



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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**STAFF COMMENTS
22PUD00001**

Health First, Inc. and Health First Shared Services, Inc.

**BU-1 (General Retail Use) and BU-2 (Retail, Warehousing and Wholesale Commercial) to PUD
(Planned Unit Development)**

Tax Account Number: 2427782, 2427785, 2427813 & 2441470
Parcel I.D.: 24-36-36-00-250.1, 251.2, 276 and 298
Location: SW corner of E Merritt Avenue and Borman Drive (District 2)
Acreage: 15.05 acres

Planning & Zoning Board: 5/09/2022
Board of County Commissioners: 5/26/2022

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	BU-1 & BU-2	PUD
Potential*	655,578 square feet	828,000 square feet in PDP
Can be Considered under the Future Land Use Map	Yes Community Commercial	Yes Community Commercial

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from BU-1 (General Retail Commercial) and BU-2 (Retail, Warehousing and Wholesale Commercial) to PUD (Planned Unit Development).

The Preliminary Development Plan for the PUD proposes the following uses - hospital use: 320,000 square feet; central utility plant use: 21,500 square feet; medical office use: 120,000 square feet; spa use: 2,800 square feet; child care center use: 7,500 square feet; restaurant use: 5,700 square feet; education center use: 19,100 square feet; coffee shop use: 2,900 square feet; market/juice bar use: 2,000 square feet; mixed-retail use: 5,800 square feet; concierge tower use: 700 square feet; and fitness center use: 20,000 square feet. Current plan proposes two helicopter landing sites (helipads – one on top of hospital and one on an elevated deck located north of the hospital); however, the

applicant states only one pad will be retained. Total proposed development is for a building mass of 528,000 square feet mostly located on top of a 300,000 square foot, two-story parking structure for a total development of 828,000 square feet. Building heights will range from single story to a 7-story hospital building measured at 161-feet high above the average elevation of the finished development grade of the building site.

Secondly, the applicant is requesting the ability to provide for air transport patient service to an Emergency Department available on a 24 hour per day, 7 days a week basis. The intended destination hospital will be the Holmes Regional Medical Center (HRMC) located in Melbourne. That facility also functions as a Level II Trauma Center for Health First. First Flight (Health First's air transport service) may airlift patients to this facility for evaluation and stabilization. It will be determined at this location whether further air transport to HRMC for Level II Trauma care is needed. The applicant states the flight path will be designed to maximize distance from the Harbour Del Rio Condominiums to minimize any noise impacts, while still providing safe flight operations. However, specific flight path information was not included in this application. No potential airspace conflicts with the existing Merritt Island Airport Airspace has been identified/provided except for the proposed height exceeding the 150 feet height limitation above the airport elevation per Section 62-2202 (14) of Brevard County Code. Chapter 46, Article IV, Section 46-127 (2) and (7) of Brevard County Code exempts emergency vehicles and aircraft from having to meet noise performance standards. Aircraft noise exemptions in accordance with federal laws and regulations are also exempted within Chapter 62, Section 62-2271 (e) (7), (Brevard County Zoning Performance Standards).

Thirdly, the applicant requests multiple waivers to Chapter 62, Article VI (Zoning Regulations). A description of those waivers are provided in the application.

The PUD zoning classification is designed to allow an applicant to submit a proposal for consideration, for any use or mixture of uses, and to allow the board of county commissioners to approve any proposal which it believes to be in the best interest of the public health, safety and welfare, along with any conditions or limitations thereon which the board of county commissioners deems advisable. Rezoning to the PUD zoning classification shall be an entirely voluntary procedure to be pursued only at the option of the applicant. Approval of the PUD zoning classification rests with the board of county commissioners, based upon its determination that the proposed development is in the best interests of the county.

The subject parcel contains two zoning classifications. It received its BU-1 zoning on February 9, 1967 under **Z-2040**. The BU-2 portion is original zoning which failed a change to BU-1 under **Z-2916** on February 4, 1972. There was a prior attempt to rezone from BU-1 & BU-2 to PUD under **20Z00020**, which was withdrawn by the owner/applicants on November 19, 2021.

Land Use

The subject property contains the Community Commercial (CC) FLUM designation. Both the existing BU-1 and BU-2 as well as the proposed PUD zoning classifications are consistent with the CC FLUM designation.

Applicable Land Use Policies

FLUE Policy 1.4 – Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Development activities which may be considered within the Community Commercial (CC) Future Land Use designation.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 3 - 5 of the Future Land Use Element.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

This request proposes a hospital with helicopter air transport, retail, fitness, child-care, and medical office uses which may be in operation 24 hours a day, 7-days a week. Hours of operation, noise levels, and traffic operations information has not been included with this application for the potential effects upon the neighborhood and adjacent commercial activities. These items may be reviewed during the site plan review.

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

Only a certified MAI appraisal can determine if material reduction has or will occur due to the proposed request.

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

- 1. historical land use patterns;

This area has been historically commercial.

- 2. actual development over the immediately preceding three years; and

There has not been any actual development within this area in the preceding three (3) years.

3. development approved within the past three years but not yet constructed.

There has not been any actual development within 500 ft of the property boundary in the preceding three (3) years. If this plan is approved, it may act as catalyst for additional development within Merritt Island and the surrounding area.

D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

If the Board approves the setback waiver requests, no material violation of relevant policies have been identified; however, this request does not abrogate any FAA rules or permitting requirements.

Analysis of Administrative Policy #4 - Character of a neighborhood or area.

The subject parcel is proposed to be rezoned from BU-1 and BU-2 to PUD. All of the uses proposed: hospital, retail, fitness, child-care, and medical office uses are allowed within the current zoning classifications existing on-site.

This request to rezone to PUD will allow an increased building height (up to 161-feet), increased building mass, and to reduce setbacks, building separation distances and to allow for a heliport landing pad (two pads shown on the PDP graphic however, the applicant maintains that only one pad will be developed). As the immediate area is also commercial, the proposed uses maintain the commercial integrity of the area. PUDs may request added building height and the zoning contains the ability for the applicants to request waivers to certain code provisions in Article VI or VII. The existing abutting commercial developments include a bank and a mini-warehouse development.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Vacant	RU-1-9	Public Conservation
South	Retail Mall	BU-1	CC
East	Shopping Center and various businesses	BU-1 & BU-2	CC
West	Mini- warehouse facility and stormwater pond	BU-1 & BU-2	CC

The developed character of the surrounding area is commercial. To the north of E. Merritt Avenue is an undeveloped conservation tract under the Single-family residential zoning classification, RU-1-9. To the east across Borman Drive is a mixture of medical, retail and wholesale uses under the BU-1

and BU-2 zoning classifications. To the south is a bank located at the SE corner of this property, zoned BU-2. Across Highway 520 to the south is the Merritt Square Mall, zoned BU-1. To the west is CubeSmart, a mini-warehouse facility, zoned BU-2 and to its north is a water body for retention or conservation, zoned BU-1.

The BU-2 zoning classification permits retail, wholesale and warehousing commercial land uses on minimum 7,500 square foot lots. Possible incompatibilities are due to the intensive nature of commercial activities permitted by the BU-2 classification and possible noise, light, traffic and other nuisance factors potentially associated with BU-2 activities (auto-repair facilities, paint and body shops, and contractor storage yards). The BU-2 zoning classification allows all the proposed uses included in this application

The BU-1 classification allows general retail commercial zoning classification encompasses land devoted to general retail shopping, offices and personal services to serve the needs of the community with a minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling. The BU-1 zoning classification allows all the proposed uses included in this application

The RU-1-9 classification permits single family residential development on lots of 6,600 square feet (minimum). The minimum house size is 900 square feet.

The Planned Unit Development (PUD) encourages and permits variation in development by allowing deviation in lot size, bulk or type of dwellings, density, lot coverage and open space from that required in any one residential zoning classification. The purpose of a PUD is to encourage the development of planned residential neighborhoods and communities that provide a full range of residence types, as well as industrial, commercial and institutional land uses.

In addition to Administrative Policies #3 and #4, the Preliminary Development Plan should be evaluated in the context of Section **62-1448 (b) (5)** of the Zoning code:

Review criteria. The decision of the planning and zoning board on the preliminary development plan application shall include the findings of fact that serve as a basis for its recommendation. In making its recommendation, the planning and zoning board shall consider the following facts:

a. Degree of departure of the proposed planned unit development from surrounding residential areas in terms of character and density.

Applicant response: The character of the surrounding area is substantially commercial with uses such as BJs Wholesale and Cubesmart to the west, the Merritt Square Mall to the south, and a variety of retail and medical uses to the east defining this neighborhood. The health care focused "Wellness Village" character of the proposed PUD will compliment and support the surrounding area. The nearest residential use is the Harbor Del Rio Condominium, with the closest condominium building located approximately 480 feet from the northwest corner of the Health First property.

Staff comment: The character of the area is retail, office, medical office and warehousing uses. The potential development on this site generates 828,000 square feet of development uses. Proposed uses are comparable with existing zoning.

b. Compatibility within the planned unit development and relationship with surrounding neighborhoods.

Applicant response: The proposed development is compatible within the PUD and with the surrounding neighborhoods which are substantially commercial in nature.

Staff comment: The proposed development is a mix of wellness services, health and retail, fitness center, community space and convenient parking, all to complement acute-care services in one centralized location.

c. Prevention of erosion and degrading of surrounding area.

Applicant response: Erosion and degradation of the surrounding area will be prevented by an onsite stormwater management system and stabilization of unpaved areas by landscaping. Further, this investment will very likely serve as a catalyst for future investments along this corridor that will seek to support the vision and mission of the Wellness Village.

Staff comment: This site proposes the redevelopment of a commercial site which contained over 75% as impervious surface; the proposed plan includes underground stormwater retention; further review will be conducted as part of the formal site plan submittal.

d. Provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation as shown in the preliminary development plan.

Applicant response: No public education facilities (schools) are proposed but an education center will be available for health and wellness education purposes. A privately-owned health club open for public membership is proposed as well as walking trails throughout the Village. Bus stop locations for public transportation will be coordinated with Space Coast Area Transit. Water supply will be provided with on-site water distribution system connected to the City of Cocoa water mains. Sewage disposal will be provided by on-site gravity sewer mains connected to the Brevard County Utilities sewer mains. Surface drainage and flood control will be provided by an onsite stormwater management system. Soil conservation of unpaved areas will be provided by landscaping. These provisions are shown on the PDP.

Staff comment: This PUD proposal does not include residential uses. The proposed PDP provides no open space.

e. The nature, intent and compatibility of common open space, including the proposed method for the maintenance and conservation of the common open space.

Applicant response: Not applicable, common open space is required for residential.

Staff comment: No common open space has been identified on Sheet CS-100.

f. The feasibility and compatibility of the specified stages contained in the preliminary development plan to exist as an independent development.

Applicant response: The property owner intends to construct the project in one stage (phase), with the buildings to be sequenced in construction.

Staff comment: If approved, comments will be addressed during the formal site plan review.

g. The availability and adequacy of water and sewer service to support the proposed planned unit development.

Applicant response: There is available water and sewer service existing on-site. This infrastructure has the capacity to support the proposed development, with modifications that may be required to the locations and alignment of water and sewer mains based on the proposed development.

Staff comment: A connection to water and sewer facilities are proposed.

h. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed planned unit development.

Applicant response: The proposed PUD is located adjacent to SR 520 (East Merritt Island Causeway), Borman Drive and E. Merritt Avenue. Included in the application is a Traffic Memorandum presenting adjacent facilities existing traffic and capacity utilization along with a trip generation summary of the proposed land uses, as provided by the ITE Trip Generation Manual. The trip generation summary provides peak hour and daily trip generation estimates. A Traffic Study is currently planned to be conducted as soon as the methodology is approved by Brevard County and FDOT to evaluate the actual traffic generation as captured trips are anticipated due to the multi-use nature of the Wellness Village, and to identify needs for traffic infrastructure improvements. It is anticipated that the Traffic Study unique to this development makeup will reveal that less trips will be generated by the Wellness Village than the unadjusted baseline calculations dictated by the ITE Trip Generation Manual.

Staff comment: The site has 9 connections to three roadways, E Merritt Avenue, Borman Drive and Highway 520 (East Merritt Island Causeway). The applicants have not provided a traffic study to assess potential transportation impacts. Transportation impacts are typically addressed during the formal site plan review unless the Board feels the study is necessary to evaluate the PUD rezoning.

i. The benefits within the proposed development and to the general public to justify the requested departure from the standard land use requirements inherent in a planned unit development classification.

Applicant response: The proposed development will provide a multitude of community benefits, including a local hospital and access to health care facilities such as doctors' offices and outpatient surgery. There will also be a physical fitness center and retail shops.

Staff comment: The proposed development and supporting infrastructure are adjacent to public transportation, shopping and medical services.

j. The conformity and compatibility of the planned unit development with any adopted development plan of the county.

Applicant response: The PUD is compatible with Brevard County's Comprehensive Plan and the vision set forth for the Merritt Island Redevelopment Agency.

Staff comment: The applicant is seeking waivers from various sections of the Code which are identified in the application including setbacks, height, distance between structures, and heliport requirements. The Board will need to determine if the request is compatible.

k. The conformity and compatibility of the proposed common open space, primary residential and secondary nonresidential uses with the proposed planned unit development.

Applicant response: Not applicable, common open space is required for residential.

Staff comment: The proposed Preliminary Development Plan (PDP) is not required to provide open space as there is not a residential component in the project. The proposed PDP does show open space on top of the parking garage structure.

Staff Note:

The Preliminary Development Plan (PDP) is part of the zoning application for a PUD, which depicts the use and intensity of the project. It is not intended to be specific with respect to engineering details that are normally reviewed at the Final Development Plan (site plan) stage of review. Additional details on the Preliminary Development Plan that are normally required at the Final Development Plan.

Specific waivers to land development regulations must be stated on the preliminary development plan and must be verbally requested by the applicant at the public hearing. Unless a waiver is specifically requested by the applicant and specifically approved by the Board, it will not be assumed to have been approved. In this case, the applicant has requested numerous waivers, generally described below, to facilitate the proposed uses. These waivers will be included in the Board's approval unless omitted.

- The applicant has requested numerous waivers of Brevard County Code as identified in the application which allows for additional building heights above 35-feet in height, if certain setbacks have been increased.
- The applicant has submitted multiple PUD perimeter setback waivers as well as additional setback waivers for buildings with proposed additional building height. Concerns over building/structure maintenance adjacent to road rights of ways are a concern to the Public Works Department and will be addressed at site plan.
- The waiver of airport height restrictions regarding granting development approval into restricted airport airspace without receiving similar approval comment from external governing agencies such as: FAA, FDOT Aviation Unit, or the TICO Airport Authority. Section 62-2202

(14) and Section 62-2203 of Brevard County Code list structure and obstruction height limitations to protect airspace around airports in order to reduce obstructions to air navigation.

There have been three recent zoning actions within a half-mile of the subject property within the last three years.

- **18PZ00056** adopted August 2, 2018 changed RU-1-7 to BU-2. Parcel lies along the south side of Highway 520 (E Merritt Island Causeway) 912 feet in a SW direction approximately 400 feet east of Plumosa St.
- **18PZ00061** adopted August 2, 2018 approved a conditional use permit (CUP) for truck and trailer rental for the U-Haul business located 1,800 to the south at the NW corner of S. Sykes Parkway and Fortenberry Road.
- **21Z00015** adopted August, 5, 2021 changed BU-1 to RU-2-15. Parcel lies along the south side of Palmetto Avenue 2,650 feet in a W direction.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Highway 520, between Plumosa Street to Sykes Creek Parkway, which has a Maximum Acceptable Volume (MAV) of 62,900 trips per day, a Level of Service (LOS) of D, and currently operates at 42.57% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 16.79%. With the maximum development potential from the proposed rezoning, the corridor is anticipated to operate at 59.36% of capacity daily (LOS C). The proposal is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as the project is not intended for residential uses.

The parcels are serviced potable water by the City of Cocoa. Sewer is provided by Brevard County.

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Hydric Soils
- Aquifer Recharge Soils
- Floodplain
- Indian River Lagoon Nitrogen Reduction Overlay
- Protected and Specimen Trees
- Protected Species

No noteworthy land use issues were identified. Natural Resources Management (NRM) reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Traffic Engineering Comments:

1. A Traffic Impact Study will be required. A methodology memorandum is strongly encouraged to facilitate an agreement between the Engineer and the Review Engineer on trip generation, trip distribution, analysis extent, analysis periods, and other items as applicable to the development prior to proceeding with the analysis. All trip generation must be based on the latest edition of the ITE Trip Generation Manual (11th).
2. Trip generation credits will not be recognized for any land uses not in operation in 2019 or later.
3. There are operational concerns about the connection at SR 520, specifically regarding the geometry and proximity of the roundabout.

Public Works - Engineering – Comments

1. Please revise the requested setback waivers #2 and 12 to Sections 62-1446 (d)(4) and 62-1446 (d) (8) to allow for the setback area needed to construct and maintain the proposed building structures outside of the existing rights-of-way of both Borman Drive and East Merritt Island Avenue. Please also revise the Preliminary Development Plan to show the proposed structures that are shown at the right-of-way line to allow for construction and maintenance of these structures within the property without impacting the existing rights-of-way. Additional right-of-way permitting, right-of-way use agreements, and performance bonds for construction and/or for certification of completion may be needed.
2. Please revise the Preliminary Development Plan, to show the proposed pickup and drop-off lane to be outside of the Borman Drive right-of-way. Private improvements are not permitted within the right-of-way. Adjust the proposed sidewalk along Borman Drive accordingly.
3. The Preliminary Development Plan is not signed and sealed by a Florida Licensed Professional Engineer and was reviewed by staff as a conceptual plan. Staff will review for Code compliance during site plan review under Chapter 22 as it applies to site plan elements; and Chapters 62, 86, and 106, per the Code of Ordinances of Brevard County.

For Board Consideration

The Board may wish to consider whether this request is consistent and compatible with the surrounding area and whether the multiple waiver requests are appropriate. The Board may consider the following conditions in the approval:

- The PDP will allow the flexibility for the buildings and structures to move on the site without Board approval.
- Approval of the requested waivers as identified in the application as to heights, setbacks, distance between structures, and heliports.
- The final location of the heliport pad will be approved at formal site plan.
- The applicant shall submit a detailed map which depicts the approach zone for said heliport and the relation to existing single family homes with the site plan.

- Submit a noise exposure map as prepared by a certified engineer for proposed flight path with the site plan.
- A Traffic Impact Study shall be submitted with the site plan. The applicant will be responsible for design, permitting, and constructing all necessary improvements identified in the study.
- Roundabout and connectivity issue to adjacent parcel (CubeSmart) will be addressed at site plan.
- Bus pickup and drop-off to be located outside of existing Borman Drive road right-of-way.
- Maintenance of structures adjacent to public roadways due to reduced setbacks will be addressed at site plan.
- Heliport shall be designed and constructed in accordance with FAA requirements for hospital heliports.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary**

Item # 22PUD00001

Applicant: Health First, Inc.

Zoning Request: BU-1 & BU-2 to PUD

Note: Applicant wants mixed uses, intensity, increased building height, and heliport.

P&Z Hearing Date: 05/09/22; **BCC Hearing Date:** 05/26/22

Tax ID Nos: 2427782, 2427785, 2427813 & 2441470

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Hydric Soils
- Aquifer Recharge Soils
- Floodplain
- Indian River Lagoon Nitrogen Reduction Overlay
- Protected and Specimen Trees
- Protected Species

No noteworthy land use issues were identified. Natural Resources Management (NRM) reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Land Use Comments:

Hydric Soils

The subject parcel contains mapped hydric soils (Canaveral - Anclote complex) as shown on the USDA Soil Conservation Service Soils Survey map. An indicator that wetlands may be present on

the property. Section 62-3694(c)(3)b has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). State Road 520 is an MQR. Section 62-3694(c)(3)c has allowances for wetland impacts for properties designated for commercial or industrial land uses on the Future Land Use Map prior to February 23, 1996, if the property abuts land(s) developed as commercial or industrial as of December 31, 2010, and has sufficient infrastructure available to serve the commercial or industrial use. In either case, the applicant shall complete High Function and Landscape Level wetlands assessments prior to the allowance of any wetland impacts. Board approval may be required for impacts.

For institutional development activities on properties which contain wetlands, Section 62-3694(c)(4) will apply. Per Section 62-3694(c)(5), wetland impacts may be permitted for mixed-use land development activities that meet criteria. Impacts to wetlands from residential and mixed-use land development activities, on a cumulative basis, shall not exceed 1.8% of the non-commercial and non-industrial acreage of the PUD. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) including avoidance of impacts, and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any land clearing activities, plan or permit submittal.

Aquifer Recharge Soils

Canaveral - Anclote complex also functions as aquifer recharge soils. Site is already impacted. The project may provide an opportunity to re-establish recharge of the aquifer soils. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Indian River Lagoon Nitrogen Reduction Overlay

The entire parcel is mapped within the Indian River Lagoon Nitrogen Reduction Overlay per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay. If adequate sewer for the development is not available, then the use of alternative septic systems designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes shall be required. The rezoning application states that site will have access to sewer.

Protected and Specimen Trees

Aerials indicate that Protected (greater than or equal to 10 inches in diameter) and Specimen Trees (greater than or equal to 24 inches in diameter) may exist on subject property. Per Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

The conceptual plan references a rooftop park with landscaping. The applicant should work with staff to develop a landscape design that meets code prior to any engineering design. Rooftop and indoor plantings will require evaluation for perpetual plant survival as required by code.

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.