

**Planning and Zoning Commission
Regular Meeting
April 21, 2004**

The Planning and Zoning Commission (P&Z) of the City of Titusville, Florida met in regular session in the Council Chamber of City Hall, located at 555 South Washington Avenue on Wednesday, April 21, 2004 at 7:00 p.m.

XXX

Chairman Fayson called the meeting to order at 7:00 p.m. Present were, Secretary Shafer, Members Secor, Banks, Fuller and Tulley. Vice Chairman Taylor, Member Bealsey and Cipolletti were excused. Also present were City Attorney Dwight Severs, Planning Administrator Keith Cunningham, Senior Planner Don Land and Recording Secretary Tammy Holton.

XXX

The first item of business was the approval of the minutes for the April 7, 2004 regular meeting. Member Banks moved to accept the minutes with any necessary corrections. Secretary Shafer seconded the motion. There was a unanimous voice vote approval.

XXX

Chairman Fayson reviewed the quasi-judicial procedures verifying that all persons wishing to speak have signed an oath card; that all agenda items have been properly advertised; and member's comments if they have visited sites; or spoken to any members of the public regarding an item to be reviewed. Chairman Fayson stated he did visit the sites but spoke to no one and his visit would not effect his decision of the items. Member Tulley stated he had a conflict of interest relating to the Preliminary Plat for Sereno Pointe and would abstain.

XXX

Old Business:

Conditional Use Permit #2-2004 Frank Connell - The applicant is requesting a Conditional Use Permit to allow outdoor recreational and commercial amusements in a Regional Commercial (RC) zoning district. Located at 4710 South Washington Avenue. Don Land gave an overview of the request and gave a history of the rules relating to the paintball facility's operation as imposed by City Council. Discussion followed.

Frank Connell, 380 Maple Place - Informed P&Z of the plans for the relocation of the paintball facility. Mr. Connell told P&Z that there is more than adequate parking at the new location. He stated that there would be a 20-foot netting barrier around the perimeter, which would provide additional safety. Discussion followed.

Member Secor made a motion to approve CUP #2-2004. Member Fuller seconded the motion. Discussion followed. Don Land told P&Z that staff would amend their report section L to state outdoor recreation and amusement and remove funeral and crematory services. Discussion followed. Member Secor amended his motion to state approve with the correction to the staff

report to reflect the correct LDR code stating outdoor recreation and not funeral and crematory services. Member Fuller seconded the amendment.

Secretary Shafer – yes
Chairman Fayson – yes
Member Tulley – yes
Member Banks – yes
Member Secor – yes
Member Fuller – yes

New Business:

Preliminary Plat for Sereno Pointe – The applicant, Sereno Pointe LLC, is requesting a preliminary plat approval for the proposed 24 lot single-family subdivision located at the corner of Singleton Avenue and S.R. 405. The site consists of approximately 24.11 acres and is zoned Rural Residential (RR) ½ acre minimum lot size. Don Land gave an overview of the preliminary plat and staff recommendation. Discussion followed.

T.R. Ruta, 2950 Guinevere Drive – Informed P&Z that he is the managing partner for Sereno Pointe. Told P&Z that they are requesting squalls to retain water in the areas as gutters wash it away from the area of critical concern. This presents a conflict within the requirements for the City, which will be addressed under a variance. Mr. Ruta stated he had spoken with Fire Marshall Chuck Bogle relating to safety concerns in the cul-de-sac. Discussion followed.

Member Secor made a motion for approval of the Preliminary Plat for Sereno Pointe. Secretary Shafer seconded the motion.

Member Banks – yes
Member Tulley – abstained
Member Secor – yes
Secretary Shafer – yes
Chairman Fayson – yes
Member Fuller - yes

Conditional Use Permit #5-2004 Juanita Novotny - The applicant is requesting a Conditional Use Permit to allow indoor recreational and commercial amusements in a Regional Commercial (RC) zoning district. Located at 2412 - 2420 South Washington Avenue. Don Land gave an overview of the request.

Juanita Novotny, 3427 Worsham Place – Relayed to P&Z that there would be more parking at the new location than she had at her old location. Ms. Novotny stated she had a license to serve beer and wine but does not sell to minors.

Member Banks made a motion to approve CUP #5-2004 with staff recommendation. Member Tulley seconded the motion.

Member Tulley – yes
Secretary Shafer – yes
Chairman Fayson – yes
Member Banks – yes
Member Secor – yes
Member Fuller - yes

Ms. Novotny told P&Z that she had two teams that will be competing in the National Tournament in Las Vegas. P&Z congratulation the teams for their accomplishment and wished them well in the tournament.

Resolution # xx-2004 Notice of Proposed Change for the VectorSpace Development of Regional Impact (DRI) - VectorSpace is a 164-acre development located on the east side of US1, south of SR 405 Nasa Causeway in Titusville, Florida. The proposed resolution extends the build out date from the year 2003 to the year 2012. Don Land gave an overview of the resolution. Discussion followed.

Secretary Shafer made a motion to approve Resolution # xx-2004 Notice of Proposed Change for the VectorSpace Development of Regional Impact (DRI). Member Banks seconded the motion. Discussion followed.

Member Secor – yes
Member Banks – yes
Secretary Shafer – yes
Chairman Fayson – yes
Member Tulley – yes
Member Fuller - yes

Joint Planning Agreement (JPA) – The JPA between Brevard County and the City of Titusville will foster better intergovernmental coordination and cooperation, address joint planning and review areas, eliminate certain enclaves and provide the framework for more efficient provision of services. Don Land gave an overview of the request. Discussion followed.

Secretary Shafer made a motion to accept the Joint Planning Agreement (JPA). Member Fuller seconded the motion. Discussion followed. Member Tulley voiced concerns for the legality of the document. City Attorney Dwight Severs stated he had reviewed the document. This is a process for a mechanism to provide communication from the City and the County. Discussion followed.

Secretary Shafer – yes
Chairman Fayson – yes
Member Tulley – no
Member Banks – yes
Member Secor – yes
Member Fuller – yes

Reports:

Member Secor – Told P&Z that he would not be able to attend the May 5, 2004 meeting.

Chairman Fayson – Stated he would not be able to attend the May 19, 2004 meeting.

XXX

Adjournment:

The meeting adjourned 8:40 p.m.