



BOARD OF COUNTY COMMISSIONERS

## Planning and Development Department

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<https://www.brevardfl.gov/PlanningDev>

### STAFF COMMENTS

**20Z00004**

**MCD Family Trust, LLC**

### **Amendment to Existing BDP (Binding Development Plan in a BU-2 (Retail, Warehousing, Wholesale Commercial))**

Tax Account Number: 2323791  
Parcel I.D.: 23-35-06-00-281.3  
Location: 885 Plantation Dr. Unit W-H/RV Titusville in The Great Outdoors area  
(District 1)  
Acreage: 2.14 acre

Planning and Zoning Board: 07/06/2020

Board of County Commissioners: 08/06/2020

### 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
<b>Zoning</b>	BU-2 with BDP	BU-2 with revision to BDP
<b>Potential*</b>	26,101 sq. ft.	26,101 sq. ft.
<b>Can be Considered under the Future Land Use Map</b>	Yes, DRI 1 (Development Regional Impact The Great Outdoors)	Yes, DRI 1 (Development Regional Impact The Great Outdoors)

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

### Background and Purpose of Request

The applicant is seeking an amendment to the existing BDP (Binding Development Plan) in BU-2 for future development of a 1,200 sq. ft. office building.

On November 29, 2005, application **Z-11169** changed the zoning from RVP (Recreational Vehicle Park) to BU-2 (Retail, Warehousing and Wholesale Commercial) zoning with a BDP limited to a mini-storage facility with RV storage only.

1989, Ordinance **89-17** changed the zoning classification from TTP (Travel Trail Park) to RVP.

On December 15, 1986, application **Z-7673** changed the zoning from GU (General Use) to TTP.

## **Land Use**

The subject property retains the DRI 1 (The Great Outdoors) FLU (Future Land Use) designation. The current zoning of BU-2 on the subject property is consistent with the DRI 1 FLU.

## **Environmental Constraints**

No noteworthy environmental issues were identified for subject parcel. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development. Please see NRM comments at the end of this report for further details.

## **Preliminary Concurrency**

The closest concurrency management segment to the subject property is Highway 50, between Highway I-95 and Orange County, which has a Maximum Acceptable Volume (MAV) of 40,300 trips per day, a Level of Service (LOS) of D, and currently operates at 30.69% of capacity daily. The proposed development potential from the proposed amendment to the existing BDP does increase the percentage of MAV utilization by 00.03%. The corridor is anticipated to continue to operate at 30.72% of capacity daily (LOS D). The proposal is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as this is a proposed commercial development.

The parcel is serviced by The Great Outdoors private sewer.

The parcel is serviced by The City of Cocoa potable water.

## **Applicable Land Use Policies**

The Board should evaluate the compatibility of this application within the context of the Board's Administrative Policies 1 through 8 of the Future Land Use Element, outlined in the Administrative Policies

**Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.** The subject property is currently developed with a 7,800 sq. ft. mini-storage facility along with RV storage and lies within The Great Outdoors DRI Future Land Use designation. The parcel abuts RVP zoning along its northern and eastern boundaries which are all part of The Great Outdoors DRI. The abutting parcel to the west and south is Plantation Drive and is zoned RVP and part of The Great Outdoors DRI. The parcels south across Plantation Drive are zoned RVP. The BU-2 zoning may be considered to be consistent with the Development Regional Impact 1 (DRI 1) Future Land Use designation.

**Analysis of Administrative Policy #4 - Character of a neighborhood or area.** The developed character of the surrounding area is RVP zoning developed with various Residential Vehicle Park uses. The proposed amendment to the existing Binding Development Plan in BU-2 zoning may be considered to be consistent with the Future Land Use designation Development Regional Impact 1 (DRI 1) Future Land Use designation.

## **Surrounding Properties**

The developed character of the surrounding areas abutting the subject parcel to north and east are zoned RVP and are developed with Warehousing, Distribution and Trucking Terminal, commercial uses.

The developed character of the surrounding areas west across Plantation Drive are RVP single-family resort homes and a retention pond.

The RVP recreational vehicle park zoning classification encompasses lands devoted for recreation vehicle, tent, park trailer and cabin uses together with such ancillary structures as allowed to promote a recreational type atmosphere for both park owners and/or their guests. Minimum park size shall be five acres. Recreational vehicle sites shall have a minimum area of 2,000 square feet, and shall have a minimum width of 30 feet and minimum depth of 60 feet.

As defined, spaces or lots may be used by a recreational vehicle or equivalent facilities constructed in or on automotive vehicles, or tents, or other short-term housing devices. Cabins or park trailers used for short-term rentals may comprise no more than 20 percent of the permitted space or lots, and shall not exceed a maximum of 1,000 square feet each in size.

The BU-2 zoning classification permits retail, wholesale and warehousing commercial land uses on minimum 7,500 square foot lots.

There have been no zoning actions within a half-mile of the subject property within the last three years.

## **For Board Consideration**

The applicant is seeking an amendment to the existing BDP (Binding Development Plan) in BU-2 for future development of a 1,200 sq. ft. office building. The current BDP is limited to a mini-storage facility with RV storage only.

The Board may wish to consider whether the request is consistent and compatible with the existing BDP and the RVP zoned parcels to the north, east, south and west.

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

**Item # 20Z00004**

**Applicant:** Honeycutt c/o McDaniel

**BDP Revision Request:** BU-2 with BDP to BU-2 with revised BDP

**Note:** Applicant wants to revise BDP to add 1,200 SF office building in addition to existing allowance of RV storage and 20,000 SF mini warehouse.

**P&Z Hearing Date:** 07/06/20; **BCC Hearing date:** 08/06/20

**Tax ID No:** 2323791

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management (NRM) Department 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:**

- Wetlands
- Hydric Soils
- Protected Species
- Protected and Specimen Trees

No noteworthy land use issues were identified for subject parcel. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

## **Land Use Comments:**

### **Wetlands**

The subject parcel contains 100% hydric soils (Eau Gallie sand-frequently ponded and Riviera sand), and an area of mapped SJRWMD wetlands along the northwestern property boundary as shown on the USDA SCSSs soils, and SJRWMD FLUCCS Wetlands maps, respectively. These are indicators that wetlands may be present on the property. Per Section 62-3694(c)(6), Permitted 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 a DRI, PUD, parcel acreage or, if the project is within a New Town Overlay (as defined in Chapter 11, Policy 9.2), 1.8% of the non-commercial and non-industrial acreage within the applicable New Town Overlay. Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts, and Section 62-3696. The applicant is encouraged to call NRM at 321-633-2016 prior to any land clearing activities, plan design, or permit submittal.

### **Protected Species**

Information available to NRM indicates that federally and/or state protected species may be present on the property. Should any protected species be present, and prior to any plan, permit submittal, development activity, or 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.

### **Protected and Specimen Trees**

Aerials indicate that Specimen and Protected trees may exist on the subject parcel. Per Section 62-4341(18), Specimen and Protected 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. A tree survey will be required at time of site plan permit application submittal. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.