



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.3.

12/5/2023

Subject:

Preliminary Development Plan Amendments, Re: Health First Planned Unit Development (PUD) Minor Amendment #1 (District 2)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

Staff is seeking the Board's confirmation on proposed amendments to the Health First PUD that are not considered substantial and are within the administrative approval authority provided to the Zoning Official by Brevard County code of Ordinances.

Summary Explanation and Background:

Section 62-1448 (c) Amendment to approved preliminary development plan. If, after the initial approval of the PUD preliminary development plan, should the owner or applicant or his successors desire to make any changes to the preliminary development plan, such changes shall first be submitted to the county. If the zoning official deems there is a substantial change or deviation from that which is shown on the preliminary development plan, the owner or applicant shall be requested to return to the board of county commissioners where it is determined that the public interest warrants such procedure. For purposes of this subsection, a substantial change shall be defined as any change which increases the density or intensity of the project or decreases the amount of buffer areas from adjacent property or decreases the amount of common open space. The zoning official shall have the authority to approve minor changes not determined by the director to be substantial as defined in this subsection.

On July 19, 2022, the Board approved the PUD with the Preliminary Development Plan (PDP) for Health First which includes a Wellness Village containing an open space area, fitness center, juice bar, education center, spa, food hall, mixed retail, and a daycare. These features were used as justification for flexible design standards which granted waivers for building setbacks, building separation, and building height. The proposed revised PDP removes the Wellness Village, adds open retention ponds, and changes the proposed access points.

Staff is seeking the Board's confirmation that the proposed changes to the PDP are within staff's administrative authority.

Clerk to the Board Instructions:

None



December 6, 2023

M E M O R A N D U M

TO: Tad Calkins, Planning and Development Director

RE: Item F.3., Preliminary Development Plan Amendments for Health First Planned Unit Development (PUD) Minor Amendment #1

The Board of County Commissioners, in regular session on December 5, 2023, confirmed the proposed amendments to the Health First PUD that are not considered substantial and are within the administrative approval authority provided to the Zoning Official by Brevard County Code of Ordinances.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/dm

Health First Wellness Village – Merritt Island

Justification Narrative and PUD Application supporting information

NARRATIVE:

Health First intends to build a state-of-the-art Wellness Village to transform the customer healthcare experience for the local community and families in a growing urban atmosphere. The Health First Merritt Island Planned Unit Development (PUD) will provide a variety of wellness services, health and retail space, fitness center, amphitheater, community space and convenient parking, all to complement acute-care services in one centralized location.

The Property is bound by State Road 520 (East Merritt Island Causeway) to the south, by Borman Drive to the east, by E. Merritt Avenue to the north, by a wet retention conservation easement and CubeSmart mini self-storage warehouse facility on the west. Not included is the southeast corner (Chase Bank). The total area owned by Health First is 15.05 acres. To the east of Borman Drive are retail stores and medical office space. To the north of E. Merritt Avenue is a large conservation area owned by Brevard County, with the Harbor Del Rio Condominiums to the northwest of the Property.

The underlying future land use for the Property is Community Commercial (CC) and the zoning is BU-1 and BU-2. The PUD classification is being requested so that the Wellness Village's proposed uses, setbacks, building heights, buffers and signs can be considered with a Preliminary Development Plan (PDP) narrative that justifies how these various uses and elements achieve the goals of the PUD found in Sec. 62-1442 of the Code [ref. Sec. 62-1443(a)(2)]. The following uses are intended for the proposed development and allowed in BU-1 zoning under Section 62-1482 (1) of Brevard County Land Development Code:

- Hospital
- Medical Office Building (MOB)
- Child Daycare Center
- Fitness Center
- Coffee Shop
- Education Center
- Retail
- Food Hall
- Spa
- Market/Juice Bar
- Information/Concierge Tower
- Central Utility Plant and
- Parking Garage
- Heliport

The proposed development consists of three separate features: a parking structure with several facilities located on the top level; a separate hospital building; and a central utility plant. Located on top of the parking structure will be the Wellness Village. The Wellness Village will consist of the MOB, Child Daycare Center, Fitness Center, Coffee Shop, Education Center, Spa, Retail, Food Hall, Market/Juice Bar, Event Space, Amphitheater and Information Tower. The Wellness Village will also contain landscaping and pedestrian walkways, as well as emergency, maintenance and event vehicle access. The hospital building pad will be elevated to provide protection from potential storm surge. Access to the second story of the parking facility, Hospital and Wellness Village will be provided by access ramps, as shown on the PDP.

A hospital heliport will be needed to support the hospital's use of First Flight, Health First's air transport, a life-saving service for the community. Additional information on the heliport is provided in the waiver request for the heliport.

The building identified as the Central Utility Plant is an accessory use to the Hospital and will contain mechanical equipment (HVAC, chillers, etc.) and emergency generators. The parking structure is an accessory use to serve the Hospital, MOB, and the other campus facilities. The playground is an accessory use to the Child Daycare Center.

The proposed PUD encourages and permits variation in development by allowing deviation in development standards such as, but not limited to: lot size bulk or type of uses; lot coverage; and open space from the standards required in any one zoning classification. The PUD encourages the development of a planned "Wellness Village" that will serve the local community by providing a full range of wellness- and health-related services. The increased intensity, as shown in the PDP, is necessary to allow for efficient clustering of the proposed Wellness Village elements than would otherwise occur using BU-1 and BU-2 zoning. The proposed east setback allows for the establishment of an urban landscape with sidewalks along Borman Drive. The height of the hospital and buildings are necessary to provide an efficient building footprint and still meet the community needs for capacity. The zero ft setback for the retaining walls and access stairway is necessary for the design grade changes within the limited available space. These components typically require little or no regular maintenance and are not expected to impact public use of the right of way.

This PDP encompasses a design that merges the developer's ingenuity, imagination and flexibility but deviates from Articles VI and VII of Chapter 62 of the Brevard County Code. Our request is to depart from the strict application of conventional use and dimension requirements of other zoning districts or other land development regulations while remaining consistent with the future land use map of the Brevard County Comprehensive Plan.

The proposed PUD will offer the following advantages:

- allows the developer to take a creative approach to the use of land and related physical development, as well as utilizing innovative techniques to enhance the visual character of the Property and the nearby area,
- provides efficient land use which will result in more efficient utility networks and reduced development costs,
- establishes criteria for the inclusion of compatible associated uses that provide synergy within the planned unit development,
- will simplify the procedure for obtaining approval of proposed developments through simultaneous review by the county of proposed land use, site considerations, lot and setback considerations, public needs and requirements, and health and safety factors.

The following information is provided on the PDP submittals:

- Proposed uses,
- Setbacks,
- Separation between structures,
- Maximum height of structures,
- Parking requirements and locations,
- Vehicular and pedestrian circulation systems,
- Underground utilities,
- Drainage,
- Survey with easements, existing streets and required physical features,
- Site data.

REQUESTED WAIVERS:

The following waivers are requested with approval of the PUD and PDP, per Sec. 62-1448(b)(2), and are justified to allow the development of the necessary program elements:

HOSPITAL

1) Sec. 62-2101.5 (a) (2); Additional building height.

Waiver for a 41 ft. reduction in the 2:1 setback requirement to RU-1-9 single-residential zoning boundary along the north side of E. Merritt Island Avenue (100 ft right of way).

Allowed: 322 ft. / Proposed: 281 ft.

2) Maximum Building Height; Sec. 62-2101.5 (b) (1) (a):

- a) A waiver for a 126 ft increase in building height within calculated setbacks:

Allowed: 35 ft. / Proposed: 161 ft.

3) Maximum Building Height; Sec 62-2101.5 (b) (1) b:

- a) A waiver for a 101 ft. increase in building height with adjacent zoning BU-1 & BU-2:

Allowed: 60 ft. / Proposed: 161 ft.

4) Sec 62-1446 (d) (3) e; Minimum Distance Between Structures

A waiver for a 40 ft. reduction in separation distance between the 5-story Wellness Village and 7-story Hospital:

Required: 40 ft. / Proposed: 0 ft.

5) Sec. 62-2203 (a); Airport zone and airspace height limitations

A 10.76 ft. waiver above the Horizontal zone for Merritt Island Airport, as defined in Sec. 62-2202(14). Airport zones.

Allowed: 155.24 ft. / Proposed: 166 ft.

PARKING GARAGE

1) PUD Perimeter setback reduction; Sec. 62-1446 (d) (4):

- a) A 25 ft setback waiver for the east stairway structure along the Borman Dr. right of way line:

Required: 25 ft. / Proposed: 0 ft.

- b) A 20 ft. setback waiver along the south interior lot line (adjacent to the bank):

Required: 25 ft. / Proposed: 5 ft.

2) Sec. 62-1446 (d) (8); same—Land use regulations.

A 15 ft. setback waiver for the east stairway structure along Borman Dr. frontage.
 Allowed: 15 ft. / Proposed: 0 ft.

WELLNESS VILLAGE

For the purpose of calculating setbacks the height of the Wellness Village is measured from the average site elevation of 5.00. For waivers 3 and 4 below, the height of the Wellness Village is measured from the top of the first parking garage level which is 16 ft above the average site elevation of 5.00.

1) Building Height Setback Reduction; Sec. 62-2101.5 (a) (1)

- a) An 85 ft. setback waiver along the south interior property line:
 Required: 90 ft. / Proposed: 5 ft.
- b) A 16 ft. setback waiver along the west interior property line:
 Required: 90 ft. / Proposed: 74 ft.

2) PUD Perimeter setback reduction; Sec. 62-1446 (d) (4):

A 20 ft. setback waiver along the south interior lot line (adjacent to the bank):
 Required: 25 ft. / Proposed: 5 ft.

3) Maximum Building Height; Sec. 62-2101.5 (b) (1) (a):

A waiver for a 54 ft increase in building height within calculated setbacks:
 Allowed: 35 ft. / Proposed: 89 ft.

4) Maximum Building Height; Sec 62-2101.5 (b) (1) b:

A waiver for a 29 ft. increase in building height with adjacent zoning BU-1 & BU-2:
 Allowed: 60 ft. / Proposed: 89 ft.

CENTRAL UTILITY PLANT

1) Maximum Building Height; Sec. 62-2101.5 (b) (1) a:

A waiver for a 33 ft increase in building height within calculated setbacks:
 Allowed: 35 ft. / Proposed: 68 ft.

2) Maximum Building Height; Sec 62-2101.5 (b) (1) b:

A waiver for an 8 ft. increase in building height with adjacent zoning BU-1 & BU-2:
 Allowed: 60 ft. / Proposed: 68 ft.

RETAINING WALLS

1) PUD Perimeter setback reduction; Sec. 62-1446 (d) (4):

- a) A 20 ft. setback waiver for the concrete retaining wall structure supporting the west drive aisle and ramps along the west interior lot line (adjacent to the mini-warehouse storage facility):
 Required: 25 ft. / Proposed: 5 ft.
- b) A 25 ft. setback waiver for concrete retaining wall structures along E Merritt Ave right of way line:
 Required: 25 ft. / Proposed: 0 ft.
- c) A 25 ft. setback waiver for the concrete retaining wall structure supporting the north parking lot along the Borman Dr. right of way line:
 Required: 25 ft. / Proposed: 0 ft.

2) Sec. 62-1446 (d) (8); same—Land use regulations.

- a) A waiver for a 25 ft reduction in setback distance of the concrete retaining wall structures along E Merritt Ave right of way line:
 Required: 25 ft. / Proposed: 0 ft.
- b) A waiver for a 15 ft reduction in setback distance of the concrete retaining wall structure supporting the north parking lot along the Borman Dr. right of way line:
 Required: 15 ft. / Proposed: 0 ft.

3) Sec. 62-2019 (a); Fences, walls and other obstructions.

- a) A waiver for a 17 ft. increase in wall height for the ramp retaining wall along the west interior property line.
 Allowed: 8 ft. / Proposed: 25 ft.
- b) A waiver for a 22 ft. increase in wall height for the Oxygen Tank enclosure wall near the west interior property line.
 Allowed: 8 ft. / Proposed: 30 ft.

4) Sec. 62-2019 (c); Fences, walls and other obstructions.

- a) A waiver for an 11 ft increase in retaining wall height of the concrete retaining wall structures within the required street setback along E Merritt Ave.
 Allowed: 4 ft. / Proposed: 15 ft.
- b) A waiver for an 11 ft increase in retaining wall height of the concrete retaining wall structure supporting the north parking lot within the required street setback along Borman Dr.
 Allowed: 4 ft. / Proposed: 15 ft.

HOSPITAL HELIPORT

1) Sec 62-1443; Permitted Uses

A waiver to allow a Hospital Heliport per FAA AC 150/5390-2C Chapter 4 design guidelines.

2) Sec 62-1943.5; Waiver request to allow hospital heliport as an accessory use to PUD zoning.

A hospital heliport will be needed to support the hospital's use of First Flight, Health First's air transport, a life-saving service for the community. In addition to the common accepted practice of equipping hospitals with helicopter landing facilities for life-saving services, an expectation to have such facilities is found under the Federal Centers for Medicare & Medicaid Service (CMS) authorization for The Joint Commission to survey on behalf of CMS. The Joint Commission's standard that applies in this case is identified as LD.04.01.11. The rationale of this standard requires hospitals to allocate resources into services that have a direct effect on patient outcomes with the highest priority on high-risk processes which can affect patient safety. The elements of performance for this standard addresses all interior and all exterior spaces. Therefore, the hospital must demonstrate during Joint Commission inspections that life-saving helicopter access to a helipad, with a highly efficient patient transfer to the Emergency Department, is available on a 24 hour per day, 7 days per week basis. Hospital's must regularly take Joint Commission inspection teams on complete tours of their campus and these tours include an inspection of the helicopter facilities. The Joint Commission also requires hospitals to comply with applicable codes and laws

and require hospitals to provide full certification that a hospital's helipad meets all FAA requirements.

Sec 62-1943.5; Private Heliports

Private heliports as an accessory use to a single-family residence may be permitted as a conditional use within the GU, PA, AGR, AU and REU zoning classifications subject to the following conditions:

- (1) No more than one helicopter may be located on any residential property.

Will comply, only one helicopter at a time will be present at the hospital.

- a. A conceptual site plan, binding on the property owner, shall be submitted which shows the following:

1. Legal boundaries of said property.

Legal boundaries are shown on the PDP.

2. Display the overall dimensions of the actual landing and take-off areas.

Will comply; these dimensions will be developed during the design and permitting phase and shown on the Final Development Plan. Currently, two location options are under consideration for the helipad: either a rooftop structure or an elevated structure adjacent to the hospital. The heliport location and flight paths will be permitted through the Federal Aviation Administration (FAA) and Florida Department of Transportation.

3. Indicate the front, side, and rear setbacks from the closest point of private heliport.

Will comply; these dimensions will be finalized during the design and permitting phase and shown on the Final Development Plan.

- b. Applicants shall submit a detailed map which depicts the approach zone for said heliport and the relation to existing single family homes.

Will comply; this will be done during the design and permitting phase and shown on the Final Development Plan. The flight path will be designed to maximize distance from the Harbor Del Rio Condominiums to minimize any noise impacts while still providing safe flight operations.

- c. Applicants shall present documentation as to the specific model of helicopter, including the noise characteristics, to be placed on the property.

Military H-60 variants and Eurocopter EC-135 are proposed for design purposes. Documentation to be submitted during the design and permitting phase.

- d. Applicants shall submit a noise exposure map as prepared by a certified engineer for proposed flight path.

Will comply; this will be provided during the design and permitting phase.

- e. In order to maintain a reasonable decibel level for surrounding homes, the proposed flight paths shall not exceed current FAA noise requirements.

Will comply; proposed flight paths will be established in compliance with FAA regulations during the design and permitting phase.

- f. Surfacing of the landing facility shall be such so as to minimize the blowing of any dust, dirt or other objectionable material onto neighboring property.

Will comply.

- g. Private heliport operations shall not be used for commercial purposes.

The heliport will be used to serve the hospital and local community for emergency health care services.

- (2) No helicopter shall be permitted which is designed for carrying more than four persons.

A waiver is requested to allow for the helicopter to carry the required flight crew, medical crew and patients being transported by the helicopter.

- (3) Take-off and landing areas and all attendant facilities shall be located at least 500 feet from all property lines. These areas shall be encircled by a fence or natural buffer not less than five feet in height. Each private heliport shall be limited to two round trips per day during daylight hours.

A waiver is requested to the 500 ft requirement to allow for the heliport to be located up to the property lines. Limitations exist due to the urban nature of the site that do not allow for a 500 ft buffer to the property lines.

A waiver is requested for the fence or natural buffer requirements as those requirements are in conflict with the helicopter approach and departure surface clearance requirements.

A waiver is requested to the limit of two round trips per day to allow helicopter operations as necessary to respond to patients requiring helicopter transport for medical care. While it is not expected that there will be more than two round trips per day there may be instances where the number of medical emergencies requiring helicopter transport could exceed that limit. It is noted that the existing Cape Canaveral Hospital (CCH) in Cocoa Beach sees approximately two-hundred flights per year, an average of less than one flight per day. The type and frequency of the heliport use at the new hospital is anticipated to be similar to the existing CCH for the following reasons:

- **Holmes Regional Medical Center (HRMC), located in Melbourne, is the Level II Trauma Center for Health First. Incoming helicopter transport of patients requiring this level of care will continue to be directed to HRMC.**

- Currently, incoming patients being transported by First Flight may still be brought to CCH for evaluation and stabilization. It is here that it is determined whether Level II Trauma care is needed.
- If it is determined that the patient is in need of Level II Trauma care, they will be airlifted via First Flight to HRMC.
- The proposed new CCH is not designed to be a Level II Trauma Center. Patients needing this level of care would continue to be airlifted to HRMC's Level II Trauma Center after assessment at CCH.

A waiver is requested to permit helicopter operations during night time hours; in order to receive timely medical care, patients may require transport at night.

- (4) Facilities for fueling are prohibited.

Will comply, there will be no fueling areas at the facility.

- (5) The board of county commissioners shall make a finding that the proposed activity would have no adverse impact prior to approval of this conditional use.

Acknowledged.

- (6) All property owners within 1,000 feet of the subject property shall be notified of the conditional use permit (CUP) request.

Will comply. The timing of the notification will be coordinated with County staff.

- (7) Helicopters for agricultural purposes are exempt from the requirements of this section on parcels zoned PA, AU or AGR with 100 acres or more of improved agricultural use.

This section is not applicable, helicopter will not be used for agricultural purposes.

- (8) Each owner shall be responsible to insure that the proposed private heliport be in compliance with F.S. ch. 330 and federal aviation regulations.

Will comply.

- (9) Proposed private heliports shall comply with sections 62-2201 and 62-2202 of this chapter.

Will comply.

APPLICANTS RESPONSES TO THE INFORMATION REQUESTED IN SECTION 62-1448
(See bold text below)

Sec. 62-1448. - Same—Approval of preliminary development plan and tentative zoning.

- (a) *Preapplication conference.* Before submission of a preliminary application for approval of a planned unit development zoning classification, the developer and his registered engineer, architects or site planner are encouraged to meet with the zoning official and such other personnel as necessary to determine the feasibility and suitability of his application. This step is encouraged so that the developer may obtain information and guidance from county personnel before entering into any binding commitments or incurring substantial expenses of site and plan preparation.

A preapplication conference was held on March 3rd, 2022.

- (b) *Preliminary application.*

- (1) *Generally.* A preliminary application shall be submitted to the county by the developer requesting approval of the site as a planned unit development zone. The preliminary application shall contain the name of the developer, the surveyor and the engineer who prepared the development plan and topographic data map, and the name of the proposed planned unit development per the nomenclature provided in section 62-1447. (See PUD illustrations concerning the level of detail required.)

The preliminary application is provided with this submittal and contains the information requested above.

- (2) *Exhibits; contents of development plan.* The following exhibits shall be attached to the preliminary application:

- a. A vicinity map indicating the relationship between the planned unit development and its surrounding area, including adjacent streets and thorough-fares.

The vicinity map is attached with the application and included on the PDP.

- b. A development plan that shall contain but not be limited to the following information:

1. The proposed name or title of the project, and the name of the engineer, architect and developer.

This information is shown on the PDP.

2. North arrow, scale (one inch equals 200 feet or larger), date and legal description of the proposed site.

This information is shown on the PDP.

3. The boundaries of the tract shown with bearings, distances, closures and bulkhead lines, all existing easements, section lines, and all existing streets and physical features in and adjoining the project, and the existing zoning.

This information is shown on the survey included with the application package.

4. The name and location of adjoining developments and subdivisions.

This information is shown on the PDP and in the narrative, above.

5. Proposed parks, school sites or other public or private open space.

There are no proposed parks, school sites or public open space. Private open space is shown on the PDP.

6. Vehicular and pedestrian circulation systems, including off-street parking and loading areas, driveways and access points.

This information is shown on the PDP.

7. Site data, including tabulation of the total number of gross acres in the project, the acreage to be devoted to each of the several types of primary residential and secondary nonresidential uses, and the total number of dwelling units.

This information is shown on the PDP.

8. Proposed common open space, including the proposed improvements and any complementary structures and the tabulation of the percent of the total area devoted to common open space. Areas qualifying for common open space shall be specifically designated on the site plan.

Not applicable, common open space is required for residential.

9. Delineation of specific areas designated as a proposed stage.

The owner intends to develop the project as a single stage (phase), with the buildings to be sequenced in construction.

10. A general statement, including graphics, indicating proposed corridors of drainage and their direction, natural drainage areas, specific areas which are to function as retention lakes or ponds, anticipated method for accommodating runoff (curb and gutter, swales or other method), and treatment methods for discharge into area waterways for the site to ensure conformity with natural drainage within the vicinity area or with the drainage plan established within the vicinity area.

This information is shown on the PDP.

11. The general location within the site of each primary residential and secondary nonresidential use, and the proposed amount of land to be devoted to individual ownership.

There is no residential use proposed; the general location of nonresidential use is shown on the PDP.

12. The proposed method of dedication and administration of proposed common open space.

Not applicable, common open space is required for residential.

(5) *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.

The character of the surrounding area is substantially commercial with uses such as BJ's 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 ft from the northwest corner of the Health First property.

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

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

- c. Prevention of erosion and degrading of surrounding area.

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.

- 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.

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.

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

Not applicable, common open space is required for residential.

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

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

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

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.

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

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 in progress 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.

- 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.

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.

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

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

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

Not applicable, common open space is required for residential.

EXISTING SELF STORAGE
MINI WAREHOUSE

ZONING: B
FLU: CC

FITNESS
CENTER
2-STORY

LANDSCAPING
(TYP)

EDUCATION
CENTER
2-STORY

EMERGENCY

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EXISTING
CHASE

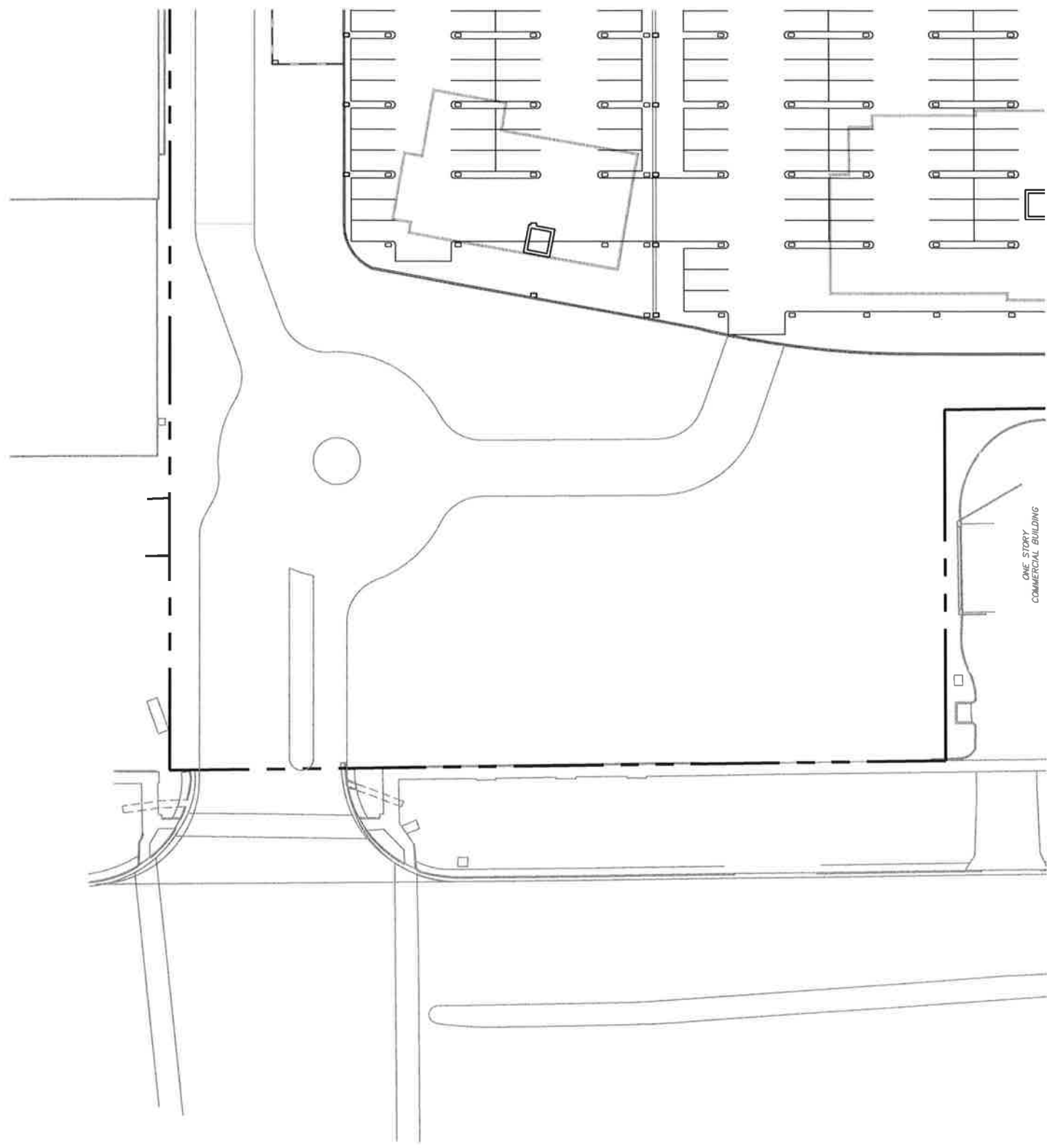
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EXISTING
SIGNALIZED
FOUR-WAY
INTERSECTION

STATE ROAD 520

ZONING: BU-1
FLU: CC



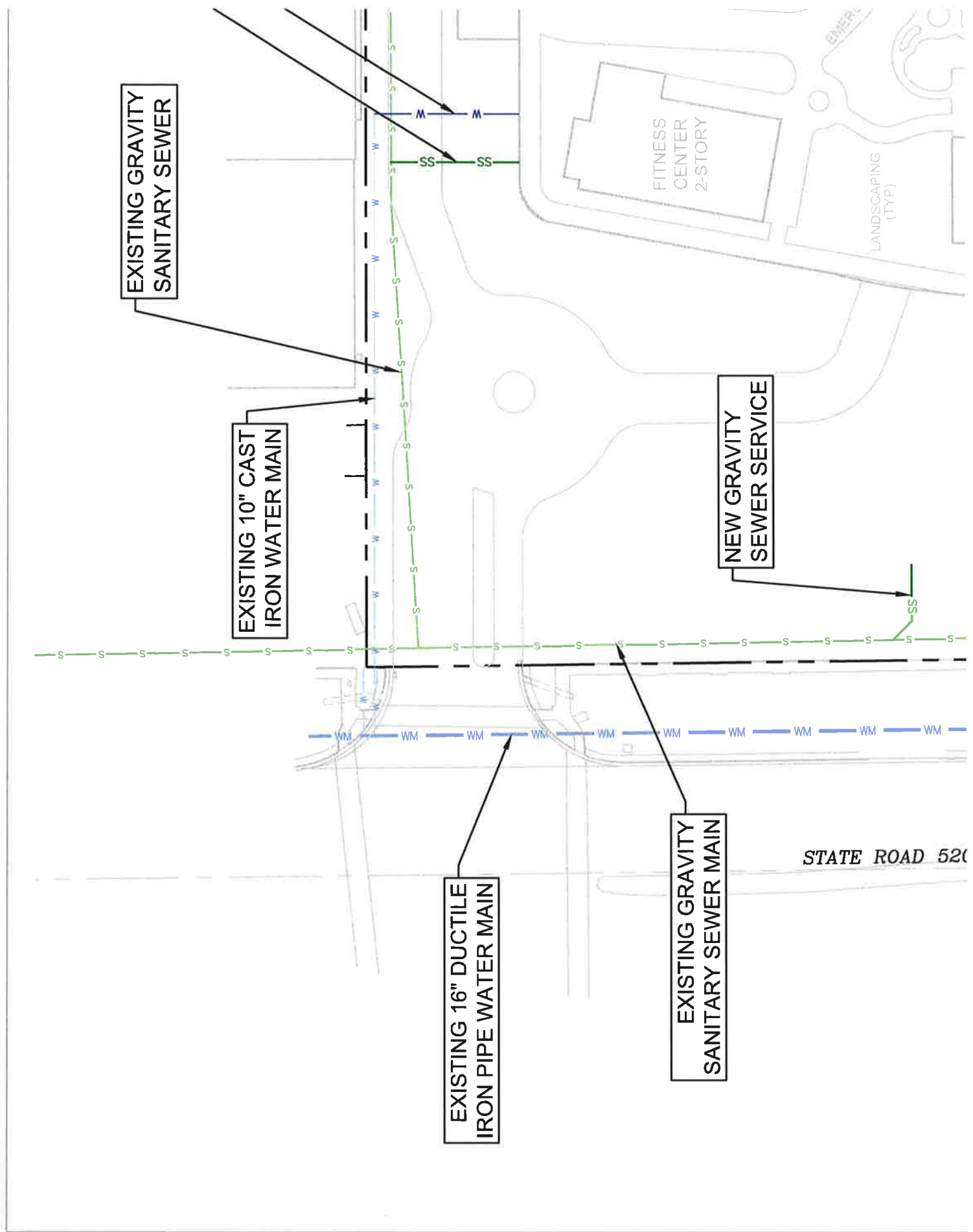
EXISTING DRAINAGE
OUTFALL TO
EXISTING DRAINAGE
SYSTEM TO REMAIN

EXISTING
SIGNALIZED
FOUR-WAY
INTERSECTION

STATE ROAD

ABOVE
GROUND
RETENTION /
DETENTION
AREA

EXISTING SELF STORAGE
MINI WAREHOUSE



EXISTING GRAVITY
SANITARY SEWER

EXISTING 10" CAST
IRON WATER MAIN

NEW GRAVITY
SEWER SERVICE

EXISTING 16" DUCTILE
IRON PIPE WATER MAIN

EXISTING GRAVITY
SANITARY SEWER MAIN

STATE ROAD 520

FITNESS
CENTER
2-STORY

LANDSCAPING
(TYP)

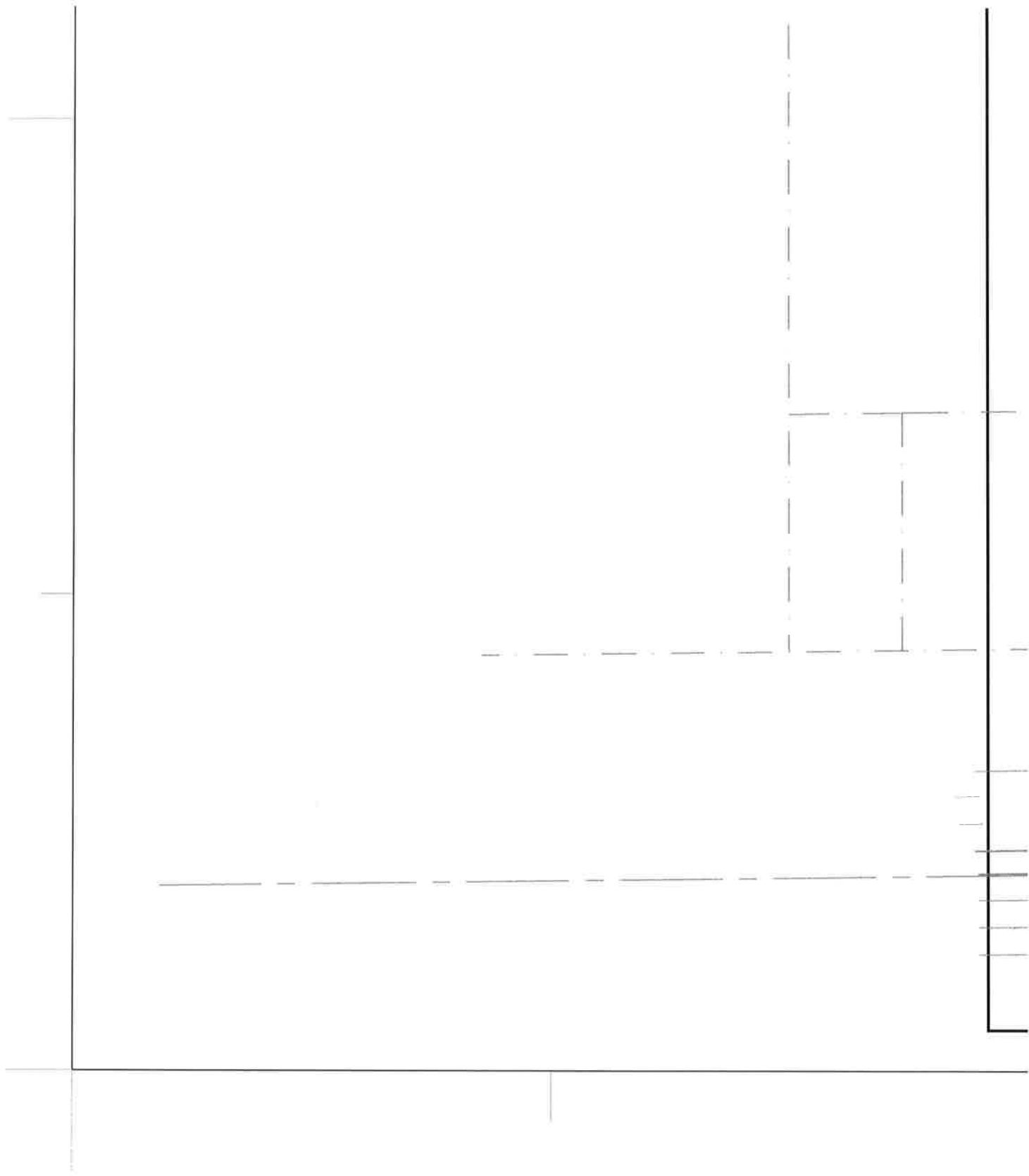
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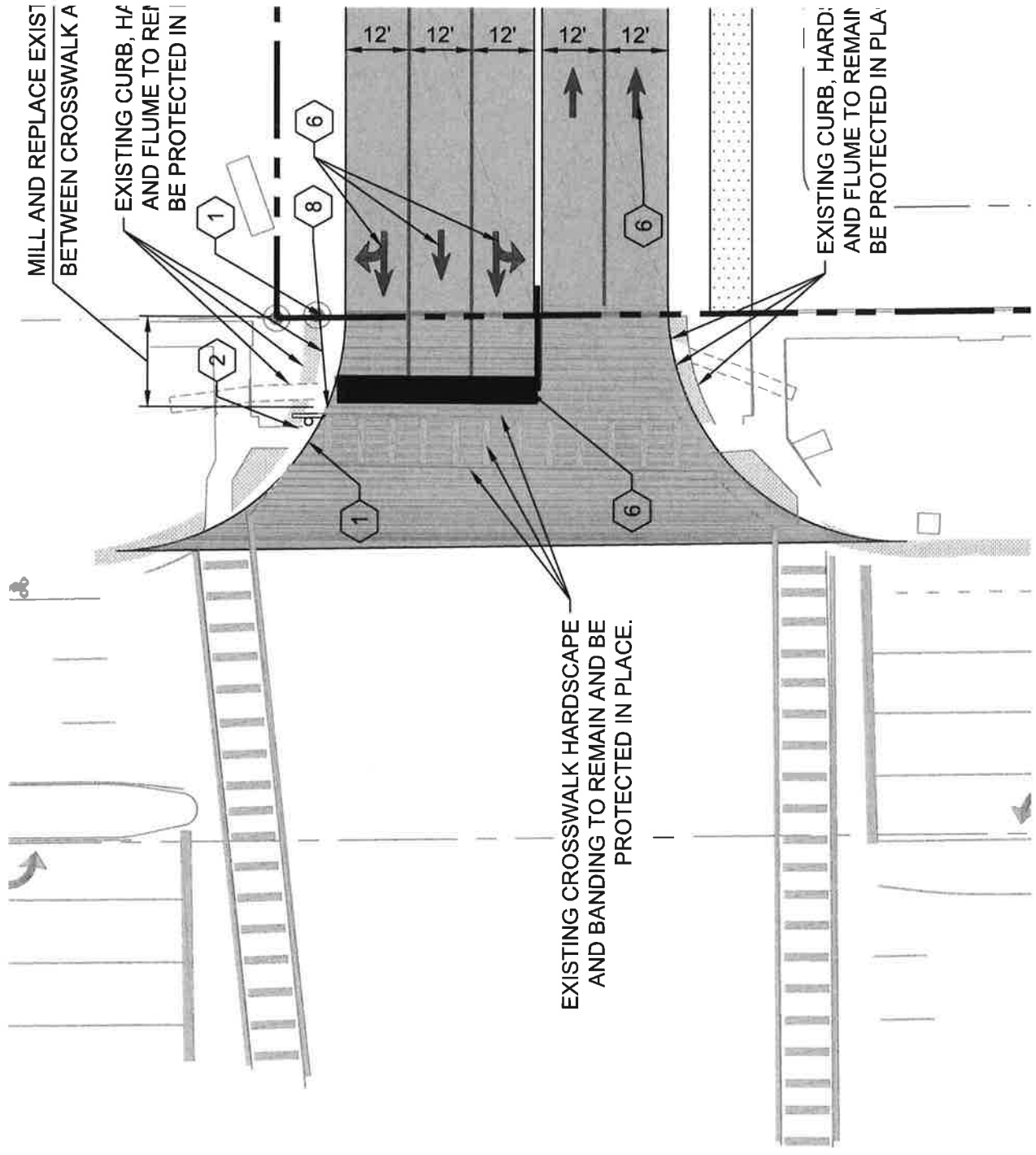
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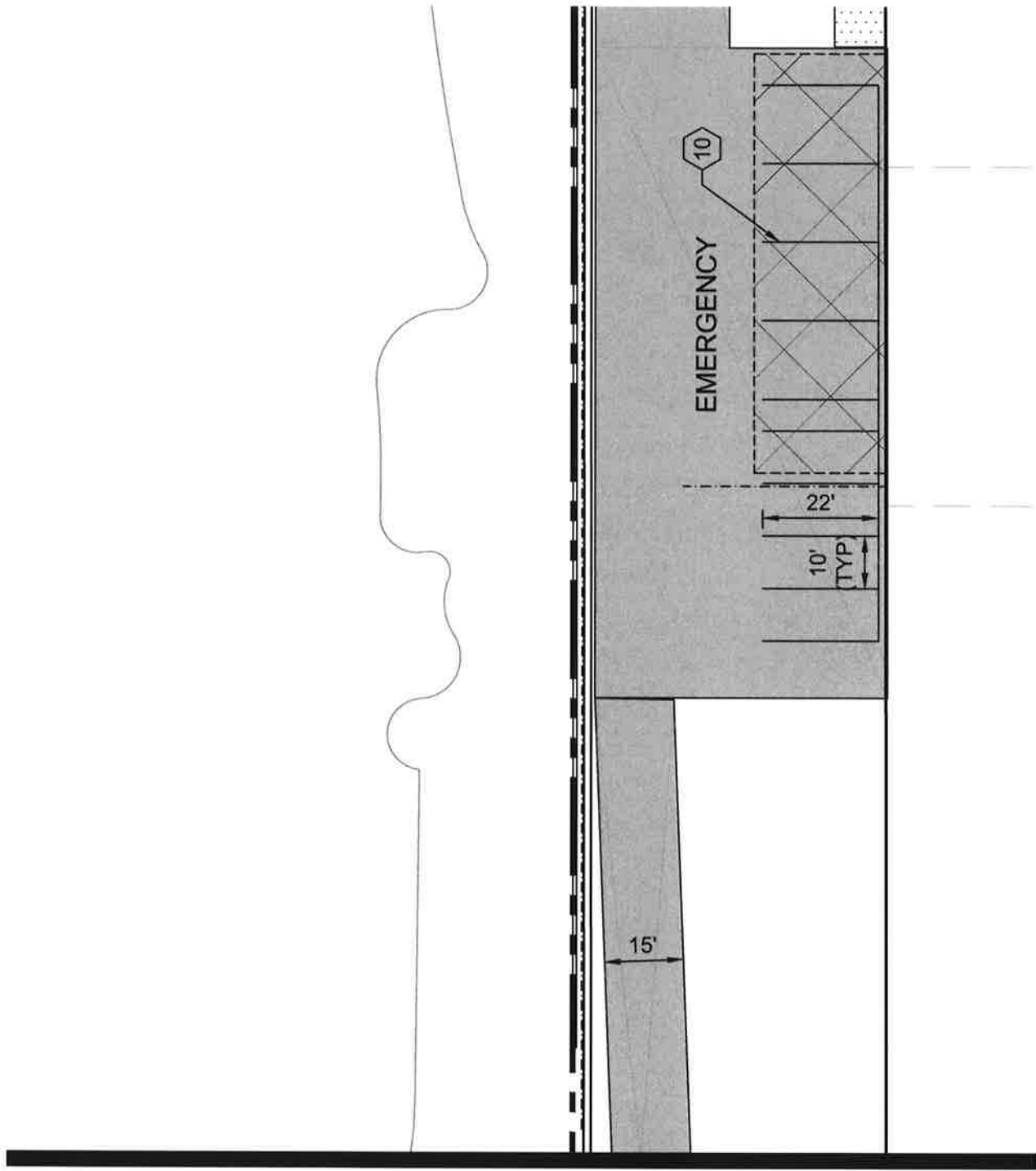


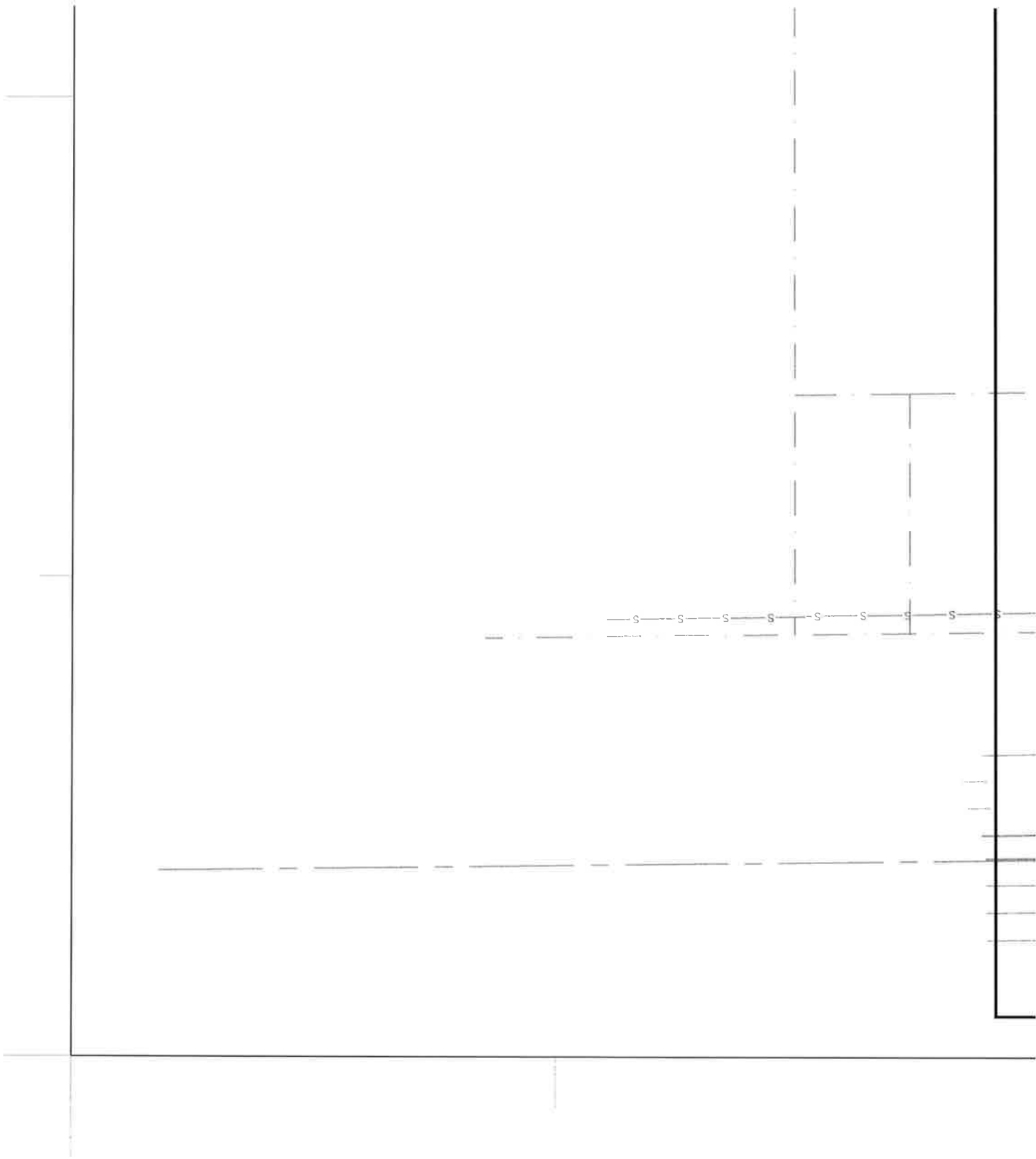


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BOARD OF COUNTY COMMISSIONERS

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 of 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 BJ's 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

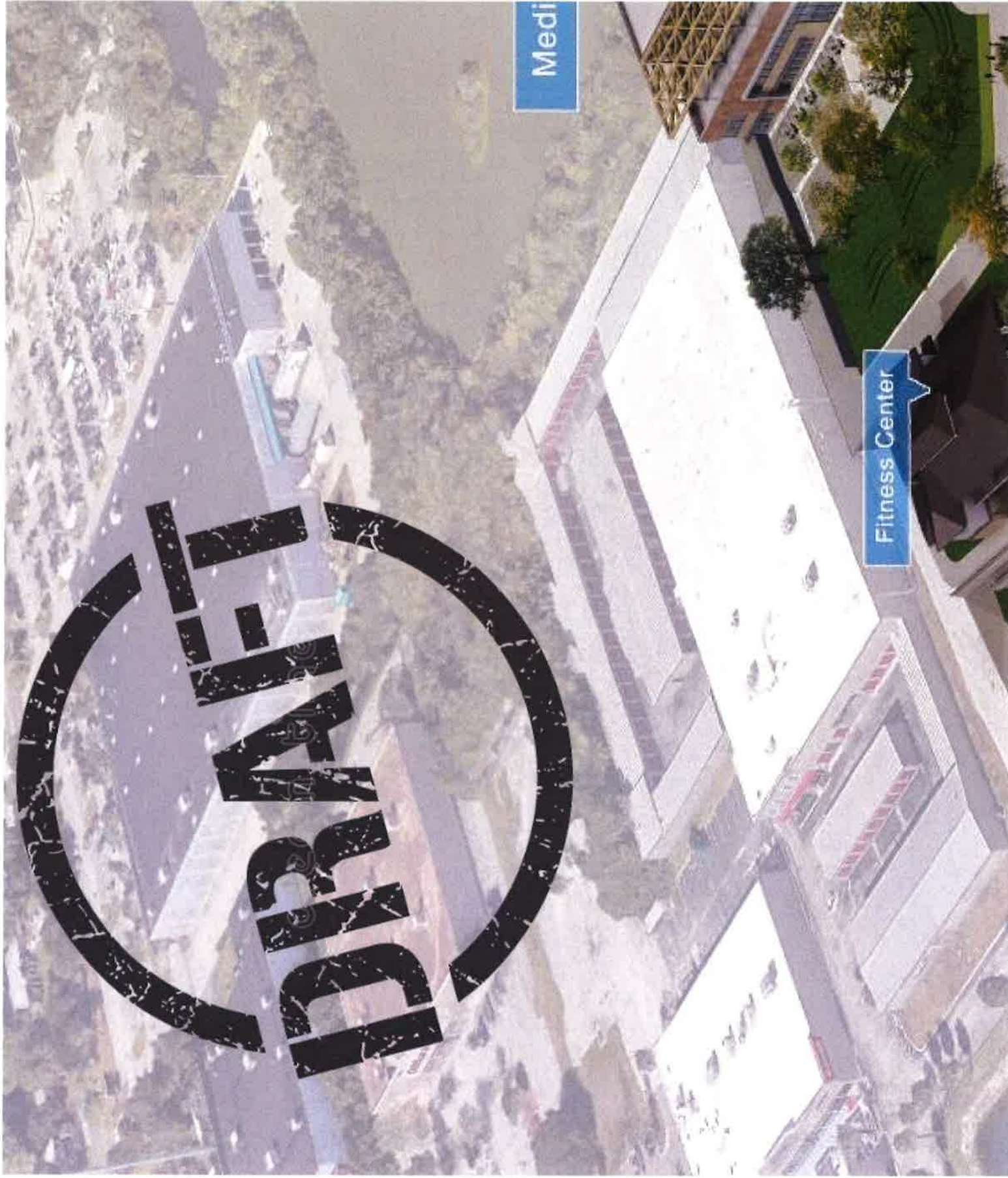
Aerials indicate that Protected (greater than or equal to 10 inches in diameter) and Specimen Trees (greater than or equal to 24 inches in diameter) may exist on subject property. Per Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. 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

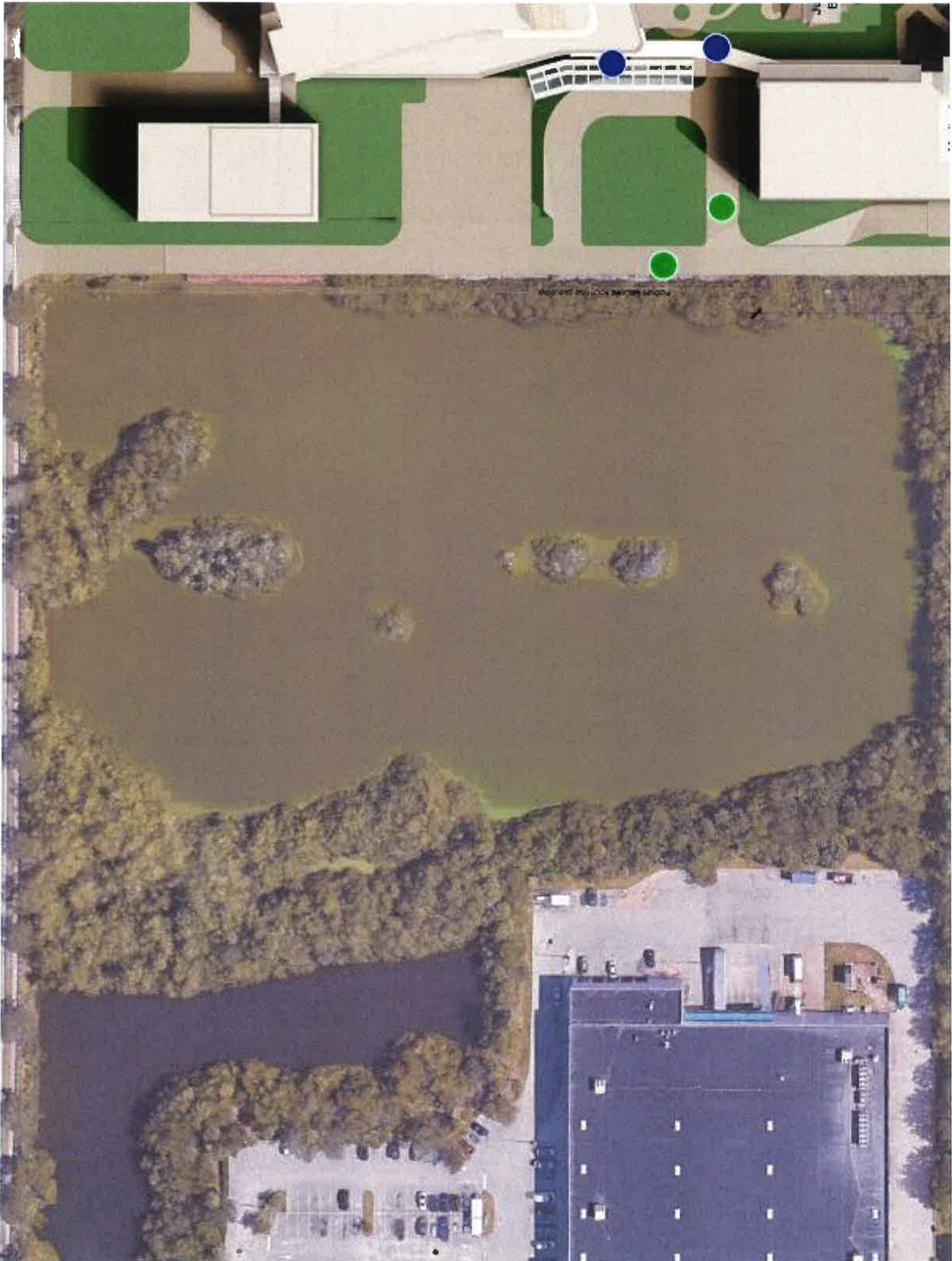
Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and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





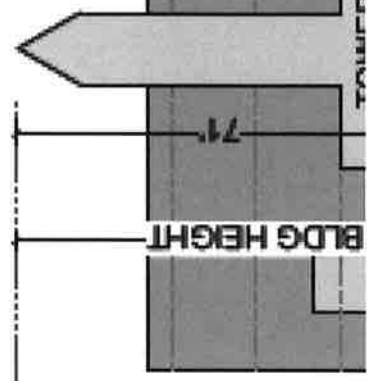
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Fitness Center

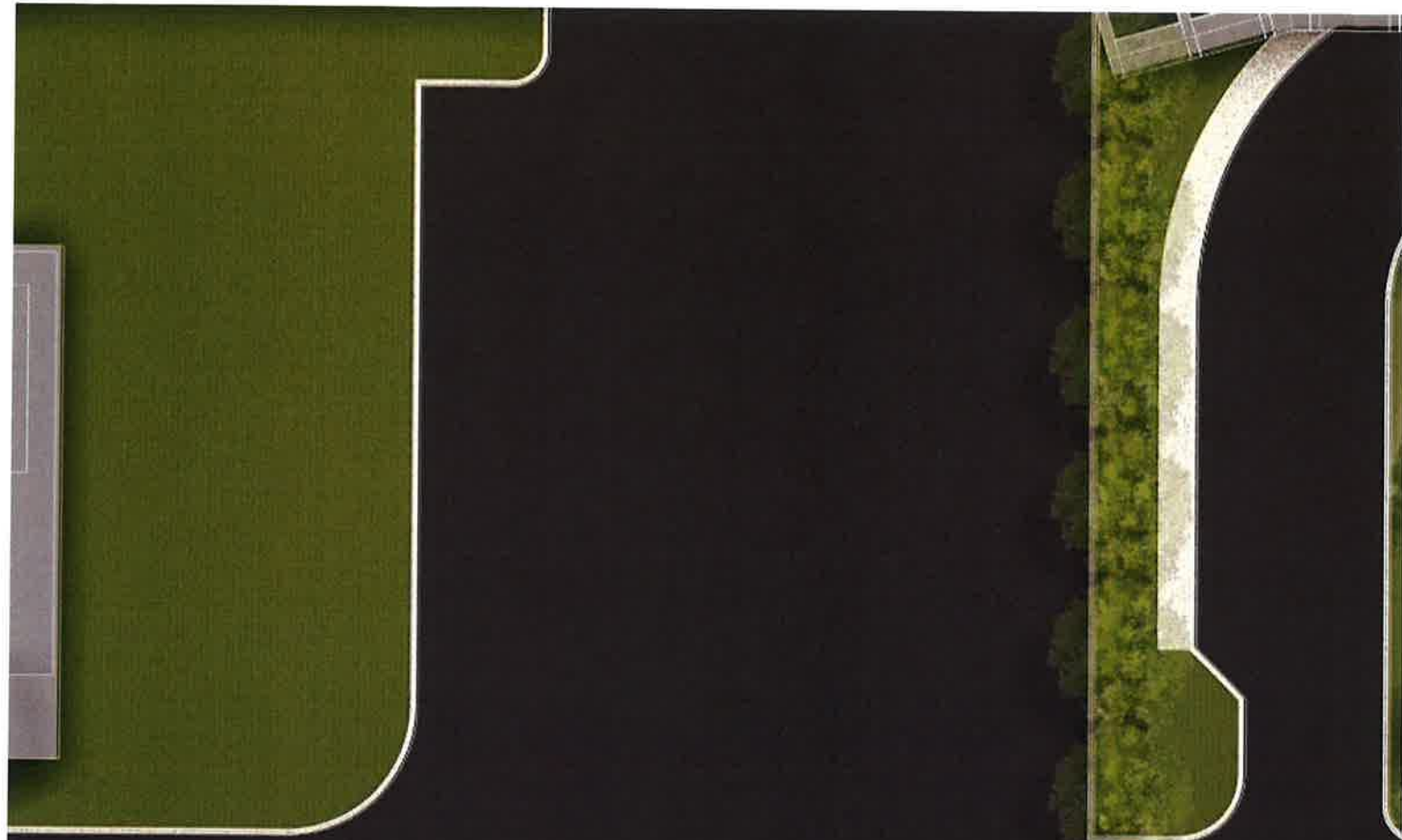


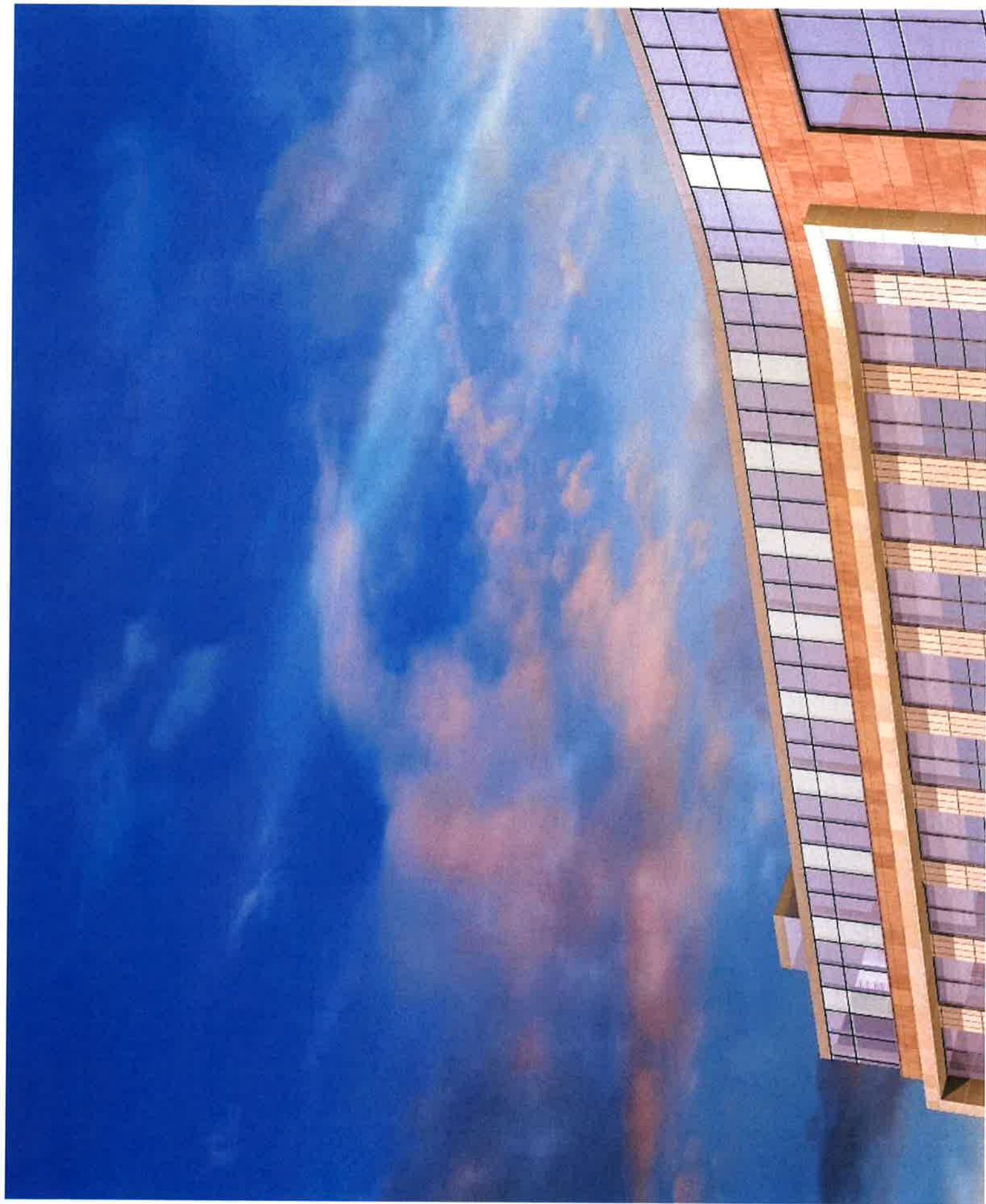
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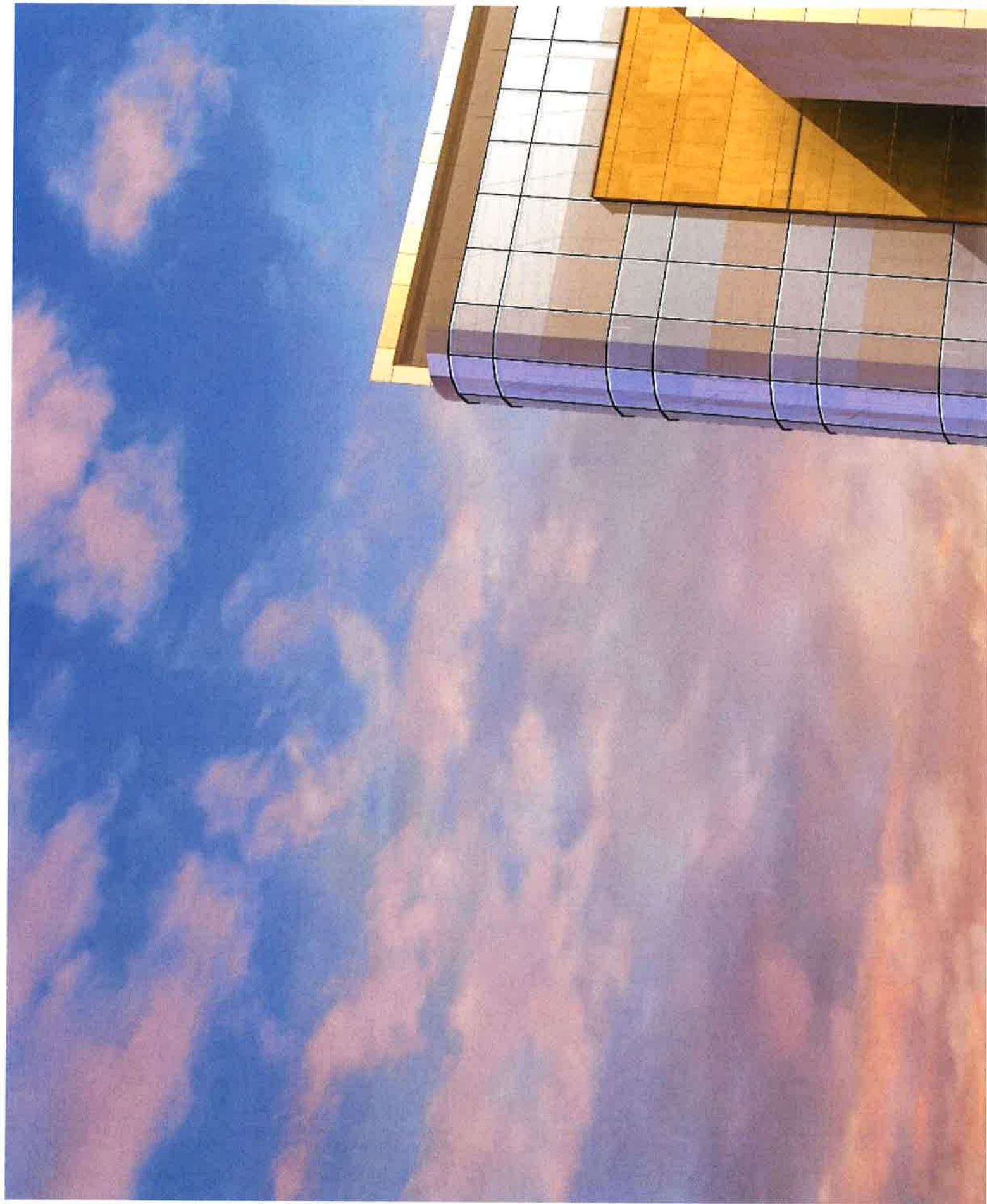
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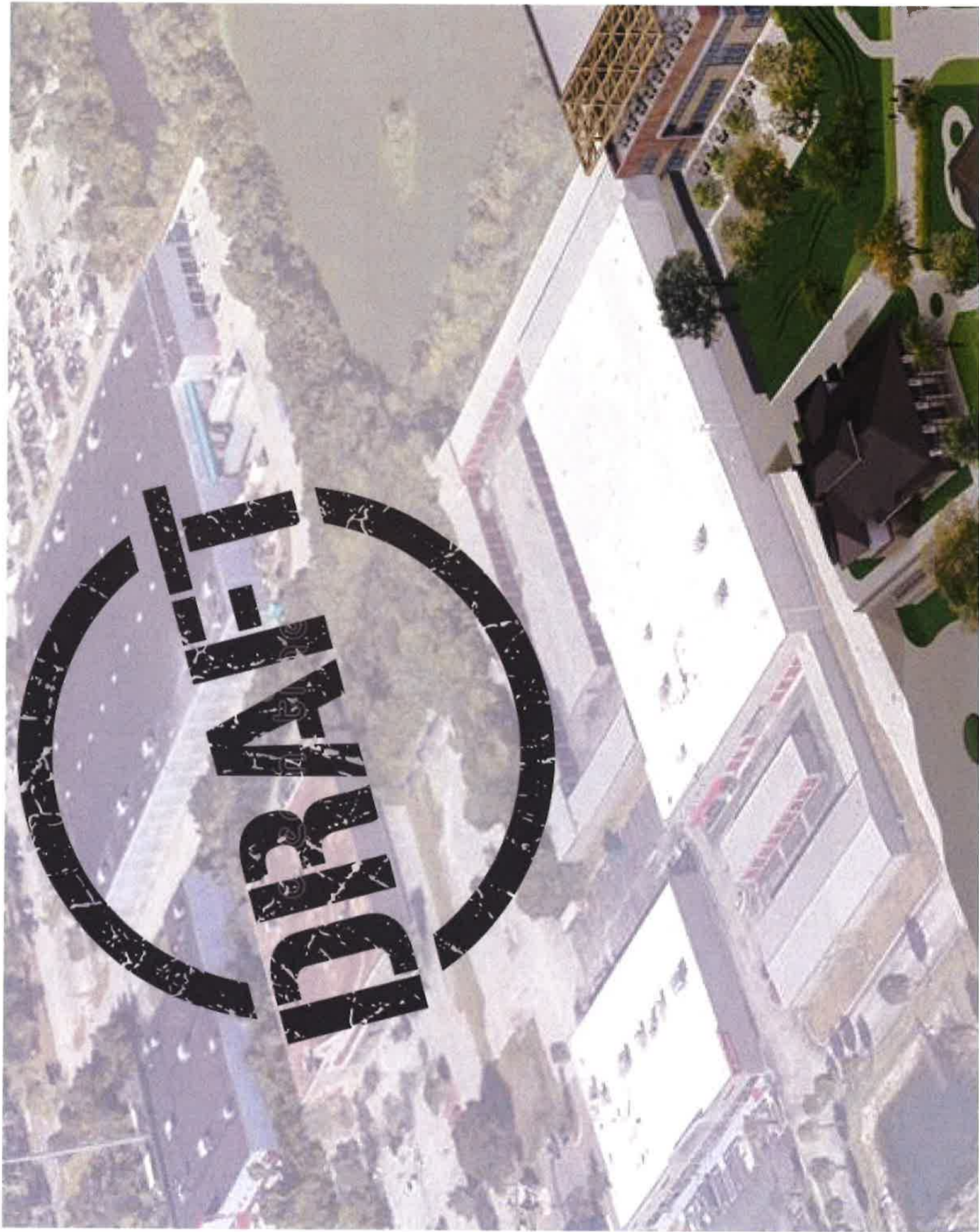


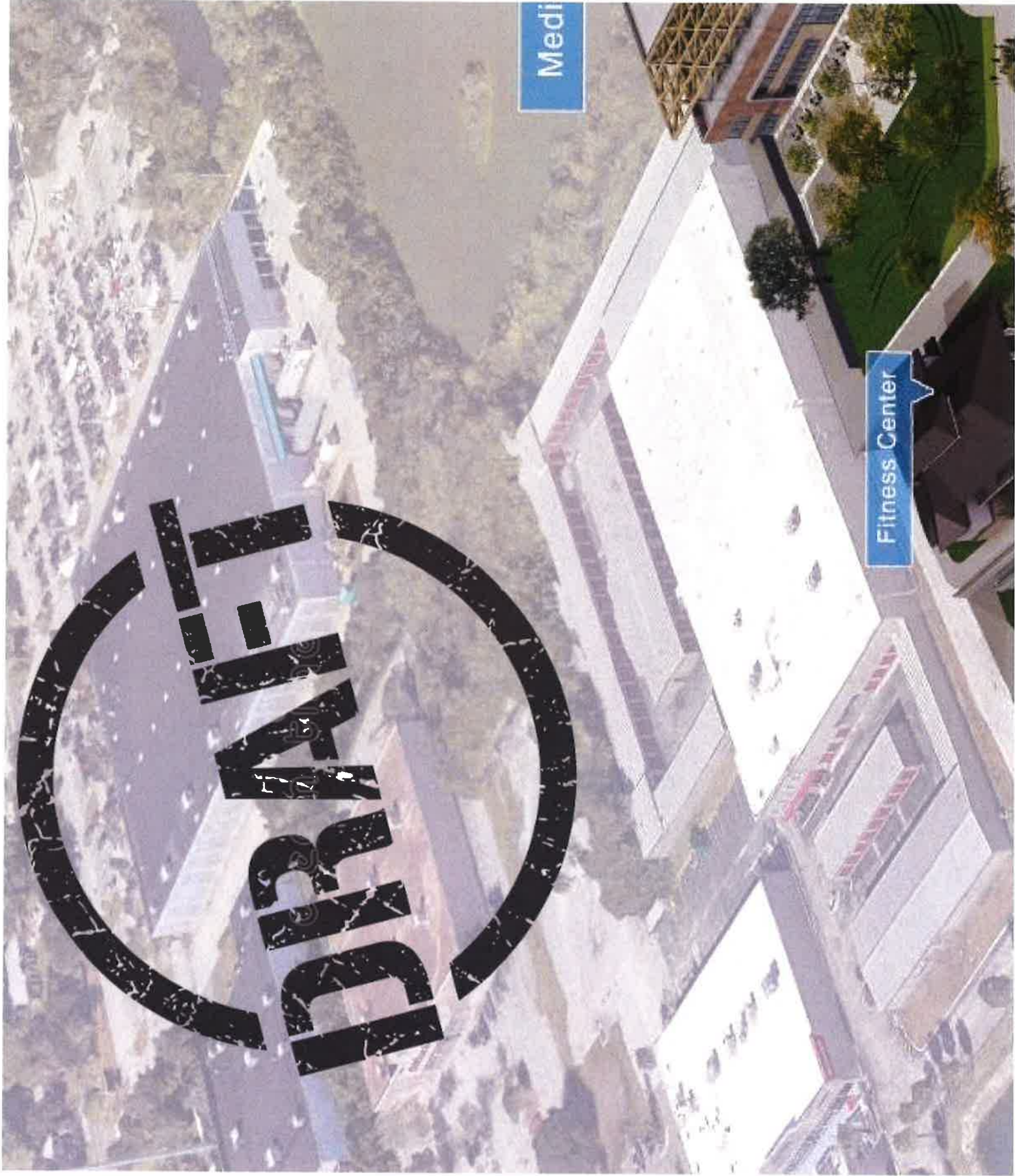








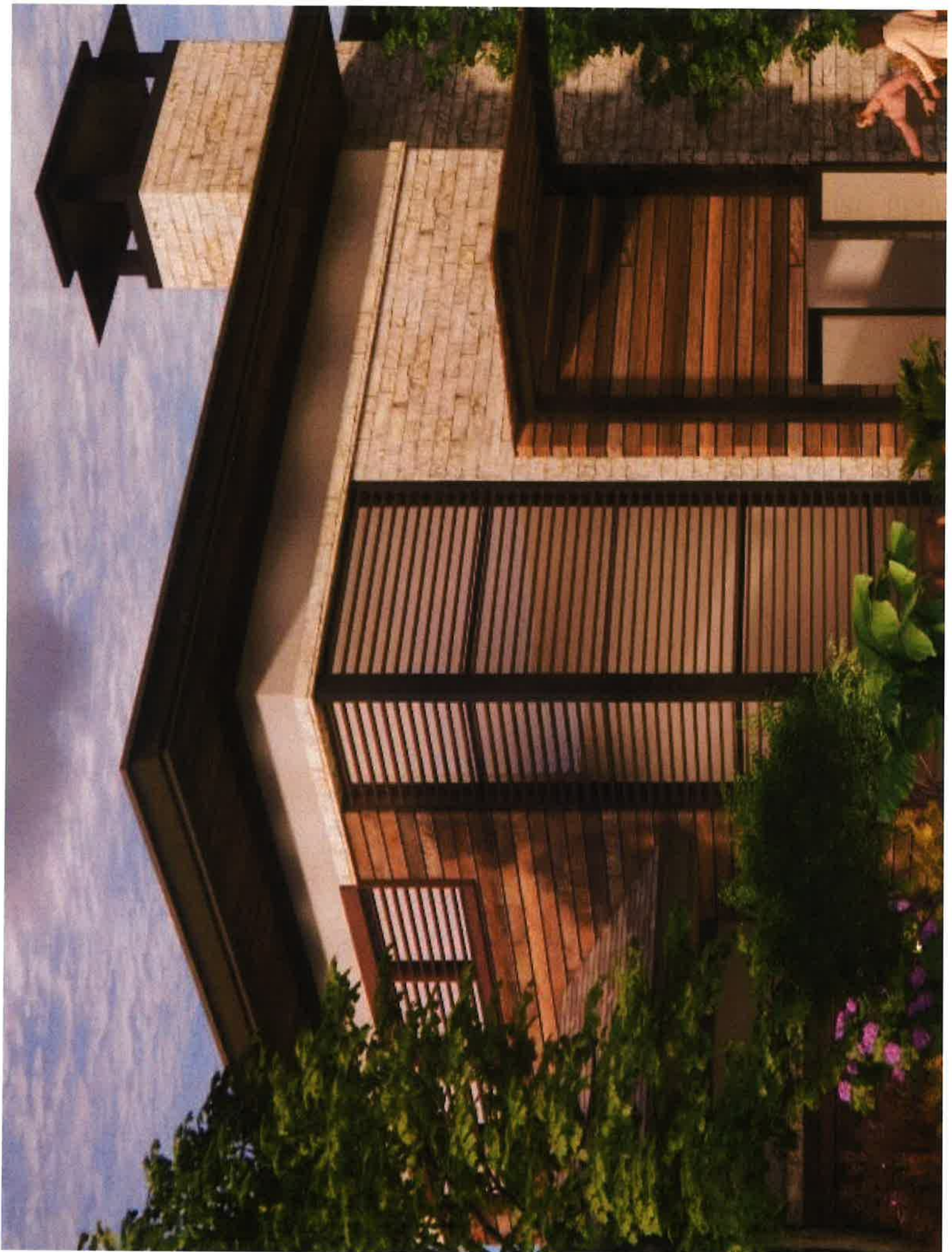


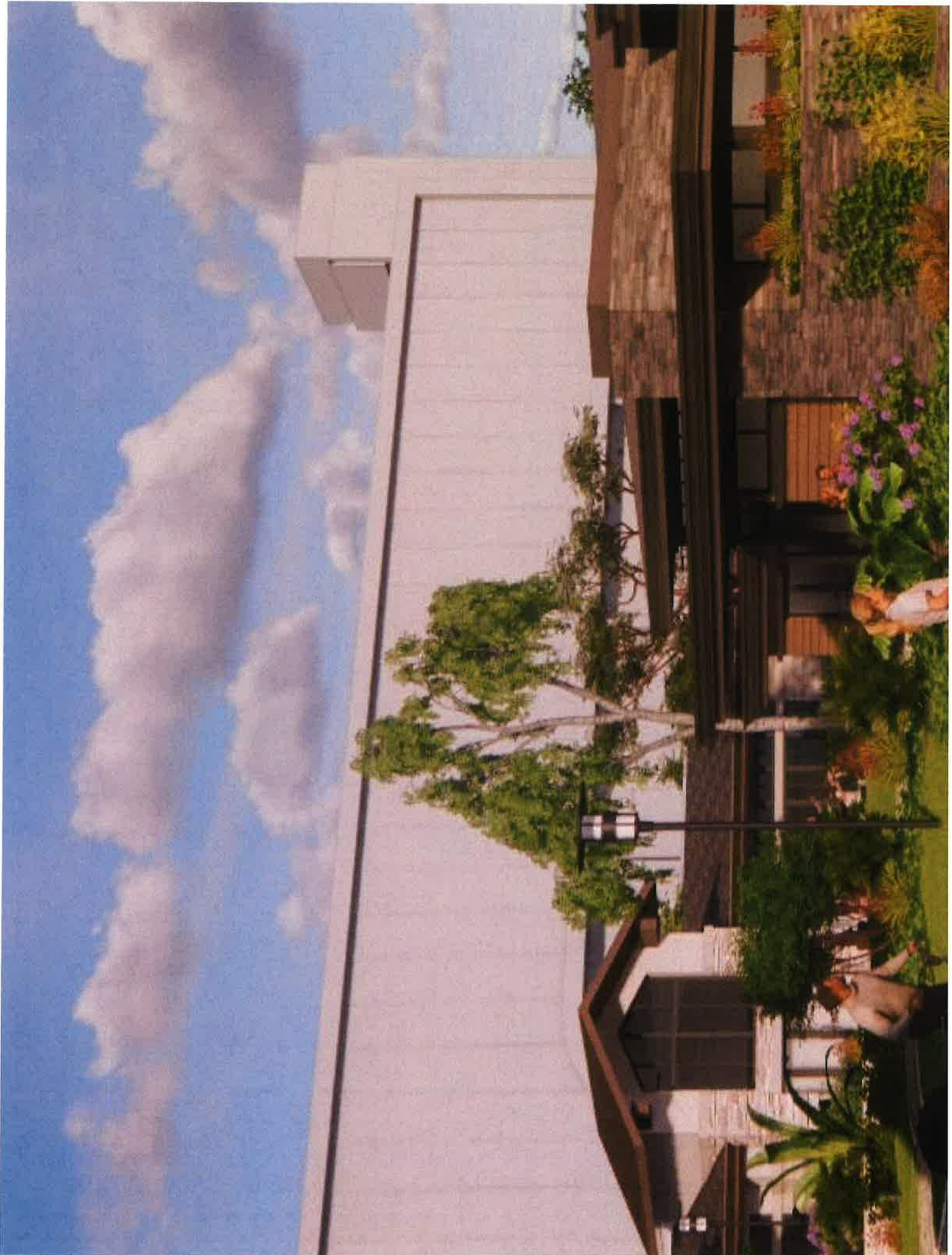


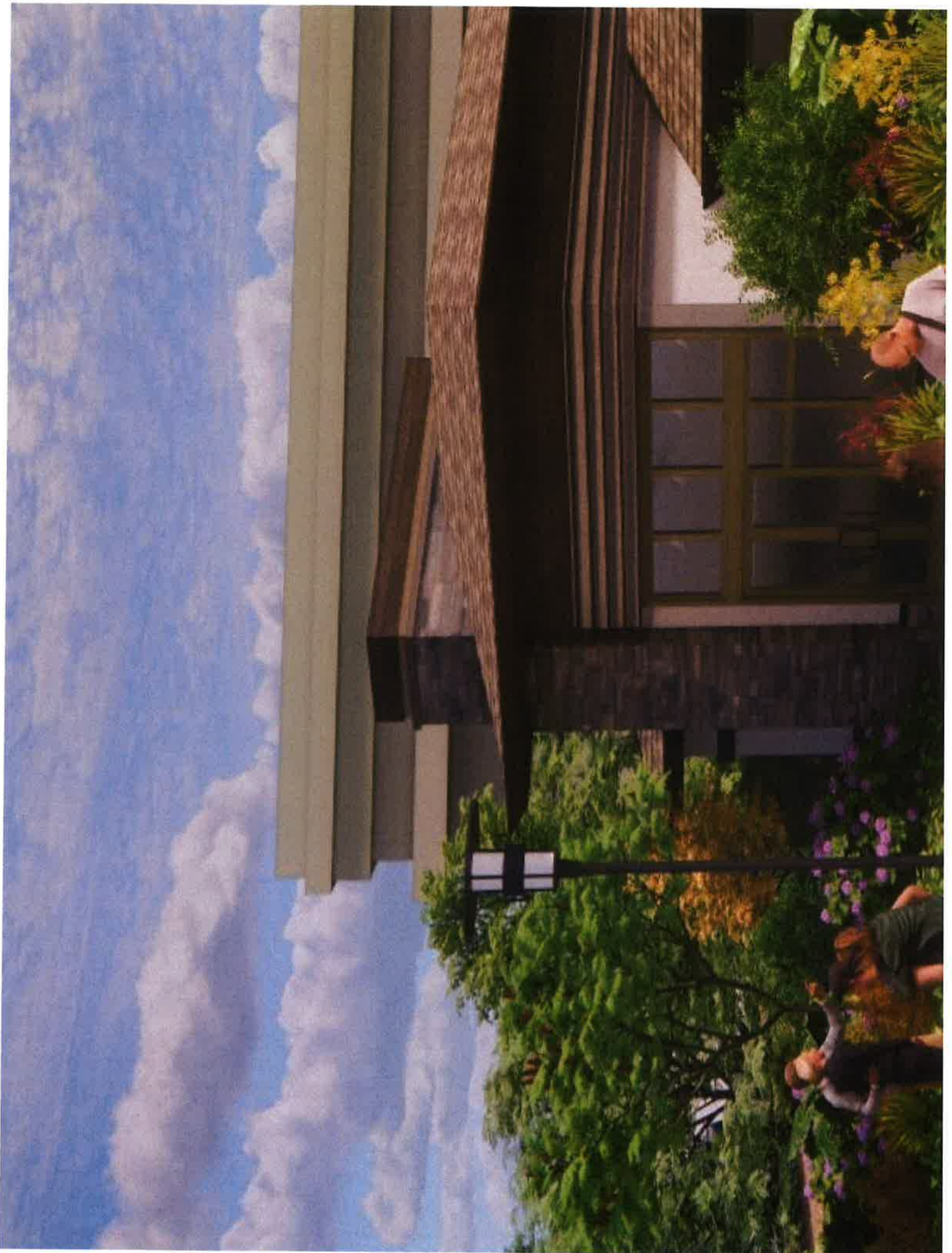
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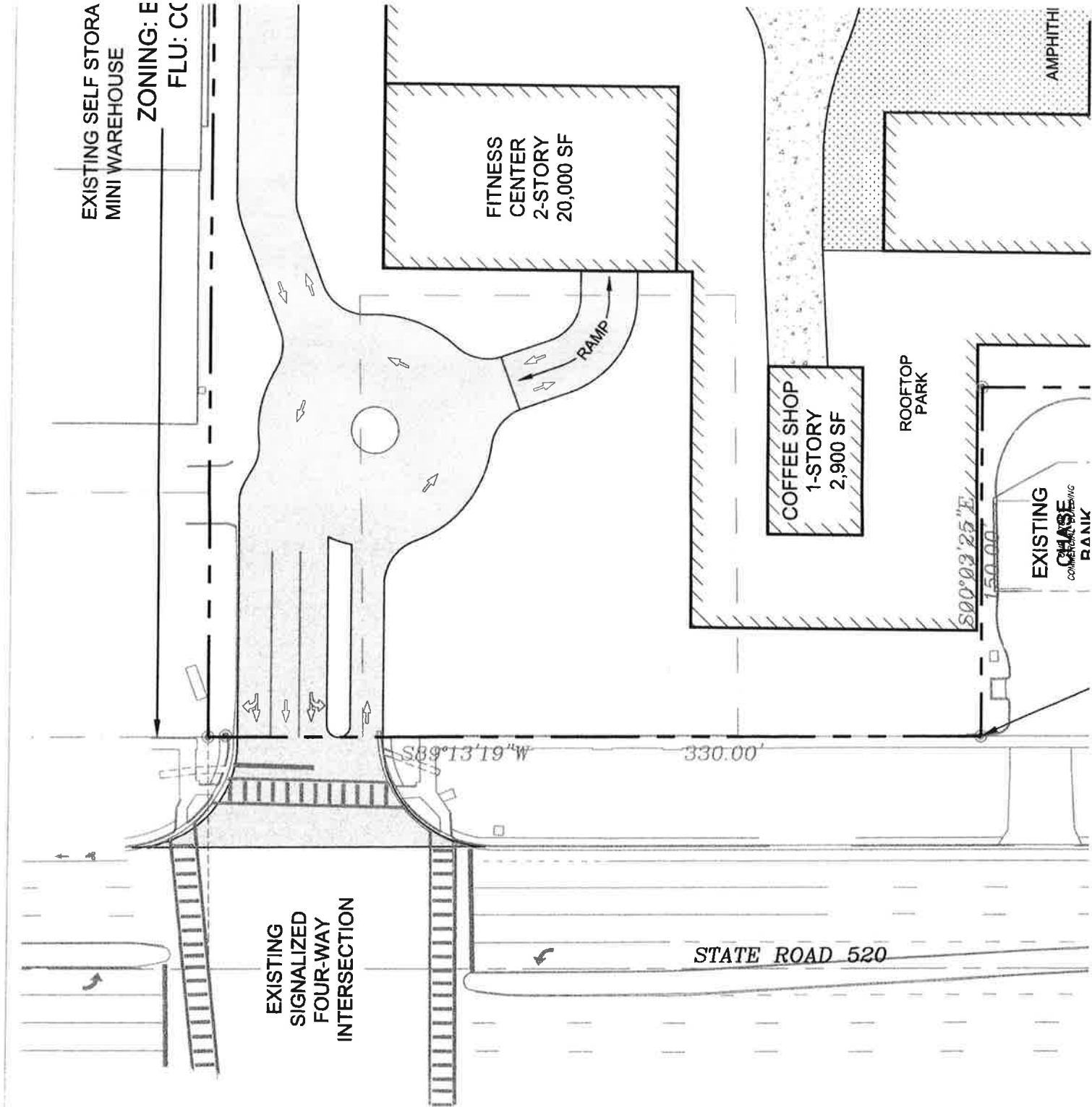
Fitness Center



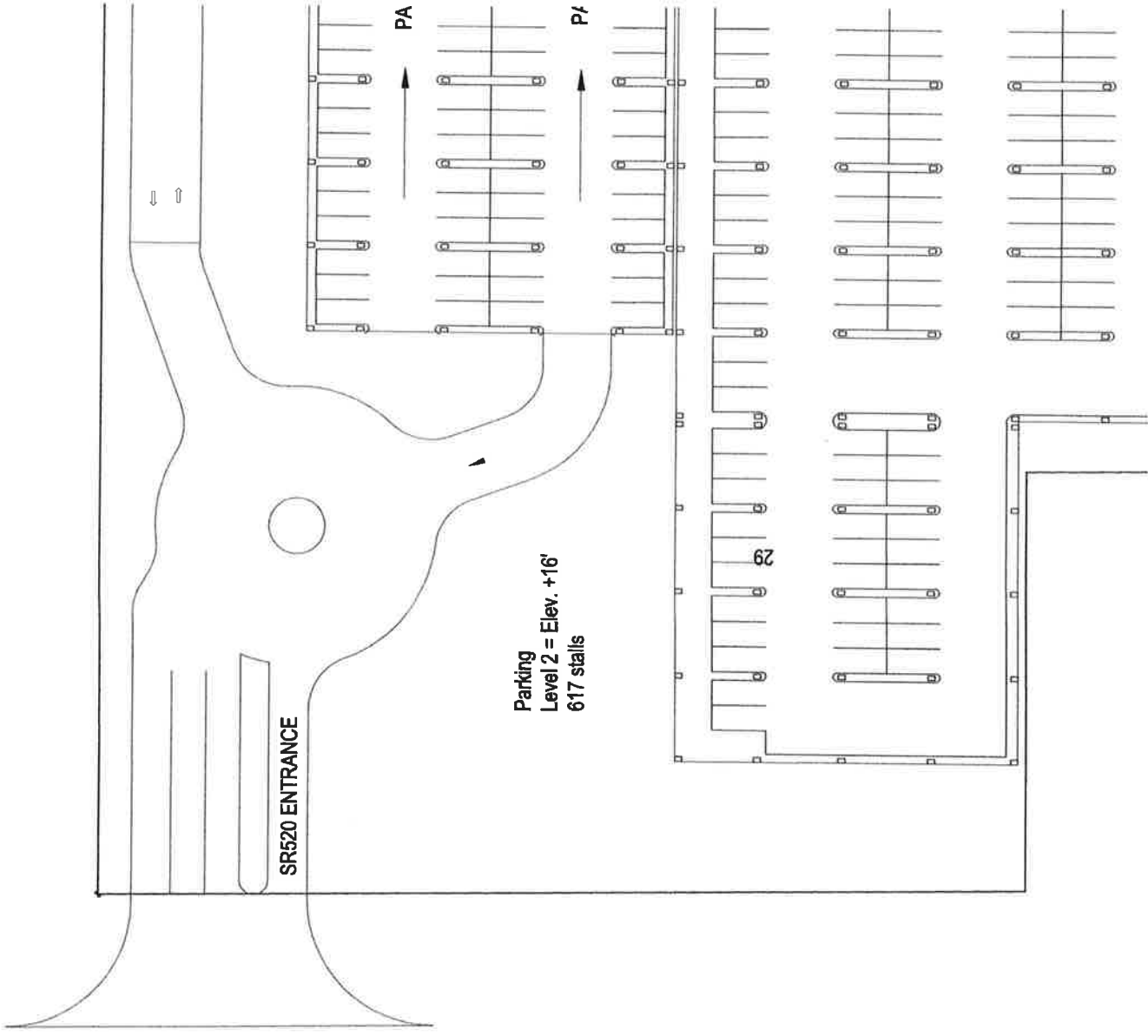








ZONING: BU-1
FLU: CC



Inches

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