



BOARD OF COUNTY COMMISSIONERS

Planning & Development Department

2725 Judge Fran Jamieson Way

Building A, Room 114

Viera, Florida 32940

Addendum #2 24PUD00003 CITY POINT PUD

Amendment to the staff comments considering the wetlands on the subject property:

- Per Section 62-3694(c)(1) residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres. The wetland portion of the property is less than five (5) acres, therefore residential land uses cannot be supported. The current entitlement allows for seven (7) dwelling units.

There remains an outstanding staff comments, dated November 3, 2025:

- Public Works Engineering: The engineer will need to evaluate the outfall pipes across the North Indian River roadway. The pipe will most likely need to be replaced, and raising the road should be evaluated in the area of the outfalls.

At the November 6, 2025, BOCC Zoning Meeting, City Point PUD was presented for Public Hearing, and the applicant stated they would be willing to commit to the following:

- Provide a 15-foot-wide landscaping buffer similar to a Type B, around the perimeter of the property. The applicant is seeking a waiver to disturb the buffer only as necessarily required. The buffer requirement is per Brevard County Code Section 62-2883(d) which states: In the design of a proposed residential subdivision, a minimum 15-foot perimeter buffer shall be required. Such buffer shall remain undisturbed along all property boundaries and shall be platted as a common tract, separate from individual lots. Landscape improvements may be constructed within said buffer tract subject to review and approval by the county. The buffer requirements described herein shall not apply to minor subdivisions.
- Reduce the volume of stormwater discharge on the property to better control the runoff from the property and allow no more water than currently comes from the property. This will exceed the requirements of the Brevard County Code and the St. Johns Water Management District. This will be addressed during the site plan stage.
- Reduce the rate of stormwater discharge by being able to slow the drainage down to better manage it than what is currently occurring. This will exceed the requirements of the Brevard County Code and the St. Johns Water Management District. This will be addressed during the site plan stage.
- Conduct a groundwater analysis to identify and address any of the groundwater concerns that have been brought up. This will be addressed during the site plan stage.
- Dedicate up to 50 feet of right-of-way for Brevard County maintenance and roadway projects.
- The applicant also offered to enter into a Binding Development Plan that would cause the future land use designation to revert if the Final Development Plan were never filed (causing the zoning classification change to revert). There is no mechanism to implement this proposal that is consistent with Florida law and Brevard County Code of Ordinances.



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On November 25, 2025, the applicant, MBV Engineering, stated they are amendable to the Board considering RES 2 in lieu of the applied-for RES 4 (excluding that portion proposed for Community Commercial (CC)). As such staff has done an analysis to consider this, hereinafter referred to as Alternative proposal:

- Original proposal: Keep the current proposed PDP with rezoning to PUD and RES 4 FLU for the residential portion and CC FLU for the commercial portion of the property.
- Alternative proposal: Applicant has proposed to rezone to PUD; however, change the FLU to RES 2 on the residential portion of the property and CC FLU on the commercial portion as previously noted. In order to keep the density of 23 units, or 2.10 units to the acre, the applicant is asking for a 25% density bonus based on FLU policy 1.8.

Staff Analysis Original proposal:

- The property is currently allowed to develop seven (7) units (taking into account the existing BDP and limitations on developing in wetlands). The applicant's request would increase this to 23 units.
- The subdivision abutting to the north, Parkchester, currently has 63 units developed on a total of 19 acres, which amounts to 3.3 units to the acre.
- In the original submittal, the applicant's PDP included 11 single-family residences and 8 townhomes, along with commercial RV storage. The proposed development of 19 residential units on 10.848 acres equates to 1.75 units per acre. When compared to the current proposal, 23 single-family detached dwellings, along with two (2) commercial RV storage buildings, would equate to 2.10 units per acre based on 23 units on 10.94 acres.
- Natural resources will require a 20 ft. vegetated Type A compatibility buffer between the commercial and any residential use (inside or outside the site) will need to be provided

Staff Analysis for Alternative proposal:

- In order for the proposed PDP to be compatible with RES 2, a density bonus would be required for the project to reach the requested 23 units. Under FLU Policy 1.8(D), in order to apply a density bonus under RES 2 "Up to a 25% density bonus to permit up to 2.5 dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA." The minimum infrastructure requirements referenced are available, and the proposed residential development will take place outside of the Coastal High Hazard Area (CHHA).



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- Should the Board make the necessary finding to apply the density bonus under Policy 1.8(D) to the subject property, the max number of units will be 25 units. However, Board approval of the PDP would limit the max number of units to 23. Should the Board not make such a finding, the allowable density of the subject property would be 21 units.

The Board should consider:

- Whether granting the proposed waiver to the 15-foot undisturbed buffer requirements is appropriate; specifically, if providing the 15-foot Type B buffer is sufficient screening. The installed landscaping under a Type B-style buffer may not produce the same screening as the native vegetation currently on the subject property. As a reminder, the type B buffer is landscaped, and there will be no parking or structures other than permitted signage located in this vegetated area as per Brevard County Code Section 62-4342.
- Including commitments made by the representatives of the applicant at the November 3, 2025, identifying enhanced procedures (above Code requirements), as conditions of approval, memorialized in a Binding Development Plan (BDP). Such conditions would include:
 - Overall reduction of the rate of stormwater discharge from the subject property
 - Overall reduction of the volume of stormwater discharge from the subject property
 - Conduct a groundwater analysis to identify any groundwater concerns, and address them accordingly
 - Applicant volunteer offer to dedicate up to 50 feet of right-of-way for Brevard County maintenance and roadway projects along N. Indian River Dr.
- Applicants statement that they would accept RES 2 in lieu of RES 4 across the subject property (excluding that portion requested for Community Commercial). Should the Board wish to approve RES 2 in lieu of the RES 4 identified in the application, the Board shall consider whether the PDP meets the requirements of FLU Policy 1.8(D), and find that the plan is compatible with adjacent development
- The Board may also consider including a condition, to be memorialized in a BDP, that any future change to the PDP will be considered a substantial change and require board approval for the change.