approval of Minutes - Planning and Zoning Meeting – 10/13/2010**
Exhibit: Agenda Report No. 1
Recommendation: Motion to Approve
- E. PUBLIC HEARING: none**
- F. ACTION:**
- G. DISCUSSION:**
 - 2. Recommendations from Council – Continue about US 1 Corridor Review**
Exhibit: Agenda Reports No. 2
Recommendation: Discussion
- H. PUBLIC:**
- I. OLD BUSINESS/NEW BUSINESS:**
- J. ADJOURN**

NOTE: THERE MAY BE ONE OR MORE MALABAR ELECTED OFFICIALS ATTENDING THIS MEETING.

If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to insure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105). The Town does not provide this service in compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

TOWN OF MALABAR
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 1
Meeting Date: November 10, 2010

Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary

SUBJECT: Approval of minutes

BACKGROUND/HISTORY:

The minutes must reflect the actions taken by the Board:

- Who made the Motion
- What is the motion
- Who seconded the motion
- What was the vote

Malabar has historically included discussion to provide the reader the understanding of how the Board came to their vote. It is not verbatim and some editing is done to convey the thought. People do not speak the way they write.

ATTACHMENTS:

- Draft minutes of P&Z Board Meeting of October 13, 2010

"The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board."

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
October 13, 2010 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:30 P.M. Prayer and Pledge led by Vice-Chair Pat Reilly.

B. ROLL CALL:

| | |
|----------------|----------------------------|
| CHAIR: | BOB WILBUR, |
| VICE-CHAIR: | PATRICK REILLY |
| BOARD MEMBERS: | DON KRIEGER |
| | BUD RYAN, excused |
| | LIZ RITTER |
| ALTERNATE: | CINDY ZINDEL |
| SECRETARY: | DENINE SHEREAR |
| TOWN PLANNER | KEITH MILLS |
| TOWN ENGINEER | MORRIS SMITH, P.E. excused |

C. ADDITIONS/DELETIONS/CHANGES:

Reilly would like to move public item up, but they are not here so I will not suggest this.

Sherear, Bud Ryan excused from this meeting, also Morris Smith, Town Engineer.

D. CONSENT AGENDA -

1. Approval of Minute- Planning and Zoning Meeting- 09/22/10

Exhibit: Agenda Report No. 1
Recommendation: Action

Motion: Reilly/ Krieger to Approve Minutes for September 22, 2010 with below noted corrections. All Vote: All Ayes.

The review and corrections to approve as corrected.

Krieger corrections page 2 5th line down -Reilly said Council supports what they have done so far. Correction they = P & Z. Page 4 second parag, the second line maye = may. Also, page 4-5th parag. Morris gave overview on Feasibility in the triangle area (Foundation Park). Add this to the sentence to clarify area.

Krieger/ Ritter page 4 clarification the 6th parag. last sentence " Ritter said it is too bad we didn't get it." Instead of get it-put the contract.

E. PUBLIC HEARING: none

F. ACTION:

G. DISCUSSION:

2. Recommendations from Council – US 1 Corridor Review

Exhibit: Agenda Reports No. 2
Recommendation: Discussion

Wilbur comment on the great maps provided by Morris the Town Engineer. He comments we need one more map south of the Rocky Point area.

Reilly comments that a map is missing but it is all the same zoning area. Wilbur would like to see a south area map due to this would be a good area for a river front park

Wilbur, start map review with north part Palm Bay/ Malabar boarder. (Map 3 of 3).
Krieger, Riverview Drive is settled, and then there is the storage area which is RL/C.

The Board is discussing the map page 3 of 3 and the designated areas of the blue lines, they would like to see the dark lines to show boundaries of marked zoning. For example on west side of US-1 south of Riverview Drive up to Malabar Road there is no dark lines.

Wilbur, discussing the CG where Yellow Dog is located is not defined; we need lines showing this designation on the east side of US1.

Ritter states we need to show where these lines go across to east side of US-1. Krieger questions about the area where the Yellow Dog is and south where the blue lines start what is between there, it cannot be anything it belongs to someone.

Wilbur discussing that we need to be going by the county plat maps rather than the line drawings for designation of areas. If we are going to make recommendations we need to go with exact maps.

Krieger we are basically going north to south to look at the applications of RLC and CG and how they relate, nothing in this first map (3 of 3) is in question that is why RLC was created and CG is CG.

Sherear explains about North West corner of Malabar Road & US-1 where there is no line designation; the state took this area for turn lane usage.

Reilly discussing the strip west of old post office the suggesting the strip should be CG all the way to the railroad track. Ritter said this could be the old road way.

Krieger wants to bring back the leaps and bounds, what the leaps and bounds meant did that include the strip west of old post office site. You would have to change leaps and bounds description.

Mills suggests that this is not a Land Use Map this is a zoning map area. The blue lines represent the property lines. What you are discussing along Malabar Rd already has already been discussed when the Malabar Road area was done.

Krieger discussing that looking at US 1 corridor along with the rest of the Town to see if at all makes sense, the south end of US1 we are reviewing commercial and high density areas along with railroad tracks and access to see if we want more RLC in that area.

Zindel adds about the Comprehensive Plan noting that certain specific areas only being RLC, but have RLC as a zoning designation and Land Use in the Code. The Code does not specify you can only have RLC in a certain area.

Reilly comments on the section in the Town Code 1-2.2.5 Policy RLC page 1-18. This is the new comments. When Boards was reviewing the EAR, I thought the Board suggested that we get rid of all the language that specified RLC. Reilly adds that we thought that we brought it up that we do not want to limit ourselves to specific areas.

Krieger adds that we would have to do this if we changed the areas, but at that point we had not changed these things.

*Wilbur commenting that we need an answer about limiting RLC to specific areas in the Town, if it is in the Comp Plan.

Zindel comments that we are looking at the best uses for the land and if it being used for the best use leave it alone.

Wilbur is looking at the US 1 corridor as a river front development area from the railroad tracks to the river should be considered.

The Board is discussing the area along Malabar Road and intersection of Highway 1

Ritter and Board discussing running line behind "Old Post Office" to make it all Commercial General instead of RLC.

Wilbur discussing about the "Old Junk Yard" just north of Malabar Rd next to Forensic Accounting is RLC.

Board is looking on the south side of Malabar Rd and different designations page 2 of Maps (MS Engineer Maps). From Malabar Rd south up to Camelot remains as designated.

Krieger is looking at map most of the area south is RLC designation, at Township Rd is "RM-6" there are houses, Township Rd used to go over railroad tracks is that ever going to go through again? Wilbur replies he does not believe the railroad will go through on Township Rd.

Krieger asks about the bridge coming up again and about going over the river.

Wilbur talking about that the bridge that the area discussed for the bridge to go through is preservation land, Coconut Point is all Archie Carr, It was Disney's at one time then Disney moved down to Wabasso Beach. When DOT was going to do the bridge it came down Glatter Rd. and go out north across Orange Ave and over pass over railroad tracks.

Krieger discussing about area by Township Rd, being RM- 6 would it be an area to give more of an opportunity to RLC. Wilbur is replying to not bring commercial into a residential neighborhood.

Krieger ask theoretical question, if you can have a home BTR why bother with changing area designation. Wilbur explains in RLC you can have customers come to your business. It has to do with traffic patterns

The Board is discussing the different parcel areas to the south of Township Wilbur talking about large parcels CG south of Township Rd that was changed.

Wilbur talking about a senior assisted living home requested a zoning change. CG= RLC

Wilbur asks staff about CG??? Where the blue lines are located on Morris's Map.

Mills need to see what the Land Use is in the (Future land use Map)

Staff – Morris- Debby – Denine We need to see what the land use is in that area?

Krieger, if we did not change anything in our comprehensive land use in the next 10 years and someone comes in to do a land use change would they have to go through the same process.

We are providing guidelines to the Council; if nothing is done at this point do we then make recommendation to Council to do a minor change.

Mills, responses that is depends on the size of the land if it is over 10 acres it has to be reviewed by State.(DCA) If less than 10 acres it goes to Town.

Mills if amend 4 passes it could work that everyone has to be reviewed by DCA , if less than threshold it would go to voters , the Town can change the plan.

Mills, asking is there a land use in comp plan

Mills, the development was proposed it went to RLC you need to look at the zoning match the land use (1-3 of Future Land Use map)

Mills suggest we need to look at Ordinance. You could have both Land Use and Zoning to work together.

Ritter, do the boundaries of Land Use & Zoning the same???? Suggests having a map with Land Use and Zoning overlay.

H. PUBLIC:

3. **Request from Citizen For Input on Assisted Living Facility -- Ms. Cora Lie**
Prince for ALF on Atz Road – RR-65 Zoning
Exhibit: Agenda Reports No. 3
Recommendation: Discussion

Reilly, suggest that we do not approve and the recommendation is that we do not approve there has been two others that have not been approved. It is all agreed on to not approve.

Open to the public:

Mayor Eschenberg, 2835 Beran Lane- Don mentioned the causeway I heard on Radio. I received a call from Florida Today newspaper reporter they called and left a message about the bridge idea over the river. They asked what do you think about it. I responded personally I would assume they put in Micco. In case it is in the paper this is what I said.

Krieger adds that the cost is a lot.

I. OLD BUSINESS/NEW BUSINESS:

Old Business:

Ritter, is in charge of Logue property got different ideas depends on price of property.
Krieger a form of park, park committee would assist.
Wilbur is on Old School house committee.

New Business:

Reilly asks Board about having an Appreciation Board Dinner on the night of the next P & Z Meeting which is October 27th, 2010 @ 7:30 PM. All Board members agreed

Krieger asks about obtaining a copy Minutes from the EELS Meeting which was held on September 30th, 2010, for this Board.

J. ADJOURN:

There being no further business to discuss, **MOTION:** Ryan / Ritter to adjourn this meeting.
Vote: All Ayes. The meeting adjourned 9:16 P.M.

BY:

Bob Wilbur, Chair

Denine M. Sherear, Secretary

Date Approved

DRAFT

TOWN OF MALABAR
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 2
Meeting Date: November 10, 2010

Prepared By: Denine Sherear, P&Z Board Secretary

SUBJECT: Continued Discussion About Land Use Along US 1

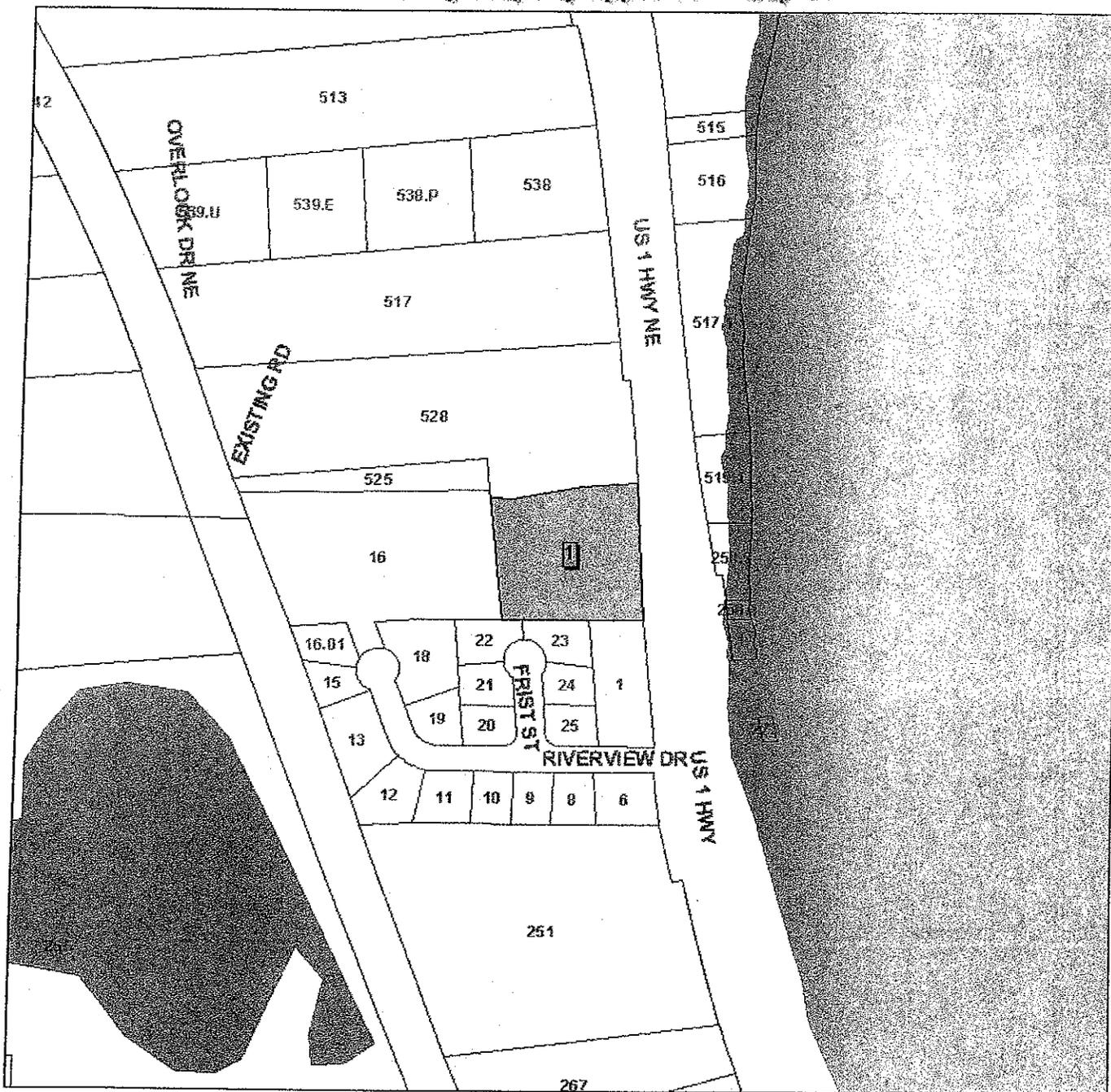
BACKGROUND/HISTORY:

Please see in this packet defined maps to clarify lines and areas along US- 1, to compare with aerial maps from meeting on 10/13/2010. This is also to include southern most Malabar as requested by this Board.

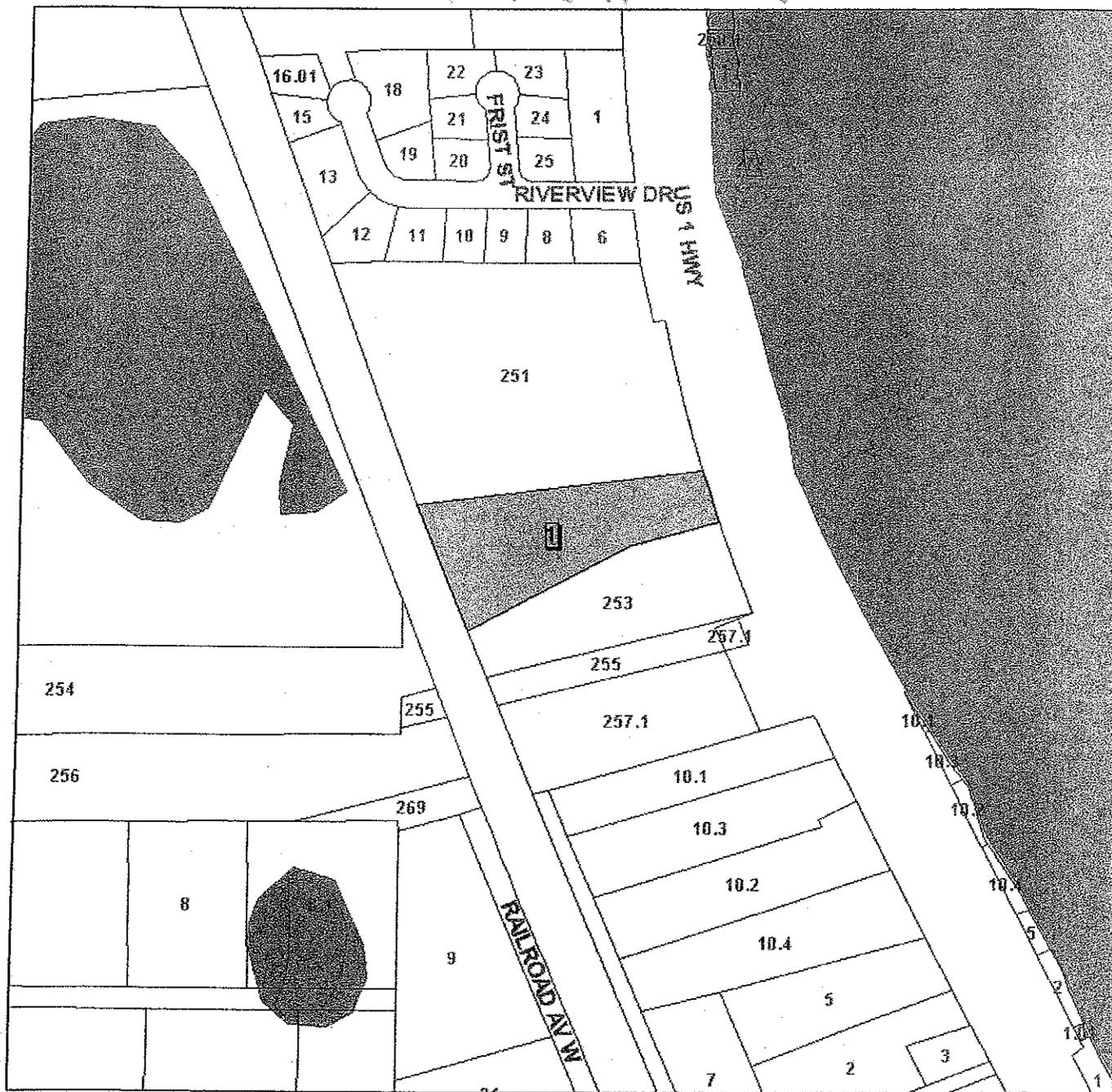
ATTACHMENTS:

- Maps from Property Appraisers (page 1-16) Page 1 starts with most Northern part of Malabar and page 16 is the Southern end of the Town of Malabar
- Zoning map 11 x 17 (1 page) (In Packets Only)

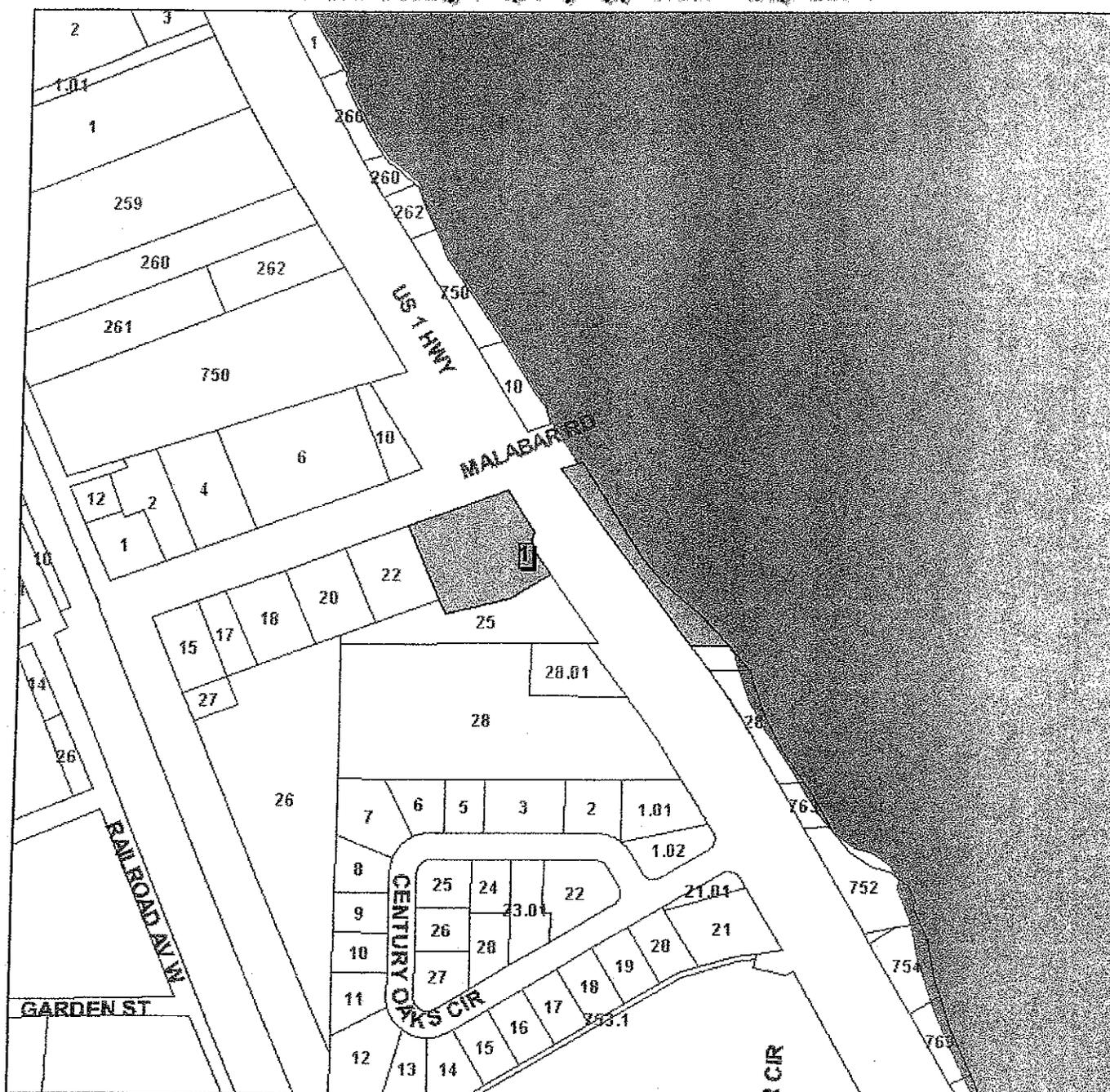
Jim Ford, CFA
Brevard County Property Appraiser - Map Search



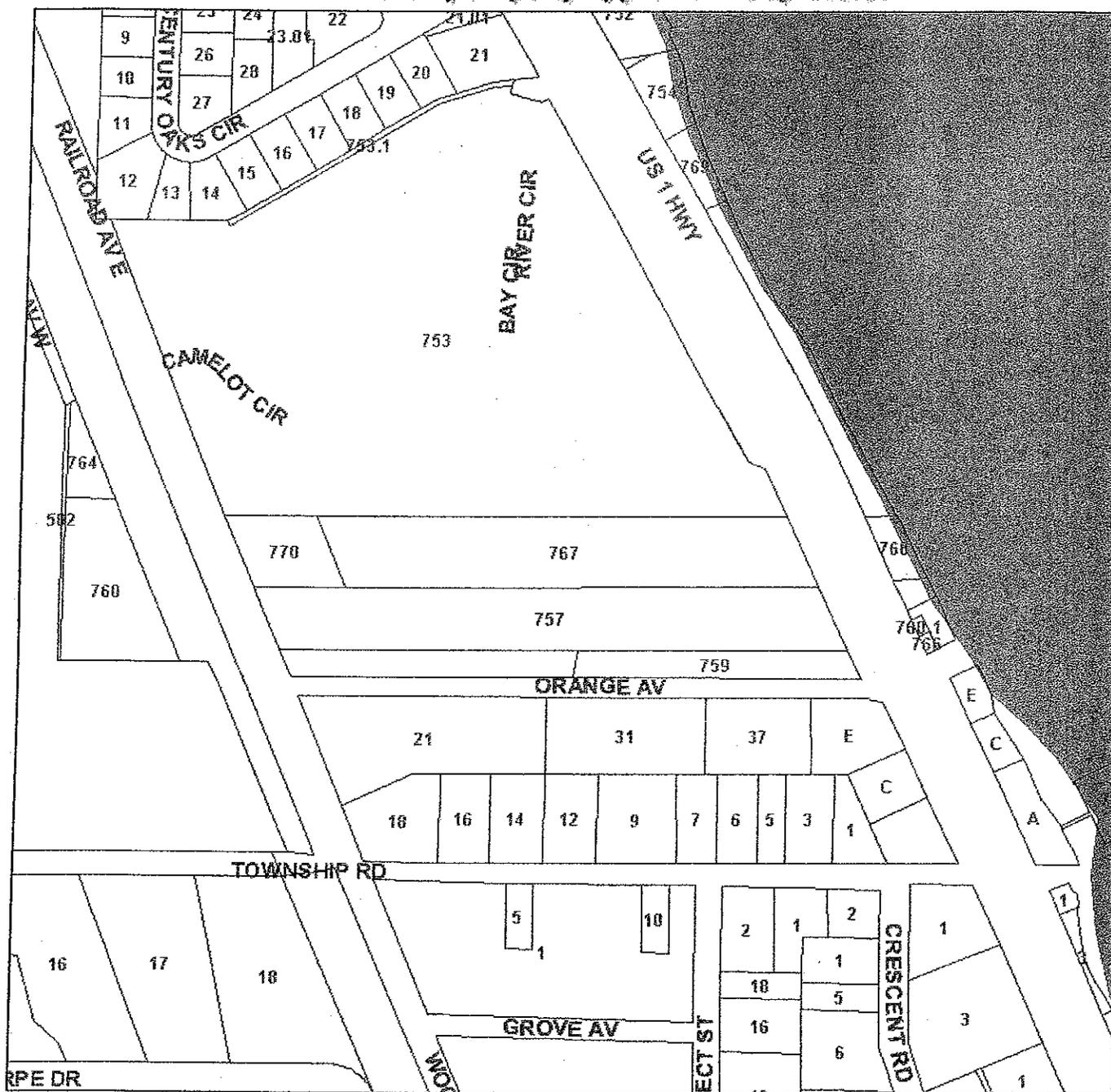
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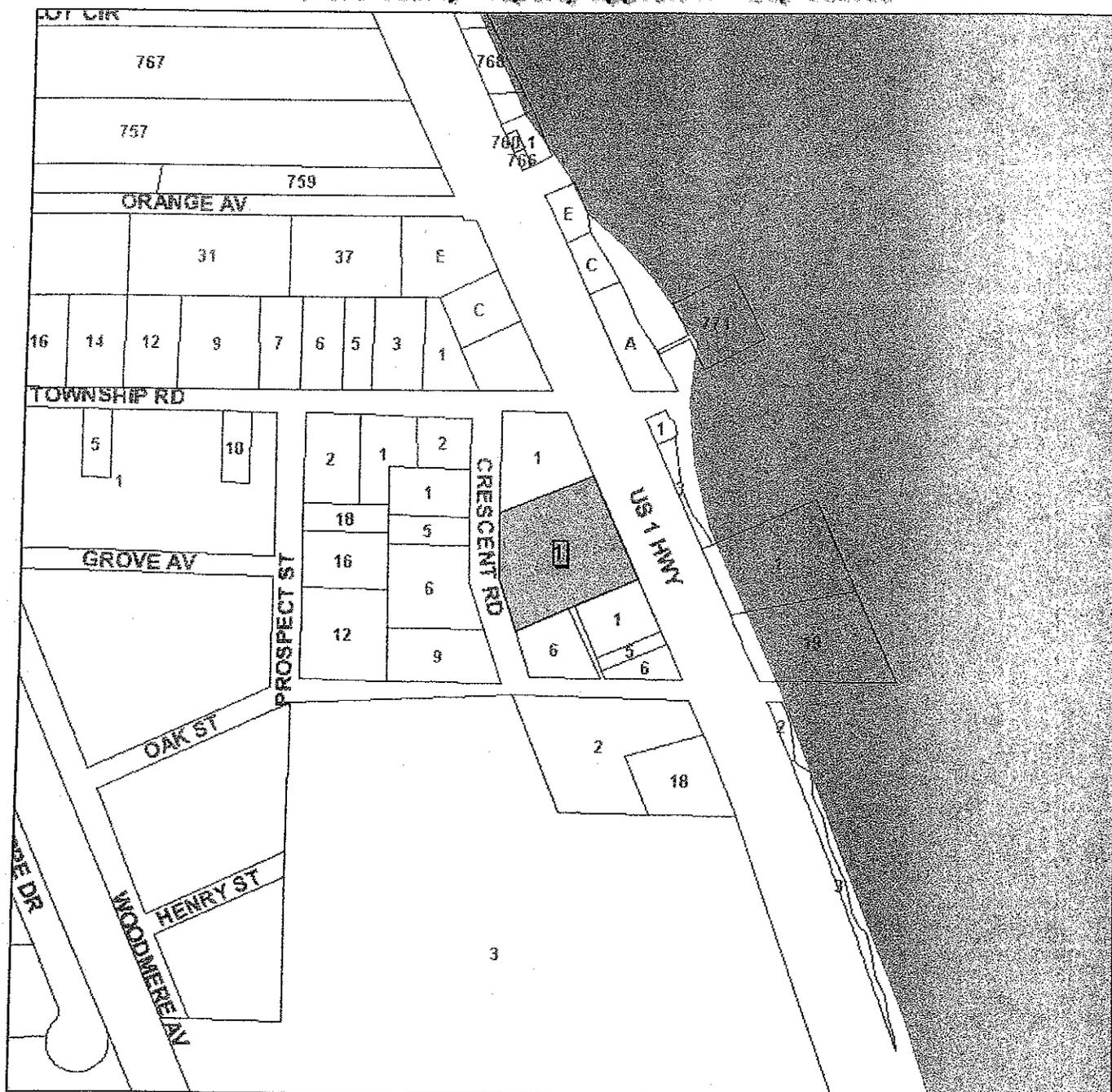
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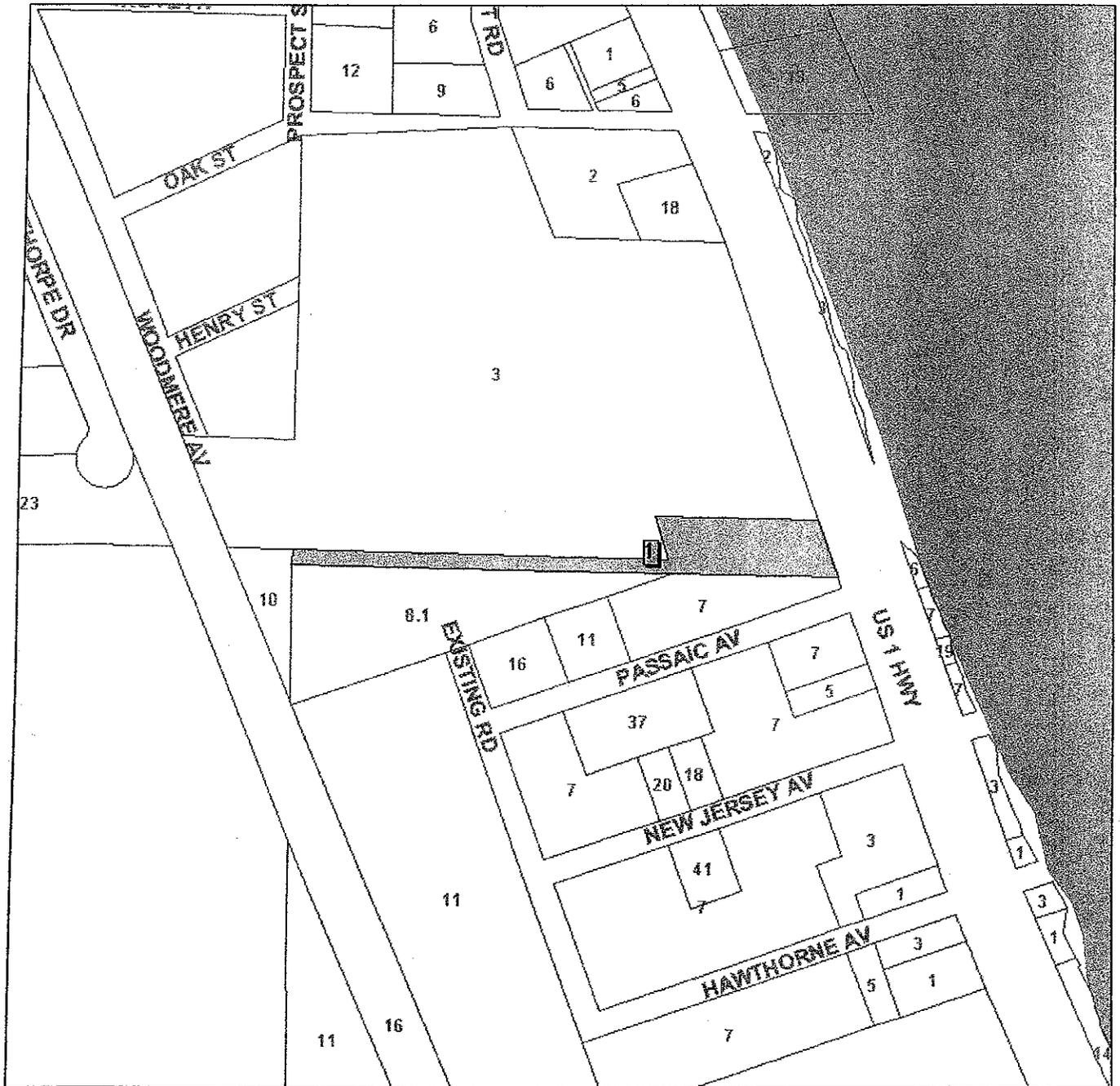
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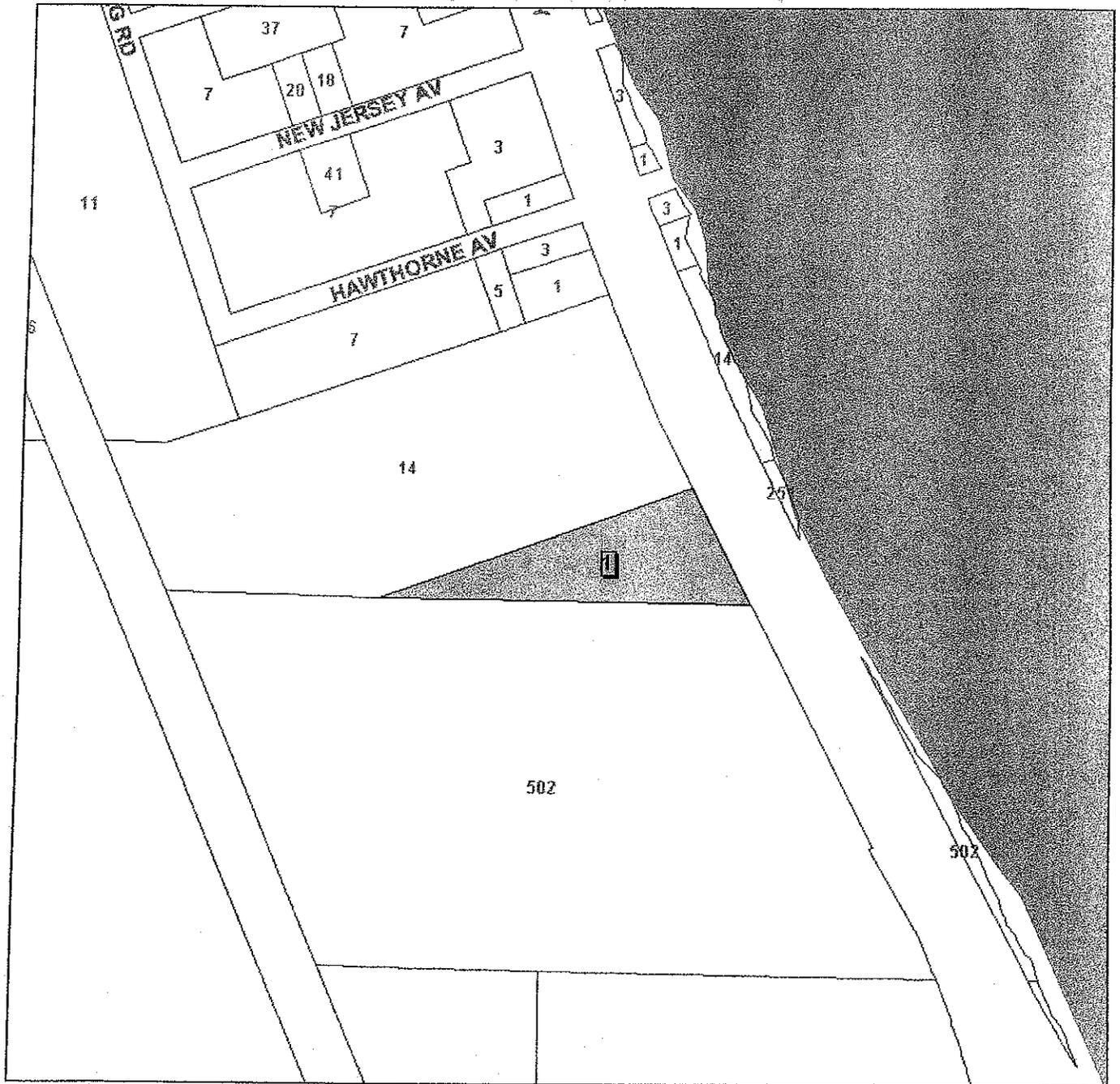
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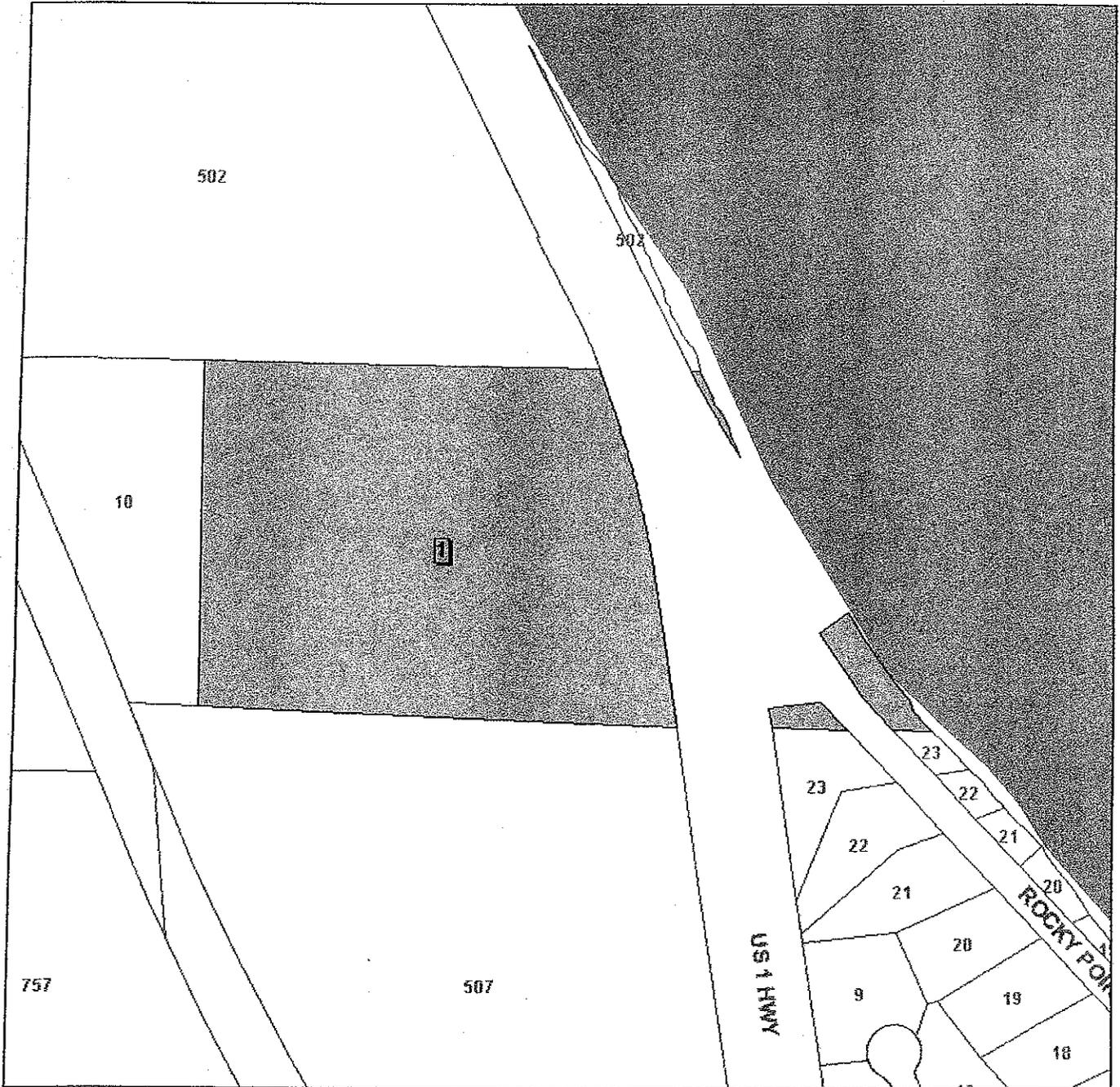
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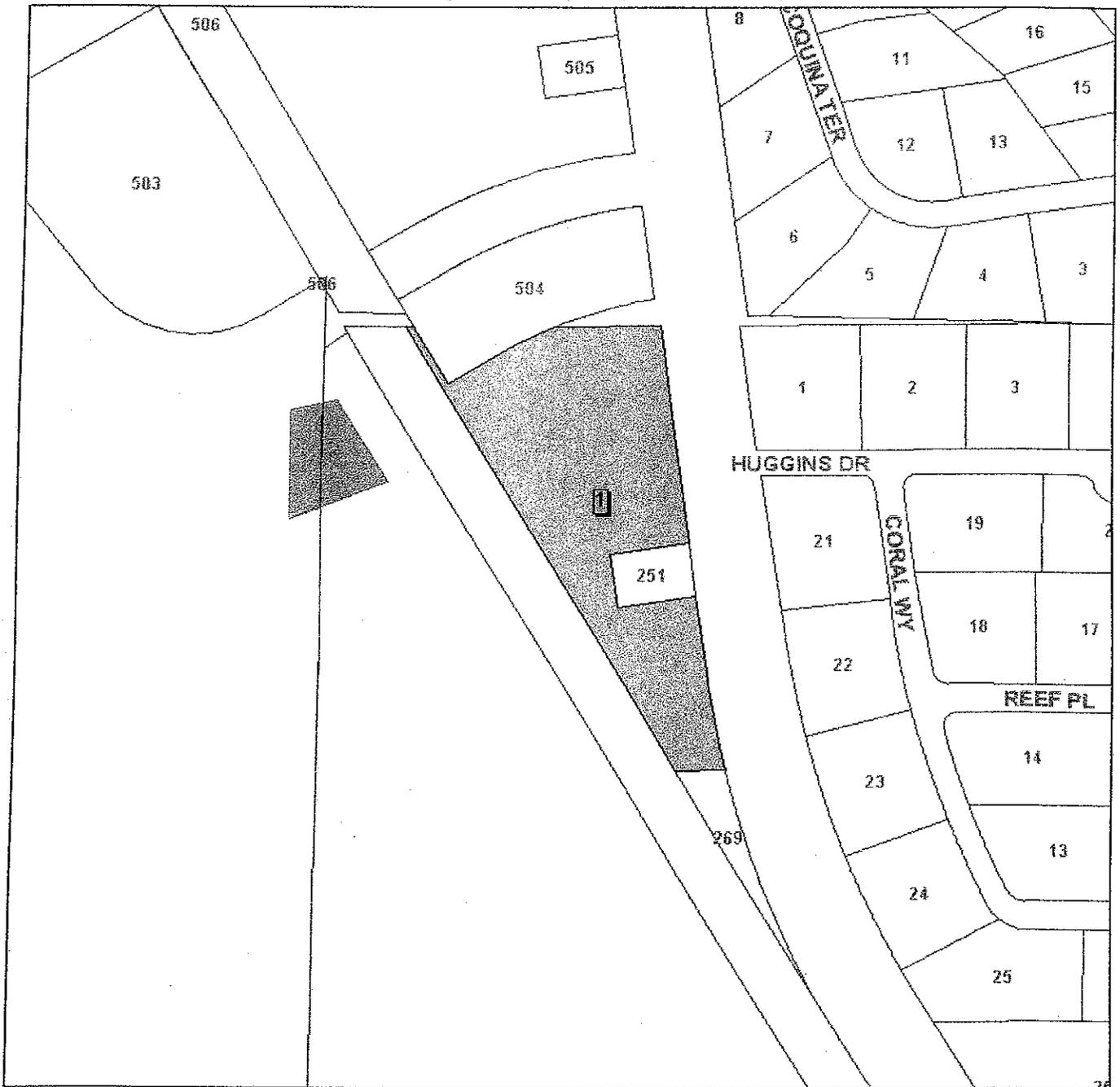
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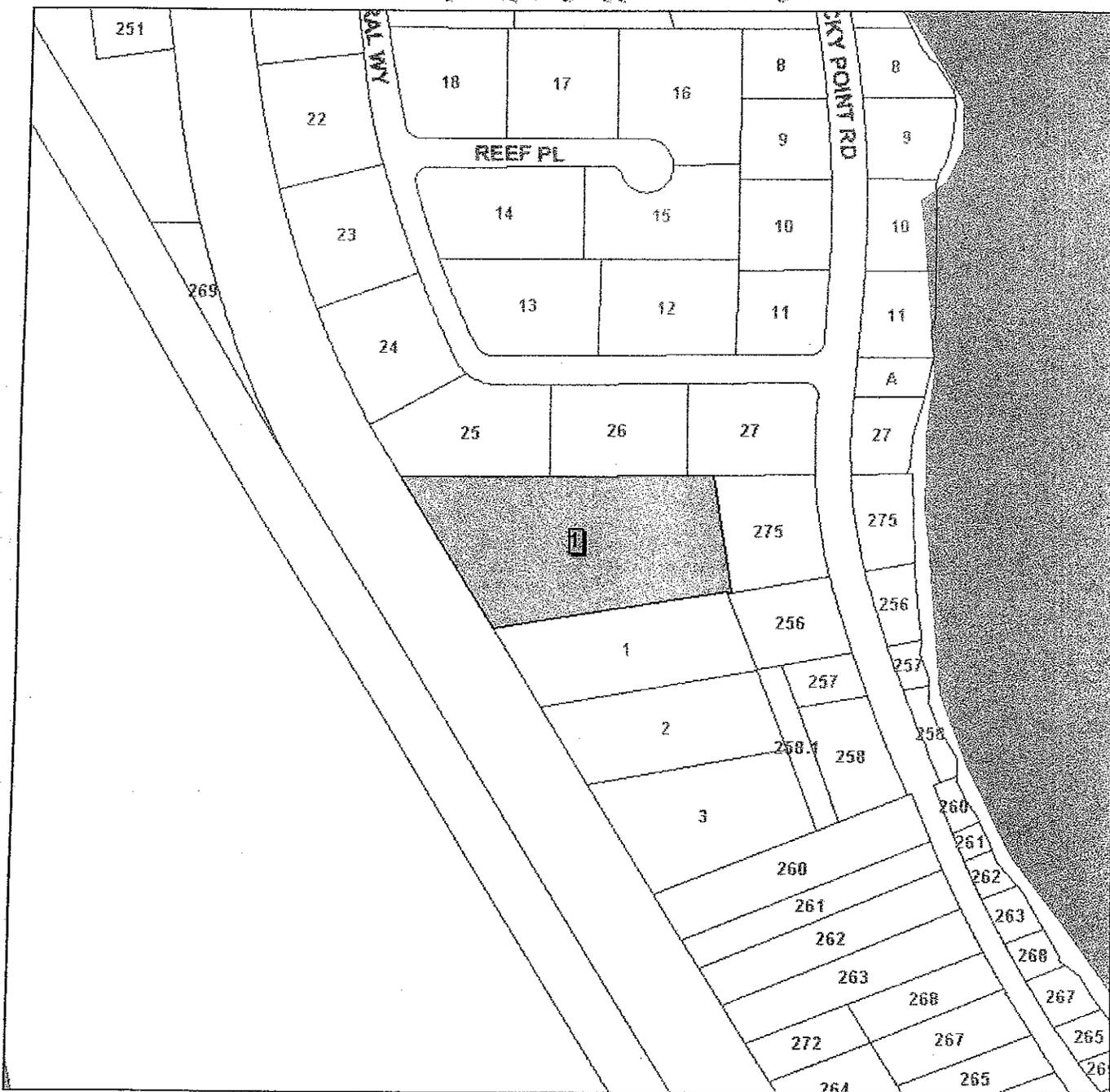
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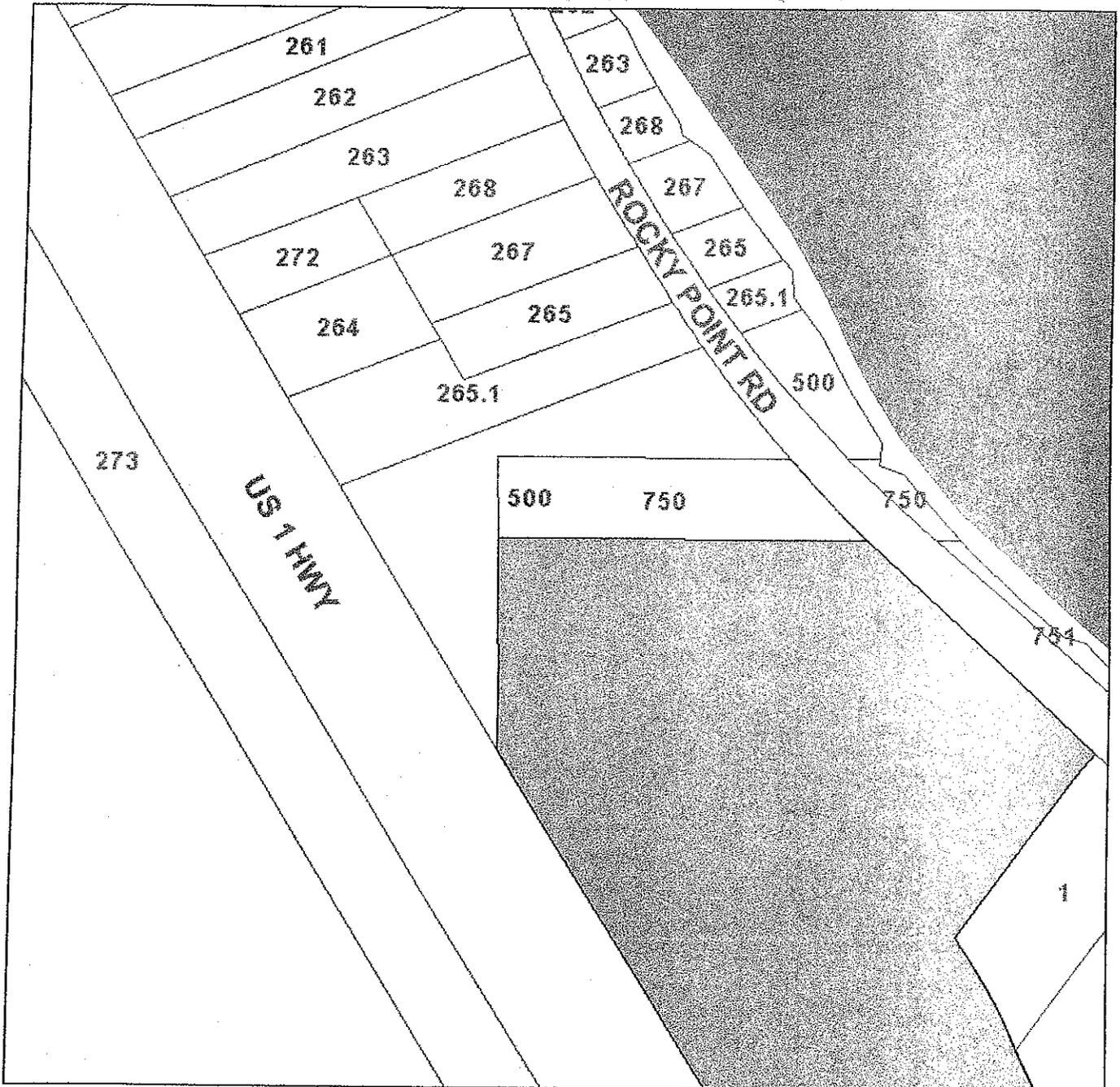
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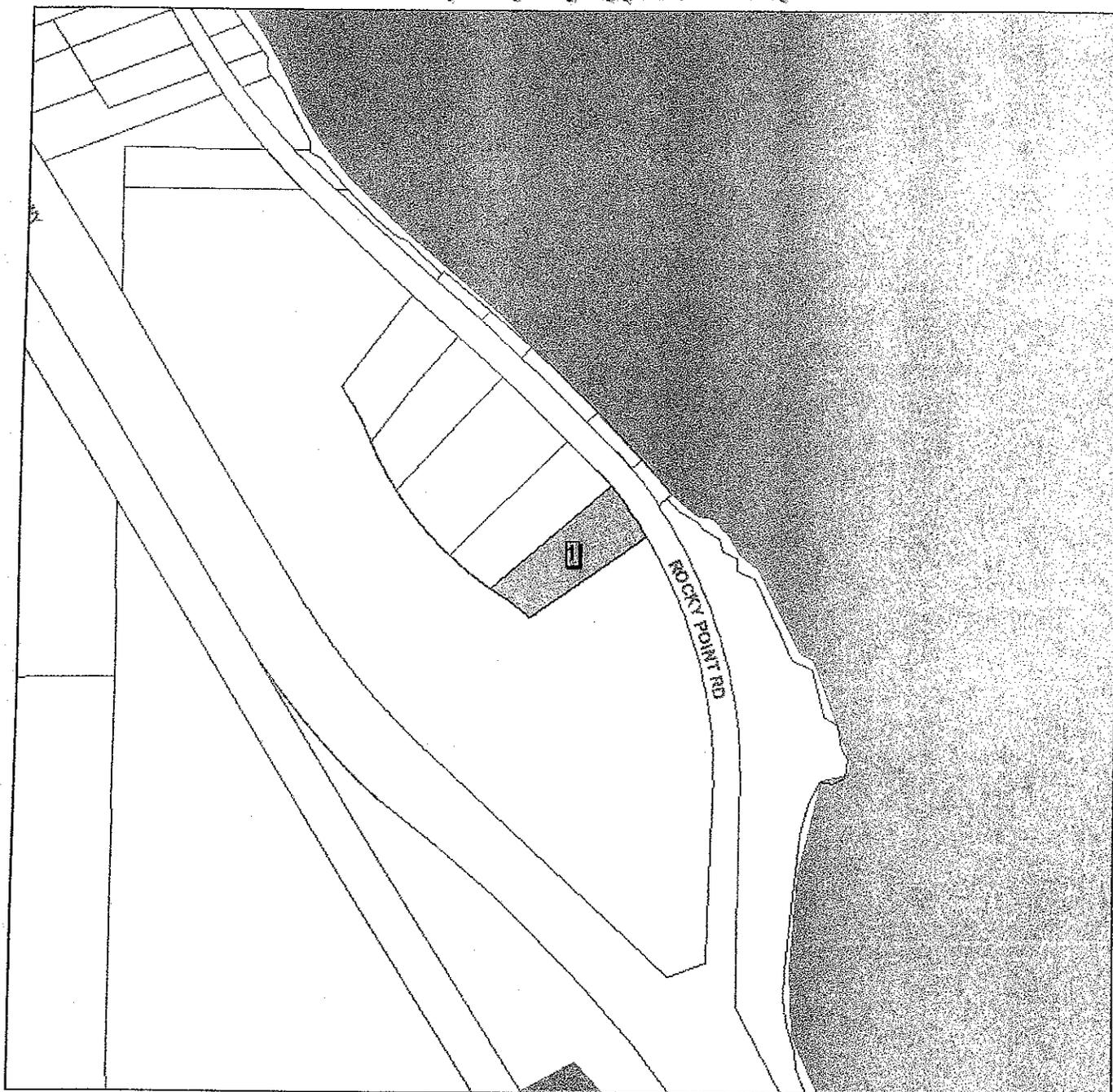
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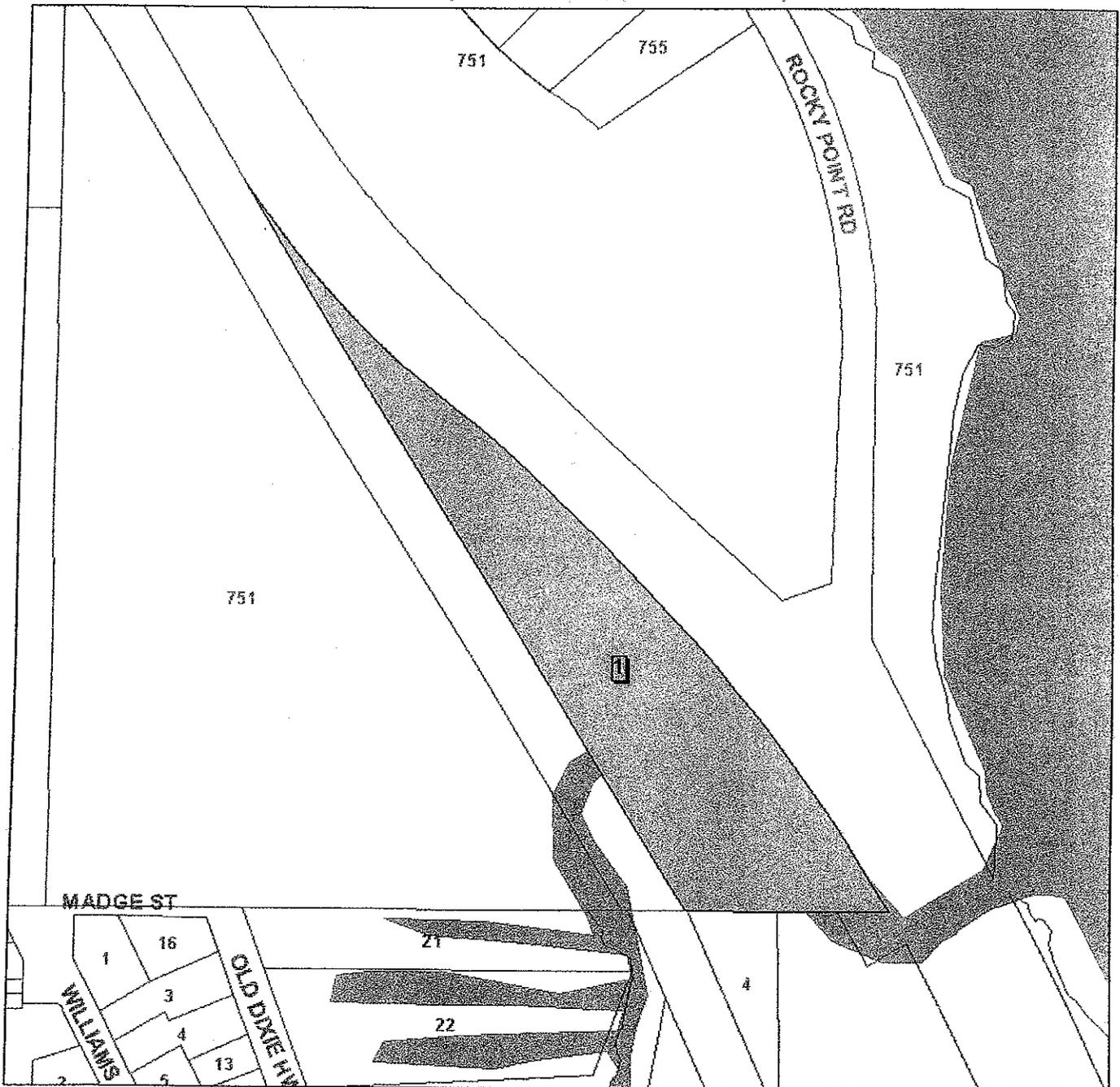
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