



BOARD OF COUNTY COMMISSIONERS

## Planning and Development Department

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### **Addendum #1 To 23LS0001 (JEN Florida 48, LLC.) Staff Comments**

This addendum provides a staff analysis of the applicant's presentation to the Local Planning Agency (LPA), and the LPA's Recommendation. The original analysis provided in the Staff Comments is still relevant to the large-scale comprehensive plan amendment.

The application before the Board is for "transmittal" of the large-scale comprehensive plan amendment requesting to change the future land use designation from Res 1:2.5 to Res 4 and Community Commercial. Transmittal essentially signifies to Florida Commerce that Brevard is considering a change to the Future Land Use designation of the subject property, and requests initiation of State agency review. According to Fla. Stat. Sec. 163.3184 once the transmittal phase has been completed, the Board may consider adoption of the amendment establishing the proposed or recommended densities. This would occur at a future date.

#### **Applicant's Presentation:**

On April 15, 2024, the applicant submitted and presented the attached PowerPoint slides to the LPA. Staff offers the Board the following observations:

- Slide #5 contains a conceptual plan of the proposed development which depicts the proposed number of dwelling units, commercial square footage, access, and open space/recreation. This plan should be considered informational only; it will be reviewed by County staff for compliance with the Land Development Code with future application submittals (e.g., PUD, subdivision plan, and site plan). The Board's action on the application does not approve nor vest the plan.
- Slide #7 depicts the radius, the proposed segment, intersections, and trip generation. A Traffic Impact Analysis (TIA) has been submitted and the data is adequate for the Staff Comments for the application, however, it not been approved by Brevard County Traffic Operations. It may be premature to establish the modal split on the road segments within the study area prior to traffic operations approving the study. In addition, the applicant stated the Transportation impact fees from the project could generate approximately \$16 million. It should be noted that the County has an ILA with the City of Palm Bay that obligates 50% of the impact fees in this area to be allocated for the future widening and improvements to the 9-mile section of Babcock St.
- Slide #8 contains a conceptual plan of the perimeter cross section. This plan should be considered informational only; it has not been reviewed by county staff for compliance with the Land Development Code. The Board's action on the application does not approve nor vest the plan.
- Slide #9 depicts developments within a two-mile radius of the site which includes development occurring within Palm Bay. Staff routinely uses a half-mile radius to determine compatibility to the surrounding area.

## **LPA Recommendation:**

The LPA recommended Residential 2 (Res 2) and Community Commercial (CC) in lieu of the requested Residential 4 (Res 4). Future Land Use Element Policy 1.8, Residential 2 (RES 2), stipulates that this land use designation allows for lower density residential development with a maximum density of up to two (2) units per acre, subject to certain exceptions. The Residential 2 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by the Comprehensive Plan:

### **Criteria:**

- A. Areas adjacent to existing Residential 2 land use designation; or

*The subject property could be considered adjacent to a portion of the Rolling Meadows Ranch development (to the North) whereas this property was de-annexed from the City of Palm Bay whereby the County recognized entitlements up to 2 units per acre. This area is separated by a strip of land approximately 100 feet to 140 feet which prevents roadway access from the subject property to Willowbrook St.*

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than two (2) units per acre and areas with density of less than two (2) units per acre; or

*There are no land uses greater than two units per acre adjacent to the subject property. This request could be considered an expansion of the existing Res 2 to the North of the subject property into an area with Res 1:2.5.*

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 2.

*The City of Palm Bay city limits are not adjacent to the subject property and therefore, could not be considered a logical transition.*

- D. Up to a 25% density bonus to permit up to 2.25 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.

*Developing the property as a PUD would allow up to 2,705 dwelling units at 2.25 dwelling units per acre, while traditional zoning limits the density to 2,164 dwelling units. In comparison, the RES 4 would permit a density of 4,328 dwelling units.*

*The developer has indicated that they intend to cap the density of the project at 3 units to the acre for a total of 3,246 dwelling units.*

In addition, it should be noted that the recommended RES 2 does not alleviate all the facility concerns mentioned in the original Staff Comments. Staff has identified that the existing capacity of Babcock St. is inadequate to accommodate the traffic generated by the proposed development.

The Brevard County School District has identified that redistricting the attendance boundary zones for the high school and middle schools would potentially achieve concurrency, but it does not have the necessary

student capacity for elementary school students.

Fire Rescue has identified that the response times, distances, and water for firefighting would not meet the standards set out in CIE Policy 1.3. Brevard County Fire Rescue (BCFR) has not budgeted for a new fire station, nor the fire apparatus needed to support the increased demand for service expected from the proposed development.

City of Palm Bay Utilities has identified that they will provide water and sewer at a future date, depending on certain improvements to extend service (excluding the fire flows for the commercial portion). Lots smaller than a quarter acre or less in size would be required to connect to central water and sewer per Policy 1.2 (Criteria C).