



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

H.1.

3/4/2021

### Subject:

Health First, Inc., requests Adoption of the 2020-1.1 Large Scale Comprehensive Plan Amendment to permit a countywide increase in Floor Area Ratio for Community Commercial designated sites from 1.00 to 1.75 within a PUD zoning classification. (20PZ00069)

### Fiscal Impact:

None

### Dept/Office:

Planning and Development

### Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider adoption of the 2020-1.1 Large Scale Comprehensive Plan Amendment initiated by Health First, Inc. to amend Part XI, Future Land Use Element, to amend Policy 2.8 D., to increase the allowable building square footage countywide within a PUD (Planned Unit Development), Policy 2.8 E., to permit a countywide increase in FAR (Floor Area Ratio) for CC (Community Commercial) designated sites from 1.00 to 1.75 within a PUD zoning classification; and Policy 2.8, Table 2.2, to update the table to the FAR increase from 1.00 to 1.75 within a PUD zoning classification.

### Summary Explanation and Background:

Health First, Inc. requests to build a state-of-the-art Wellness Village, a new concept, intended to serve the needs of the local community in all aspects of health to include preventive care. The mixed-use development program includes a hospital with medical offices, and retail with associated parking facilities, centrally located to create a Wellness Village. This request will allow for increased flexibility to the urban form (compact design) within the PUD zoning classification. This Text Amendment to the Future Land Use Element of the Comprehensive Plan will allow 76,230 of GFA (Gross Floor Area) per one acre of land, for a total building area of 1,083,990 square feet. Health First, Inc. has submitted a PUD rezoning application requesting a total building area of 1,078,000 square feet. The applicant is in the process of revising this PUD application.

There are three proposed changes:

- Policy 2.8 D: to increase the allowable building square footage countywide within a PUD. Currently, there is a cap of 400,000 square feet for commercial clusters, greater than 10 acres and less than 40 acres. This proposal would eliminate the 400,000 square foot cap.
- Policy 2.8 E: allows for a FAR (Floor Area Ratio) of up to 1.00 in CC (Community Commercial) designated land uses. This proposal would increase the FAR from 1.00 to 1.75 in a CC land use provided it has a PUD zoning classification.

- Table 2.2: reiterates Policy 2.8 D and E; the cap of 400,000 square feet and the FAR of 1.0. This proposal would make Table 2.2 consistent with Policy 2.8 D and E.

On February 22, 2021, the Local Planning Agency heard the request and unanimously recommended approval.

**Clerk to the Board Instructions:**

Upon receipt of resolution, please execute and return to Planning and Development.



March 5, 2021

**M E M O R A N D U M**

**TO:** Tad Calkins, Planning and Development Director    Attn: Cheryl Campbell

**RE:** Item H.1., Health First, Inc. requests Adoption of the 2020-1.1 Large Scale Comprehensive Plan Amendment

The Board of County Commissioners, in regular session on March 4, 2021, conducted the public hearing and adopted Ordinance No. 21-06, setting forth plan amendment 2020-1.1 Large Scale Comprehensive Plan Amendment, amending Part XI of the Future Land Use Map Element amending Policy 2.8 D., increasing the allowable building square footage Countywide within a Planned Unit Development (PUD), amending Policy 2.8 E., permitting a Countywide increase in Floor Area Ratio (FAR) for Community Commercial designated sites from 1.00 to 1.75 within a PUD zoning classification, and Policy 2.8, Table 2.2, updating the Table to the FAR increase from 1.00 to 1.75 within a PUD zoning classification; and approved execution of the transmittal letter. Enclosed is the fully-executed Ordinance and Transmittal Letter.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/ds

Encl. (2)



**BOARD OF COUNTY COMMISSIONERS**

**Planning & Development Department**  
2725 Judge Fran Jamieson Way  
Building A, Room 114  
Viera, Florida 32940

March 4, 2021

Mr. Ray Eubanks,  
Plan Processing Administrator  
Division of Community Planning  
Florida Department of Economic Opportunity  
107 East Madison Street, MSC-160  
Tallahassee, FL 32399-4120

Re: 2020-1.1 Fall Cycle Comprehensive Plan Amendment Adoption Package

Dear Mr. Eubanks,

Enclosed please find the Comprehensive Plan Amendment submittal package for the 2020-2 Fall Cycle Comprehensive Plan Amendment – Brevard County Amendment No. 20-01ESR. There is one private application for amendment being considered for adoption in this cycle more fully described in the attached staff report.

The Local Planning Agency held a public hearing regarding the adoption of the 2020-2 Plan Amendment package on February 22, 2021, recommending approval of Comprehensive Plan Amendment, 2020-1.1.

The Brevard County Board of Commissioners approved the adoption of the 2020-1.1 Plan Amendment package during a public hearing on March 4, 2021. Copies of the proposed amendment package have been sent to the St. Johns River Water Management District, the East Central Florida Regional Planning Council, the Florida Department of Environmental Protection, the Florida Department of Transportation (District 5), the Florida Department of State, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Education, and the Florida Department of Agriculture and Consumer Services.

The plan amendment's "content and effect" is included in this mailing, with minor changes between transmittal and adoption called out in strikethrough/underline, as required by statute.

The proposed amendment package was adopted by Brevard County on March 4, 2020.

The proposed amendment package is not within an area of critical state concern.

The proposed amendment package is not within the Wekiva River Protection Area.

The proposed amendments are not being adopted under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

The contact person for the 2020-1.1 Plan Amendment package is:

Cheryl W. Campbell, Planner III  
Planning and Development Department  
2725 Judge Fran Jamieson Way, Building A  
Viera, FL 32940  
Cheryl.Campbell@BrevardFL.gov  
(321) 350-8271 - FAX (321) 633-2074

A local newspaper of general circulation is:

Florida Today  
1 Gannett Plaza  
Melbourne, FL 32940  
(321) 259-5555

In accordance with Florida Statutes, one paper copy and two copies in Portable Document Format (PDF) on the enclosed CD-ROM of the proposed amendment package including all proposed text, maps, and support documents are sent to your office via this transmittal. If you have any questions regarding the enclosed materials, please contact Cheryl W. Campbell at the above address.

Sincerely,



Rita Pritchett, Chair  
Brevard County Board of County Commissioners

Enclosures

cc: Board of County Commissioners (w/out encl.)  
Frank Abbate, County Manager (w/out encl.)  
Eden Bentley, County Attorney (w/out encl.)  
Tad Calkins, Director, Planning and Development Department (w/out encl.)  
Exec. Director, East Central Florida Regional Planning Council  
Director of Planning and Public Transportation Operations, FDOT District Five  
St. Johns River Water Management District  
Florida Department of Environmental Protection  
Florida Division of Agriculture and Consumer Services  
Florida Division of Historic Resources  
Florida Fish and Wildlife Conservation Commission  
Florida Department of Education

**ORDINANCE NO. 21-06**

**ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY; ENTITLED "THE COMPREHENSIVE PLAN", SETTING FORTH PLAN AMENDMENT 2020-1.1; AMENDING SECTION 62-501, ENTITLED "CONTENTS OF THE PLAN"; SPECIFICALLY AMENDING SECTION 62-501, PART IX, ENTITLED FUTURE LAND USE ELEMENT; PROVIDING FOR INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Economic Opportunity; and

**WHEREAS**, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

**WHEREAS**, Sections 163.3184 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

**WHEREAS**, Brevard County initiated amendments and accepted application for amendments to the Comprehensive Plan on June 30, 2020, for adoption as the Plan Amendment Cycle 2020-1; and

**WHEREAS**, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

**WHEREAS**, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

**WHEREAS**, on February 22, 2021, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 2020-1.1, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and Officially filed with the Secretary of State on March 8, 2021.

**WHEREAS**, on March 4, 2021, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved for the adoption of Plan Amendment 2020-1.1; and

**WHEREAS**, Plan Amendment 2020-1.1 adopted by this Ordinance complies with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, Plan Amendment 2020-1.1 adopted by this Ordinance is based upon findings of fact as included in the data and analysis.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:**

**Section 1. Authority.** This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

**Section 2. Purpose and Intent.** It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

**Section 3. Adoption of Comprehensive Plan Amendments.** Pursuant to Plan Amendment 2020-1.1 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended as specifically shown in Exhibit A. Exhibit A is hereby incorporated into and made part of this Ordinance.

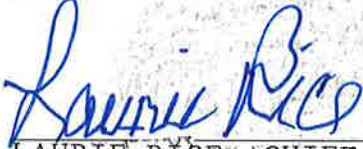
**Section 4. Legal Status of the Plan Amendments.** After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 2020-1.1, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

**Section 5. Severability.** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

**Section 6. Effective Date.** The plan amendment shall become effective once the state land planning agency issues a final order determining the adopted amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(9), or until the Administration Commission issues a final order determining the amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(10). A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this the 4 day of MARCH, 2021.

ATTEST:



LAURIE RICE, CHIEF DEPUTY

**BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA**



By: Rita Pritchett, Chair

Approved by the Board on MARCH 4, 2021.





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

March 9, 2021

Honorable Rachel M. Sadoff  
Clerk  
Board of County Commissioners  
Brevard County  
Post Office Box 999  
Titusville, Florida 32781-0999

Attention: Deborah Thomas

Dear Ms. Sadoff:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 21-06, which was filed in this office on March 8, 2021.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

## **ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT**

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

### **Administrative Policy 1**

The Brevard County zoning official, planners and the director of the Planning and Development staff, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

### **Administrative Policy 2**

Upon Board request, members of the Brevard County Planning and Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

#### **Criteria:**

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For re-zoning applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

### **Administrative Policy 3**

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. 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.
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:

1. historical land use patterns;
  2. actual development over the immediately preceding three years; and
  3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

#### **Administrative Policy 4**

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

**Criteria:**

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
  1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
  2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
  3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

#### **Administrative Policy 5**

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

**Criteria:**

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

#### **Administrative Policy 6**

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

#### **Administrative Policy 7**

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

#### **Administrative Policy 8**

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

#### **CONDITIONAL USE PERMITS (CUPs)**

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

- (c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
- b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
- c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.

(2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:

- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

#### **FACTORS TO CONSIDER FOR A REZONING REQUEST**

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

"The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare."

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

## DEFINITIONS OF CONCURRENCY TERMS

**Maximum Acceptable Volume (MAV):** Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

**Current Volume:** Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

**Volume with Development (VOL W/DEV):** Equals Current Volume plus trip generation projected for the proposed development.

**Volume/Maximum Acceptable Volume (VOL/MAV):** Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

**Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV):** Ratio of volume with development to the Maximum Acceptable Volume.

**Acceptable Level of Service (CURRENT LOS):** The Level of Service at which a roadway is currently operating.

**Level of Service with Development (LOS W/DEV):** The Level of Service that a proposed development may generate on a roadway.



**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2020-1.1  
FUTURE LAND USE ELEMENT – TEXT AMENDMENT**

**Request:** A proposal initiated by Health First, Inc. to amend Part XI, the Future Land Use Element, to amend Policy 2.8 D., to increase the allowable building square footage countywide within a Planned Unit Development (PUD), Policy 2.8 E., to permit a countywide increase in Floor Area Ratio (FAR) for Community Commercial (CC) designated sites from 1.00 to 1.75 within a PUD zoning classification; and Policy 2.8 Table 2.2, to update the table to the FAR increase from 1.00 to 1.75 within a PUD zoning classification.

**Owner / Applicant:** Health First, Inc.

**Location:** Countywide

**Acreage:** N/A

**Existing Land  
Use Designation:** N/A

**Proposed Land  
Use Designation:** N/A

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**PROPOSED TEXT AMENDMENT**

**Background:**

Health First, Inc. requests to build a state-of-the-art Wellness Village, a new concept, intended to serve the needs of the local community in all aspects of health to include preventive care. The mixed-use development program includes a hospital with medical offices, and retail with associated parking facilities, centrally located to create a Wellness Village. This request will allow for increased flexibility to the urban form (compact design) within the Planned Unit Development (PUD). This Text Amendment to the Future Land Use Element of the Brevard County Comprehensive Plan to allow 76,230 of Gross Floor Area (GFA) per one acre of land, for a total building area of 1,083,990 sq. ft. Health First Inc. has submitted a PUD rezoning application that is requesting a total building area of 1,078,000 sq. ft.

**Description:**

The proposed amendment will allow for an increased in flexibility to the urban form within the Planned Unit Development (PUD). By going vertical, this

flexibility allows for a more compact design by allowing for more area to be allocated to the required infrastructure including but not limited to parking, stormwater, open space etc. Increased intensities shall be directed to areas that have the appropriate central infrastructure and support services or the ability to provide it in conjunction to the proposed development.

Floor Area Ratio (FAR) is the ratio of a building's total floor area to the size of the piece of land upon which it is built on. A FAR of 1.0 on a one-acre piece of land equals a building of 43,560 sq. ft. in size.

There are three proposed changes:

Policy 2.8 D: to increase the allowable building square footage countywide within a PUD (Planned Unit Development). Currently, there is a cap of 400,000 square feet for commercial clusters, greater than 10 acres and less than 40 acres. This proposal would eliminate the 400,000 sq.ft. cap.

Policy 2.8 E: allows for a Floor Area Ratio (FAR) of up to 1.00 in Community Commercial (CC) designated land uses. This proposal would increase in Floor Area Ratio (FAR) from 1.00 to 1.75 in a Community Commercial (CC) land use provided it has Planned Unit Development (PUD) zoning classification.

Table 2.2: reiterates Policy 2.8 D and E; the cap of 400,000 sq. ft and the FAR of 1.0. This proposal would make Table 2.2 consistent with Policy 2.8 D and E.

### **Proposed Text Amendment**

Additions to the Objectives are shown as underlined and deletions are shown as ~~struck-through~~. The Policy 2.8, shown below for ease of reference, would remain unchanged.

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

Locational and development criteria for community commercial land uses are as follows:

#### **Criteria:**

- A. Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/ arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections.
- B. Community commercial complexes should not exceed 40 acres at

an intersection.

- C. Community Commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.
- D. The gross floor area of community commercial complexes should not exceed 150, 000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but not less than 40 acres in size unless within a Planned Unit Development (PUD) zoning classification. The square footage may be increased if it is located within a PUD zoning classification.
- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites unless accompanies with a PUD zoning classification wherein the FAR may be increased up to 1.75.
- F. Recreational vehicle parks shall be located in areas which serve the needs of tourists and seasonal visitors to Brevard County. The location of recreational vehicle parks shall have access to interstate interchanges via arterial and principal collector transportation corridors or the property shall be located on a major multi-county transportation corridor.

In summary, Table 2.2 reiterates the specific development parameters and issues for consideration, as discussed in Policies 2.1 and 2.8, when evaluation requests for CC land use designations. The table also outlines issues which affect decision making for rezoning requests and for site plan review, as described in Policies 2.2 and 2.3.

TABLE 2.2 THREE LAYER DEVELOPMENT REVIEW PROCESS FOR EVALUATING NEW COMMUNITY COMMERCIAL (CC) FUTURE LAND USES			
FIRST LEVEL OF REVIEW	SECOND LEVEL OF REVIEW	THIRD LEVEL OF REVIEW	
CONSISTENCY WITH COMPREHENSIVE PLAN <sup>1</sup>	CONSISTENCY WITH ZONING REGULATIONS <sup>2</sup>	CONSISTENCY WITH LAND DEVELOPMENT REGULATIONS <sup>3</sup>	
<b>Issues for Evaluation</b>	<b>Issues for Evaluation</b>	<b>Issues for Evaluation</b>	
Overall accessibility to the proposed CC site. (Policy 2.1.A)	Permitted/prohibited uses. (Policy 2.2.A)	Integration of vehicular and non-vehicular access into the site plan. (Policy 2.3.A)	
Compatibility and inter-connectivity of proposed CC site with adjacent adopted Future Land Designations and uses. (Policy 2.1.B)	Proposed zoning is consistent with zoning trends for the area. (Policy 2.2.B)	Access management features of the site design. (Policy 2.3.A.)	
Existing commercial development trend in the area. (Policy 2.1.C)	Compatibility of proposed zoning with surrounding land uses. (Policy 2.2.C)	Adequacy of buffering provided. (Policy 2.3.B)	
Changes in character of an area due to infrastructure improvements. (Policy 2.1.D)	Availability of public facilities to accommodate proposed zoning at or above adopted Level of Service standards. (Policy 2.2.D)	Open space provisions and balance of proportion between gross floor area and site size. (Policy 2.3.C)	
Availability of public facilities to accommodate proposed CC Future Land Uses at or above adopted Level of Service standards. (Policy 2.1.E)	Impacts upon natural resources, including wetlands, flood plains, and endangered species. (Policy 2.2.E)	Adequacy of pervious surface area in terms of drainage requirements of Land Development Code. (Policy 2.3.D)	
Minimum Spacing from Nearest CC Land Use: 2 miles for sites up to 10 acres and 5 miles for sites >10 acres. (Policies 2.1.F and 2.8.C)	Other issues which may emerge specific to a particular property. (Policy 2.2.F)	Placement of signage on site. (Policy 2.3.E)	
Size of proposed CC designation compared with current need. (Policy 2.1.G)	<b>Development Parameters Addressed by BU-1 &amp; BU-2 Zoning Regulations</b>	Adequacy of site lighting and intrusiveness of lighting upon the surrounding area. (Policy 2.3.F)	
Adherence of proposed CC land use to objectives/policies of the Conservation Element and the minimization of impacts upon natural systems. (Policy 2.1.H)	Listing of permitted/prohibited uses.	Safety of on site circulation patterns and points of conflicts. (Policy 2.3.G)	
Integration of open space. <sup>4</sup> (Policy 2.1.I)	Minimum building setbacks requirements.	Landscaping conforms with policies of the Comprehensive Plan and the Land Development Code. (Policy 2.3.H)	
Effect upon strip commercial development as a result of approving CC Future Land Use. (Policy 2.1.J)	Minimum lot size requirements.	Site plan sensitivity to protecting unique natural features. (Policy 2.3.I)	
Locations: Limited to intersections of Arterial/ Arterial or Collector/ Arterial roadways for sites up to 10 acres (with exceptions) and limited to Principal Arterial/Principal Arterial intersections for sites >10 acres. (Policy 2.8.A)	Minimum floor area requirements.	Other performance based requirements. (Policy 2.3.J)	
CC Future Land Use Site Size: >2 acres and <40 acres. (Policy 2.8.B)	Maximum building height allowances.	<sup>3</sup> This table serves as a summary. Refer to Policies 2.3 and 2.8 for full details.	
Minimum spacing from nearest CC land use: 2 miles for sites up to 10 acres and 5 miles for sites > 10 acres. (Policy 2.8.C)	Buffering requirements.		
Maximum Building Size: up to 150,000 square feet for sites up to 10 acres and up to 400,000 square feet for sites > 10 acres <u>unless within an approved PUD</u> , then a maximum of 76,230 GFA per acre. <sup>4</sup> (Policy 2.8.D)	<sup>2</sup> This table is a summary. Refer to Policies 2.2 and 2.8 for full details.		
Maximum Floor Area Ratio (FAR): .40 for sites up to 10 acres and 3.2 for sites >10 acres unless with PUD zoning classification wherein the FAR is up to 1.75. <sup>4</sup> (Policy 2.8.E)			
<sup>1</sup> This table serves as summary. Refer to Policies 2.1 and 2.8 for full details.			
<sup>4</sup> These parameters will be applied during the plan review process.			

**Staff Analysis:**

Staff has looked at the surrounding Unincorporated areas of Brevard County. Research indicates an increase in the Floor Area Ratio (FAR) in the Downtown Mixed-Use area in Titusville of 5.0, the Redevelopment Districts and non-residential Downtown areas of Cocoa Beach to be 3.0, the Central Business District in the City of Cocoa to be 2.5, the Commercial Use area of Palm Bay to be 2.5 and in the General Commercial areas of Melbourne to be 6.0. The request appears to be comparable with the adjacent Cities.

Objective 11 of the Future Land Use Element of the Comprehensive Plan. As outlined in Objective 11, Brevard County shall alleviate the impacts of inadequate public facilities and services, substandard structures and lot configurations in blighted or other affected areas in the County through redevelopment initiatives.

Staff's determination that there is sufficient public facilities and services to serve this development.

**For Board Consideration:**

The Board may wish to consider this increase in intensity countywide within lands designated as Community Commercial (CC) FLU, with a zoning classification of Planned Unit Development (PUD) by increasing the allowable FAR from 1.0 to 1.75 is appropriate.

**FAR Policy References in the Comprehensive Plans of Brevard County and local municipalities**

Entity	Land Use Designation	FAR - maximum	Policy/Reference
Brevard Co	NC	0.75	FLU element Policy 2.6 E
	CC	1.00	FLU element Policy 2.8 E
	Industrial - light	2.48	FLU element Policy 3.7 D
	Industrial - heavy	1.76	FLU element Policy 3.8 C
	PUB	0.25	FLU element Policy 6.2 A
	Viera PUD - retail	3.0 ( in town center) 2.0 (outside town center)	Table A. Page 34 FLU element
	Farmton DRI – mixed use areas	1.0 (commercial) 2.48 (light industrial) 2.0 (hotel)	Page 77 FLU element
	Plat Ranch Mixed Use District (PRMXD)	0.75 (neighborhood: non-residential) 0.70 (core neighborhoods and village centers: non-residential) 1.0 (commerce center: non-residential)	Page 105-110 FLU element
	MXD with public water access incentive	20% increase in FAR	FLU element Policy 20.1
Titusville	Mixed Use Development (MXD)	0.75	FLU element Policy 22.5
	Commercial High Intensity	1.0	FLU element Policy 1.21.1 (page 30 EAR 2018)
	Commercial Low Intensity	1.0	
	Downtown Mixed Use	5.0	
	Urban Mixed Use	1.0	
	Shoreline Mixed Use	1.0	
	Industrial	1.0	
	PIP	1.5	
Cocoa Beach	Redevelopment Districts and Downtown Area: non - residential	3.0	FLU element table I-1 (page I-32); Policy IV.2.2 and Policy III.3.2
Cocoa	Commercial	1.0	Figure FLU-1 (page 1-2)
	Mixed Use	1.0	
	Redevelopment Area	2.0	
	Central Business District (outside Cocoa Village Overlay)	2.5	
Palm Bay	Commercial Use	2.5	Land Use element page 7-8
	Bayfront Mixed Use Village - commercial	1.8	
	Bayfront Mixed Use - commercial	1.0	
	Mixed Use	2.0	
	Industrial	5.0	
Melbourne	General Commercial	0.7 (Outside Activity Centers) 2.0 (MAC, CAC) 3.0 (EGAC) 6.0 (DMAC)	Excerpt from Melbourne Comp Plan



## **LOCAL PLANNING AGENCY/PLANNING AND ZONING BOARD MINUTES**

The Brevard County Local Planning Agency/Planning & Zoning Board met in regular session on Monday, February 22, 2021, at 3:00 p.m., in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order by Chair Mark Wadsworth, at 3:00 p.m.

Board members present were: Ron Bartcher; Harry Carswell; Brian Hodgers; Ben Glover; Mark Wadsworth, Chair; Peter Filiberto, Vice Chair; Bruce Moia; and Joe Buchanan.

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Cheryl Campbell, Comprehensive Planner; Anthony Gubler, Environmental Specialist, Natural Resources Management; Abigail Jorandby, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

### **Excerpt of Complete Minutes**

#### **1. Large Scale Plan Amendment 2020-1.1**

A proposal initiated by Health First, Inc. to amend Part XI, the Future Land Use Element, to amend Policy 2.8 D., to increase the allowable building square footage countywide within a PUD (Planned Unit Development), Policy 2.8 E., to permit a countywide increase FAR (Floor Area Ratio) for CC (Community Commercial) designated sites from 1.00 to 1.75 within a PUD zoning classification; and Policy 2.8 Table 2.2, to update the table to the FAR increase from 1.00 to 1.75 within a PUD zoning classification. (20PZ00069) (District 2)

Kim Rezanka, Lacy, Lyons, & Rezanka, Attorneys at Law, Rockledge, Florida, stated this is the adoption stage of the request; the board approved transmittal on August 24, 2020. She stated the request is to change the building square footage and increase the floor area ratio in the PUD zoning classification from 1.00 to 1.75. A PUD requires a Preliminary Development Plan, which is similar to a site plan, so everyone will see what is planned and what the square footage will be before the PUD is approved. She said the building is still in the design phase, and there is a PUD application pending. She noted that if approved, the change to the Comprehensive Plan would be countywide, and not specific to the Health First site on Merritt Island, as there are many other properties that could benefit from the amendment. She pointed out that the staff comments state that the request is comparable with other local cities.

No public comment.

Ron Bartcher asked if building height would be allowed to be increased on a piece of property by increasing the floor area ratio.

Jeffrey Ball stated the floor area ratio does not allow for an increase in height, as that is limited by the zoning classification. With the increase in floor ratio to 1.75, it would equate to approximately an additional 30,000 square feet per acre, so it doesn't allow them to go up.

Mr. Bartcher asked if it would still allow a developer to build a bigger building. Mr. Ball replied it does allow for a bigger building, but not necessarily to go up. Mr. Bartcher asked the limit on building height in the PUD zoning classification. Mr. Ball replied that is a zoning question that will be addressed when the board hears the PUD application.

Bruce Moia stated if a developer has a floor area ratio greater than 1.00, it means the building would be bigger than the site, so it encourages developers to go to multiple floors to get as much building as



possible within the limits of the required height. He said it also allows a developer in a PUD to have a taller building and preserve some of the amenities of the site.

Motion by Bruce Moia, seconded by Joe Buchanan, to approve the proposal initiated by Health First, Inc. to amend Part XI, the Future Land Use Element, to amend Policy 2.8 D., to increase the allowable building square footage countywide within a PUD, Policy 2.8 E., to permit a countywide increase FAR for CC designated sites from 1.00 to 1.75 within a PUD zoning classification; and Policy 2.8 Table 2.2, to update the table to the FAR increase from 1.00 to 1.75 within a PUD zoning classification.

**From:** [Schmadeke, Adrienne](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Bellak, Christine](#)  
**Subject:** 20PZ00069 Disclosure  
**Date:** Friday, February 26, 2021 10:32:16 AM  
**Attachments:** [Health First Staff Comments.pdf](#)  
[HFWV - MI - PDP & Arch Site Plan.pdf](#)  
[Merritt Island Wellness Village Community Meeting 8-25-20.pdf](#)  
[Request for meeting by K Rezanka.pdf](#)  
[Virtual Meeting Aug 20 2020.pdf](#)

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Good morning Jennifer,

Attached is the info for disclosures for the March 4 Zoning Agenda H.1.

Commissioner participated in a virtual meeting on August 20, 2020 regarding 20PZ00069 with Kim Rezanka, Thomas Lee Davis, Steve Crisafulli, and Ashley Lescure.

Regards,

*Adrienne Schmadeke*



**Adrienne Schmadeke**  
Executive Assistant to Commissioner Smith  
Brevard County, District 4  
[321.633.2044](tel:321.633.2044) | [Adrienne.Schmadeke@brevardfl.gov](mailto:Adrienne.Schmadeke@brevardfl.gov)  
2725 Judge Fran Jamieson Way, Bldg. C - Suite 214,  
Viera, FL 32940

**Please note:**

*Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.*

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2020-1.1  
FUTURE LAND USE ELEMENT – TEXT AMENDMENT**

**Request:** A proposal initiated by Health First, Inc. to amend Part XI, the Future Land Use Element, to amend Policy 2.8 D., to increase the allowable building square footage countywide within a Planned Unit Development (PUD), Policy 2.8 E., to permit a countywide increase in Floor Area Ratio (FAR) for Community Commercial (CC) designated sites from 1.00 to 1.75 within a PUD zoning classification; and Policy 2.8 Table 2.2, to update the table to the FAR increase from 1.00 to 1.75 within a PUD zoning classification.

**Owner / Applicant:** Health First, Inc.

**Location:** Countywide

**Acreage:** N/A

**Existing Land  
Use Designation:** N/A

**Proposed Land  
Use Designation:** N/A

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**PROPOSED TEXT AMENDMENT**

**Background:**

Health First, Inc. requests to build a state-of-the-art Wellness Village, a new concept, intended to serve the needs of the local community in all aspects of health to include preventive care. The mixed-use development program includes a hospital with medical offices, and retail with associated parking facilities, centrally located to create a Wellness Village. This request will allow for increased flexibility to the urban form (compact design) within the Planned Unit Development (PUD). This Text Amendment to the Future Land Use Element of the Brevard County Comprehensive Plan to allow 76,230 of Gross Floor Area (GFA) per one acre of land, for a total building area of 1,083,990 sq. ft. Health First Inc. has submitted a PUD rezoning application that is requesting a total building area of 1,078,000 sq. ft.

**Description:**

The proposed amendment will allow for an increased in flexibility to the urban form within the Planned Unit Development (PUD). By going vertical, this

flexibility allows for a more compact design by allowing for more area to be allocated to the required infrastructure including but not limited to parking, stormwater, open space etc. Increased intensities shall be directed to areas that have the appropriate central infrastructure and support services or the ability to provide it in conjunction to the proposed development.

Floor Area Ratio (FAR) is the ratio of a building's total floor area to the size of the piece of land upon which it is built on. A FAR of 1.0 on a one-acre piece of land equals a building of 43,560 sq. ft. in size.

There are three proposed changes:

Policy 2.8 D: to increase the allowable building square footage countywide within a PUD (Planned Unit Development). Currently, there is a cap of 400,000 square feet for commercial clusters, greater than 10 acres and less than 40 acres. This proposal would eliminate the 400,000 sq.ft. cap.

Policy 2.8 E: allows for a Floor Area Ratio (FAR) of up to 1.00 in Community Commercial (CC) designated land uses. This proposal would increase in Floor Area Ratio (FAR) from 1.00 to 1.75 in a Community Commercial (CC) land use provided it has Planned Unit Development (PUD) zoning classification.

Table 2.2: reiterates Policy 2.8 D and E; the cap of 400,000 sq. ft and the FAR of 1.0. This proposal would make Table 2.2 consistent with Policy 2.8 D and E.

### **Proposed Text Amendment**

Additions to the Objectives are shown as underlined and deletions are shown as ~~struck-through~~. The Policy 2.8, shown below for ease of reference, would remain unchanged.

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Locational and development criteria for community commercial land uses are as follows:

#### **Criteria:**

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- B. Community commercial complexes should not exceed 40 acres at

an intersection.

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- D. The gross floor area of community commercial complexes should not exceed 150, 000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but not less than 40 acres in size unless within a Planned Unit Development (PUD) zoning classification. The square footage may be increased if it is located within a PUD zoning classification.
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TABLE 2.2 THREE LAYER DEVELOPMENT REVIEW PROCESS FOR EVALUATING NEW COMMUNITY COMMERCIAL (CC) FUTURE LAND USES			
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<b>Issues for Evaluation</b>	<b>Issues for Evaluation</b>	<b>Issues for Evaluation</b>	
Overall accessibility to the proposed CC site. (Policy 2.1.A)	Permitted/prohibited uses. (Policy 2.2.A)	Integration of vehicular and non-vehicular access into the site plan. (Policy 2.3.A)	
Compatibility and inter-connectivity of proposed CC site with adjacent adopted Future Land designations and uses. (Policy 2.1.B)	Proposed zoning is consistent with zoning trends for the area. (Policy 2.2.B)	Access management features of the site design. (Policy 2.3.A.)	
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Adherence of proposed CC land use to objectives/policies of the Conservation Element and the minimization of impacts upon natural systems. (Policy 2.1.H)	Listing of permitted/prohibited uses.	Safety of on site circulation patterns and points of conflicts. (Policy 2.3.G)	
Integration of open space. <sup>4</sup> (Policy 2.1.I)	Minimum building setbacks requirements.	Landscaping conforms with policies of the Comprehensive Plan and the Land Development Code. (Policy 2.3.H)	
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<sup>1</sup> This table serves as summary. Refer to Policies 2.1 and 2.8 for full details.			
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Staff's determination that there is sufficient public facilities and services to serve this development.

**For Board Consideration:**

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## Woodard, Patrick

---

**From:** Schmadeke, Adrienne  
**Sent:** Thursday, August 20, 2020 3:15 PM  
**To:** Curtis Smith  
**Cc:** Woodard, Patrick; Bellak, Christine  
**Subject:** FW: Virtual Meeting today at 4:00  
**Attachments:** Health First Staff Comments.pdf; HFWV - MI - PDP & Arch Site Plan.pdf

Commissioner,

See attached documents for your 4:00 meeting with Health First and Kim Rezanka.  
- Adrienne

---

**From:** Kimberly Rezanka <kim@cglawoffice.com>  
**Sent:** Thursday, August 20, 2020 3:06 PM  
**To:** Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Woodard, Patrick <patrick.woodard@brevardfl.gov>  
**Cc:** Davis, Thomas Lee <Tom.Davis@hf.org>; steve@stevecrisafulli.com  
**Subject:** Virtual Meeting today at 4:00

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Smith,

Please see attached the documents we wish to discuss with you today.

Sincerely,

Kimberly Bonder Rezanka, Esq.



96 Willard Street, Suite 302  
Cocoa, FL 32922  
321-639-1320 ext. 123  
Fax 321-639-9950

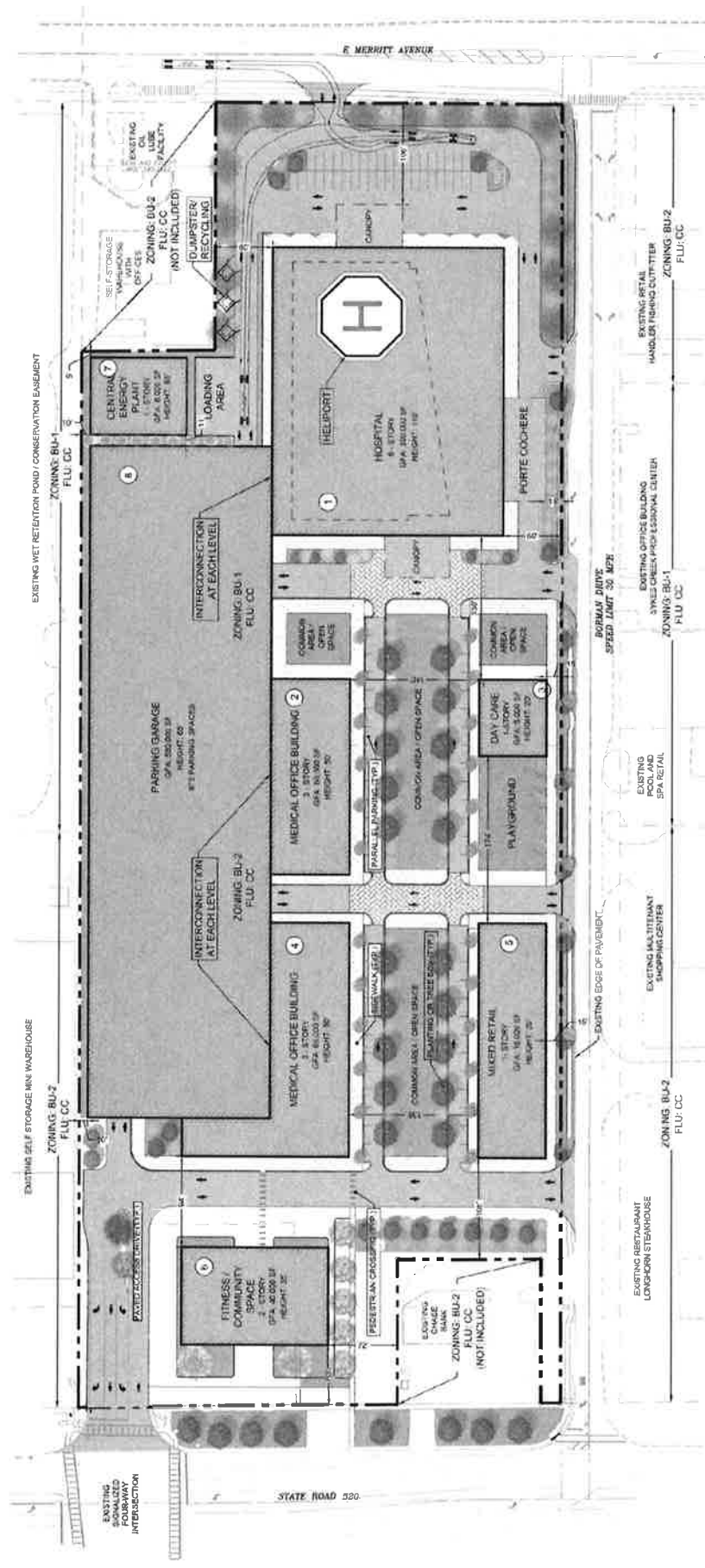
[Kim@cglawoffice.com](mailto:Kim@cglawoffice.com)  
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ARCHITECTURAL SITE PLAN



## Community Meeting Invitation: Health First Wellness Village at Merritt Island Virtual Presentation

Dear Neighbor,

Please join us for a virtual community meeting where we will discuss plans for the Health First Wellness Village at Merritt Island. This is an opportunity for community members to learn about the Wellness Village and submit questions about the project.

The Wellness Village will transform the customer healthcare experience for local families. The Wellness Village at Merritt Island will feature a variety of wellness services, health and retail space, and convenient parking, all complementing acute-care services. These services will be community-focused to offer families what they want, when they want it.

And continuing our commitment to the legacy started many decades ago, Health First is also relocating Cape Canaveral Hospital to the Wellness Village at Merritt Island. With access to more than 50 medical specialties, the modern acute-care facility will include private inpatient beds and numerous emergency room bays. The Health First Wellness Village will make it easier and more convenient for our customers to obtain the affordable healthcare access they desire.

To maximize community safety during the ongoing COVID-19 pandemic, we will be hosting this presentation online. Please RSVP using the instructions below. Members of the public can join the meeting online or via phone. RSVPs will receive meeting login information upon registration.

We hope you will join us for an informative evening on Tuesday, August 25.

### **Meeting Details:**

**Date:** Tuesday, August 25, 2020

**Time:** 6:00 – 7:00 p.m.

**RSVP:** Visit [HF.org/communitymeeting](https://hf.org/communitymeeting) to register. Click the [Register](#) link next to Event Status to sign up.

*\*\*\*Note that registration will be required for entry into the meeting.*

For questions or additional information, please contact Rachel Hobgood at 321.434.7693 or [EventsAdmin@HF.org](mailto:EventsAdmin@HF.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Esrock".

Brett Esrock  
CEO, Health First Hospital Division

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## **REGISTRATION INSTRUCTIONS:**

To register for the Health First Wellness Village at Merritt Island Virtual Presentation on August 25, please visit [HF.org/communitymeeting](https://hf.org/communitymeeting).

Click the Register link next to Event Status to sign up. (See screenshot below)

*\*\*\*Note that registration will be required for entry into the meeting.*

### Event Information: Health First Merritt Island Wellness Village Community Forum

Registration is required to join this event. If you have not registered, please do so now.

<b>Event status:</b>	Not started <a href="#">(Register)</a>
<b>Date and time:</b>	Tuesday, August 25, 2020 6:00 pm Eastern Daylight Time (New York, GMT-04:00) <a href="#">Change time zone</a>
<b>Duration:</b>	1 hour
<b>Description:</b>	

Once you have registered, you will receive an email with a password and link to access the virtual presentation taking place at 6:00 pm on August 25, 2020.

## Woodard, Patrick

---

**From:** Schmadeke, Adrienne  
**Sent:** Thursday, August 13, 2020 2:33 PM  
**To:** Curtis Smith  
**Cc:** Woodard, Patrick; Bellak, Christine  
**Subject:** FW: Health First Medical Wellness Village - Merritt Island - request for meeting  
**Attachments:** Merritt Island Wellness Village Community Meeting 8-25-20.pdf; HFWV - MI - PDP & Arch Site Plan.pdf

Commissioner,

If you agree to the meeting, can you please let me know three dates and times which you prefer? Also would you prefer to meet in person or virtual via Zoom or phone?

- Adrienne

---

**From:** Kimberly Rezanka <kim@cflawoffice.com>  
**Sent:** Thursday, August 13, 2020 1:59 PM  
**To:** Commissioner, D4 <D4.Commissioner@brevardfl.gov>  
**Cc:** Woodard, Patrick <patrick.woodard@brevardfl.gov>; Lescure, Ashley Rose <Ashley.Lescure@hf.org>  
**Subject:** Health First Medical Wellness Village - Merritt Island - request for meeting

**[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.**

Commissioner Smith,

Heath First and I would like to meet with you to discuss the comprehensive plan amendment and rezoning request made by Health First for its new Wellness Village in Merritt Island. The first public hearing for the comprehensive plan amendment is LPA on August 24, 2020, and MIRA will review the rezoning request on August 27, 2020.

There is also a Community Virtual Meeting scheduled for August 25, 2020. The invitation, sent to over 300 property owners within 1500 feet of the Property, is attached. As this meeting will not allow direct questioning, we would like to meet with you individually so you can query or comment as we review the Project with you.

The meeting will be with Tom Davis, Health First, Inc.'s System Vice President for Facilities, Construction & Real Estate, Steve Crisafulli and me. The Preliminary Development Plan and architectural rendering are attached for your review.

We would like to meet with you **prior to August 25<sup>th</sup>**, if you are available, so you will have detailed information about the Wellness Village before the general public.

Ashley Lescure, Mr. Davis' Executive Assistant is copied on this email for scheduling purposes. Either Ashley or my Assistant Patty can set up WebEx or MS Teams for a virtual meeting, unless you are available for an in-person meeting at the Viera Government Center.

Please let me know if you available for meeting, and if so, potential dates and times, and your preference as to a virtual or in-person meeting.

Thank you for your time and consideration!

Sincerely,

**Kimberly Bonder Rezanka, Esq.**



*96 Willard Street, Suite 302  
Cocoa, FL 32922  
321-639-1320 ext. 123  
Fax 321-639-9950*

**[Kim@caglawoffice.com](mailto:Kim@caglawoffice.com)**  
**[www.caglawoffice.com](http://www.caglawoffice.com)**

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>ZONKA, KRISTINE</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS</b>
MAILING ADDRESS <b>490 CENTRE LAKE DRIVE, SUITE 175</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY      COUNTY <b>PALM BAY      BREVARD</b>	NAME OF POLITICAL SUBDIVISION: <b>BREVARD COUNTY</b>
DATE ON WHICH VOTE OCCURRED <b>03/04/21</b>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)



## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, KRISTINE ZONKA, hereby disclose that on MARCH 4, 20 21 :

- (a) A measure came or will come before my agency which (check one or more) Item H(1)
- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- ☒ inured to the special gain or loss of HEALTH FIRST, INC., which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

HEALTH FIRST, INC. REQUESTED A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT TO ALLOW AN INCREASE IN FLOOR AREA RATIO TO FACILITATE CONSTRUCTION OF A NEW WELLNESS VILLAGE. I AM EMPLOYED BY A SUBSIDIARY OF HEALTH FIRST, INC., SPECIFICALLY HEALTH FIRST MEDICAL GROUP, LLC, AND THEREFORE, I HAVE A CONFLICT OF INTEREST PURSUANT TO CHAPTER 112.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

03/04/21

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

**From:** [Schmadeke, Adrienne](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Bellak, Christine](#)  
**Subject:** 20PZ00069 Disclosure  
**Date:** Friday, February 26, 2021 10:32:16 AM  
**Attachments:** [Health First Staff Comments.pdf](#)  
[HFWV - MI - PDP & Arch Site Plan.pdf](#)  
[Merritt Island Wellness Village Community Meeting 8-25-20.pdf](#)  
[Request for meeting by K Rezanka.pdf](#)  
[Virtual Meeting Aug 20 2020.pdf](#)

---

Good morning Jennifer,

Attached is the info for disclosures for the March 4 Zoning Agenda H.1.

Commissioner participated in a virtual meeting on August 20, 2020 regarding 20PZ00069 with Kim Rezanka, Thomas Lee Davis, Steve Crisafulli, and Ashley Lescure.

Regards,

*Adrienne Schmadeke*



**Adrienne Schmadeke**  
Executive Assistant to Commissioner Smith  
Brevard County, District 4  
[321.633.2044](tel:321.633.2044) | [Adrienne.Schmadeke@brevardfl.gov](mailto:Adrienne.Schmadeke@brevardfl.gov)

2725 Judge Fran Jamieson Way, Bldg. C - Suite 214,  
Viera, FL 32940

***Please note:***

*Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.*

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2020-1.1  
FUTURE LAND USE ELEMENT – TEXT AMENDMENT**

**Request:** A proposal initiated by Health First, Inc. to amend Part XI, the Future Land Use Element, to amend Policy 2.8 D., to increase the allowable building square footage countywide within a Planned Unit Development (PUD), Policy 2.8 E., to permit a countywide increase in Floor Area Ratio (FAR) for Community Commercial (CC) designated sites from 1.00 to 1.75 within a PUD zoning classification; and Policy 2.8 Table 2.2, to update the table to the FAR increase from 1.00 to 1.75 within a PUD zoning classification.

**Owner / Applicant:** Health First, Inc.

**Location:** Countywide

**Acreage:** N/A

**Existing Land  
Use Designation:** N/A

**Proposed Land  
Use Designation:** N/A

---

**PROPOSED TEXT AMENDMENT**

**Background:**

Health First, Inc. requests to build a state-of-the-art Wellness Village, a new concept, intended to serve the needs of the local community in all aspects of health to include preventive care. The mixed-use development program includes a hospital with medical offices, and retail with associated parking facilities, centrally located to create a Wellness Village. This request will allow for increased flexibility to the urban form (compact design) within the Planned Unit Development (PUD). This Text Amendment to the Future Land Use Element of the Brevard County Comprehensive Plan to allow 76,230 of Gross Floor Area (GFA) per one acre of land, for a total building area of 1,083,990 sq. ft. Health First Inc. has submitted a PUD rezoning application that is requesting a total building area of 1,078,000 sq. ft.

**Description:**

The proposed amendment will allow for an increased in flexibility to the urban form within the Planned Unit Development (PUD). By going vertical, this

flexibility allows for a more compact design by allowing for more area to be allocated to the required infrastructure including but not limited to parking, stormwater, open space etc. Increased intensities shall be directed to areas that have the appropriate central infrastructure and support services or the ability to provide it in conjunction to the proposed development.

Floor Area Ratio (FAR) is the ratio of a building's total floor area to the size of the piece of land upon which it is built on. A FAR of 1.0 on a one-acre piece of land equals a building of 43,560 sq. ft. in size.

There are three proposed changes:

Policy 2.8 D: to increase the allowable building square footage countywide within a PUD (Planned Unit Development). Currently, there is a cap of 400,000 square feet for commercial clusters, greater than 10 acres and less than 40 acres. This proposal would eliminate the 400,000 sq.ft. cap.

Policy 2.8 E: allows for a Floor Area Ratio (FAR) of up to 1.00 in Community Commercial (CC) designated land uses. This proposal would increase in Floor Area Ratio (FAR) from 1.00 to 1.75 in a Community Commercial (CC) land use provided it has Planned Unit Development (PUD) zoning classification.

Table 2.2: reiterates Policy 2.8 D and E; the cap of 400,000 sq. ft and the FAR of 1.0. This proposal would make Table 2.2 consistent with Policy 2.8 D and E.

### **Proposed Text Amendment**

Additions to the Objectives are shown as underlined and deletions are shown as ~~struck through~~. The Policy 2.8, shown below for ease of reference, would remain unchanged.

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

Locational and development criteria for community commercial land uses are as follows:

#### **Criteria:**

- A. Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/ arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections.
- B. Community commercial complexes should not exceed 40 acres at

an intersection.

- C. Community Commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.
- D. The gross floor area of community commercial complexes should not exceed 150, 000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but not less than 40 acres in size unless within a Planned Unit Development (PUD) zoning classification. The square footage may be increased if it is located within a PUD zoning classification.
- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites unless accompanies with a PUD zoning classification wherein the FAR may be increased up to 1.75.
- F. Recreational vehicle parks shall be located in areas which serve the needs of tourists and seasonal visitors to Brevard County. The location of recreational vehicle parks shall have access to interstate interchanges via arterial and principal collector transportation corridors or the property shall be located on a major multi-county transportation corridor.

In summary, Table 2.2 reiterates the specific development parameters and issues for consideration, as discussed in Policies 2.1 and 2.8, when evaluation requests for CC land use designations. The table also outlines issues which affect decision making for rezoning requests and for site plan review, as described in Policies 2.2 and 2.3.

TABLE 2.2 THREE LAYER DEVELOPMENT REVIEW PROCESS FOR EVALUATING NEW COMMUNITY COMMERCIAL (CC) FUTURE LAND USES			
FIRST LEVEL OF REVIEW	SECOND LEVEL OF REVIEW	THIRD LEVEL OF REVIEW	
CONSISTENCY WITH COMPREHENSIVE PLAN <sup>1</sup>	CONSISTENCY WITH ZONING REGULATIONS <sup>2</sup>	CONSISTENCY WITH LAND DEVELOPMENT REGULATIONS <sup>3</sup>	
Issues for Evaluation	Issues for Evaluation	Issues for Evaluation	
Overall accessibility to the proposed CC site. (Policy 2.1.A)	Permitted/prohibited uses. (Policy 2.2.A)	Integration of vehicular and non-vehicular access into the site plan. (Policy 2.3.A)	
Compatibility and inter-connectivity of proposed CC site with adjacent adopted Future Land Designations and uses. (Policy 2.1.B)	Proposed zoning is consistent with zoning trends for the area. (Policy 2.2.B)	Access management features of the site design. (Policy 2.3.A.)	
Existing commercial development trend in the area. (Policy 2.1.C)	Compatibility of proposed zoning with surrounding land uses. (Policy 2.2.C)	Adequacy of buffering provided. (Policy 2.3.B)	
Changes in character of an area due to infrastructure improvements. (Policy 2.1.D)	Availability of public facilities to accommodate proposed zoning at or above adopted Level of Service standards. (Policy 2.2.D)	Open space provisions and balance of proportion between gross floor area and site size. (Policy 2.3.C)	
Availability of public facilities to accommodate proposed CC Future Land Uses at or above adopted Level of Service standards. (Policy 2.1.E)	Impacts upon natural resources, including wetlands, flood plains, and endangered species. (Policy 2.2.E)	Adequacy of pervious surface area in terms of drainage requirements of Land Development Code. (Policy 2.3.D)	
Minimum Spacing from Nearest CC Land Use: 2 miles for sites up to 10 acres and 5 miles for sites >10 acres. (Policies 2.1.F and 2.8.C)	Other issues which may emerge specific to a particular property. (Policy 2.2.F)	Placement of signage on site. (Policy 2.3.E)	
Size of proposed CC designation compared with current need. (Policy 2.1.G)	<b>Development Parameters Addressed by BU-1 &amp; BU-2 Zoning Regulations</b>	Adequacy of site lighting and intrusiveness of lighting upon the surrounding area. (Policy 2.3.F)	
Adherence of proposed CC land use to objectives/policies of the Conservation Element and the minimization of impacts upon natural systems. (Policy 2.1.H)	Listing of permitted/prohibited uses.	Safety of on site circulation patterns and points of conflicts. (Policy 2.3.G)	
Integration of open space. <sup>4</sup> (Policy 2.1.I)	Minimum building setbacks requirements.	Landscaping conforms with policies of the Comprehensive Plan and the Land Development Code. (Policy 2.3.H)	
Effect upon strip commercial development as a result of approving CC Future Land Use. (Policy 2.1.J)	Minimum lot size requirements.	Site plan sensitivity to protecting unique natural features. (Policy 2.3.I)	
Locations: Limited to intersections of Arterial/Arterial or Collector/Arterial roadways for sites up to 10 acres (with exceptions) and limited to Principal Arterial/Principal Arterial intersections for sites >10 acres. (Policy 2.8.A)	Minimum floor area requirements.	Other performance based requirements. (Policy 2.3.I)	
CC Future Land Use Site Size: >2 acres and <40 acres. (Policy 2.8.B)	Maximum building height allowances.	<sup>3</sup> This table serves as a summary. Refer to Policies 2.3 and 2.8 for full details.	
Minimum spacing from nearest CC land use: 2 miles for sites up to 10 acres and 5 miles for sites > 10 acres. (Policy 2.8.C)	Buffering requirements.		
Maximum Building Size: up to 150,000 square feet for sites up to 10 acres and up to 400,000 square feet for sites > 10 acres <u>unless within an approved PUD, then a maximum of 76,230 GFA per acre.</u> <sup>4</sup> (Policy 2.8.D)	<sup>2</sup> This table is a summary. Refer to Policies 2.2 and 2.8 for full details.		
Maximum Floor Area Ratio (FAR): .40 for sites up to 10 acres and 3.2 for sites >10 acres unless with PUD zoning classification wherein the FAR is up to 1.75. <sup>4</sup> (Policy 2.8.E)			
<sup>1</sup> This table serves as summary. Refer to Policies 2.1 and 2.8 for full details.			
<sup>4</sup> These parameters will be applied during the plan review process.			

**Staff Analysis:**

Staff has looked at the surrounding Unincorporated areas of Brevard County. Research indicates an increase in the Floor Area Ratio (FAR) in the Downtown Mixed-Use area in Titusville of 5.0, the Redevelopment Districts and non-residential Downtown areas of Cocoa Beach to be 3.0, the Central Business District in the City of Cocoa to be 2.5, the Commercial Use area of Palm Bay to be 2.5 and in the General Commercial areas of Melbourne to be 6.0. The request appears to be comparable with the adjacent Cities.

Objective 11 of the Future Land Use Element of the Comprehensive Plan. As outlined in Objective 11, Brevard County shall alleviate the impacts of inadequate public facilities and services, substandard structures and lot configurations in blighted or other affected areas in the County through redevelopment initiatives.

Staff's determination that there is sufficient public facilities and services to serve this development.

**For Board Consideration:**

The Board may wish to consider this increase in intensity countywide within lands designated as Community Commercial (CC) FLU, with a zoning classification of Planned Unit Development (PUD) by increasing the allowable FAR from 1.0 to 1.75 is appropriate.

## Woodard, Patrick

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**From:** Schmadeke, Adrienne  
**Sent:** Thursday, August 20, 2020 3:15 PM  
**To:** Curtis Smith  
**Cc:** Woodard, Patrick; Bellak, Christine  
**Subject:** FW: Virtual Meeting today at 4:00  
**Attachments:** Health First Staff Comments.pdf; HFWV - MI - PDP & Arch Site Plan.pdf

Commissioner,

See attached documents for your 4:00 meeting with Health First and Kim Rezanka.

- Adrienne

---

**From:** Kimberly Rezanka <kim@cglawoffice.com>  
**Sent:** Thursday, August 20, 2020 3:06 PM  
**To:** Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Woodard, Patrick <patrick.woodard@brevardfl.gov>  
**Cc:** Davis, Thomas Lee <Tom.Davis@hf.org>; steve@stevecrisafulli.com  
**Subject:** Virtual Meeting today at 4:00

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Smith,

Please see attached the documents we wish to discuss with you today.

Sincerely,

Kimberly Bonder Rezanka, Esq.



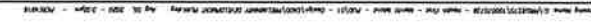
*96 Willard Street, Suite 302  
Cocoa, FL 32922  
321-639-1320 ext. 123  
Fax 321-639-9950*

[Kim@cglawoffice.com](mailto:Kim@cglawoffice.com)  
[www.cglawoffice.com](http://www.cglawoffice.com)





**IMPORTANT:** This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are, by this, on notice that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to Cantwell & Goldman, P.A., 96 Willard St., Ste. 302, Cocoa, FL. 32922. Thank you.







## Community Meeting Invitation: Health First Wellness Village at Merritt Island Virtual Presentation

Dear Neighbor,

Please join us for a virtual community meeting where we will discuss plans for the Health First Wellness Village at Merritt Island. This is an opportunity for community members to learn about the Wellness Village and submit questions about the project.

The Wellness Village will transform the customer healthcare experience for local families. The Wellness Village at Merritt Island will feature a variety of wellness services, health and retail space, and convenient parking, all complementing acute-care services. These services will be community-focused to offer families what they want, when they want it.

And continuing our commitment to the legacy started many decades ago, Health First is also relocating Cape Canaveral Hospital to the Wellness Village at Merritt Island. With access to more than 50 medical specialties, the modern acute-care facility will include private inpatient beds and numerous emergency room bays. The Health First Wellness Village will make it easier and more convenient for our customers to obtain the affordable healthcare access they desire.

To maximize community safety during the ongoing COVID-19 pandemic, we will be hosting this presentation online. Please RSVP using the instructions below. Members of the public can join the meeting online or via phone. RSVPs will receive meeting login information upon registration.

We hope you will join us for an informative evening on Tuesday, August 25.

### **Meeting Details:**

**Date:** Tuesday, August 25, 2020

**Time:** 6:00 – 7:00 p.m.

**RSVP:** Visit [HF.org/communitymeeting](https://HF.org/communitymeeting) to register. Click the [Register](#) link next to Event Status to sign up.

*\*\*\*Note that registration will be required for entry into the meeting.*

For questions or additional information, please contact Rachel Hobgood at 321.434.7693 or [EventsAdmin@HF.org](mailto:EventsAdmin@HF.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Esrock".

Brett Esrock  
CEO, Health First Hospital Division

---

## **REGISTRATION INSTRUCTIONS:**

To register for the Health First Wellness Village at Merritt Island Virtual Presentation on August 25, please visit [HF.org/communitymeeting](https://hf.org/communitymeeting).

Click the Register link next to Event Status to sign up. (See screenshot below)

*\*\*\*Note that registration will be required for entry into the meeting.*

### Event Information: Health First Merritt Island Wellness Village Community Forum

Registration is required to join this event. If you have not registered, please do so now.

<b>Event status:</b>	Not started ( <a href="#">Register</a> )
<b>Date and time:</b>	Tuesday, August 25, 2020 6:00 pm Eastern Daylight Time (New York, GMT-04:00) <a href="#">Change time zone</a>
<b>Duration:</b>	1 hour
<b>Description:</b>	

Once you have registered, you will receive an email with a password and link to access the virtual presentation taking place at 6:00 pm on August 25, 2020.

---

## Woodard, Patrick

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**Sent:** Thursday, August 13, 2020 2:33 PM  
**To:** Curtis Smith  
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- Adrienne

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**Sent:** Thursday, August 13, 2020 1:59 PM  
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**Subject:** Health First Medical Wellness Village - Merritt Island - request for meeting

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Commissioner Smith,

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There is also a Community Virtual Meeting scheduled for August 25, 2020. The invitation, sent to over 300 property owners within 1500 feet of the Property, is attached. As this meeting will not allow direct questioning, we would like to meet with you individually so you can query or comment as we review the Project with you.

The meeting will be with Tom Davis, Health First, Inc.'s System Vice President for Facilities, Construction & Real Estate, Steve Crisafulli and me. The Preliminary Development Plan and architectural rendering are attached for your review.

We would like to meet with you **prior to August 25<sup>th</sup>**, if you are available, so you will have detailed information about the Wellness Village before the general public.

Ashley Lescure, Mr. Davis' Executive Assistant is copied on this email for scheduling purposes. Either Ashley or my Assistant Patty can set up WebEx or MS Teams for a virtual meeting, unless you are available for an in-person meeting at the Viera Government Center.

Please let me know if you available for meeting, and if so, potential dates and times, and your preference as to a virtual or in-person meeting.

Thank you for your time and consideration!

Sincerely,

**Kimberly Bonder Rezanka, Esq.**



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