



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.8.

12/2/2021

Subject:

Perrone Properties, Inc.; and Curtis R. & Sharon E. Davis (Javier Fernandez) request a change of zoning classification from AU to RU-2-10. (21Z00032) (Tax Accounts 2424006 & 2424007) (District 1)

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 a change of zoning classification from AU (Agricultural Residential) to RU-2-10 (Medium Density Multi-Family Residential).

Summary Explanation and Background:

The applicant is seeking a change of zoning classification from AU to RU-2-10 for the purposes of developing a Single-Family Attached (townhome) community under the RA-2-10 (Single-Family Attached Residential) standards.

The proposed zoning classification of RU-2-10 is not consistent with the RES 4 FLU. The applicant has submitted a companion application for a Small Scale Comprehensive Plan Amendment to change the Future Land Use Map from RES 4 (Residential 4) to RES 15 (Residential 15).

Abutting the subject property to the north is a 130.66-acre property within the City of Cocoa, which is currently being developed as a 268-unit apartment complex with mini-warehouses. To the east is a vacant 40-acre parcel within the City of Cocoa. To the south, across Pluckebaum Road, is a single-family subdivision, with quarter-acre lots and within the City of Rockledge. To the west are agricultural residential utilized properties in unincorporated Brevard County with AU zoning.

The proposed RU-2-10 classification permits multi-family residential development or single-family residences at a density of up to 10 units per acre on minimum lot sizes of 7,500 square feet. Single-Family Attached residential units are also permitted in RU-2-10 as long as they meet the Single-Family Attached Residential (RA-2-10) standards.

The Board may wish to consider whether this request for RU-2-10 zoning is consistent and compatible with the properties in the surrounding area.

On November 15, 2021, the Planning & Zoning Board heard the request and unanimously recommended

approval.

Clerk to the Board Instructions:

Once resolution is received, please execute and return to Planning and Development.

Resolution 21Z00032

On motion by Commissioner Pritchett, seconded by Commissioner Lober, the following resolution was adopted by a unanimous vote:

WHEREAS, Perrone Properties, Inc.; and Curtis R. and Sharon E. Davis have requested a change of zoning classification from AU (Agricultural Residential) to RU-2-10 (Medium Density Multi-Family Residential), on property described as Tax Parcel 506, as recorded in ORB 5451, Page 8265, of the Public Records of Brevard County, Florida; and Tax Parcel 507, as recorded in ORB 2744, Page 1131, of the Public Records of Brevard County, Florida. **Section 31, Township 24, Range 36.** (40 acres) Located on the north side of Pluckebaum Rd., approx. 0.25 mile east of Range Rd. (Tax Parcel 506 = 2250 Pluckebaum Rd., Cocoa; Tax Parcel 507 = 2100 Pluckebaum Rd., Cocoa); and

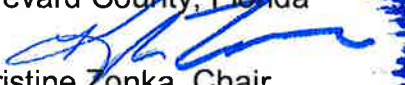
WHEREAS, a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning and Zoning Board recommended that the application be approved; and

WHEREAS, the Board, after considering said application and Brevard County Planning and Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved as recommended; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from AU to RU-2-10, be approved. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of December 2, 2021.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida


Kristine Zonka, Chair
Brevard County Commission

As approved by the Board on December 2, 2021.

ATTEST:


RACHEL SADOFF, CLERK

(SEAL)

Planning and Zoning Board Hearing – November 15, 2021

Please note: A CUP (Conditional Use Permit) will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. CUPs for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development Preliminary Development Plan expires if a final development plan is not filed within three years. **The granting of this zoning does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances.**

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.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way
 Building A, Room 114
 Viera, Florida 32940
 (321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

STAFF COMMENTS

21Z00032

**Perrone Properties, Inc.; and Curtis R. and Sharon E. Davis
 Agricultural Residential (AU) to RU-2-10 (Medium-Density Multiple-Family Residential)**

Tax Account Number: 2424006 and 2424007
 Parcel I.D.: 24-36-31-00-*-506 and 24-36-31-00-*-507
 Location: 2100 and 2250 Pluckebaum Road, Cocoa Florida 32926. North side of Pluckebaum Road, approximately 2,670 feet west of the Intersection of Pluckebaum Road and Clearlake Road (District 1)
 Acreage: 40.00 acres
 Planning and Zoning Board: 11/15/2021
 Board of County Commissioners: 12/02/2021

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can not be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	AU	RU-2-10
Potential*	16 units	400 units
Can be Considered under the Future Land Use Map	YES, RES 4	NO, RES 4**

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

The applicant has submitted a companion Small Scale Comprehensive Plan Amendment (SSCPA) application to change the Future Land Use Map (FLUM) from RES 4 (Residential 4) to RES 15 (Residential 15) under **21PZ00062.

Background and Purpose of Request

The applicant is seeking a change of zoning classification from AU (Agricultural Residential) to RU-2-10 (Medium-Density Multiple-Family Residential) for the purposes of developing a Single-Family Attached (townhome) community under the RA-2-10 (Single-Family Attached Residential) standards, as permitted by Section 62-1372 (1) a.

The property consists of two adjacent 20.00-acre lots, totaling 40.00 acres, under the current AU zoning.

Land Use

The subject property retains the RES 4 Future Land Use designation (FLU). The existing zoning classification of AU is consistent with the FLU. The proposed zoning classification of RU-2-10 is not consistent with the RES 4 FLU. The applicant has submitted a companion Small Scale Comprehensive Plan Amendment application to change the Future Land Use Map (FLUM) from RES 4 (Residential 4) to RES 15 (Residential 15) under **21PZ00062**. Should either the proposed Future Land Use designation of RES 15 be approved or RES 10 be approved, then this request to RU-2-10 can be considered to be consistent with Exhibit A of Section 62-1255.

Applicable Land Use Policies

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

FLUE Policy 1.4 – The Residential 15 Future Land Use designation affords the second highest density allowance, permitting a maximum residential density of up to fifteen (15) units per acre. This land use category allows single and multi-family residential development, except as otherwise may be provided for within the Future Land Use Element.

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

The property retains RES 4 FLU. The City of Cocoa abuts the property on the north and east sides and City of Rockledge abuts on the south side at the easternmost part of the property. The property is in between medium-density residential and single-family residential land uses, with existing urban and suburban uses in the general area to the north, east, south, and west. To the southwest, between the subject property and I-95, are an AM Radio station, borrow pits, low-lying vacant/agricultural residential properties, and the Sheriff's Ranch, which includes a gun range. The eastern half of the property is developed with one single-wide manufactured home and nine pole barns. The western half of the property is undeveloped residential.

The existing and FLU of the subject property, and adjacent properties to the east, west, and southwest of the subject property, are increasingly out of character with the development of the general area. This is an area in transition, with the existing uses and FLU of the subject and abutting properties, being a small pocket of agricultural residential properties in an area increasingly transitioning via urban/suburban infill to medium density multi and single family residential. The proposed use could be considered consistent and compatible with the emerging development pattern of the area as a transition between medium density multi-family residential uses and FLU's, and single-family residential uses and FLU's. The proposed use is not consistent with the current FLU of RES 4, but is consistent with the proposed RES 15 FLU and would also be consistent with RES 10 FLU.

The 130.66 acre property to the north is currently being developed by Cocoa Grand LLC as a medium-density luxury apartment complex of 268 units, clustered on the center 31 acres of the property, within the City of Cocoa, and has frontage on the south side of SR-520, with commercial FLU's and uses on both sides of that frontage. The City of Cocoa FLU is Medium Density Residential (15 units/acre) for 102.2 acres of the property, and Commercial for the remaining 28.46 acres closer

to SR-520, which is site-planned for mini-warehouse storage units. While the gross density of the project is 268 units/130.66 acres, or 2.05 units/acre, plus proposed mini-warehouse use, the effective clustered density is approximately 268 units/31 acres, or 8.65 units per acre.

The property to the east of the subject property is vacant and has a Low Density Residential FLU within the City Limits of Cocoa, with medium density FLU to the north of that, and is across Pluckebaum Road from a single-family subdivision within the City of Rockledge with Low Density Residential (3 units/acre) FLU platted as quarter-acre lots under City of Rockledge PUD zoning.. The parcels to the south of the subject property and across Pluckebaum Road are developed as agricultural residential, and have Low Density City of Rockledge FLU on the eastern part, and RES 4 Brevard County FLU on the western part. To the west of the subject property are agricultural residential uses with RES 4 with RES 15 FLU's to the west of that on the west side of South Range Road.

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

The subject property and abutting neighbors to east, south and west can be characterized as a small pocket of vacant agricultural residential lots, surrounded by a greater neighborhood area, which consists of established commercial properties, and is transitioning with newer residential and commercial projects, including multi-family and single-family residential developments on adjacent and close-by properties. This trend in this area could be classified as urban/suburban infill. The area is located between medium density multi-family residential and high intensity commercial to the north; planned and developing residential to the northeast, east, and southeast; single-family residential to the south; lower-lying mixture of residential, agricultural residential and government managed lands to the southwest, including the approximately 600 acre Harvest Landing PUD within the City Limits of the City of Rockledge, and; commercial and medium density residential properties to the west.

Surrounding Area

Abutting the subject property to the north is a 130.66 acre property within the City of Cocoa, which is currently being developed as a 268 unit multi-family luxury apartment complex, with mini-warehouses, under City of Cocoa Multiple-Family Dwelling District (RU-2-15) and Whole-Sale Commercial (C-W) zoning. To the east is a vacant 40 acre parcel, within the City of Cocoa, with Single-Family Residential District (RU-1-7) zoning. To the south, across Pluckebaum Road, a single-family subdivision, with quarter-acre lots and within the City of Rockledge City Limits, is zoned Planned Unit Development (PUD), and, also across Pluckebaum, but further are, are agricultural utilized properties in unincorporated Brevard County with AU zoning. To the west are agricultural residential utilized properties in unincorporated Brevard County with AU zoning.

The current AU classification permits single-family residences and agricultural pursuits on 2 ½ acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits commercial crops, packaging, processing, and sale of commodities raised on the premises as provided in Chapter 86, Article IV, the raising/grazing of animals, including unlimited cattle and horses, up to four adult hogs, fowl and beekeeping.

The proposed Medium-Density Multiple-Family Residential (RU-2-10) classification permits multiple-family residential development or single-family residences at a density of up to 10 units per acre on

minimum lot sizes of 7,500 square feet. Single-Family Attached (townhomes) residential units are also permitted in this zoning classification as long as they meet the Single-Family Attached Residential (RA-2-10) standards.

The City of Cocoa Multiple-Family Dwelling District (RU-2-15) provisions are intended to apply to an area of medium density residential development with a variety of housing types. Lot sizes and other restrictions are intended to promote and protect medium density residential development, maintaining an adequate amount of open space for such development. Multiple-family, townhome, duplex, and single-family dwellings are permitted, if they meet the code criteria for the respective housing type.

The City of Cocoa Single-Family Residential District (RU-1-7) permits single family residential development on lots of 7,500 square feet (minimum). The minimum house size is 1,000 square feet.

The City of Rockledge Planned Unit Development District (PUD) has the potential to permit up to 12 units per acre of a variety of housing types, if certain code criteria are met, including but not limited to 25% open space, minimum lot size of 5,000 square feet, minimum living area of 1,200 square feet, and a maximum height of 40 feet.

On 08/21/2013, The City of Rockledge approved **Ordinance 1627-2012** rezoning the property directly across Pluckebaum Road from the southeastern cornerpoint of the subject property from Single-Family Residential to PUD with zero lot-line single-family residential lots of approximately 0.2 acres each. This is part of 156.21 acre PUD rezoning, and approximately 600 acres of contiguous PUD zoning, that extends from the south side of Pluckebaum Road, both southeast and southwest of the subject property, all the way to beyond the intersection of I-95 and proposed extension of Barton Boulevard.

The following zoning actions have been approved within a half-mile of the subject property within the last three years:

- On 01/23/2019, The City of Cocoa approved Ordinance **13-2018**, rezoning a property fronting Clearlake Road, which abuts the east side of the abutting property to the north of the subject property, from RU-1-7 to RU-2-15;
- On 10/10/2017, The City of Cocoa approved **Ordinance 09-2017**, rezoning the southern approximately 1,300 feet of the abutting property to the north of the subject property from RR-1 to RU-2-15;

Additionally, a rezoning from Single-Family Residential (RU-1-9) to Medium Density Residential (RU-2-10) for a similar project, is being reviewed by the Board as **21Z00031**, under the same review cycle as this application, for a property located approximately 0.8 miles to the northwest of the subject property.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands/Hydric Soils
- Floodplain
- Land Clearing and Landscape Requirements

- **Protected Species**

The subject parcel contains mapped SJRWMD wetlands and hydric soils. A wetland delineation will be required prior to any land clearing activities or site plan application. Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For multi-family parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 65-3694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e), including avoidance of impacts, and 62-3696.

Section 62-3694 states that non-bona fide agricultural and forestry operations utilizing best management practices are permitted in wetlands provided they do not result in permanent degradation or destruction of wetlands, or adversely affect the functions of the wetlands. Pursuant to the Florida Agricultural Lands and Practices Act (Chapter 163.3162(4), Florida Statutes), any activity of a Bona Fide Agricultural Use on land classified as agricultural land pursuant to Section 193.461, Florida Statute is exempt. The Brevard County Property Appraiser's Office establishes Bona Fide Agricultural land classification. The discovery of unpermitted wetland impacts, that may have occurred during periods of time when Bona Fide Agricultural land classification was not established, may result in enforcement action.

A majority of the parcels is located within an area mapped as FEMA Special Flood Hazard Area AE (Riverine Floodplain); and is thus subject to development criteria in Conservation Element Objective 4, its subsequent policies, and Section 62-3724 of the Floodplain Protection ordinance, including compensatory storage and residential land use density restrictions. Per Section 62-3724, there shall be no net change in the rate and volume of floodwater from the pre-development 100-year, 25-year, 10-year or mean annual riverine floodplain to be determined using the best available data. Development shall not adversely impact the drainage of adjoining properties.

The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Pluckebaum Road, between Clearlake Road and Fiske Boulevard, which has a Maximum Acceptable Volume (MAV) of 15,600 trips per day, a Level of Service (LOS) of E, and currently operates at 43.72% of capacity daily. The maximum development potential from the proposed rezoning does increase the percentage of MAV utilization by 4.08%. The corridor is anticipated to continue to operate at 72.14% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

School concurrency review by Brevard County Public Schools is presented in School Impact Analysis Capacity Determination CD-2021-23 letter dated September 21, 2021 and concludes: "Considering the adjacent elementary school and high school concurrency service areas, there

currently is sufficient capacity for the total projected student membership to accommodate the Affinity Capital Pluckebaum Road development.”

The parcel is not serviced by Brevard County sewer. The applicant has obtained a Capacity Availability Certificate for sewer service from City of Cocoa Utilities Department.

The parcel is not serviced by Brevard County water. The applicant has obtained a Capacity Availability Certificate for water service from the City of Cocoa Utilities Department.

For Board Consideration

The Board may wish to consider whether this request for RU-2-10 zoning is consistent and compatible with the properties in the surrounding area.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Rezoning Review & Summary
Item # 21Z00032

Applicant: Fernandez for Perrone Properties, Inc.

Zoning Request: AU to RU-2-10

Notes: Applicant wants to develop 330 townhome units.

P&Z Hearing Date: 11/15/21; **BCC Hearing Date:** 12/02/21

Tax ID Nos: 2424006 & 2424007

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

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands/Hydric Soils
- Floodplain
- Land Clearing and Landscape Requirements
- Protected Species

The subject parcel contains mapped SJRWMD wetlands and hydric soils. A wetland delineation will be required prior to any land clearing activities or site plan application. Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For multi-family parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 65-3694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e), including avoidance of impacts, and 62-3696.

Section 62-3694 states that non-bona fide agricultural and forestry operations utilizing best management practices are permitted in wetlands provided they do not result in permanent degradation or destruction of wetlands, or adversely affect the functions of the wetlands. Pursuant to the Florida Agricultural Lands and Practices Act (Chapter 163.3162(4), Florida Statutes), any activity of a Bona Fide Agricultural Use on land classified as agricultural land pursuant to Section 193.461, Florida Statute is exempt. The Brevard County Property Appraiser's Office establishes Bona Fide

Agricultural land classification. The discovery of unpermitted wetland impacts, that may have occurred during periods of time when Bona Fide Agricultural land classification was not established, may result in enforcement action.

A majority of the parcels is located within an area mapped as FEMA Special Flood Hazard Area AE (Riverine Floodplain); and is thus subject to development criteria in Conservation Element Objective 4, its subsequent policies, and Section 62-3724 of the Floodplain Protection ordinance, including compensatory storage and residential land use density restrictions. Per Section 62-3724, there shall be no net change in the rate and volume of floodwater from the pre-development 100-year, 25-year, 10-year or mean annual riverine floodplain to be determined using the best available data. Development shall not adversely impact the drainage of adjoining properties.

The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal.

Land Use Comments:

Wetlands/Hydric Soils

The subject parcel contains mapped SJRWMD wetlands (Mixed scrub and shrub wetlands), and hydric soils (Holopaw sand and Anclote sand) as shown on the SJRWMD Florida Land Use & Cover Codes and USDA Soil Conservation Service Soils Survey maps, respectively; indicators that wetlands may be present on the property. A wetland delineation will be required prior to any land clearing activities or site plan application. Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For multi-family parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 65-3694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e), including avoidance of impacts, and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal.

Section 62-3694 states that non-bona fide agricultural and forestry operations utilizing best management practices are permitted in wetlands provided they do not result in permanent degradation or destruction of wetlands, or adversely affect the functions of the wetlands. Pursuant to the Florida Agricultural Lands and Practices Act (Chapter 163.3162(4), Florida Statutes), any activity of a Bona Fide Agricultural Use on land classified as agricultural land pursuant to Section 193.461, Florida Statute is exempt. The Brevard County Property Appraiser's Office establishes Bona Fide Agricultural land classification. The discovery of unpermitted wetland impacts, that may have occurred during periods of time when Bona Fide Agricultural land classification was not established, may result in enforcement action.

Floodplain

A majority of the parcels is located within an area mapped as FEMA Special Flood Hazard Area AE (Riverine Floodplain); and is thus subject to development criteria in Conservation Element Objective 4, its subsequent policies, and Section 62-3724 of the Floodplain Protection ordinance, including

compensatory storage and residential land use density restrictions. Per Section 62-3724, there shall be no net change in the rate and volume of floodwater from the pre-development 100-year, 25-year, 10-year or mean annual riverine floodplain to be determined using the best available data. Development shall not adversely impact the drainage of adjoining properties. The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal.

Land Clearing and Landscape Requirements

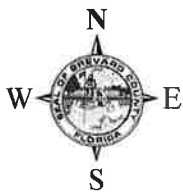
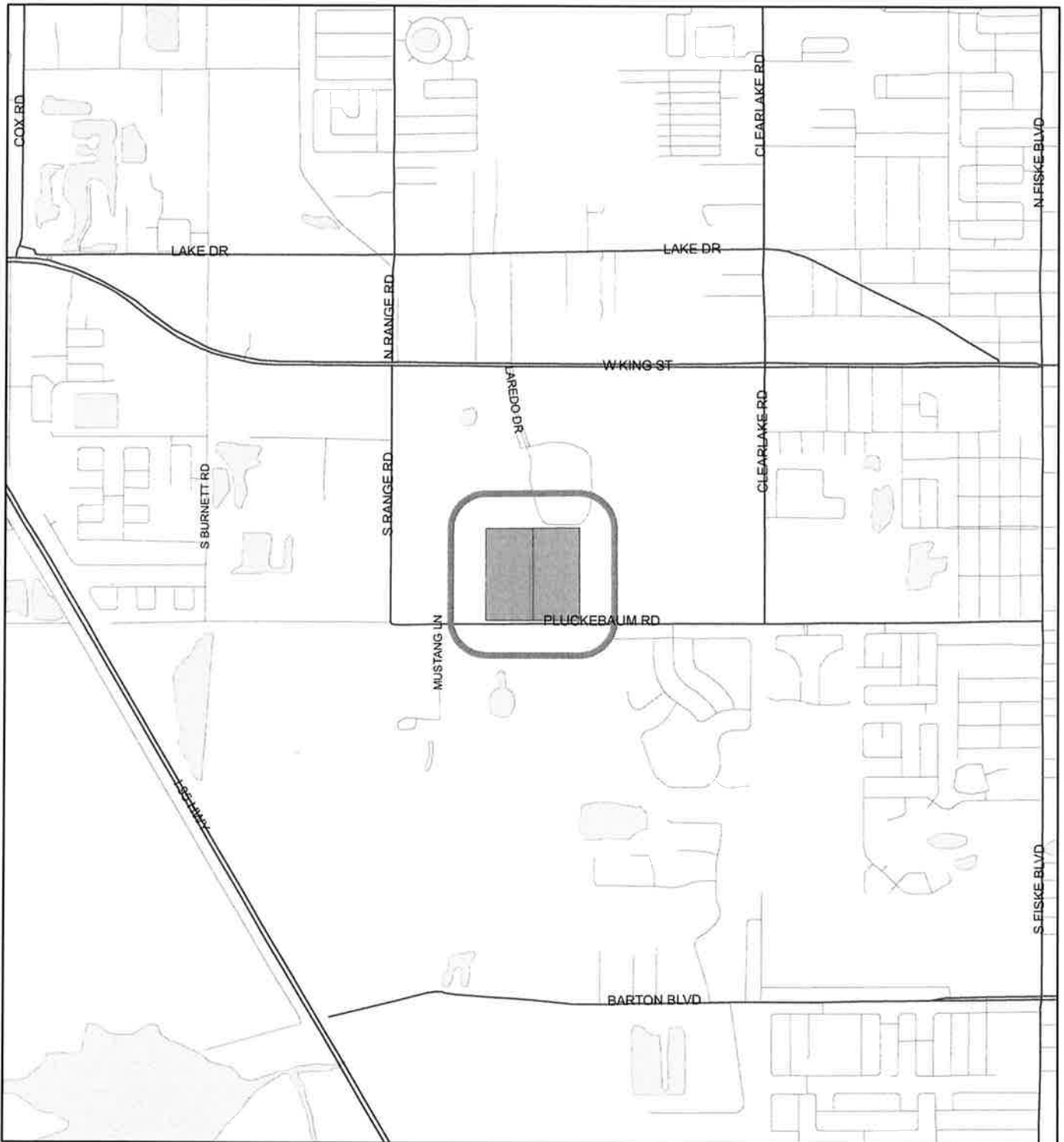
The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for Protected and Specimen tree preservation, and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

Protected Species

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

LOCATION MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

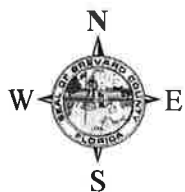
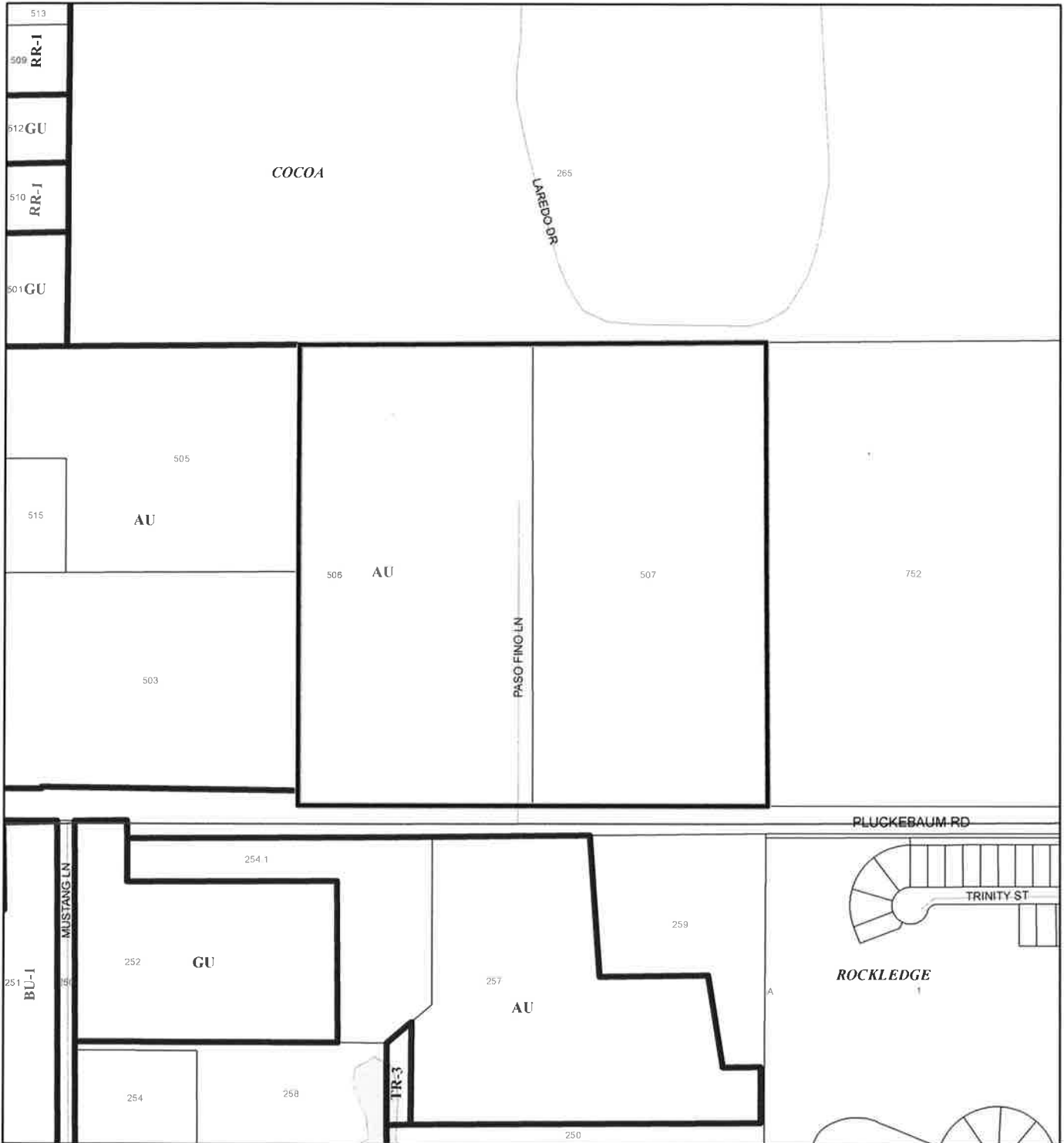
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

-  Buffer
-  Subject Property

ZONING MAP




PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



1:4,800 or 1 inch = 400 feet

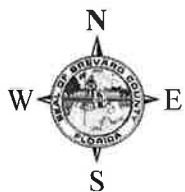
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

-  Subject Property
-  Parcels
-  Zoning

FUTURE LAND USE MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



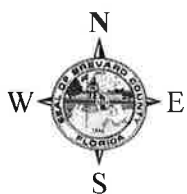
1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

AERIAL MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2021

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

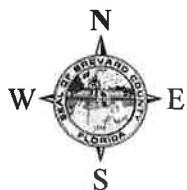
Produced by BoCC - GIS Date: 9/13/2021

 Subject Property

 Parcels

NWI WETLANDS MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

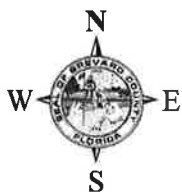
National Wetlands Inventory (NWI)

- | | |
|-----------------------------------|------------------|
| Estuarine and Marine Deepwater | Freshwater Pond |
| Estuarine and Marine Wetland | Lake |
| Freshwater Emergent Wetland | Other |
| Freshwater Forested/Shrub Wetland | Riverine |
| | Subject Property |
| | Parcels |

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS

21Z00032



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

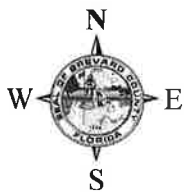
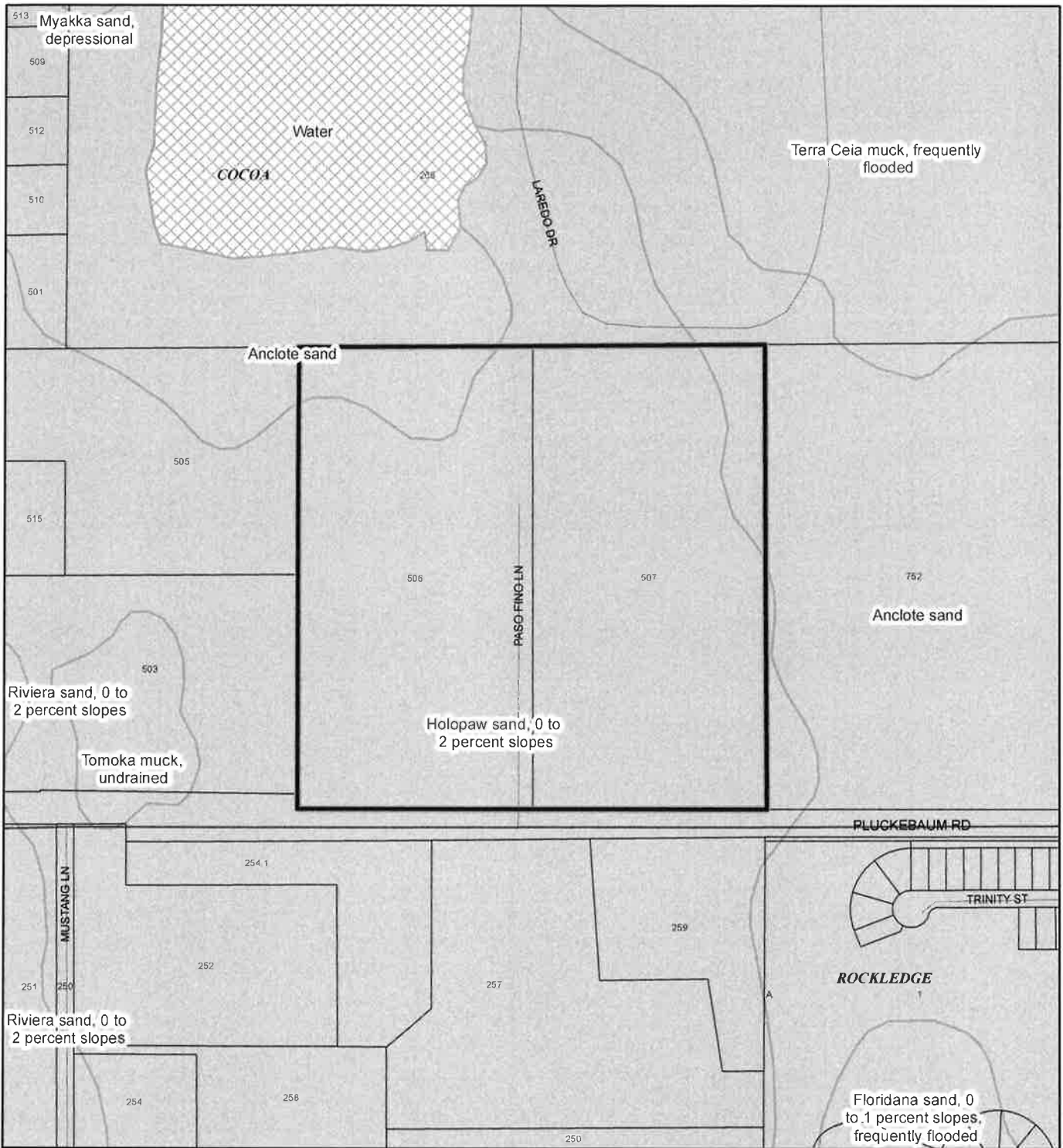
SJRWMD FLUCCS WETLANDS

-  Wetland Hardwood Forests - Series 6100
-  Wetland Coniferous Forest - Series 6200
-  Wetland Forested Mixed - Series 6300
-  Vegetated Non-Forested Wetlands - Series 6400
-  Non-Vegetated Wetland - Series 6500

 Subject Property  Parcels

USDA SCSSS SOILS MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

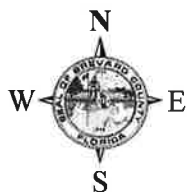
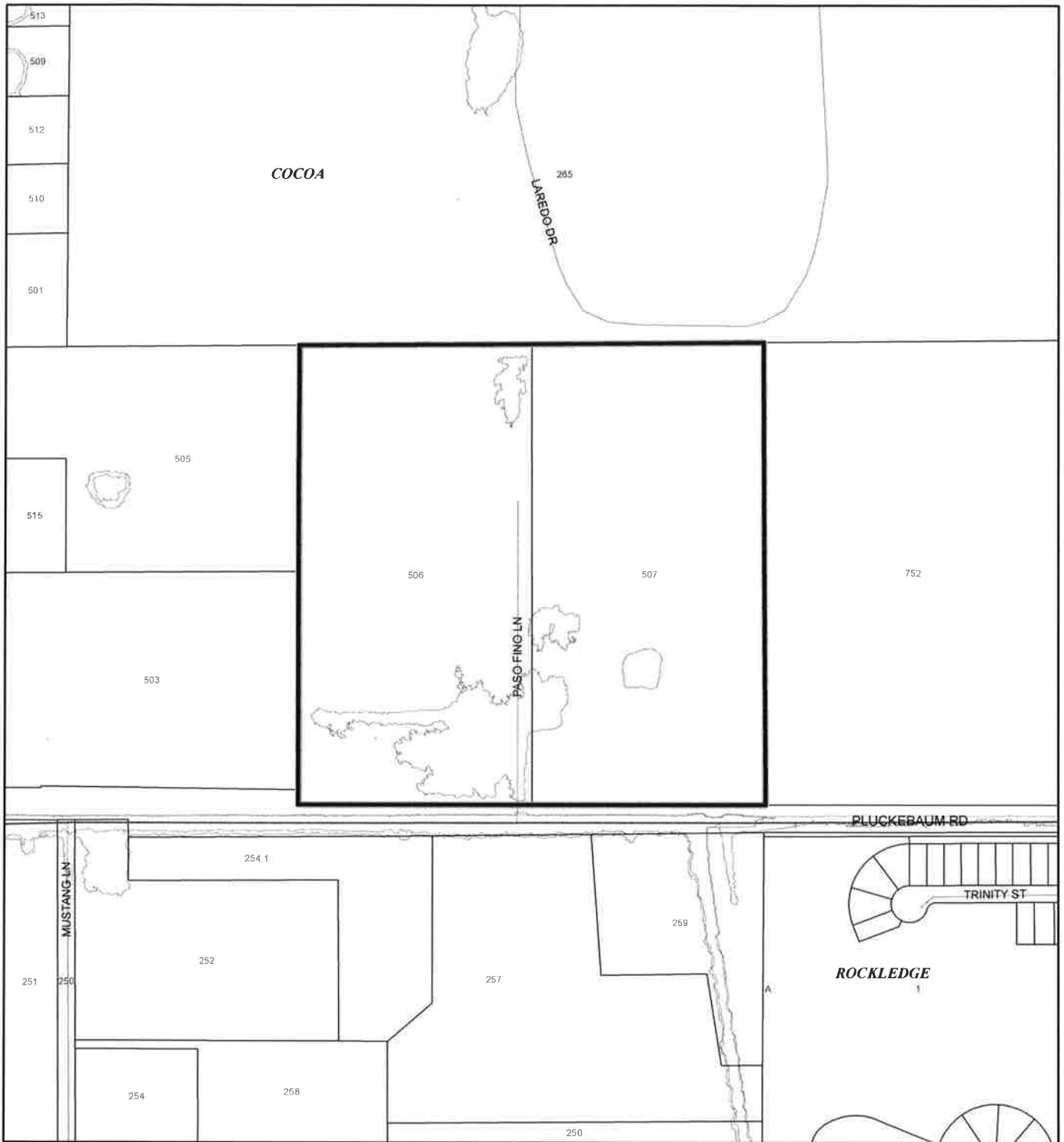
USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

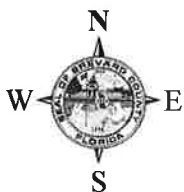
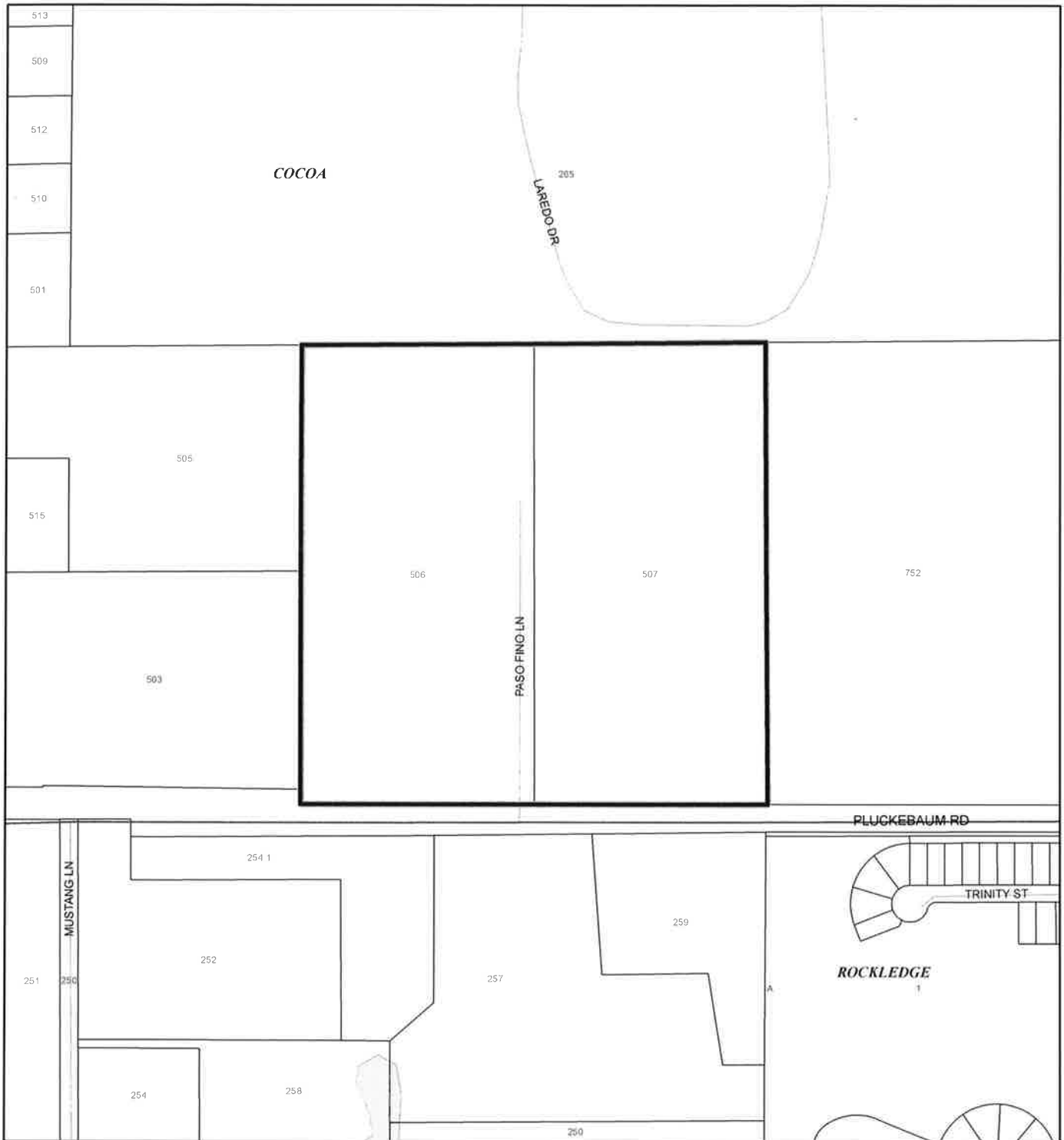
Produced by BoCC - GIS Date: 9/13/2021

FEMA Flood Zones

- | | | |
|------------------|------------|---|
| A | AO | X |
| AE | Open Water | |
| AH | VE | |
| Subject Property | Parcels | |

COASTAL HIGH HAZARD AREA MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



1:4,800 or 1 inch = 400 feet


This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

 Subject Property

 Parcels

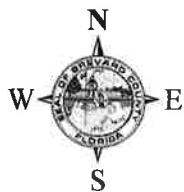
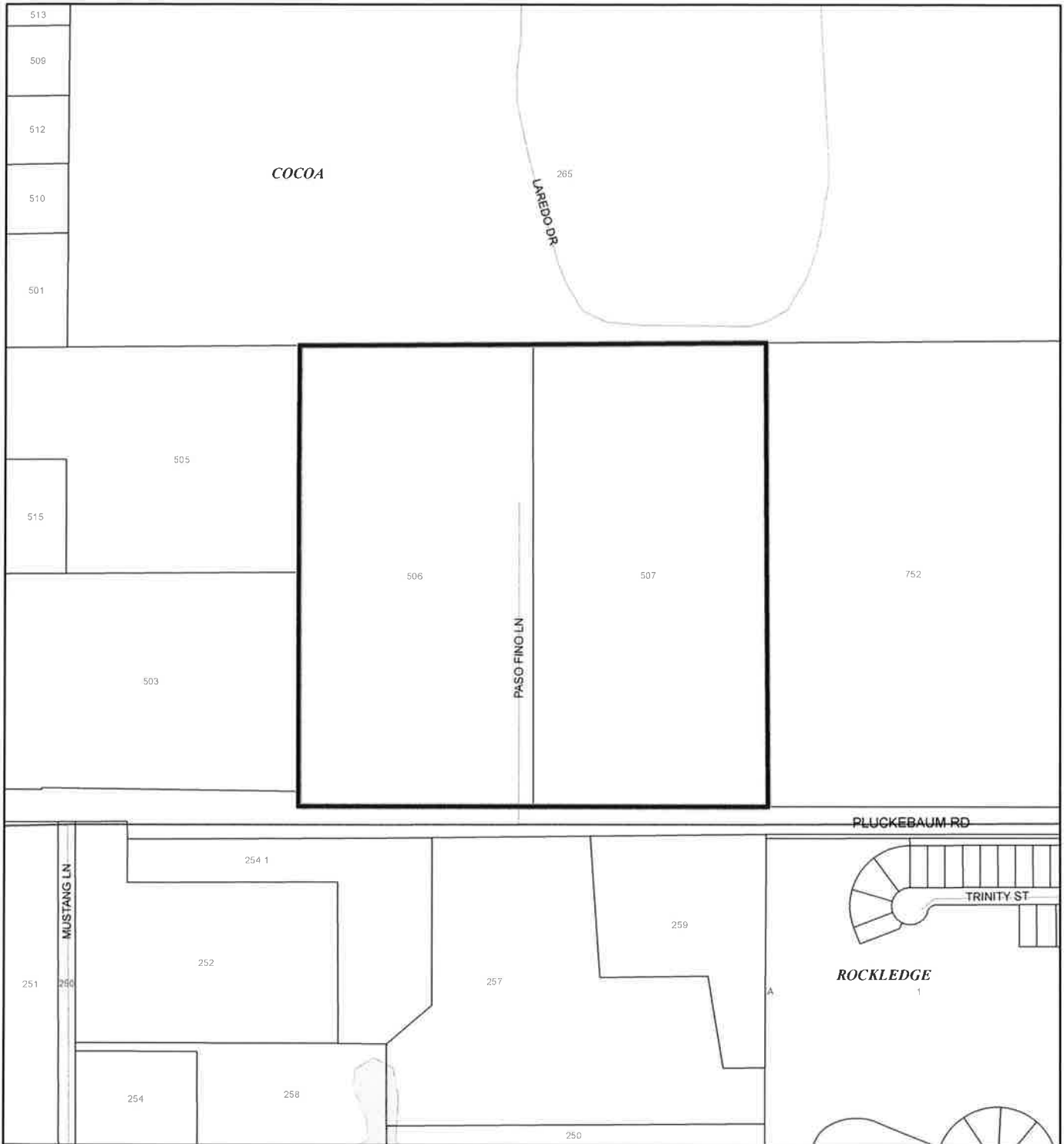
Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS

21Z00032



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

 Subject Property

 Parcels

Septic Overlay

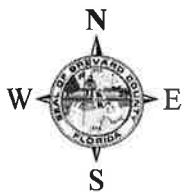
 40 Meters

 60 Meters

 All Distances

EAGLE NESTS MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



1:4,800 or 1 inch = 400 feet

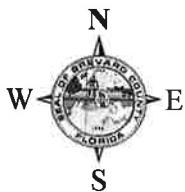
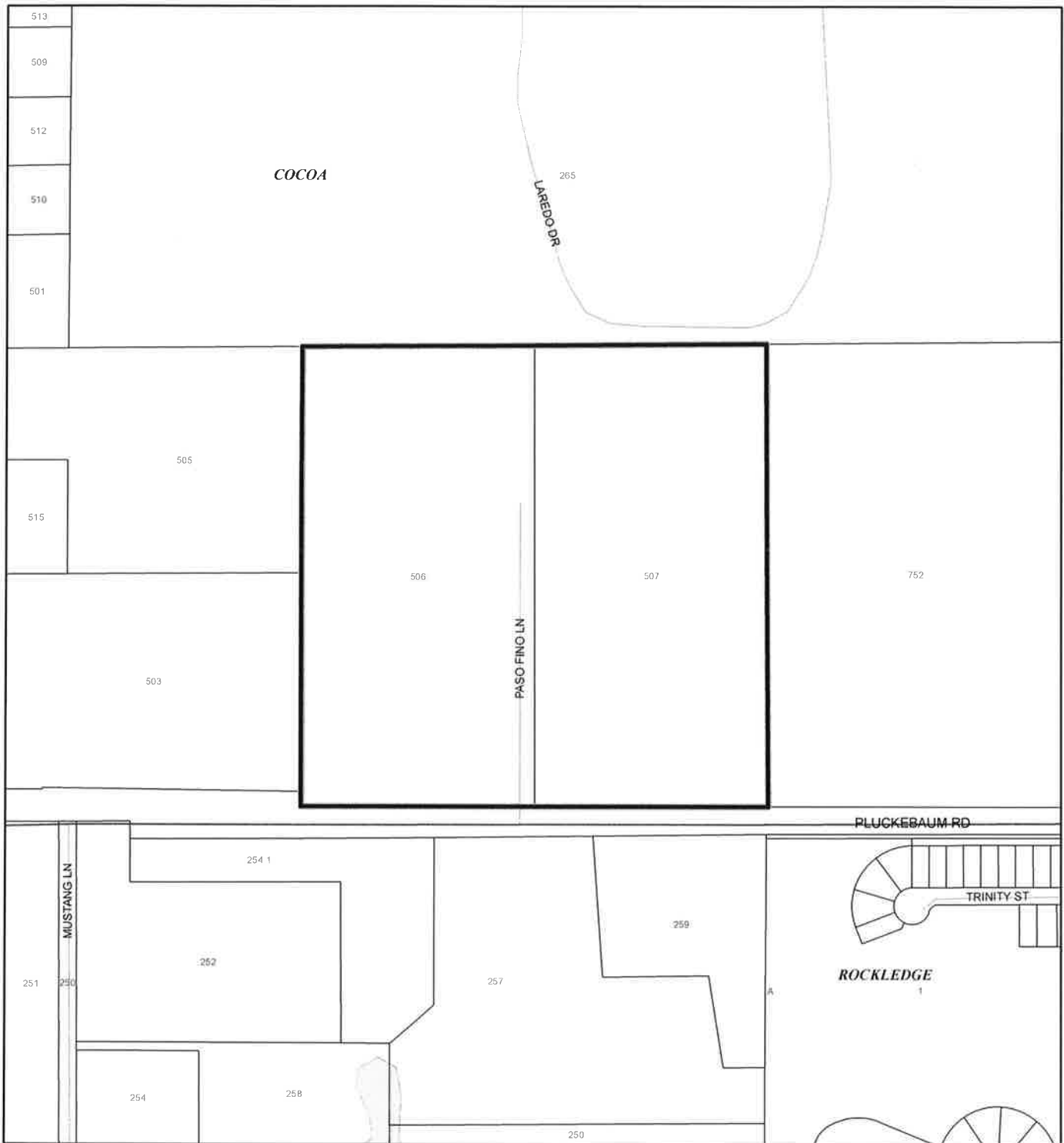
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

-  Subject Property
-  Parcels
-  Eagle Nests FWS 2010

SCRUB JAY OCCUPANCY MAP




PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS
21Z00032



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

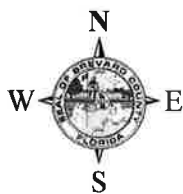
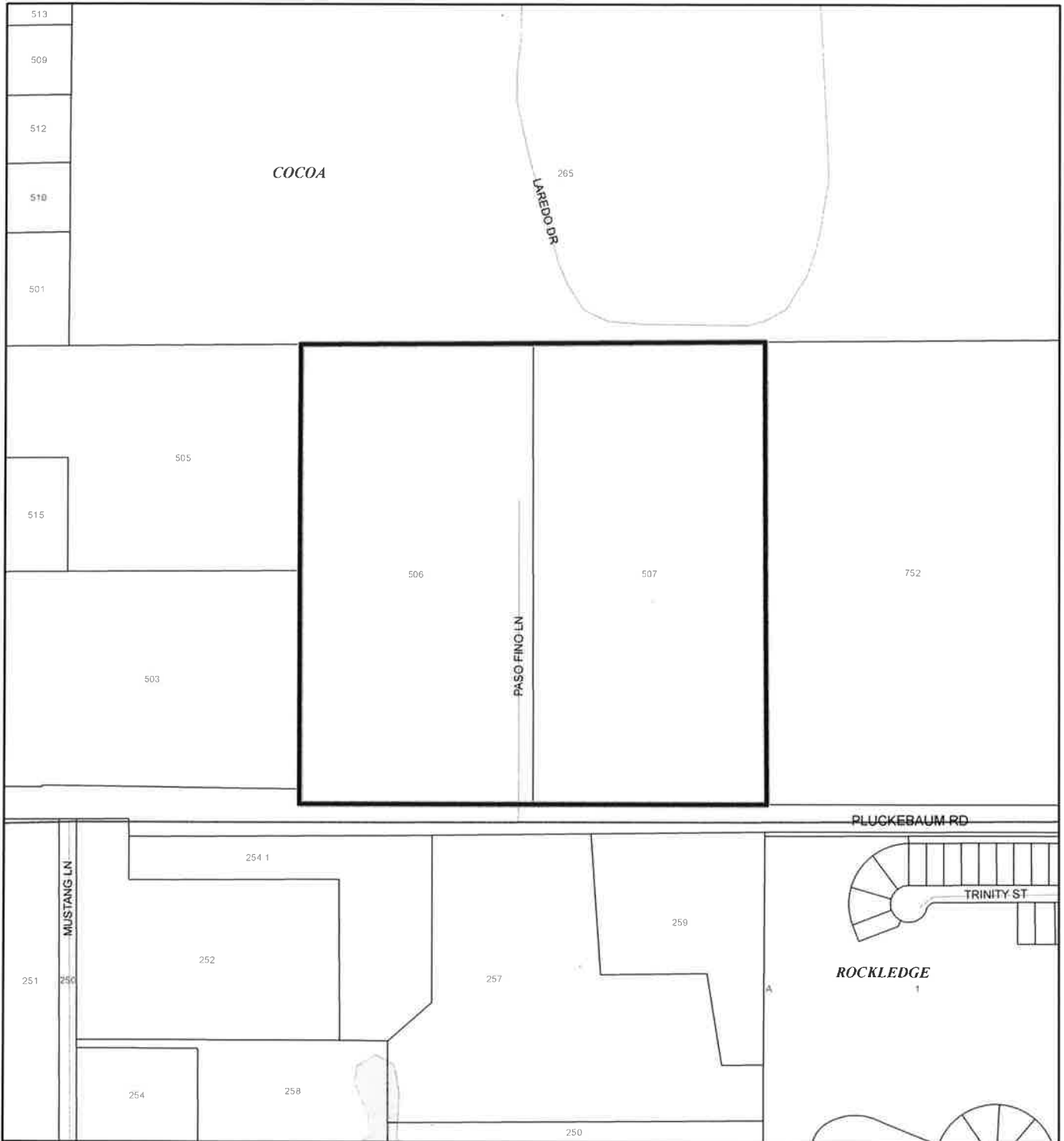
Produced by BoCC - GIS Date: 9/13/2021

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

PERRONE PROPERTIES, INC., AND CURTIS R. & SHARON E. DAVIS

21Z00032



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/13/2021

SJRWMD FLUCCS Upland Forests

-  Upland Coniferous Forest - 4100 Series
-  Upland Hardwood Forest - 4200 Series
-  Upland Mixed Forest - 4300 Series
-  Tree Plantations - 4400 Series

 Subject Property  Parcels



September 3, 2021

Via Hand-Delivery

Planning & Development Department
Brevard County
2725 Judge Fran Jamieson Way
Viera, FL 32940

Re: Parcel ID #24-36-31-00-506 & #24-36-31-00-507 / Tax Account #2424006 & #2424007 – 2100 & 2250 Pluckebaum Road, Cocoa, FL 32926 - Request to Rezone Property from AU to RU-2-10

To whom it may concern:

Our firm represents Affinity Capital, LLC (hereinafter, "Applicant" or "Contract Purchaser"). Applicant has placed under contract to purchase two properties -Tax Account #2424006 and #2424007 – totaling approximately 40 acres (+/-) for the purpose of developing a 330-unit townhome community. Presently, the assemblage has a zoning designation of Agricultural Residential (AU) (the "Subject Property"). The Contract Purchaser seeks approval from Brevard County ("County") to rezone the Subject Property from AU to RU-2-10.

s. 62-1151.(c) of the County Code of Ordinances ("Code") sets forth the criteria for the approval or denial of a rezoning. Applicant's request to rezone the Subject Property is consistent with or advances each of the enumerated criteria as follows:

- **The character of the land use of the property surrounding the property being considered.**

The Subject Property is surrounded by residential land uses in most cardinal directions. To the Subject Property's immediate South and Southeast, the parcels are predominantly improved (or will be improved) with single-family residential uses. To the Subject Property's Northwest, low-scale, multi-family developments, like the Cocoa Grand, are becoming increasingly commonplace. Therefore, Applicant's requested designation is consistent with character of the land use surrounding the property.

- **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.**

Conditions surrounding the Subject Property have substantially evolved in recent years. In addition to the continued development of single-family residential units within the immediate submarket, low-scale and garden-style, multi-family residential development is becoming increasingly commonplace. Contract Purchaser's requested rezoning will allow for the adjoining parcel to be developed as a townhome community and expand the diversity of housing types within the submarket.

16

- **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.**

Applicant's request will have no adverse impact on available and projected traffic patterns and other public facilities & utilities and the established character of the surrounding property. To the extent needed to support the proposed development, Applicant's proposed project will deliver any required public facilities and utilities concurrent with the development. Finally, the residential nature of the property will further reinforce the residential character of the surrounding property.

- **The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.**

As noted hereinabove, the Applicant's proposed zoning classification is compatible with the existing land use plans for the affected area. Single-family residential development continues to the property's West toward Range Road and beyond. In addition, new, multi-family residential development projects, like the Cocoa Grand southeast of King Street and Range Road, are becoming increasingly common within the sub-area.

- **The appropriateness of the proposed zoning classification 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.**

Applicant's request is appropriate and will have no adverse impact on the public health, safety and welfare. Applicant's will request will also serve to advance several goals, objectives and policies of the County's Comprehensive Plan, including the following:

FUTURE LAND USE ELEMENT

Objective 1

County shall facilitate the development of residential neighborhoods that offer the highest quality of life to citizenry through implementation of policies that accomplish the following: ...A. Ensure the compatibility of new development with its surroundings;...E. Produce neighborhoods that complement adjacent land uses;...G. Encourage open space within residential developments and promote interconnectivity with surrounding land uses through innovative land regulations and bonus incentives.

Applicant's request meets the public's social and economic needs through the development of residential neighborhoods that offer the highest quality of life to the citizenry. The County is experiencing incredible growth that substantially increased demand for housing resulting in significant price escalations and inventory shortages. A normal or balanced housing market typically has an inventory supply of 6 months.¹ Recent reports from May 2021 indicate that the available inventory for townhomes and condos have decreased 71.4% over the prior year from 3.5 months of available supply to 1.0 month of available

¹ <https://spacecoastdaily.com/2021/02/brevard-county-real-estate-market-watch-3-reasons-were-definitely-not-in-a-housing-bubble/> Last viewed: September 1, 2021.

(19)

supply.² The current inventory levels represent a historic low and the continuation of a three-year trend.³ Similarly, median and average sales prices increased by 36.9% and 33.9%, respectively, over the prior year.⁴

Given the state of the County's job market, it is likely that demand for housing of all types will likely continue to increase. In March of 2021, the County's total nonagricultural employment increased to 230,000 representing a gain of 2,400 jobs above the prior month. The 1.1% job gain in Brevard was the seventh-highest percentage increase of the state's 25 metropolitan areas.⁵ Employee recruitment has remained challenging across all sectors, including aerospace, health care, manufacturing, and retail.⁶ The lack of available housing may negatively impact employer recruitment efforts in the County. Approval of the requested rezoning will facilitate the development of needed housing.

Further, the Applicant's request will provide for the development of housing inventory that is increasingly compatible with its surroundings and that is not in conflict with any of the surrounding land uses. Finally, Applicant's proposed project will incorporate open space within the residential development and to promote interconnectivity with surrounding land uses.

HOUSING ELEMENT

Objective 3

Brevard County shall seek to achieve a housing market with mechanisms to ensure that the market is fair and balanced, and provides equal housing opportunity for all residents of the County.

Objective 4

Brevard County shall continue to provide for adequate lands for residential land uses in a wide variety of housing types, housing pricing levels and broad geographic choices to meet the needs of all existing and anticipated residents in the County.

Policy 4.1

The zoning ordinance of the Land Development Regulations shall continue to designate adequate lands for residential development which allows for a variety of housing types, while providing residents with choices in location...

As noted above, presently the County's housing market is presently unbalanced due to historic lows in available housing inventory. Approval of the Applicant's requested change will result in the production of needed units that will help correct the current inventory imbalance, expand geographic choices for quality housing, and further diversify the variety of housing types available within the County. Townhome style units are not presently available in the immediate housing market and Applicant's proposal will fill said niche and complement both the existing single-family housing units that have traditionally represented the bulk of housing supply in the immediate market and emerging low-scale apartment complexes that have been proposed or are under construction in the immediate sub-market.

² <https://spacecoastdaily.com/2021/06/real-estate-report-space-coast-housing-market-sales-up-median-sales-price-up-16-percent-over-last-year/> Last viewed: September 1, 2021.

³ <https://spacecoastdaily.com/2021/02/brevard-county-real-estate-market-watch-3-reasons-were-definitely-not-in-a-housing-bubble/> Last viewed: September 1, 2021.

⁴ Ibid.

⁵ <https://www.floridatoday.com/story/money/business/2021/04/20/economy-improving-brevard-employers-having-tough-time-filling-jobs/7276130002/> Last viewed: September 1, 2021.

⁶ Ibid.

Further, approval of the request will also expand housing affordability as the median and average sales prices for townhome and condominium units within the County are substantially lower than for single-family residential units.⁷

For the foregoing reasons, we look forward to the department's favorable recommendation of the Applicant's requested rezoning for the Subject Property.

Respectfully submitted,



Javier E. Fernández, Esq.
For the Firm

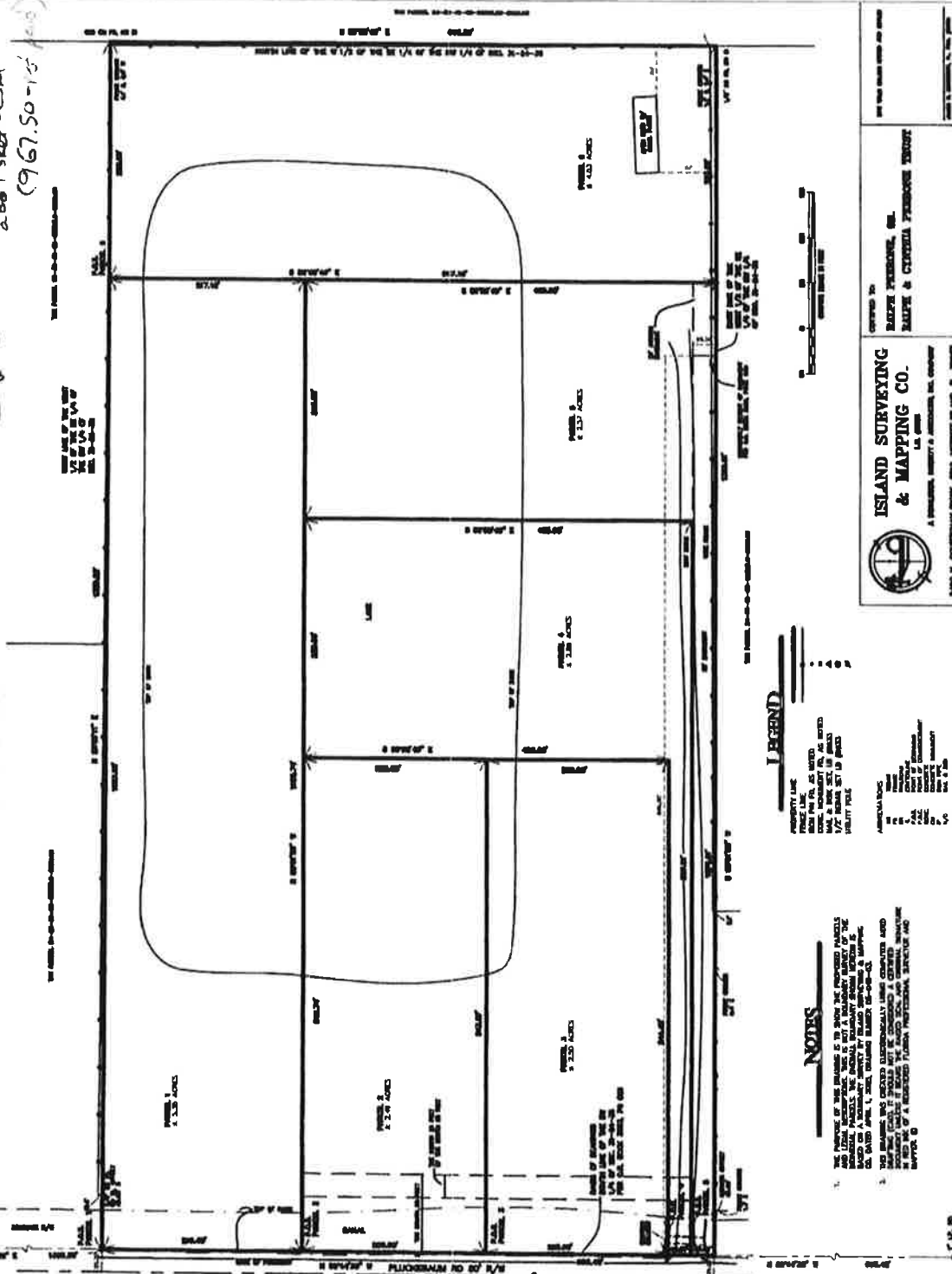
⁷ <https://spacecoastdaily.com/2021/06/real-estate-report-space-coast-housing-market-sales-up-median-sales-price-up-16-percent-over-last-year/> Last viewed: September 1, 2021.

05-04903a

Individual lot &
add'l sketch - esak
(967.50-15)

SKETCH & DESCRIPTIONS

PREPARED BY: J. L. STUPPE, JR., S.E.
TAX PAYER: 94-99-51-00000-4-0000-00



NOTES

- 1. THE PURPOSE OF THIS SURVEY IS TO SHOW THE PROPOSED PARCELS AND LOTS, ACCORDING TO THE PLAN AND A LEGAL SURVEY OF THE LAND IN A MANNER PERMITTED BY THE LAWS OF FLORIDA.
- 2. THE PROPERTY IS SITUATE IN SECTION 31, TOWNSHIP 35N, RANGE 12W, COUNTY OF FLORIDA.
- 3. THE SURVEY WAS CONDUCTED ON 05/04/96 AT 10:30 AM.
- 4. THE PROPERTY IS OWNED BY J. L. STUPPE, JR., S.E.
- 5. THE SURVEY WAS CONDUCTED BY J. L. STUPPE, JR., S.E., LICENSED SURVEYOR NO. 12345.
- 6. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 473, F.S.
- 7. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 473, F.S.
- 8. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 473, F.S.
- 9. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 473, F.S.
- 10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 473, F.S.

ISLAND SURVEYING & MAPPING CO.
A PROFESSIONAL SURVEYING & MAPPING FIRM
JAMES M. COOPER, PRESIDENT
P.O. BOX 1000, TAMPA, FL 33610
TELEPHONE: (813) 834-1121 FAX: (813) 834-1122

LEGEND

- PROPERTY LINE
- FRONT YARD
- REAR YARD
- SIDE YARD
- UTILITY RIGHT-OF-WAY
- EXISTING CONCRETE DRIVE
- EXISTING ASPHALT DRIVE
- EXISTING SIDEWALK
- EXISTING CEMENT DRIVE
- EXISTING CURB
- EXISTING SIDEWALK
- EXISTING SIDEWALK
- EXISTING SIDEWALK

58



School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Dr. Mark W. Mullins, Ed.D., Superintendent

September 21, 2021

Mr. Paul Body
Planner II
Planning & Development Department
Brevard County Board of County Commissioners
2726 Judge Fran Jamieson Way
Viera, Florida 32940

**RE: Proposed Affinity Capital Pluckebaum Road Development
School Impact Analysis – Capacity Determination CD-2021-23**

Dear Mr. Body,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account 2424006 (Parcel ID: 24-36-31-00-506) and Tax Account 2424007 (Parcel ID: 24-36-31-00-507) containing approximately 40 acres in District 1, Brevard County, Florida. The proposed single-family development includes 330 single-family homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2021-22 to 2025-26 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2020-2021 to 2025-26* which is attached for reference.

Single-Family Homes	330		
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	92.4	92
Middle	0.08	26.4	26
High	0.16	52.8	53
Total	0.52		171

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x11418 • FAX: (321) 633-4646



An Equal Opportunity Employer

**FISH Capacity (including relocatables) from the
Financially Feasible Plan (FFP) Data and Analysis for School Years 2020-21 to
2025-26**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Saturn	976	976	1,042	1,042	1,042
McNair	611	611	611	611	611
Rockledge	1,701	1,701	1,701	1,701	1,701

Projected Student Membership

School	2021-22	2022-23	2023-24	2024-25	2025-26
Saturn	841	825	1,039	1,020	997
McNair	390	438	448	440	455
Rockledge	1,570	1,624	1,664	1,676	1,663

Students Generated by Newly Issued SCADL Reservations Since FFP

School	2021-22	2022-23	2023-24	2024-25	2025-26
Saturn	-	-	-	-	-
McNair	-	15	29	29	29
Rockledge	-	29	58	58	58

**Cumulative Students Generated by
Proposed Development**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Saturn	-	46	92	92	92
McNair	-	13	26	26	26
Rockledge	-	26	53	53	53

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Saturn	841	871	1,131	1,112	1,089
McNair	390	466	503	495	510
Rockledge	1,570	1,679	1,775	1,787	1,774

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Saturn	135	105	(89)	(70)	(47)
McNair	221	145	108	116	101
Rockledge	131	22	(74)	(86)	(73)

At this time, Saturn Elementary School and Rockledge High School are not projected to have enough capacity for the total of projected and potential students from Affinity Capital Pluckebaum Road development. Because there is a shortfall of available capacity in the concurrency service areas of the Affinity Capital Pluckebaum Road development, the capacity of adjacent concurrency service areas must be considered.

The adjacent elementary school concurrency service areas are Golfview Elementary School, Manatee Elementary School, Endeavour Elementary School, Cambridge Elementary School and Fairglen Elementary School. The adjacent high school concurrency service area is Cocoa Jr. Sr. High School and Viera High School. A table of capacities of the *Adjacent Schools Concurrency Service Areas* that could accommodate the impacts of Affinity Capital Pluckebaum Road development is shown:

FISH Capacity (including relocatables) from the Financially Feasible Plan (FFP) Data and Analysis for School Years 2020-21 to 2025-26						
School	2021-22	2022-23	2023-24	2024-25	2025-26	
Golfview	777	777	777	777	777	777
Cocoa	2,084	2,084	2,084	2,084	2,084	2,084
Projected Student Membership						
School	2021-22	2022-23	2023-24	2024-25	2025-26	
Golfview	450	528	522	537	545	
Cocoa	1,578	1,668	1,857	1,966	2,005	
Students Generated by Newly Issued SCADL Reservations Since FFP						
School	2021-22	2022-23	2023-24	2024-25	2025-26	
Golfview	-	-	-	-	-	
Cocoa	-	13	13	13	13	
Cumulative Students Generated by Proposed Development						
School	2021-22	2022-23	2023-24	2024-25	2025-26	
Golfview	-	46	92	92	92	
Cocoa	-	26	53	53	53	
Total Projected Student Membership (includes Cumulative Impact of Proposed Development)						
School	2021-22	2022-23	2023-24	2024-25	2025-26	
Golfview	450	574	614	629	637	
Cocoa	1,578	1,707	1,923	2,032	2,071	
Projected Available Capacity = FISH Capacity - Total Projected Student Membership						
School	2021-22	2022-23	2023-24	2024-25	2025-26	
Golfview	327	203	163	148	140	
Cocoa	506	377	161	52	13	

Considering the adjacent elementary school and high school concurrency service areas, there currently is sufficient capacity for the total projected student membership to accommodate the Affinity Capital Pluckebaum Road development.

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,



Karen M. Black, AICP Candidate
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years 2020-2021 to 2025-26*

Copy: Susan Hann, Assistant Superintendent of Facility Services
File CD-2021-23

David G. Lindemann, AICP, Director of Planning & Project Management,
Facilities Services
File CD-2021-23

Brevard County Public Schools Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service Data and Analysis for School Years 2020-21 to 2025-26



School	Type	Grades	Utilization Factor	2020-21			2021-22			2022-23			2023-24			2024-25			2025-26		
				FISH Capacity	10/09/16 Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization			
Summary Highest Utilization Elementary Schools: 87% Highest Utilization Middle School: 88% Highest Utilization Jr / Sr High Schools: 81% Highest Utilization High Schools: 93%																					
Elementary School Concurrency Service Areas																					
Allen	Elementary	PK-6	100%	751	566	75%	751	617	60%	751	681	71%	751	758	758	100%	751	791	100%		
Anderson	Elementary	K-6	100%	884	884	100%	884	884	100%	884	884	100%	884	884	884	100%	884	884	100%		
Adebo	Elementary	K-6	100%	902	785	87%	902	777	86%	902	755	84%	902	757	757	84%	902	744	83%		
Alainza	Elementary	PK-6	100%	739	633	86%	739	660	89%	739	624	84%	739	616	616	83%	739	610	83%		
Audubon	Elementary	PK-6	100%	761	469	62%	761	475	62%	761	478	63%	761	475	475	62%	761	484	64%		
Cambidge	Elementary	PK-6	100%	765	519	68%	765	525	69%	765	484	63%	765	489	489	64%	765	458	60%		
Cape View	Elementary	PK-6	100%	570	302	53%	570	283	50%	570	269	47%	570	253	253	44%	570	244	43%		
Carroll	Elementary	K-6	100%	751	593	79%	751	593	79%	751	553	74%	751	559	559	74%	751	540	72%		
Chalshagar 7	Elementary	PK-6	100%	573	477	83%	573	493	86%	573	423	74%	573	468	468	82%	573	398	69%		
Cholumbia	Elementary	PK-6	100%	751	405	54%	751	400	53%	751	455	61%	751	533	533	71%	751	547	73%		
Coquina	Elementary	K-6	100%	711	499	70%	711	475	67%	711	436	61%	711	411	411	58%	711	376	53%		
Creel	Elementary	PK-6	100%	1,154	703	61%	1,154	746	65%	1,154	737	64%	1,154	740	740	64%	1,154	741	64%		
Croton	Elementary	PK-6	100%	785	430	55%	785	520	66%	785	615	77%	785	627	627	79%	785	635	80%		
Discovery	Elementary	PK-6	100%	990	560	57%	990	550	56%	990	500	51%	990	507	507	51%	990	503	51%		
Endeavour	Elementary	PK-6	100%	990	608	61%	990	581	59%	990	589	59%	990	528	528	53%	990	527	53%		
Enterprise	Elementary	PK-6	100%	729	538	74%	729	584	80%	729	525	72%	729	529	529	72%	729	452	62%		
Farghan	Elementary	PK-6	100%	789	577	73%	789	590	75%	789	588	75%	789	579	579	73%	789	700	89%		
Germol	Elementary	K-6	100%	711	428	60%	711	457	64%	711	401	56%	711	379	379	53%	711	383	54%		
Golfview	Elementary	PK-6	100%	777	439	56%	777	522	67%	777	522	67%	777	537	537	69%	777	545	70%		
Harbor City	Elementary	PK-6	100%	629	345	55%	629	378	60%	629	379	60%	629	412	412	65%	629	402	64%		
Holland	Elementary	PK-6	100%	605	410	68%	605	485	80%	605	430	71%	605	416	416	68%	605	417	69%		
Impati Estares	Elementary	K-6	100%	729	605	83%	729	638	87%	729	615	84%	729	644	644	88%	729	648	89%		
Indianic	Elementary	PK-6	100%	798	662	83%	798	694	87%	798	675	85%	798	668	668	84%	798	649	81%		
Jupiter	Elementary	PK-6	100%	930	679	73%	930	656	71%	930	605	65%	930	606	606	65%	930	626	67%		
Lockmar	Elementary	PK-6	100%	892	632	71%	892	592	66%	892	555	62%	892	522	522	59%	892	518	58%		
Longleaf	Elementary	PK-6	100%	790	568	72%	790	595	75%	790	585	74%	790	563	563	71%	790	560	71%		
Manatee	Elementary	K-6	100%	995	668	67%	995	668	67%	995	668	67%	995	668	668	67%	995	668	67%		
McAuliffe	Elementary	PK-6	100%	918	669	73%	918	657	72%	918	651	71%	918	651	651	71%	918	651	71%		
Meadowlane Intermediate	Elementary	3-6	100%	1,114	772	69%	1,114	839	75%	1,114	814	73%	1,114	824	824	74%	1,114	824	74%		
Meadowlane Primary	Elementary	K-6	100%	824	661	80%	824	687	83%	824	634	77%	824	687	687	83%	824	699	85%		
Mia	Elementary	PK-6	100%	707	428	61%	707	442	63%	707	428	61%	707	418	418	59%	707	408	58%		
Minns	Elementary	PK-6	100%	725	389	54%	725	422	58%	725	398	55%	725	398	398	54%	725	398	54%		
Oak Park	Elementary	PK-6	100%	968	608	63%	968	580	60%	968	514	53%	968	484	484	50%	968	482	50%		
Ocean Breeze	Elementary	PK-6	100%	654	508	78%	654	465	71%	654	465	71%	654	455	455	70%	654	429	66%		
Palm Bay Elem	Elementary	PK-5	100%	983	573	58%	983	593	61%	983	593	61%	983	593	593	61%	983	593	61%		
Pinewood	Elementary	PK-6	100%	569	470	83%	569	486	85%	569	483	84%	569	510	510	90%	569	518	91%		
Port Malabar	Elementary	PK-6	100%	852	648	76%	852	631	74%	852	616	72%	852	612	612	72%	852	625	73%		
Quest	Elementary	PK-6	100%	1,152	795	69%	1,152	822	71%	1,152	852	74%	1,152	852	852	74%	1,152	852	74%		
Ruiera	Elementary	PK-6	100%	777	561	72%	777	578	74%	777	581	75%	777	585	585	75%	777	585	75%		
Rosewell	Elementary	K-6	100%	599	263	44%	599	247	41%	599	230	38%	599	207	207	34%	599	183	31%		
Sabal	Elementary	PK-6	100%	785	549	70%	785	594	75%	785	584	74%	785	584	584	74%	785	581	74%		
Saturn	Elementary	PK-6	100%	976	794	81%	976	811	83%	976	805	82%	976	805	805	82%	976	805	82%		
Sea Park	Elementary	PK-6	100%	451	272	60%	451	288	64%	451	288	64%	451	288	288	64%	451	288	64%		
Shenwood	Elementary	PK-6	100%	609	393	65%	609	379	62%	609	361	59%	609	361	361	59%	609	361	59%		
South Lake	Elementary	PK-6	100%	481	367	76%	481	367	76%	481	367	76%	481	367	367	76%	481	367	76%		
Sunrise	Elementary	PK-6	100%	913	700	77%	913	693	76%	913	657	72%	913	623	623	68%	913	623	68%		
Sunrise	Elementary	K-6	100%	584	355	61%	584	326	56%	584	326	56%	584	326	326	56%	584	326	56%		
Surfside	Elementary	K-6	100%	541	438	81%	541	457	84%	541	430	79%	541	430	430	79%	541	400	74%		
Tropical	Elementary	PK-6	100%	910	629	69%	910	623	68%	910	603	66%	910	565	565	62%	910	547	60%		
Tuner	Elementary	PK-6	100%	874	529	61%	874	525	60%	874	474	54%	874	474	474	54%	874	474	54%		
University Park	Elementary	PK-6	100%	811	432	53%	811	471	58%	811	471	58%	811	471	471	58%	811	471	58%		
Vera Elem	Elementary	K-6	100%	1,012	384	38%	1,012	643	64%	1,012	697	69%	1,012	738	738	73%	1,012	741	73%		
Watside	Elementary	K-6	100%	857	671	78%	857	641	75%	857	641	75%	857	641	641	75%	857	641	75%		
Williams	Elementary	PK-6	100%	715	482	67%	715	484	68%	715	463	65%	715	444	444	62%	715	425	59%		
Elementary Totals				42,996	28,621	67%	42,996	30,867	72%	42,996	31,384	73%	42,996	31,483	31,483	73%	42,996	31,487	73%		

Middle School Concurrency Service Areas																	
	7-8	80%	1,505	1,135	75%	1,505	1,136	75%	1,505	1,076	71%	1,505	1,173	78%	1,505	1,260	83%
Central	Middle	60%	939	800	85%	939	873	93%	939	846	90%	939	873	93%	939	859	91%
Delaware	Middle	7-8	680	469	69%	680	483	71%	680	469	69%	680	469	69%	680	529	78%
Hoover	Middle	7-8	654	566	87%	654	563	86%	654	558	85%	654	555	85%	654	534	82%
Jackson	Middle	7-8	854	647	76%	854	640	75%	854	669	78%	854	661	77%	854	553	65%
Jefferson	Middle	7-8	997	731	73%	997	710	71%	997	727	73%	997	727	73%	997	805	81%
Johnston	Middle	7-8	813	666	82%	813	658	81%	813	618	76%	813	618	76%	813	665	82%
Kennedy	Middle	7-8	813	666	82%	813	658	81%	813	618	76%	813	618	76%	813	665	82%
Madison	Middle	7-8	781	470	60%	781	475	61%	781	468	60%	781	468	60%	781	476	61%
McNair	Middle	7-8	611	407	67%	611	390	64%	611	448	74%	611	440	73%	611	455	74%
Northwest	Middle	7-8	1,177	904	77%	1,177	886	76%	1,177	879	75%	1,177	879	75%	1,177	1,025	87%
Stone	Middle	7-8	1,024	775	76%	1,024	785	74%	1,024	827	81%	1,024	827	81%	1,024	1,031	83%
Middle Totals			10,035	7,570	76%	10,035	7,492	74%	10,035	7,560	77%	10,035	8,015	80%	10,035	8,182	82%

Junior / Senior High School Concurrency Service Areas																				
	Jr / Sr High	PK, 7-12	50%	2,084	1,572	75%	2,084	1,578	76%	2,084	1,668	80%	2,084	1,966	94%	2,084	2,005	96%		
Cocoa	Jr / Sr High	PK, 7-12	1,466	964	66%	1,466	1,000	68%	1,466	948	65%	1,466	914	62%	1,466	884	60%	1,466	818	56%
Cocoa Beach	Jr / Sr High	7-12	1,857	1,501	81%	1,857	1,505	81%	1,857	1,492	80%	1,857	1,450	78%	1,857	1,437	77%	1,857	1,437	77%
Space Coast	Jr / Sr High	7-12	5,407	4,037	75%	5,407	4,083	76%	5,407	4,108	76%	5,407	4,226	78%	5,407	4,310	79%	5,407	4,360	80%
Jr / Sr High Totals			5,407	4,037	75%	5,407	4,083	76%	5,407	4,108	76%	5,407	4,226	78%	5,407	4,310	79%	5,407	4,360	80%

Senior High School Concurrency Service Areas																				
	High	9-12	95%	1,446	1,087	75%	1,446	1,141	79%	1,446	1,091	75%	1,446	1,095	74%	1,446	1,052	73%		
Astronaut	High	9-12	2,257	1,568	69%	2,257	1,625	72%	2,257	1,869	83%	2,257	2,010	89%	2,257	2,046	91%	2,257	2,034	90%
Bayside	High	PK, 9-12	2,221	1,605	72%	2,221	1,726	78%	2,221	1,741	78%	2,221	1,758	79%	2,221	1,783	80%	2,221	1,783	80%
Eau Gallie	High	9-12	2,314	1,889	82%	2,314	1,963	85%	2,314	1,980	86%	2,314	2,081	90%	2,314	2,179	94%	2,314	2,179	94%
Heritage	High	9-12	2,370	2,112	89%	2,370	2,143	90%	2,370	2,338	99%	2,370	2,354	99%	2,370	2,373	100%	2,370	2,382	100%
Melbourne	High	PK, 9-12	1,891	1,469	78%	1,891	1,567	83%	1,891	1,494	78%	1,891	1,517	80%	1,891	1,491	79%	1,891	1,428	76%
Merritt Island	High	PK, 9-12	2,602	1,938	75%	2,602	1,288	50%	2,602	1,629	63%	2,602	1,827	70%	2,602	1,943	75%	2,602	2,041	79%
Palm Bay	High	9-12	1,701	1,518	89%	1,701	1,570	92%	1,701	1,624	96%	1,701	1,664	98%	1,701	1,676	98%	1,701	1,683	98%
Rockledge	High	9-12	1,516	1,412	93%	1,516	1,411	93%	1,516	1,393	92%	1,516	1,343	89%	1,516	1,334	88%	1,516	1,334	88%
Satellite	High	PK, 9-12	1,848	1,420	77%	1,848	1,391	75%	1,848	1,428	78%	1,848	1,428	78%	1,848	1,480	80%	1,848	1,480	81%
Titusville	High	9-12	2,275	2,095	92%	2,275	2,165	95%	2,275	2,266	99%	2,275	2,277	99%	2,275	2,293	100%	2,275	2,293	100%
Viera	High	PK, 9-12	2,241	17,352	77%	2,241	17,845	80%	2,241	18,809	84%	2,241	19,484	87%	2,241	19,809	88%	2,241	19,809	88%
High Totals			22,441	17,352	77%	22,441	17,845	80%	22,441	18,809	84%	22,441	19,484	87%	22,441	19,809	88%	22,441	19,809	88%

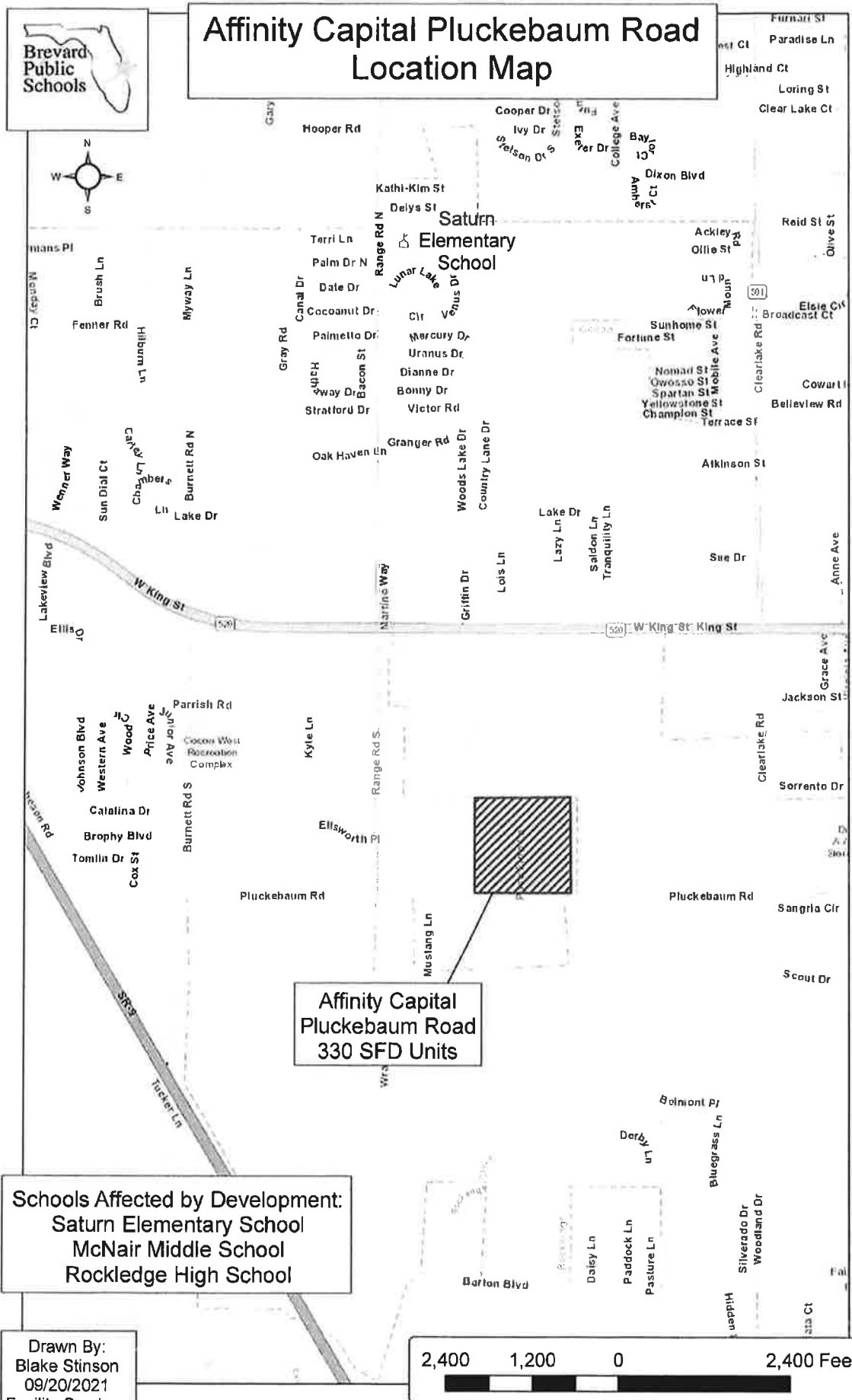
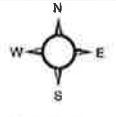
Schools of Choice (Not Concurrency Service Areas)																				
	Elementary	K-6	100%	475	365	77%	475	365	77%	475	365	77%	475	365	77%	475	365	77%		
Freedom 7	Elementary	K-6	569	487	86%	569	505	89%	569	488	86%	569	488	86%	569	488	86%	569	488	86%
Stevenson	Elementary	K-6	618	551	89%	618	552	89%	618	531	86%	618	531	86%	618	531	86%	618	531	86%
West Melbourne	Elementary	K-6	1,072	937	87%	1,072	950	89%	1,072	942	88%	1,072	942	88%	1,072	942	88%	1,072	942	88%
Esplewood	Jr / Sr High	7-12	1,264	967	77%	1,264	956	76%	1,264	967	77%	1,264	967	77%	1,264	967	77%	1,264	967	77%
West Shore	Jr / Sr High	7-12	3,988	3,317	83%	3,988	3,377	85%	3,988	3,323	83%	3,988	3,323	83%	3,988	3,323	83%	3,988	3,323	83%
Schools of Choice			3,988	3,317	83%	3,988	3,377	85%	3,988	3,323	83%	3,988	3,323	83%	3,988	3,323	83%	3,988	3,323	83%
Schools Totals			84,877	61,597	73%	84,877	63,464	75%	84,877	64,127	76%	84,877	66,147	78%	84,877	66,940	79%	84,877	67,143	80%

Notes

- FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2020-21 are reported from the FISH database as of August 6, 2020.
- Student Membership is reported from the Fall Final Membership Count (10/09/20).
- Davis Demographics School/Site Enrollment Forecasting Extension for ArcGIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
- Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment; number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Non-enrolled student addresses are assumed to continue in their attendance schools.
 - Charter School Growth.
- In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.
- A total of 30 Relocatable Classrooms are assumed to add future student stations as listed below:
 - Primary Relocatable Classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) Relocatable Classrooms = 22 student stations, and High School (Grades 9-12) Relocatable Classrooms = 25 student stations
 - Intermediate Relocatable Classrooms are proposed to be added at Roy Allen Elementary, Riviera Elementary, Saturn Elementary, Sunrise Elementary, and Stone Middle School (Total of 11 Classrooms)
 - High school Relocatable Classrooms are proposed to be added at Melbourne High and Viera High (Total of 14 Classrooms)
- Redistricting was approved for the 2021-22 school year and the projected enrollment for 2021-22 is adjusted for those areas.



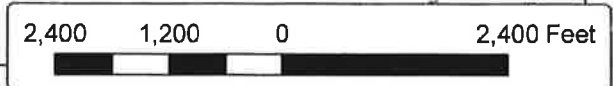
Affinity Capital Pluckebaum Road Location Map



**Affinity Capital
Pluckebaum Road
330 SFD Units**

Schools Affected by Development:
Saturn Elementary School
McNair Middle School
Rockledge High School

Drawn By:
Blake Stinson
09/20/2021
Facility Services



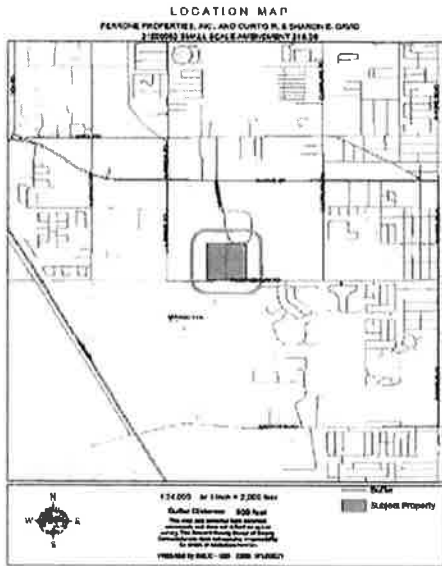
FYI
21PZ00062 & 21Z00032
Perrone Properties & Davis
(submitted by the applicant
11-15-21)

Affinity Capital, LLC
Pluckebaum Road
FLUM & Rezoning Request
Application No. 21PZ00062 & 21Z00032
By: Javier E. Fernández, Esq.



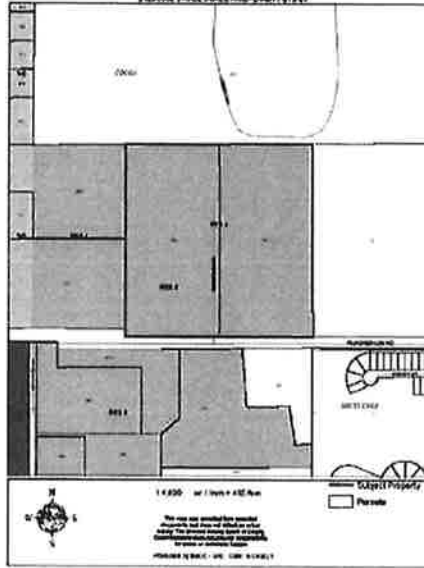
Application Summary

- Applicant, Affinity Capital, is the contract purchaser of the 40-acre assemblage located on Pluckebaum Road east of Range Road.
- The combined assemblage presently has a FLUM designation of RES 4 and a zoning designation of AU.
- Applicant is seeking the County's approval to change the FLUM designation to RES 15 and rezone the property to RU-2-10.

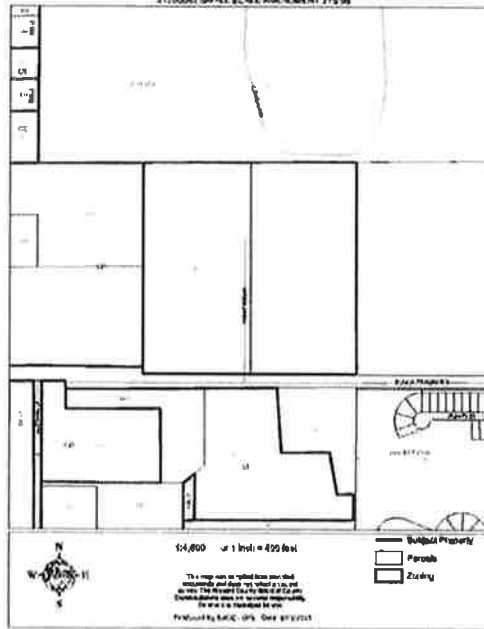




FUTURE LAND USE MAP
PERONE PROPERTIES, INC. AND CURTIS R. & SHARON E. DAVID
2152202 SMALL SCALE AMPLIFICATION 2/15/09



ZONING MAP
PERONE PROPERTIES, INC. AND CURTIS R. & SHARON E. DAVID
2152202 SMALL SCALE AMPLIFICATION 2/15/09





Rezone Criteria – s. 62-1151.(c)

- I. Character of the land use of the property being considered.
- II. Conditions surrounding the property have substantially evolved.
- III. Impact on available & project traffic, water & sewer systems, other public facilities & utilities, and established character of area.
- IV. Appropriateness of proposed zoning classification based upon consideration of applicable provisions and conditions of this article and other applicable laws, ordinances and regulations related to zoning and land use regulations, and public health, safety & welfare.



Rezone Criteria – s. 62-1151.(c)

- I. Character of the land use of the property being considered.
 - Property is surrounded in most cardinal directions by land designated for residential use.
 - ◆ To south & southeast, parcels are predominantly (or will be) improved with single-family residential uses.
 - ◆ To the sites immediate north, the abutting property is home to a new 268 unit multi-family residential project (Cocoa Grand).
 - ◆ To east, property is located in City of Cocoa with designation of RU-1-7 whose standards are similar to the RU-2-10 standards, which designation is being sought for the property.
 - Requested designation of RU-2-10 is consistent the current and emerging character of the property.
 - ◆ As noted on pg. 3 of the staff report, the trend in this area could be classified as urban/suburban infill. Area is located between medium density multifamily residential and high intensity commercial to the north; planned and developing residential to the northeast, east, and southeast; single-family residential to the south; and approximately 600-acre Harvest Landing PUD within City of Rockledge; and commercial and medium density residential properties to the west.



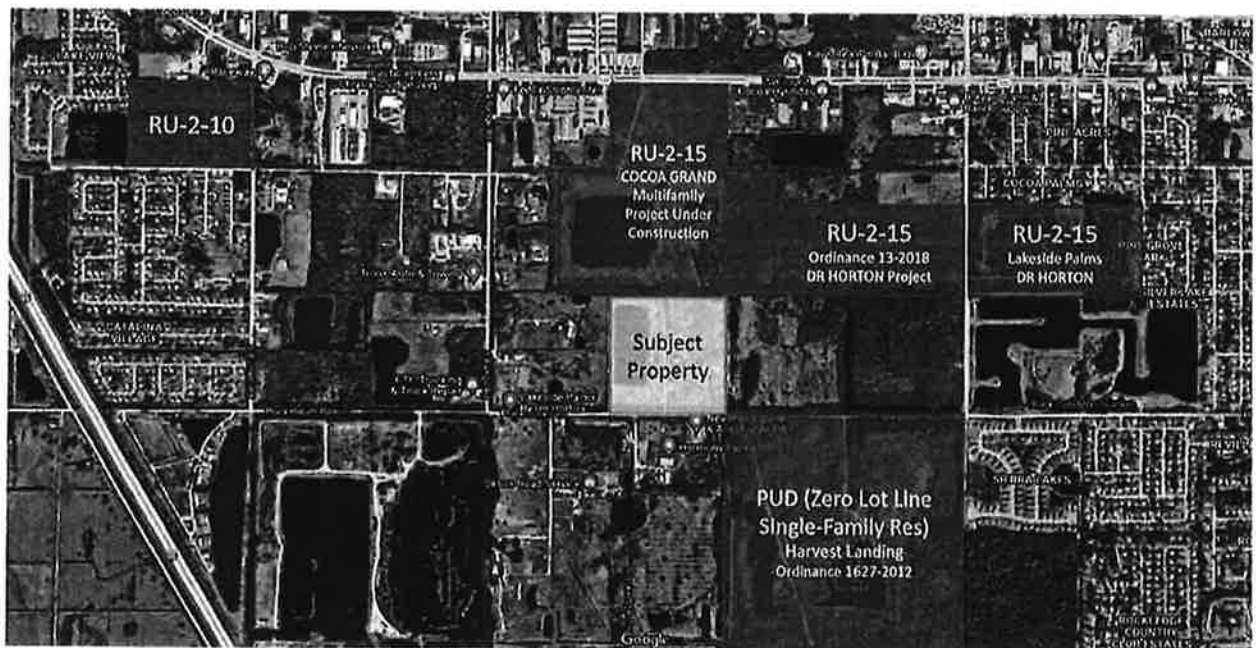
Rezone Criteria – s. 62-1151.(c)

II. Conditions surrounding the property have substantially evolved.

□ With rapid escalation of the housing market, conditions within the sub-area have and continue to evolve.

❖ In the last 3 years, multiple applications have been approved within 0.5 miles of the property:

1. Harvest Landing (City of Rockledge) – On 8/21/2013, Ord. No. 1627-2012 was approved rezoning the property directly across Pluckebaum Road from Single-Family Residential to PUD with zero lot-line-single-family residential lots.
2. Lakeside Palms Condominiums (City of Cocoa) – On 1/23/2019, Ord. No. 13-2018 was approved rezoning a property fronting Clearlake Road (which abuts the east side of the abutting property to the north of the subject property) from RU-1-7 to RU-2-15.
3. Cocoa Grand (City of Cocoa) – On 10/10/2017, Ord. No. 09-2017 was adopted rezoning the southern 1,300 feet to the northern property from RR-1 to RU-2-15.



Rezone Criteria – s. 62-1151.(c)

III. Impact on available & projected traffic patterns, water & sewer systems, other public facilities & utilities, and established character of area.

□ Traffic

- ❖ Staff report (pg. 5) indicates that requested change is not anticipated to create a deficiency in the LOS.

□ Public Schools

- ❖ Brevard County Public Schools has determined that there is sufficient capacity to accommodate the total projected student membership to accommodate the project.

□ Water & Sewer Service

- ❖ Capacity of Availability Certificate for water & sewer service obtained from City of Cocoa Utilities Department.





Rezone Criteria – s. 62-1151.(c)

III. **Impact on available & projected traffic patterns, water & sewer systems, other public facilities & utilities, and established character of area.**

□ **Established Character**

- ❖ The proposed request is consistent with the adjacent zoning designation and will provide a transitional residential use from the more intense designations to the north and northeast to the less intense parcels located south and southwest.



Rezone Criteria – s. 62-1151.(c)

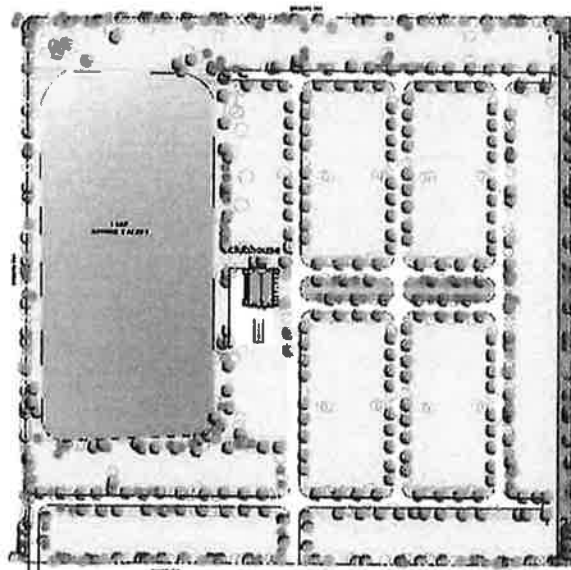
IV. **Appropriateness of proposed zoning classification provisions of the applicable provisions & conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning & land use regulations and public health, safety and welfare.**

□ FLUM Objective #1: Facilitate the development of residential neighborhoods that offer highest quality of life to citizenry...produce neighborhoods that complement adjacent land uses...encourage open space within residential districts...

- ❖ The proposal will expand the range of available housing choices in the marketplace and when available inventory has decreased 71% to less than 1 month of supply. Inventory represents continuing 3-year decline & lowest amount in county's history.
- ❖ Median and average sales price increases in excess of 33% making housing affordability & lack of inventory an impediment to economic growth complicating difficulties in market to recruit employees in aerospace, healthcare & other sectors.

Rezone Criteria – s. 62-1151.(c)

- IV. Appropriateness of proposed zoning classification provisions of the applicable provisions & conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning & land use regulations and public health, safety and welfare.
 - Housing Objectives #3 & #4: Housing market that is fair and balanced and provides equal housing opportunities for all residents; provide adequate lands for residential land uses with a wide variety of housing types, housing price levels, and geographic choices to meet the needs of residents.
 - ❖ Housing market is substantially unbalanced at present with inventory decreasing by 71% from 2020 to less than 1 month of supply. Approval of the requested rezoning will help deliver more inventory to help right the present imbalance.
 - ❖ Approval will also facilitate greater diversity of housing types via introduction of townhome style units which will also be priced more affordably than single-family homes and provide alternative to existing multifamily & single-family units available in market.



LOT SIZE: 40 ± ACRES (1,747,000 S.F.)

PLANNING NO.

CONCEPTUAL MASTER SITE PLAN

ARKILL
 TOLSON
 L. P. P.
 A. L. A.
 CDDA-2
 PROJECT: [illegible]
 [illegible]
 [illegible]

PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, November 15, 2021, at 3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were: Ron Bartcher (D1); Brian Hodgers (D2); Ben Glover (D3); William Capote (D3); Mark Wadsworth, Chair (D4); Liz Alward (D4 - Alt); Bruce Moia (D5); Peter Filiberto, Vice Chair (D5); and David Bassford (D5 - Alt).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; George Ritchie, Planner III; Paul Body, Planner II; Peter Martin, Planner II Kyle Harris, Associate Planner; Alex Esseesse, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

Excerpt of Complete Minutes

Perrone Properties, Inc.; and Curtis R. and Sharon E. Davis (Javier Fernandez)

A Small Scale Comprehensive Plan Amendment (21S.06), to change the Future Land Use designation from RES 4 (Residential 4) to RES 15 (Residential 15). The property is 40 acres, located on the north side of Pluckebaum Rd., approx. 0.25 mile east of Range Rd. (Tax Parcel 506 = 2250 Pluckebaum Rd., Cocoa; Tax Parcel 507 = 2100 Pluckebaum Rd., Cocoa) (Tax Accounts 2424006 & 2424007) (District 1)

Perrone Properties, Inc.; and Curtis R. and Sharon E. Davis (Javier Fernandez)

A change of zoning classification from AU (Agricultural Residential) to RU-2-10 (Medium Density Multi-Family Residential). The property is 40 acres, located on the north side of Pluckebaum Rd., approx. 0.25 mile east of Range Rd. (Tax Parcel 506 = 2250 Pluckebaum Rd., Cocoa; Tax Parcel 507 = 2100 Pluckebaum Rd., Cocoa) (Tax Accounts 2424006 & 2424007) (District 1)

Javier Fernandez, 1200 Brickell Avenue, Miami, Florida, stated the property consists of 40 acres located on Pluckebaum Road, west of Clearlake Road. He noted in the last three years there have been some rezonings in the City of Cocoa, and in the City of Rockledge to the south, and the subject property is situated between the two cities. To the north is RU-2-15 zoning and is currently being developed as a multi-family project. There is also RU-2-15 zoning to the east of that site which is being developed as multi-family. To the south and east is Harvest Landing which is a PUD with zero lot line homes. He stated he believes the request is not only consistent with the Comprehensive Plan. A large portion of the site is a lake, and his clients would also like to have a clubhouse. He said the site will be served with water and sewer by the City of Cocoa.

Jeffrey Ball pointed out that staff has not vetted the concept plans, and the developer will still have to meet Code requirements and go through the permitting process.

Public Comment:

Pam Rogan, representing Harmony Farms, 2205 Pluckebaum Road, stated her only concern is about the road because there have not been any improvements to the road. Pluckebaum Road is two-lane with a canal on one side, and it is not maintained well by the County. She said the additional traffic will present a problem, particularly when it rains. She stated she has no objection to more houses, she is just concerned about the road.

Ron Bartcher asked if the only access will be on Pluckebaum Road. Mr. Fernandez replied yes, the only access will be onto Pluckebaum Road. He said he understands the conditions of the road, and as they move through the permitted process there will be substantial subdivision improvements.

Motion by Peter Filiberto, seconded by William Capote, to approve the Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from RES 4 to RES 15. The motion passed unanimously.

Motion by Peter Filiberto, seconded by Liz Alward, to approve the change of zoning classification from AU to RU-2-10. The motion passed unanimously.