

**Planning and Zoning Commission  
Regular Meeting  
August 20, 2003**

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, August 20, 2003 at 7:00 p.m.

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Chairman George Fayson called the meeting to order at 7:00 p.m. Present were Secretary Thomas Taylor, Members Lorene Shafer, John Beasley, Fred Banks, and Keith Cox. Vice Chairman Crowell was excused. Also present were City Attorney Dwight Severs, Planning Administrator Keith Cunningham, Planner Don Land, and Recording Secretary Tammy Holton.

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The first item of business was the approval of the minutes for the August 6, 2003 regular meeting. Member Banks moved to approve the minutes with any necessary corrections. Secretary Taylor seconded the motion. The motion carried unanimously.

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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.

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**Old Business:**

Conditional Use Permit #11-2003, John Evans, P.A. with permission of Julius Feher - The applicant is requesting a Conditional Use Permit for a recycling facility within the Industrial (M-2) zoning designation. Located at 4475 South Street. Don Land gave a brief overview of the request and informed P&Z that the applicant requested tabling the item until September 17, 2003 in order to gather more information.

Member Cox made a motion to remove item from the table. Secretary Taylor seconded the motion. There was an unanimously voice vote.

Secretary Taylor moved to table CUP #11-2003 until the September 17, 2003 regular meeting. Member Banks seconded the motion.

Member Beasley – yes

Member Shafer – yes

Secretary Taylor – yes

Chairman Fayson – yes

Member Banks – yes

Member Cox – yes

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**New Business:**

Ordinance #33-2003 – Amending the Shoreline Mixed Use (SMU) Zoning Regulations. Keith Cunningham gave an overview of the staff recommended changes via a PowerPoint presentation. Discussion followed. Member Cox stated he was concerned with the additional densities being done at staff ‘s review and not as a conditional use. Discussion followed. Chairman Fayson stated that P&Z was not comfortable with the language on the density increase for local streets at the staff review level.

John Evans, 1702 South Washington Avenue – In favor. Represented Towne Realty. Asked P&Z to accept ordinance as drafted. Stated south of his client’s property it is very difficult for any access. Residents of this project would not be driving past the single-family homes to the south. Residents would be exiting at the northern exit on U.S. Highway One. Supports ordinance as drafted. Discussion followed.

Kohn Bennett, 4080 Old Settlement Road, Merritt Island – In favor. Stated that City Council has recognized the difference in the access for the area and staff has crafted an ordinance that reflects Council wishes for the best uses of the area.

Loys Ward, 1707 South Washington Avenue - In favor. Ordinance as drafted is more complex than any other ordinance the city has, does take into account density issues for the area. Allows traffic flow patterns that will reduce impact to the local street. Staff has done a good job and would request P&Z’s approval.

Laura Ward, 5317 Riveredge Drive – Against. Stated this is a silly ordinance. Does not protect Riveredge Drive area. Presented P&Z with maps of the area and stated the south piece of the property has U.S. Highway One access. Stated developers like the ordinance, which allows them to build whatever they want. She would like to carve out a neighborhood zoned with six units to the acre with 35-foot height limitation (3-stories). This is a residential neighborhood not U.S. Highway One. Stated P&Z looked at the Riveredge Drive citizens as foot-draggers, not wanted to annex into the City of Titusville. The State has a specific way that annexation should be done, Riveredge Drive is a complete neighborhood sustained in Brevard County. The City of Titusville’s Comprehensive Plan is being ignored as far as annexing Riveredge Drive. Asking that P&Z recognize Riveredge Drive is a cohesive neighborhood and not in line with what the developer wants to do for the area. There have been no traffic studies by the applicant as required, no survey, no statement of environment impact and tons more of documentation missing. Ms. Ward stated she would submit a list of the missing documentation and let it go at that. Discussion followed.

Member Shafer made a motion for approval of Ordinance #33-2003. Secretary Taylor seconded the motion.

Member Banks – yes

Member Cox – no

Member Shafer – yes

Secretary Taylor – yes

Chairman Fayson – yes

Member Beasley - no

Conditional Use Permit #13-2003 Towne Realty, Inc., with permission from Susan Pearson, the owner - The applicant is requesting a Conditional Use Permit to allow additional building height for a proposed mid-rise condominium project in the Shoreline Mixed Use (SMU) zoning

designation. Located on the east side of U.S. Highway One approximately 1,178 feet south of the northern terminus of Riveredge Drive. Don Land suggested to P&Z to conduct the public hearing on items 2, 3, and 4 (CUP #13-2003, SSA #8-2003, and SSA #9-2003) together and then vote individually for each item. Don Land gave a history and overview of the request. Stated that staff revised their recommendation for approval with the conditional that the applicant meet the requirements in the proposed SMU Ordinance #33-2003. Discussion followed.

Kohn Bennett, 4080 Old Settlement Road, Merritt Island – In favor. Informed P&Z that he was before them again at the request of City Council to satisfy the advertising criteria. Reviewed with P&Z the changes in access as requested by P&Z previously. Reviewed site plan changes with P&Z at the request of City Council. Addressed the request for additional height. Discussion followed.

Loys Ward, 1707 South Washington Avenue – In favor. Encouraged P&Z to approve the request. Reviewed traffic numbers with P&Z from the FDOT manual.

Laura Ward, 5317 Riveredge Drive – Against. Traffic counts per ordinance are required. Legal description should not be used in place of survey. This is a Riveredge Drive project not U.S. Highway One. It is absurd to say all traffic will be on U.S. Highway One and not Riveredge Drive. Requested only emergency access is used on Riveredge Drive. Stated the project would be more than three buildings. Member Shafer requested that her presentation be limited to five minutes as Ms. Ward is stating the same points as before. Ms. Ward stated she would not take up any more time but would like her question answered on the survey and when was the AIP approved. Discussion followed. Asked that P&Z restrict project to 35-feet and no access on Riveredge Drive.

John Evans, 1702 South Washington Avenue - In favor. Legal description has been certified to the City with acreages. Stated Riveredge Drive citizens fear that something is going to happen with mass traffic, this will not happen. This will help property values not harm them.

Secretary made a motion for approval of CUP #13-2003 with staff recommendation and conditions. Motion was seconded by Member Shafer.

- Secretary Taylor – yes
- Chairman Fayson – yes
- Member Beasley – yes
- Member Shafer – yes
- Member Banks – yes
- Member Cox - yes

SSA #8-2003, Towne Realty, Inc., with permission from Susan Pearson, the owner - The applicant is requesting a change of land use from Commercial – High Intensity to Shoreline Mixed Use and to rezone from Light Industrial Services and Warehousing (M1) to Shoreline Mixed Use (SMU). Located on the east side of U.S. Highway One approximately 1,178 feet south of the northern terminus of Riveredge Drive.

Motion was made by Member Cox for approval of SSA #8-2003 with staff recommendation and conditions. Motion was seconded by Member Beasley.

- Member Cox – yes
- Member Beasley – yes
- Members Banks – yes

Secretary Taylor – yes  
Member Shafer – yes  
Chairman Fayson - yes

SSA #9-2003, Towne Realty, Inc., with permission from Susan Pearson, the owner - The applicant is requesting annexation of ±8.0 acres of the subject property with a Shoreline Mixed Use Land Use and Shoreline Mixed Use (SMU) zoning. The site is presently zoned Light Industrial (IU) with a Community Commercial Land Use in Brevard County. Located on the east side of U.S. Highway One approximately 1,178 feet south of the northern terminus of Riveredge Drive.

Secretary Taylor made a motion for approval of SSA #9-2003 with staff recommendation and conditions. Motion was seconded by Member Shafer.  
Secretary Taylor – yes  
Member Beasley – yes  
Chairman Fayson – yes  
Member Shafer – yes  
Member Banks – yes  
Member Cox - yes

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**Reports:**

City Staff - Reminded P&Z of their semi-annual update on September 9, 2003. Chairman Fayson stated he would be out of town and would asked Secretary Taylor to make the presentation to City Council.

Chairman Fayson – Thanked staff for providing P&Z with the fence and subdivision ordinances.

Member Shafer – Stated she was glad the Riveredge Drive issue was accomplished.

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Adjournment:  
The meeting adjourned 8:31 p. m.