



BOARD OF COUNTY COMMISSIONERS

**Planning and Development Department**

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**Addendum #1 To PUD 23Z00035 (Sherwood Golf Club, Inc., TRSTE LLC, and Villas of Sherwood Titusville, Inc.) Staff Comments**

Application PUD 23Z00035 before the Board is for a rezoning request to change the zoning classification from Medium-density Multi-family Residential (RU-2-15), Planned Unit Development (PUD), Agricultural Residential (AU), General Use (GU), Single-family Residential (RU-1-13), Single-family Residential (RU-1-11), Medium-density Multi-family Residential (RU-2-10), Estate Use Residential (EU), and Suburban Residential (SR) with BDPs to Planned Unit Development (PUD) with removal of BDPs. The Preliminary Development Plan went through several iterations with the last version having proposed 187 Single-family and 408 multi-family units.

During the Planning and Zoning advisory meeting on August 12, 2024, P&Z unanimously recommended approval with a caveat that the applicant and staff will revise the conditions. In addition, it was noted by the applicant that during this meeting that the density calculations were based on an old plan. Below are the revised density calculations and revised conditions as presented in the Agenda Report for the Board's consideration:

- Page 2 "This project proposes to construct 595 residential units within five (5) PODs with an overall density of 6.73 units per acre". Correction is 4.36 units per acre.
- Page 14 "The proposed density is 6.73 units per acre while the existing developed density in the surrounding area is 2.24 units/ac." Correction is 4.36 units per acre.
- Page 19 "This request is for an overall density of 6.73 units per acre, over five PODs (excluding POD 4). Correction is 4.36 units per acre.

1) The proposed development shall be limited to 187 SF units and 408 MF units.

2) Due to historical drainage patterns and flooding issues a drainage study with and associated master drainage plan is needed prior to construction of the first phase of the development.

3) Approval of requested waiver from Sec. 62-1446. PUD-Land Use Regulations; Sub-Section(d) Minimum lot area, frontage, and setbacks; accessory uses; Paragraph (1) – to reduce the required 5,000 sf minimum lot area to 4,000 sf. (POD III Only). All affected lots shall have substantial relationship to a 15' common open space tract directly adjacent to the affected dwelling units.

4) Approval of requested waiver from Sec. 62-1446. PUD-Land Use Regulations; Sub-Section (d) Minimum lot area, frontage, and setbacks; accessory uses; Paragraph (3) – to reduce the required minimum 20 feet rear setback to 10 feet. (POD III). This is conditioned upon POD III containing a minimum of eighteen acres of common recreation and open space as defined by Brevard County Code.

- 5) Approval of requested waiver from Sec. 62-2956. Transportation technical guidelines and performance standards.; Sub-Section (a) Roadway; Paragraph (1) – to reduce the required minimum 50 feet wide right-of-way to a minimum of 30 feet with 10-foot easements on each side for Pod III. The affected rights-of-way shall be private and maintained by the Homeowner's Association.
- 6) Approval of requested waiver from Sec. 62-2956. Transportation technical guidelines and performance standards.; Sub-Section (a) Roadway; Paragraph (1) – to reduce the required minimum 50 feet wide right-of-way to a minimum of 30 feet with a 5-foot easement on each side for Pods I and IV. The affected rights-of-way shall be private and maintained by the Homeowner's Association.
- 7) Approval of requested waiver from Sec. 62-2956. Transportation technical guidelines and performance standards.; Sub-Section (a) Roadway; Paragraph (3) to reduce the minimum 100 foot setback of the cul-de-sac right-of-way to the plat boundary to 15 feet with the inclusion of a 6' high wall and landscaping in one (1) location (Pod III). Landscaping shall consist of a minimum of 2 shade trees per 100 LF and 4 understory trees per 100 LF.
- 8) Approval of requested waiver from Sec. 62-2883. General design requirements and standards.; Sub-Section (d) to replace the required 15' perimeter buffer tract with a 15' perimeter buffer easement, or 10' perimeter easement where adjacent to an existing drainage easement, and allow it to be disturbed for grading, landscape, and buffer improvements, including but not limited to walls, fences, retention slopes, walking paths, and utilities (Pod III).
- 9) Prior to County approval of a construction plan and/or Preliminary Plat, the Developer shall: a. Execute an agreement, which may include, but is not limited to, a Proportionate Fair Share agreement, with the County addressing and/or mitigating any infrastructure deficiencies relating to the offsite transportation impacts as identified in a traffic study that is caused by the development. The agreement may include provisions requiring the developer to design, permit, and construct the identified improvements at a cost to the developer that is proportionate to the project's impact. In addition, the agreement will identify timeframes for the necessary improvements, and monitoring and updating the traffic study as appropriate.
- 10) Prior to County approval of a construction plan and/or Preliminary Plat and/or Site Plan, the Developer shall demonstrate that adequate water and sewer services will be available to the development and are available prior to issuance of Certificate of Occupancy.
- 11) Address all staff comments regarding the PDP prior to, or concurrent with, site plan and subdivision submittals.
- 12) In accordance with Sec. 62-1301, if it is the opinion of the zoning official that an amendment to the PDP warrants Board evaluation, such modifications shall be submitted for Board approval.
- 13) Prior to County approval of a construction plan and/or Preliminary Plat and/or Site Plan, the Developer shall submit a road system condition assessment to include an evaluation of potential impacts on public safety. The study will be conducted per methodology provided for in County land development code or as otherwise agreed to with staff.
- 14) Prior to County approval of a construction plan and/or Preliminary Plat and/or Site Plan, the Developer shall submit a traffic calming study for the affected roadways and will identify necessary improvements to mitigate speeding and encourage preferred routing of traffic. The study will be conducted per methodology provided for in County land development code or as otherwise agreed to with staff.