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April 1, 2024

Brevard County Planning and Development  
2725 Judge Fran Jamieson Way  
Building A Room 114  
Viera, FL 32940

Subject: Large-Scale Comprehensive Plan Amendment  
Consistency and Compatibility with Brevard County's Comprehensive Plan  
Application #23PUD00005  
Poulos & Bennett Job No. 23-081

The Property is generally located on the west side of Babcock Street, south of Willowbrook Street in unincorporated Brevard County, Florida. It is owned by Jen Florida 48, LLC and consists of parcels 30-37-08-HF-500; 30-37-09-00-500; 30-37-17-HF-1; 30-37-16-00-. Please see Exhibit A for the Legal Description of the Property. The Property is approximately **1,109.57** acres in size. The proposed development plan (Exhibit B) projects 1082.24 acres of the 1,109.57 acres to be residential, while the remaining 27.33 acres is to be designated as commercial.

The applicant requests approval for a Large-Scale Future Land Use Map amendment to change the Future Land Use Designation of the Property from RES 1:2:5 (Residential 1 Unit per 2.5 Acres) to Residential 4 (Residential 4 Units per Acre) and CC (Community Commercial) with the intent to cap the density of the development to three (3) dwelling units per acre and develop through the Planned Unit Development zoning district. The proposed development program includes 3,246 single-family residential units, along with 398,000 square feet of accompanying and supporting nonresidential uses (Exhibit B).

### **Brevard County Comprehensive Plan Policies**

Below is a justification statement for the proposed amendment summarizing consistency and compatibility with each element of the County's Comprehensive Plan.

#### **1. Conservation Element**

The goal of the Conservation Element is to protect, conserve, enhance, maintain and appropriately use natural resources and environmental systems, maintaining their quality and contribution to the quality of life and economic well-being of Brevard County.

##### ***Policy 1.3 Criteria A***

The County shall reduce the potential for mobile source emissions by the following means:

Criteria A: Promote appropriate Planned Unit Development and multi-use developments or use centers.

##### **Justification:**

**The proposed site will be developed through the Planned Unit Development Zoning district standards and processes per the Site-Specific Policies listed in Exhibit C. Furthermore, the proposed development is to consist of both residential and nonresidential uses to provide convenient access to goods and services for the residents. The provisioning of goods and services in close proximity to residents and within the Planned Unit Development will reduce**

the traditional daily trips needed by residents and, thus, reduce projected Vehicle Miles Traveled (VMT). Furthermore, the development will be amenitized with interconnected walking trails to further promote a sustainable, multimodal development that minimizes mobile source emissions.

***Policy 2.1 Criteria A***

Policy 2.1 states that Brevard County shall address various energy saving methods including:

Criteria A: Encouraging appropriate Planned Unit Development and multi-use developments.

**Justification:**

The current Future Land Use Designation only allows for 1 unit per 2.5 acres. The 1 dwelling unit per 2.5-acre maximum density would create inefficient sprawl. As such, the current Future Land Use Designation is in conflict with Conservation Element Policy 2.1. In contrast, the proposed Future Land Use designation provides for a site-specific policy listed in Exhibit C that requires this development to proceed through the Planned Unit Development process, while providing multiple uses within the development for resident enjoyment and convenience. As such, the proposed designation requested is more appropriately aligned with the policies and intent of the Conservation Element by providing for a more efficient distribution of residential units with convenient access to goods and services for the residents.

**2. Surface Water Element**

The Goal of the Surface Water Element is for a safe, efficient, environmentally sound and comprehensive surface water management system in Brevard County.

**Justification:**

If developed, a drainage plan must be prepared in accordance with current regulations and approved by the County, along with appropriate outside agencies, including the St. Johns River Water Management District. Any proposed stormwater management system will be reviewed and approved by the County during the site plan review process.

**3. Recreation and Open Space Element**

The Goal of the Recreation and Open Space Element is to provide a park and open space system which offers opportunities for a variety of passive and active recreation, promotes visual appeal and provides relief from expanses of development.

***Parks and Open Space Policy 1.2***

A system of parks and recreational facilities meeting the needs of the population shall be maintained to provide for the acceptable levels of service.

***Recreation Element Policy 5.1***

Development of residential areas shall provide active recreation and open space areas, to augment public recreational facilities and to provide direct, convenient facilities to meet the recreational needs of the residents.

Recreation/Open Space: Acceptable LOS Standard 3.0 acres of developed park land per 1,000 people living in the unincorporated areas of each planning area.

Max Allowable Dwelling Units – 3,246

Required Recreation/Open Space –  $3,246/1,000 = 3.246$  Acres

Provided Recreation/Open Space – 140.8 Acres of Active Recreation; 328.46 Acres of Passive Recreation.

**Justification:**

The proposed FLU amendment would increase the demand for recreation services as compared to the existing public needs, due to potential increase in density, beyond Level of Service established for the area. However, extending County resources to this area is not conducive with current available services. As such, to accommodate for this influx in density, a condition on making parks in the development available for public access, while being maintained privately is listed in this report below.

The development will have a series of interconnected parks, open space and recreation facilities. Active recreation space will exceed 140 acres, while passive recreation space will exceed 328 acres for a total of over 460 acres of open space and recreation areas. These areas will be comprised of an existing 100-acre lake will be amenitized to allow for active recreation opportunities supplemented by pocket parks throughout the development.

**4. Historic Preservation Element**

The goal of the Historic Preservation Element is to identify, protect, preserve, recognize, and mitigate impacts upon the resources which are significant in terms of historic, archaeological, architectural and cultural values, and serve as reminders of Brevard County's heritage.

**Justification:**

The proposed FLU amendment does not adversely impact the ability and continuation of the County to identify, protect, preserve, recognize, and mitigate impacts on historically or culturally significant resources and values.

**5. Housing Element**

The goal of the Housing Element is to produce and preserve affordable homeownership and multifamily housing to benefit very low, low and moderate income residents of Brevard County.

**Justification:**

The proposed FLU amendment does not adversely impact the supply and variety of safe, decent, attractive, and affordable housing for very low, low and moderate income residents within the county. The proposed conceptual plan (Exhibit B) depicts a mixture of single-family units with convenient access to commercial and civic/open space.

## **6. Potable Water Element**

The Goal of the Potable Water Element is that Brevard County shall pursue a potable water supply which does not deplete the freshwater resource and is safe, environmentally sound, and efficient.

Currently, there are no County water facilities near the Property resulting in a Level of Service Analysis that conveys the level of service provisioned in the area will be deficient.

### **Justification:**

**Brevard County does not have a potable water facility within the vicinity of the Property. As such, the Developer will provide the Development with central water by means of an approved alternative source to ensure compliance with Brevard County Level of Service capacity requirements. To ensure that sufficient capacity is available for the Property, the applicant has obtained a Will Serve Letter from the City of Palm Bay, Florida (Exhibit E), dated April 1<sup>st</sup>, 2024.**

## **7. Sanitary Sewer Element**

The Goal of the Sanitary Sewer Element is that Brevard County shall operate and maintain an environmentally sound, and efficient wastewater collection, treatment, and disposal system that protects the public health.

Sanitary Sewer: Acceptable LOS Standards Brevard County shall provide adequate wastewater treatment plant capacity to maintain the proportion of the permit plant capacity divided by the number of equivalent units as more than 210 gallons per day per equivalent unit.

### **Justification:**

**Brevard County does not have a wastewater treatment facility for sanitary sewer services within the vicinity of the Property. As such, the Developer will provide the Development with sanitary sewer services by means of an approved alternative source to ensure compliance with Brevard County Level of Service capacity requirements. To ensure that sufficient capacity is available for the Property, the applicant has obtained a Will Serve Letter from the City of Palm Bay, Florida (Exhibit E), dated April 1<sup>st</sup>, 2024.**

## **8. Solid Waste and Hazardous Materials Element**

The Goal of the Solid Waste and Hazardous Materials Element is that Brevard County shall ensure an environmentally sound and efficient solid waste management system which utilizes resource recovery, recycling, and source reduction.

### **Justification:**

**If developed, a Solid Waste Removal plan must be prepared in accordance with current regulations and approved by the County, along with appropriate outside agencies. Any proposed solid waste removal services needed will be reviewed and approved by the County during the Site Plan review process.**

## **9. Transportation Element**

The Goal of the Transportation Element is for a safe, convenient and energy efficient transportation system in Brevard County that supports the community defined by this comprehensive plan and enhances the mobility of people and goods while reducing reliance upon the automobile and minimizing impacts to neighborhoods, cultural resources and natural habitats.

Policy 3.3 - Brevard County recognizes that land uses outside the jurisdiction of Brevard County have significant impacts on Brevard County roadways.

Transportation: Acceptable LOS Standards Brevard County arterial and collector roadways within the urban area boundary: Level of Service E. Brevard County arterial and collector roadways within the rural area, except as noted above: Level of Service D. State arterial roadways (excluding Florida Intrastate Highway System), within the urban area boundary: Level of Service E. State arterial roadways (excluding Florida Intrastate Highway System), outside the urban area boundary (rural area): Level of Service D.

**Justification:**

**The Transportation Level of Service (LOS) analysis, performed by Kimley Horn & Associates, Inc. in accordance with the Comprehensive Plan's Transportation Element, finds that the proposed Sun Terra development will impact the existing 2 lane roadway capacity of Babcock Street and is anticipated to exceed the adopted LOS due to the addition of anticipated traffic from the proposed FLU designation. To accommodate future traffic volumes, the widening of Babcock Street from Micco Road to Davis Lane and from Capital Drive to Grant Road from two lanes to four lanes is recommended. A traffic impact analysis will be required to determine any project impacts on the existing transportation system along with any suggested mitigation, which will be taken under consideration during the Development Plan or Site Plan review/approval process, if developed.**

## **10. Coastal Management Element**

The goal of the Coastal Management Element is to establish growth management strategies that will allow growth to continue within the coastal zone which does not damage or destroy the function of coastal resources, protects human life and limits public expenditures in areas subject to destruction by natural disasters.

**Justification:**

**The Property is not located within the Coastal Management Area.**

## **11. Future Land Use Element**

The Goal of the Future Land Use element is to manage growth in Brevard County in a manner that enhances natural and man-made systems and meets the public's social and economic needs.

***Future Land Use Element – Residential 4 (maximum of 4 dwelling units per acre) Policy 1.7***

The Residential 4 land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits a maximum density of up to four units per acre, except as otherwise may be provided for within this element. The Residential 4 land use designation

may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan.

**Criteria B:**

Areas which serve as a transition between existing land uses or land use designations with density greater than four units per acre and areas with density of less than four units per acre.

**Justification:**

**Exhibit C provides a 2-mile radius map for the Property to more thoroughly examine the compatibility of the Residential 4 Future Land Use Designation with the general surrounding area. Looking at the 2-mile radius map provided in Exhibit C, there are several development projects with substantially higher density and intensity than that currently entitled to the properties within this application. Please see the summary of the Future Land Use Designations of abutting properties as well as Large-Scale Developments below.**

**Future Land Use of Abutting Properties:**

**North: RES 1:2.5; RES 2; R-1 County (City of Palm Bay)**  
**East: PUB-CON; RES 1; CC**  
**South: RES 1:2.5**  
**West: RES 1:2.5**

**Nearby Large-Scale Developments:**

<b>Waterstone</b>	<b>Low Density Residential (4 du/a); High Density Residential (20 du/a); Commercial (City of Palm Bay)</b>
<b>Cypress Bay</b>	<b>Low Density Residential (4 du/a); High Density Residential (20 du/a); Commercial (City of Palm Bay)</b>
<b>Emerald Lakes</b>	<b>Special Planning Area (SPA) (City of Palm Bay)</b> <b>Dwelling Units - 3,760</b> <b>Nonresidential Square Footage - 2,820,000</b>
<b>Lulfs Parcel</b>	<b>Parkway Mixed Use (City of Palm Bay)</b> <b>Density – 10 du/ac</b> <b>Intensity – 40 Sqft of nonresidential per unit</b>
<b>Ashton Park</b>	<b>Special Planning Area (SPA) (City of Palm Bay)</b> <b>Dwelling Units – 5,484</b> <b>Commercial – 78.64 Acres</b> <b>Police/Fire – 2.4 Acres</b> <b>School Site – 30.0 Acres</b>

<b>Calumet Farms</b>	<b>Town Center – 41.27 Acres</b> <b>Special Planning Area (SPA) (City of Palm Bay)</b> <b>Dwelling Units – 3,184</b> <b>Nonresidential Square Footage – 180,000</b> <b>*Undergoing a FLU Amendment to increase entitlements</b>
<b>Rolling Meadows Lakes</b>	<b>RES 2 (County)</b> <b>Dwelling Units – 2,820</b> <b>Nonresidential Square Acreage – 50.7 acres</b>

In addition to these new developments is the supporting infrastructure that catalyzed the overall development of the general area. Specifically, the newer I-95 exit and the establishment and continual expansion of the St. John's Heritage Parkway has dramatically improved the transportation network, affording travelers multiple route options to their destinations.

This application further supports Objective 1 of the Future Land Use Element by ensuring compatibility of new development with its surroundings, discouraging the occurrence of inefficiencies inherent in urban sprawl, produce neighborhoods that complement adjacent land uses, permitting mixed use developments juxtaposing neighborhood services with residential uses to promote efficient uses of land, and encouraging open space within developments, with interconnectivity with surrounding land uses.

Moreover, it supports Objective 2 of the Future Land Use Element by creating accessibility to the commercial site, with compatibility and interconnectivity adjacent land uses.

The current Future Land Use Designation only allows for 1 unit per 2.5 acres. The 1 dwelling unit per 2.5-acre maximum density is emblematic of significantly inefficient suburban sprawl. As such, the current Future Land Use Designation is in conflict with Objective 1 of the Future Land Use Element. In contrast, the proposed Future Land Use designation provides for a site-specific policy listed in Exhibit D that requires this Development to proceed through the Planned Unit Development process and caps density at 3 dwelling units per acre, while providing multiple uses within the Development for resident enjoyment and convenience. As such, the proposed designation requested is more appropriately aligned with the policies and intent of the Conservation Element by providing for a more efficient distribution of residential units with convenient access to goods and services for the residents. Furthermore, Exhibit D is proposed to be entered in as a site-specific policy that will require Planned Development zoning.

#### ***Locational and Development Criteria for Community Commercial Uses Policy 2.8***

##### ***Criteria:***

- A. Per Future Land Use Policy 2.8(A) "Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections."

- B. Community commercial complexes should not exceed 40 acres at an intersection.
- C. Community commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.
- D. Furthermore, Policy 2.8(D) states “shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but less than 40 acres in size unless within a Planned Unit Development (PUD) zoning classification. The square footage may be increased if it is located within a PUD zoning classification.
- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites unless accompanies with a PUD zoning classification wherein the FAR may be increased up to 1.75.

**Justification:**

**The location of the Property abuts an arterial road in Babcock Street. The Community Commercial area is under 40 acres, with only 27.33 acres proposed to be designated as Community Commercial. The proposed Community Commercial cluster is the only one within a 5-mile radius in Brevard County that is greater than 10 acres in size. The total square feet proposed through site specific policies and Exhibit B (attached) is 398,000 square feet, 2,000 under the maximum allotted without PUD zoning designation. Furthermore, the Property will be developed through PUD development process via site-specific policies, while maintaining under the 400,000 square feet threshold for Community Commercial nodes. The Floor Area Ratio will not exceed the potential 1.75 FAR allowed for in PUD developments.**

## **12. Intergovernmental Coordination Element**

Brevard County shall initiate and/or participate in intergovernmental coordination efforts necessary to establish governmental relationships which improve the coordination, effectiveness, and efficiency of public policymaking bodies within Brevard County.

### ***Policy 1.3 Coordinated Public School Facility Siting***

Brevard County shall encourage the Brevard County School Board to mutually agree on, promote and support high-quality community and neighborhood development by coordinating site searches, planning and design of public educational facilities as well as assuring the consistency of those facilities with the Comprehensive Plan and Land Development Regulations.

**Justification:**

**The proposed Future Land Use Map amendment alters the distribution of entitled residential land. The Development under review increases the maximum density through the proposed land use change, which will add housing units. Some impacts to the public-school system area are anticipated. Considering the adjacent concurrency service areas, there is sufficient capacity at the high school level. However, there is an anticipated shortfall of capacity within the adjacent concurrency areas for the elementary and middle school levels. Nevertheless, the school district condition is to have the applicant contact staff to discuss the mitigation process as defined in Section 13.5 of the ILA-2014 prior to submitting for a final concurrency determination. The applicant has been in discussions with the School District to initiate this process.**

### **13. Capital Improvements Element**

The goal of the Capital Improvements Element is that Brevard County shall develop and periodically update a capital improvements plan to coordinate and implement public facility improvements which support the goals, objectives, and policies of the Brevard County Comprehensive Plan and encourage efficient utilization of its public facilities.

#### **Justification:**

**The proposed Future Land Use amendment does not inhibit the County to develop and periodically update the Capital Improvements Plan. Furthermore, the proposed amendment supports the notion of encouraging efficient utilization of public facilities by providing convenient access to goods and services for future residents of the project area, while also efficiently utilizing land by mixing uses and utilizing the Planned Unit Development zoning designation to maximize utilization and conservation of the Property.**

### **14. Public School Facilities Element**

The goal of the Public School Facilities Element is to provide a public school system that offers a high quality educational environment, provides accessibility for all of its students, and ensures adequate school capacity to accommodate enrollment demand within a financially feasible school district's five-year capital facilities work program.

#### **Justification:**

**The applicant is in discussions with the Brevard County School District and will sufficiently address capacity mitigation concerns, per the determination and guidance of the School District, if any are to emerge.**

### **15. Property Rights Element**

The goal of the Property Rights Element is to ensure consideration of private property rights in the local decision making process.

#### **Justification:**

**The proposed land-use change does not infringe upon the property rights of the applicant.**

### **CONSISTENCY AND COMPATIBILITY WITH ABUTTING PROPERTIES AND SURROUNDING LARGE SCALE DEVELOPMENTS**

The proposed Future Land Use Designations of Residential 4 and Community Commercial are consistent and compatible with the Comprehensive Plan and the general surrounding area. For example, policy 1.7.B of the Future Land Use Element lists criteria regulating the Residential 4 Future Land Use designation to be located in areas which serve as a transition between existing land uses or land use designations with density greater than four (4) units per acre and areas with density of less than four (4) units per acre. The criteria further cite adjacency to incorporated areas in Policy 1.7.C as rationale for utilizing Residential 4 as a logical transition.

The general surrounding area is composed of significantly varying densities and intensities, with those in the County substantially less dense and intense than those in the city. For instance, the south-adjacent subdivision, Deer Run (County), contains the Res 1:2.5 future land use designation. To the north, in the City of Palm Bay, is the Waterstone and Cypress Bay developments. These developments contain the City Future Land Use Designations Low Density Residential (Maximum 4 dwelling units per acre) and High Density Residential (Maximum 20 dwelling units per acre). As such, this property serves as the transition between the incorporated portions of the City to the north and to the south, which is in direct alignment with the proposed Residential 4 Future Land Use designation, as it serves as a rational transition from the higher densities to the north and the lower densities to the south. Therefore, the proposed development is an ideal location to utilize Residential 4 to logically transition and buffer in between more densely developed and incorporated developments. Moreover, through Exhibit C and associated site-specific policies, density is to be capped at 3 dwelling units per acre to more appropriately provide a transitional development in an area where city jurisdictions are present to the north and south, while lower density county land is to the east, necessitating such transition in the area.

In addition to the compatibility of the Residential 4 Future Land Use, the Community Commercial Future Land Use request is also consistent and compatible with the general area, as commercial Future Land Use designations and land uses, within both the City of Palm Bay and Brevard County, are found within the surrounding area, as depicted on the approximately 2-mile buffer map provided below. Moreover, the arterial classification of Babcock Street, along with the future developments of the St. Johns Heritage Parkway, and the new interchange off of I-95 (St. Johns Heritage Parkway) has transformed the transportation network and connectivity of the region, which may stimulate economic development in the area. The proposed Community Commercial Future Land Use designation is compatible with the surrounding area and is intended to support existing and proposed developments within the region.

Furthermore, while transportation infrastructure is present and increasing in capacity for the area, the increasing density of the region, as shown in the 2-mile buffer map, will require accessibility to goods and services. Therefore, the Community Commercial Future Land Use designation will provide direct commercial access for surrounding residential developments, while minimizing potential trip duration.

Finally, the proposed development is anticipated to have extensive parks and trails within its open space system. Thus, the proposed development directly promotes Policy 2.1.A and Policy 1.3.A of the Conservation Element, which promotes multi-use developments. For example, Comprehensive Plan Policy 1.2 Park and Open Space System and Policy 5.1 Recreation Element calls for a system of parks and recreational facilities meeting the demand of the population while providing active recreation and open space areas to augment public recreational facilities. In this regard, the proposed development will have a series of interconnected parks, open space and recreation facilities. An existing 100-acre lake will be amenitized to allow for active recreation opportunities supplemented by pocket parks throughout the development.

## LEGEND/ABBREVIATIONS

B.C.R. – BREVARD COUNTY RECORDS  
L.B. – LICENSED BUSINESS  
O.R.B. – OFFICIAL RECORDS BOOK  
P.B. – PLAT BOOK  
P.O.C. – POINT OF COMMENCEMENT  
P.O.B. – POINT OF BEGINNING  
PG. – PAGE  
PSM – PROFESSIONAL SURVEYOR AND MAPPER  
R/W – RIGHT-OF-WAY  
R – RANGE  
T – TOWNSHIP

## SURVEYOR'S NOTES:

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N89°23'59"E, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 37 EAST. RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT).
5. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
7. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.

## CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON AUGUST 21, 2023. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

\_\_\_\_\_  
DAVID P. LINDLEY, PSM  
STATE OF FLORIDA NO. 5005

**THIS IS NOT A SURVEY**

**SHEET 1 OF 4**



CAULFIELD & WHEELER, INC.  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE - SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

SUNTERRA – BREVARD  
PARCEL 1  
SKETCH OF DESCRIPTION

DATE	8/25/2023
DRAWN BY	dl
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	

## DESCRIPTION:

BEING A PORTION OF SECTIONS 8, 9, 16 AND 17, TOWNSHIP 30 SOUTH, RANGE 37 EAST LYING IN BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST ONE-QUARTER CORNER OF SECTION 16, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID SECTION 16, SOUTH 89°35'24" WEST, 50.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY ALONG SAID SOUTH LINE OF THE NORTH ONE-HALF OF SECTION 16, SOUTH 89°35'24" WEST, 5372.81 FEET TO THE WEST ONE-QUARTER OF SAID SECTION 16; THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 37 EAST, SOUTH 89°35'24" WEST, 2711.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 17; THENCE NORTHERLY ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 17, NORTH 00°11'21" EAST, 2642.10 FEET TO THE NORTH ONE-QUARTER CORNER OF SAID SECTION 17; THENCE WESTERLY ALONG THE SOUTH LINE OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 37 EAST, SOUTH 89°31'23" WEST, 2642.79 FEET TO THE WEST LINE OF SAID SECTION 8; THENCE NORTHERLY ALONG SAID WEST LINE OF SECTION 8, NORTH 00°40'15" EAST, 2511.48 FEET TO A POINT 100.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SECTION 8; THENCE EASTERLY ALONG A LINE 100.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SECTION 8, NORTH 89°29'13" EAST, 2650.82 FEET; THENCE CONTINUE EASTERLY ALONG SAID PARALLEL LINE, NORTH 89°23'59" EAST, 2658.46 FEET TO A POINT 100.00 FEET SOUTH OF THE WEST ONE-QUARTER CORNER OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE EASTERLY ALONG A LINE 100.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SECTION 9, NORTH 89°23'59" EAST, 3415.39 FEET; THENCE SOUTH 89°04'27" EAST, 1941.19 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BABCOCK STREET AS DESCRIBED IN OFFICIAL RECORDS BOOK 423, PAGE 262 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 01°08'35" EAST, 2368.17 FEET; THENCE NORTH 90°00'00" WEST, 918.01 FEET; THENCE SOUTH 01°31'07" EAST, 1315.56 FEET; THENCE SOUTH 88°26'54" EAST, 873.58 FEET TO THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF BABCOCK STREET; THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 00°34'06" WEST, 1423.17 TO THE POINT OF BEGINNING.

SAID LANDS LYING IN BREVARD COUNTY, FLORIDA AND CONTAINING 1082.242 ACRES, MORE OR LESS.

**THIS IS NOT A SURVEY**

**SHEET 2 OF 4**



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING

LANDSCAPE ARCHITECTURE - SURVEYING

7900 GLADES ROAD - SUITE 100

BOCA RATON, FLORIDA 33434

PHONE (561)-392-1991 / FAX (561)-750-1452

SUNTERRA - BREVARD  
PARCEL 1  
SKETCH OF DESCRIPTION

DATE 8/25/2023

DRAWN BY dl

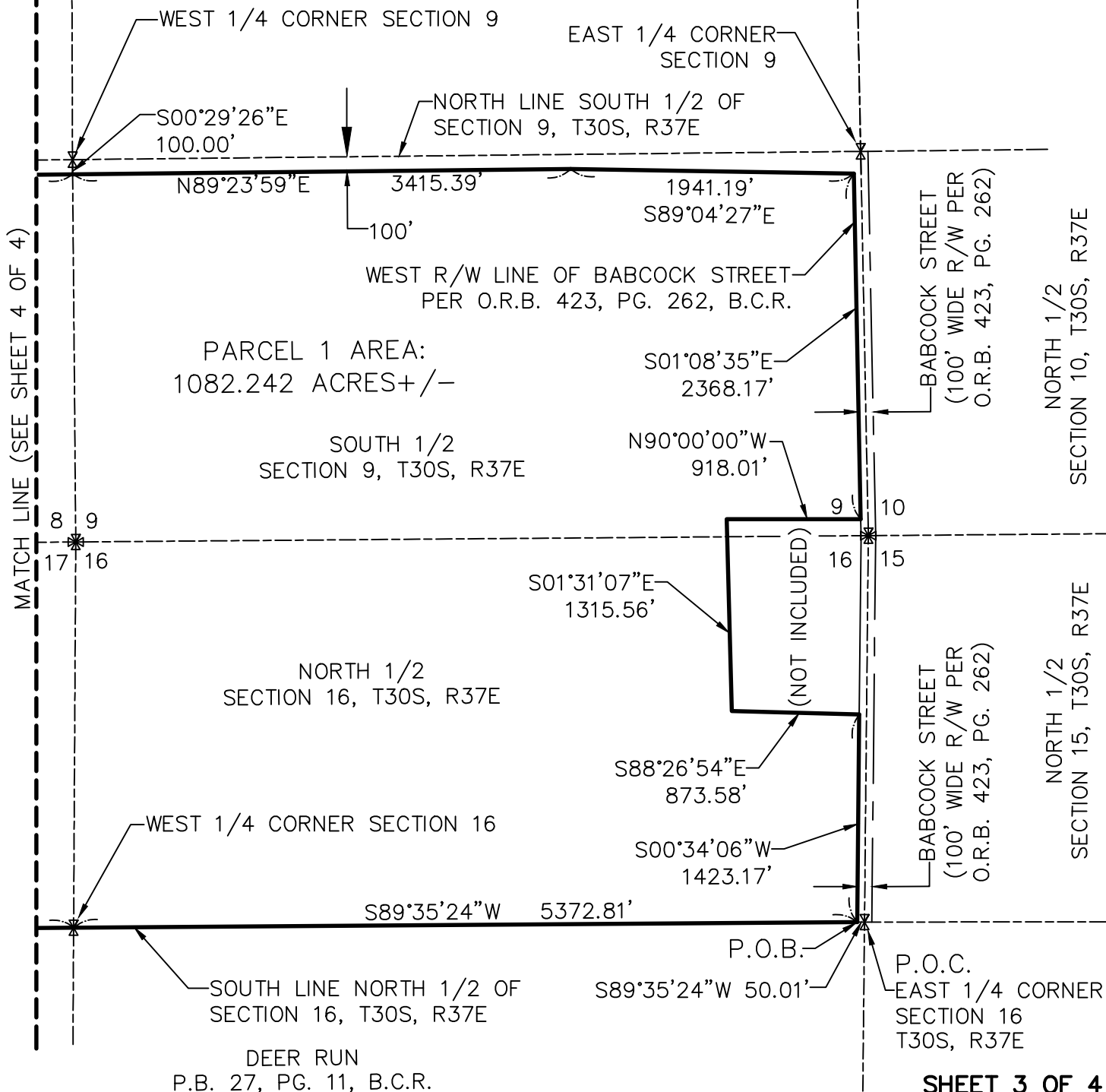
F.B./ PG. N/A

SCALE NONE

JOB NO.



0 1000' 2000'  
1 INCH = 1000 FEET



SHEET 3 OF 4



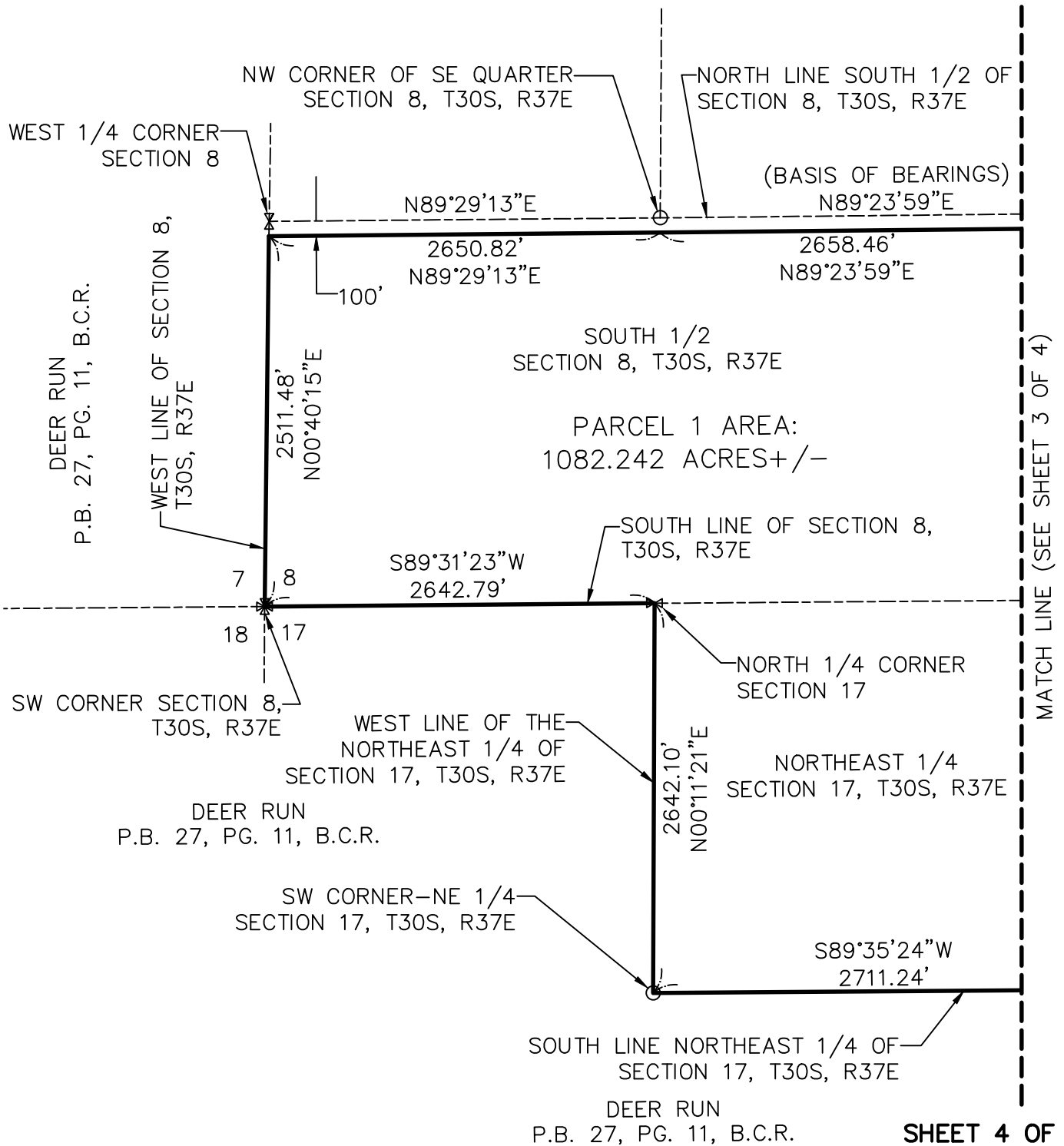
CAULFIELD & WHEELER, INC.  
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DRAWN BY	dl
F.B./ PG.	N/A
SCALE	1"=1000'
JOB NO.	



0 1000' 2000'  
1 INCH = 1000 FEET



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE - SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

SUNTERRA - BREVARD  
PARCEL 1  
SKETCH OF DESCRIPTION

SHEET 4 OF 4

DATE 8/25/2023

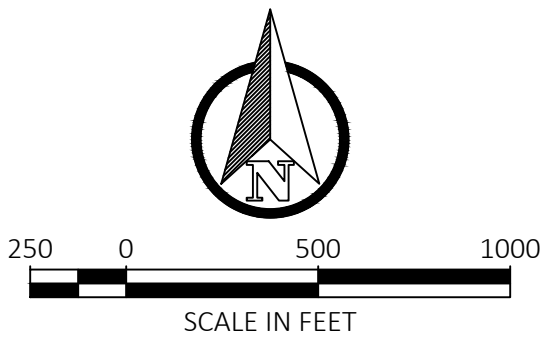
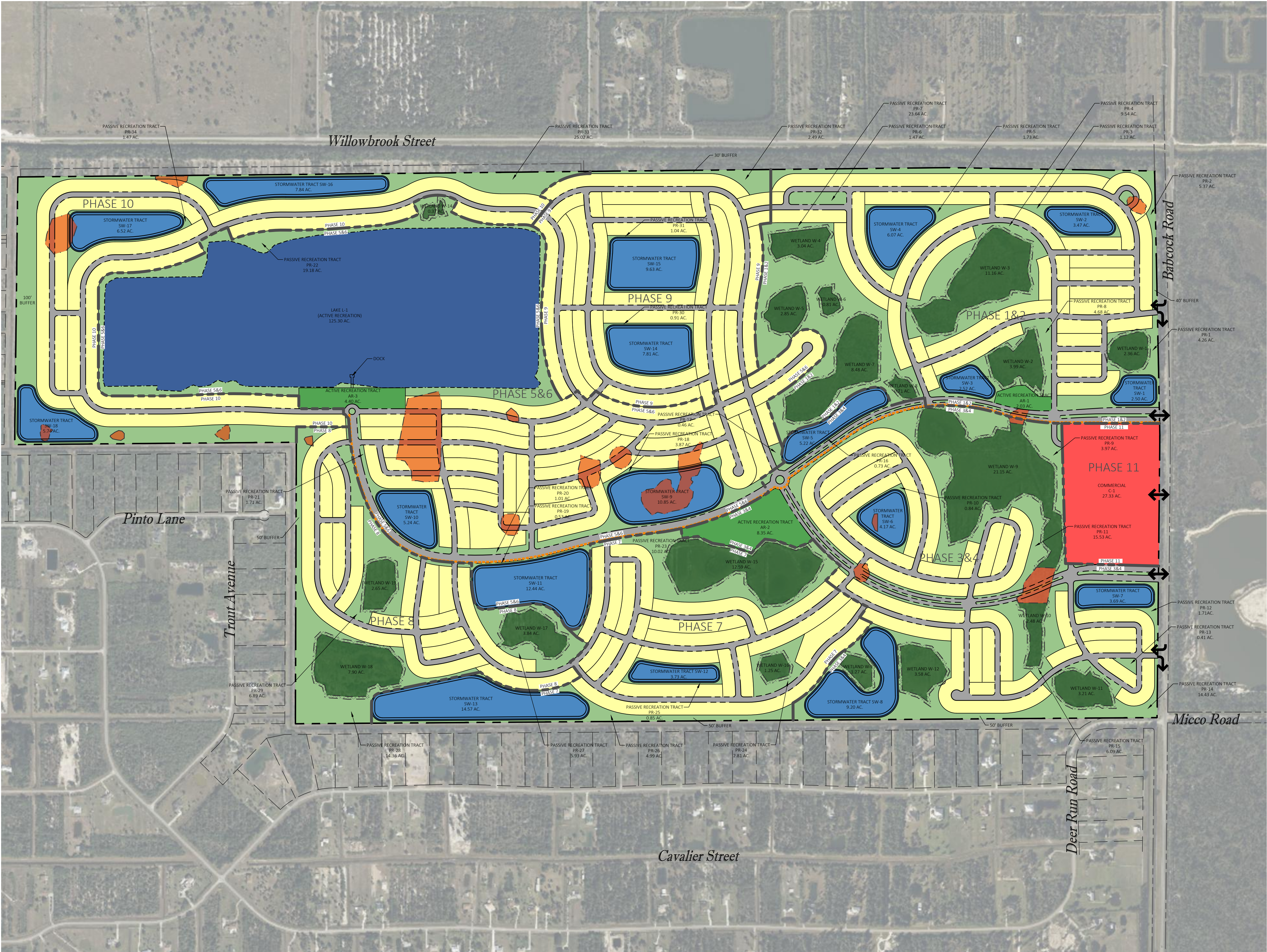
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F.B./ PG. N/A

SCALE 1"=1000'

JOB NO.

Z:\2023\23-081 SUN TERRA - BREVARD CO MIXED USE\DAO\PRELIMINARY\PD\23-081-PP-LUP



LEGEND

- Project Boundary (Survey)
- 12' Multi-Use Trail
- Residential
- Passive Recreation
- Active Recreation
- Wetland
- Impacted Wetland
- Stormwater
- Lake (Active Recreation)
- Full Access Point
- Right In/Out

Development Data	
Jurisdiction	Unincorporated Brevard County
Future Land Use	Residential 4 (1,082.24 acres) & Community Commercial (27.33 acres)
Zoning (Proposed)	PUD
Site Details	
Gross Site Area	1109.57 Acres
Gross Residential Area	1082.24 Acres
Gross Commercial Area	27.33 Acres
Total Impacted Wetlands*	19.83 Acres
Developable Area	1015.88 Acres
Developable Residential Area	988.55 Acres
Developable Commercial Area	27.33 Acres
Common Recreation & Open Space Required (10% of Gross Residential Area)	108.22 Acres
Common Recreation & Open Space Provided* (1.5 acres per 100 units)	468.54 Acres
Active Recreation Required**	48.69 Acres
Active Recreation Provided**	3,246/100*1.5 = 48.69 acres
Remaining Passive Recreation Required**	0.00 Acres
Passive Recreation Provided**	328.46 Acres
Stormwater Provided**	35.71 Acres
Wetlands**	93.69 Acres
Passive Recreation Tracts*	199.06 Acres
Proposed Residential Development	
Maximum Allowable Dwelling Units	3246 Units
Maximum Allowable Gross Residential Density	3.00 DU/Ac
Proposed Commercial Development	
Maximum allowable commercial square feet in Commercial Tract C-1	398,000 Sq. ft
Notes	
1. See waiver # 9, requesting lake acreage to be included as active recreation.	
2. Stormwater provides only 1/3 of the required Common Recreation & Open Space acreage.	
3. Wetlands are included in the Total Provided Passive Recreation, in accordance with LDR Sec. 62-1102.	
*The provided acreages are subject to change and will be determined on the Final Development Plan. The Final Development Plan shall adhere to the minimum required acreages for Common Recreation & Open Space set forth in LDR sections 62-1446 and 62-1102.	
** The required active and passive recreation acreages are calculated by the maximum allowable 3,246 dwelling units (3 dwelling units per gross residential acre). The required active and passive recreation acreages are subject to change, per the actual amount of residential units developed. The required active and passive recreation acreages shall adhere to the minimum required acreages for Common Recreation & Open Space set forth in LDR sections 62-1446 and 62-1102.	

Key Map:

NO.	DATE:	DESCRIPTIONS:
SUBMISSIONS/REVISIONS		
VERTICAL DATUM:	NAVD 88	
JOB NO.:	23-081	
DESIGNED BY:	DG	
DRAWN BY:	DG	
CHECKED BY:	PM	
APPROVED BY:	JE	
SCALE IN FEET:	1" = 500'	

Project Name:  
**SunTerra**  
**Brevard County**  
**Mixed Use**

Jurisdiction:  
**Brevard County, FL**

Sheet Title:  
**LAND USE PLAN**

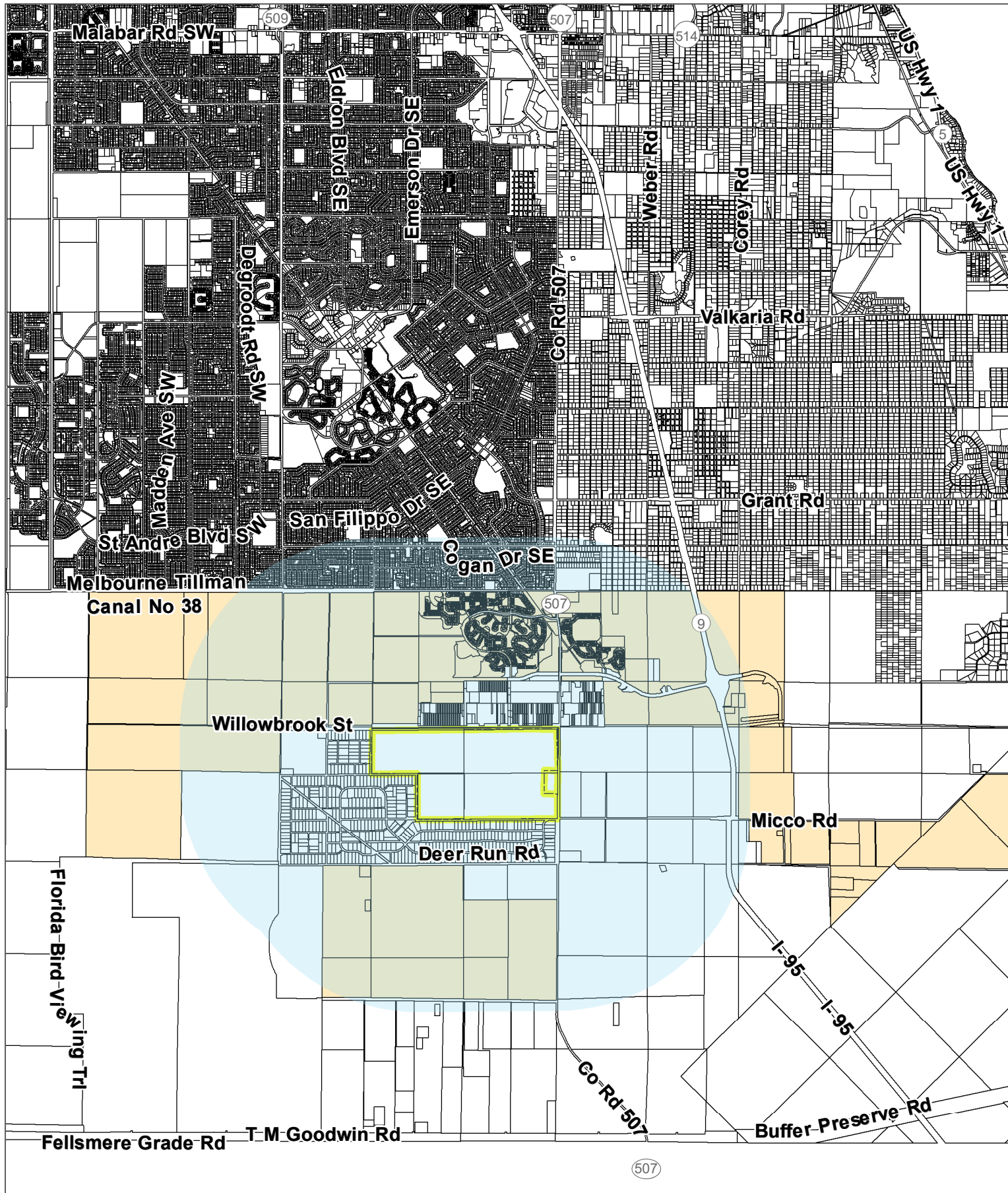
Sheet No.:  
**C2.00**

Scale:

DATE: **October 27, 2023**

**POULOS & BENNETT**

**Poulos & Bennett, LLC**  
2602 E. Livingston St., Orlando, FL 32803  
Tel. 407.487.2594 www.poulosandbennett.com  
Eng. Bus. No. 28567



SOURCE: Brevard County, FL

#### Legend

- Subject Property Updated Extent
- 2 Mile Buffer
- Surrounding Large-Scale Developments

08/14/2023  
P & B Job No.: 23-081

2602 E. Livingston Street  
Orlando, FL 32803 Ph. 407-487-2594

2 Mile Buffer Map  
**SunTerra - Brevard Co**  
**POULOS & BENNETT**

www.poulosandbennett.com  
Certificate of Authorization No. 28567

(50,000,000)  
FEET



**Exhibit D.**  
**Sun Terra Babcock Street Property Site Specific Conditions**

**Density and Intensity Regulations**

1. Any development associated with this Comprehensive Plan Future Land Use Map amendment must be commenced through a Planned Development zoning district in substantial conformance with the submitted conceptual plan (Exhibit C), subject to developer-initiated adjustments not to exceed a 10% change in acreage for any given place type identified in Exhibit C (PUD Development Plan Sheet).

**Parks and Open Space Level of Service Analysis Requirements**

2. All park and trail space, excluding active lake amenities, clubhouses, and pools, shall be publicly accessible but privately maintained by the developer or any successors.

**Transportation Level of Service Analysis Requirements**

Babcock street will need to be improved or an agreed upon Proportionate Faire Share Agreement shall be entered into at the time of PUD zoning. If improvements to other Rights of way providing access to the project site are planned for prior to the development, a Traffic Impact Analysis shall be required to determine any required improvements specific to this development through the Planned Development zoning district application process.