

City of Melbourne



City Hall • 900 E. Strawbridge Avenue, Melbourne, FL 32901
(321) 608-7200 • Fax (321) 608-7219

CITY COUNCIL AGENDA

January 24, 2012 ♦ 6:30 P.M.

This meeting shall adjourn by 11:00 p.m. Extension of the meeting beyond 11:00 p.m. shall only be authorized by a majority vote of City Council.

In accordance with Council policy, the roll call vote rotates each meeting. During this meeting, the vote will be Districts Two through One except that the Mayor will vote last as provided by City Code and the Vice Mayor will vote second to last.

1. **Invocation** - Council Member Kathy Meehan
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamations and Presentations**
5. **Approval of Minutes** - January 10, 2012 - Regular Meeting
6. **City Manager's Report**
7. **Public Comments**

UNFINISHED BUSINESS

8. **ORDINANCE NO. 2011-59 (CU-2011-12) OUR LADY OF LOURDES:** (First Reading/Public Hearing) An ordinance granting a conditional use to allow expansion of a church facility for overflow parking and other accessory service buildings on a 1.04±-acre parcel zoned R-1A (Single-Family Low Density Residential), located east of Oak Street, west of Hickory Street, north of Palmetto Avenue, and south of Lincoln Avenue. (Owner/Applicant - Our Lady of Lourdes Diocese of Orlando) (Representative - Paul Cosentino) (Postponed - 12/13/11)
9. **ORDINANCE NO. 2012-01 (CU-2011-16) U-CYBER CENTER & U-PIZZA:** (First Reading/Public Hearing) An ordinance granting a conditional use to allow an amusement center in conjunction with an existing take-out restaurant on a 0.620±-acre portion of a developed 1.836±-acre property zoned C-1 (Neighborhood Commercial), located on the south side of East University Boulevard, west of Grant Street, and east of Carver Street. (Owner - Charlie Burr) (Applicant/Representative - Yuksel Oldac) (Postponed - 1/10/12)
10. **ORDINANCE NO. 2012-02 (AR-2011-234), ORDINANCE NO. 2012-03 (CPA-2011-03), ORDINANCE NO. 2012-04 (Z-2011-1175), AND ORDINANCE NO. 2012-05 (CU-2011-15/SP-2011-08) MURPHY EXPRESS BEACHSIDE:** Ordinances providing for annexation, a Comprehensive Plan Amendment to establish Future Land Use, zoning designation, and granting a conditional use with site plan approval on 0.806±-acre parcel, located on the north side of east Eau Gallie Boulevard, west of Highway A1A, and east of Ponce de Leon Drive. (Owner - Martin E. Terrico, Trustee) (Applicant - Murphy Oil USA, Inc.) (Representative - Scott Stannard, Commercial Site Solutions, Inc.)
 - a. **Ordinance No. 2012-02/AR-2011-234:** (Second Reading/Public Hearing) An ordinance providing for annexation of a 0.806±-acre parcel. (First Reading - 1/10/12)



- b. **Ordinance No. 2012-03/CPA-2011-03:** (Second Reading/Public Hearing) An ordinance providing for a Comprehensive Plan Amendment establishing a Future Land Use of General Commercial on a 0.806±-acre parcel. (First Reading - 1/10/12)
- c. **Ordinance No. 2012-04/Z-2011-1175:** (Second Reading/Public Hearing) An ordinance establishing C-P (Commercial Parkway) zoning on a 0.806±-acre parcel. (First Reading - 1/10/12)
- d. **Ordinance No. 2012-05/CU-2011-15/SP-2011-08:** (Second Reading/Public Hearing) An ordinance granting a conditional use with site plan approval to allow construction of a gas station with 10 fueling stations on a 0.806±-acre parcel. (First Reading - 1/10/12)

NEW BUSINESS

11. **CONSENT AGENDA:**

- a. Purchase of 26,400 pounds of PA-110-PWG dry polymer for Water Production, KED Group, Inc., Orlando, FL - \$43,560.
- b. Approval of \$20,000 SHIP Award to Love INC., Inc. for delivery of SHIP Limited Scope Rehabilitation Services.
- c. Authorization to submit a grant application for \$30,271.56 to the Brevard County 2011 EMS Grant Program, to accept the grant if awarded, and authorization for the City Manager to execute any necessary grant documents.
- d. **Resolution No. 3230:** A resolution supporting the Economic Development Commission of Florida's Space Coast's application to the State of Florida Department of Economic Opportunity on behalf of "Project Exceed" for tax refunds through the Brownfield Redevelopment Jobs Bonus Refund Program.
- e. **Resolution No. 3231:** A resolution approving an Interlocal Agreement with the Board of County Commissioners of Brevard County relating to conveyance by County deed of the parking lot located at 618 Melbourne Avenue known as Henegar Center parking lot; authorizing the City Manager to execute the Interlocal Agreement, conduct a feasible study, and accept the County deed under certain circumstances.
- f. **Resolution No. 3232:** A resolution approving an Interlocal Agreement with the Board of County Commissioners of Brevard County relating to conveyance by County deed of the 16±-acre park known as Riverview Park authorizing the City Manager to execute the Interlocal Agreement, conduct a feasible study, and accept the County deed under certain circumstances.

12. **ITEMS REMOVED FROM THE CONSENT AGENDA**



13. **ORDINANCE NO. 2012-06 (CU-2011-17/SP-2011-09) MIDAIR USA MAINTENANCE HANGARS:** (First Reading/Public Hearing) An ordinance granting a conditional use with site plan approval to allow a building height of 82 feet (additional 34 feet) on a 13.41±-acre parcel zoned M-1 (Light Industrial), located on the north side of General Aviation Drive, east of Croton Road, and west of Apollo Boulevard. (Owner - Melbourne Airport Authority) (Applicant - Midair USA) (Representative - John Genuise, Jr., BRPH, Inc.) (P&Z Board - 1/05/12)
14. **ORDINANCE NO. 2012-07 (CU-2011-18) MELBOURNE PROFESSIONAL CENTER/GBA TRAINING:** (First Reading/Public Hearing) An ordinance granting a conditional use to allow educational uses on a portion of a 5.33±-acre site zoned C-1A (Professional, Offices, and Services), located on the north side of Sarno Road, west of Apollo Boulevard, and east of Ixora Drive. (Owner - Melbourne Professional Complex, LCC) (Applicant/Representative - Kim Rezanka) (P&Z Board - 1/05/12)
15. **ORDINANCE NO. 2012-08 (CPA-2011-04) AND ORDINANCE NO. 2012-09 (Z-2011-1176) BONITA BEACH:** Ordinances providing for a Comprehensive Plan Amendment and rezoning on a 1.0±-acre portion of an overall 1.99±-acre parcel, located on the north side of east Eau Gallie Boulevard, west of Highway A1A, and east of Bel Aire Drive. (Owner/Applicant - Indian Harbour Beach Villas, LLC) (Representative - Philip Nohrr) (P&Z Board - 1/05/12)
 - a. **Ordinance No. 2012-08/CPA-2011-04:** (First Reading/Public Hearing) An ordinance providing for a Comprehensive Plan Amendment changing the Future Land Use from Medium Density Residential to Mixed Use on a 1.0±-acre portion of an overall 1.99±-acre parcel.
 - b. **Ordinance No. 2012-09/Z-2011-1176:** (First Reading/Public Hearing) An ordinance changing the zoning from R-2 (8) (One-, Two-, and Multiple-Family Dwelling Medium Density with a cap of eight units per acre) to C-1 (Neighborhood Commercial) on a 1.0±-acre portion of an overall 1.99±-acre parcel.
16. **PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**
17. **ADJOURNMENT**

Mayor Goode and Council Members John Thomas and Molly Tasker, as members of the Airport Authority Board, may discuss Airport Authority issues, which may subsequently be addressed by the Airport Authority.

Vice-Mayor Mike Nowlin and Council Members Kathy Meehan, Mark LaRusso, and Greg Jones (alternate), as members of the Space Coast Transportation Planning Organization (SCTPO), may discuss SCTPO issues, which may subsequently be addressed by the SCTPO.

Pursuant to 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting or hearing, he will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office (321/608-7220) at least 48 hours prior to the meeting.