



CITY OF TITUSVILLE

PLANNING AND ZONING COMMISSION

AGENDA

Regular Meeting

January 8, 2025 - 6:00 PM

Council Chamber at City Hall

555 South Washington Avenue, Titusville, FL 32796

All persons who anticipate speaking on any Public Hearing item must fill out an Oath Card to be heard on that agenda item and sign the oath contained thereon. These cards are located on the table near the entrance to the Council Chamber or may be obtained from the Recording Secretary. This meeting will be conducted in accordance to the procedures adopted in Resolution #24-1997

Those speaking in favor of a request will be heard first, those opposed will be heard second, and those who wish to make a public comment on the item will speak third. The applicant may make a brief rebuttal if necessary. A representative from either side, for or against, may cross-examine a witness.

Anyone who speaks is considered a witness. If you have photographs, sketches, or documents that you desire for the Commission to consider, they must be submitted into evidence and will be retained by the City. Please submit such exhibits to the Recording Secretary.

1. CALL TO ORDER

2. ROLL CALL

3. DETERMINATION OF A QUORUM

4. APPROVAL OF MINUTES

A. Minutes December 4, 2024

Approve Minutes

5. QUASI-JUDICIAL CONFIRMATION PROCEDURES

6. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

7. OLD BUSINESS

8. NEW BUSINESS

A. Rezoning

B. Annexations

C. Conditional Use Permit

D. Miscellaneous

1. Small Scale Comprehensive Plan Amendment (SSA) No. 12-2024 – Sedgwick Ave Duplex
2. Small Scale Comprehensive Plan Amendment (SSA) No. 7-2024 – 800 Lane Ave

E. Semi Annual Report

Approve

9. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

10. REPORTS

A. City Staff

B. City Attorney

C. Chairman

D. Members

11. ADJOURNMENT

Any person who decides to appeal any decision of the Planning and Zoning Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically handicapped person desires to attend the meeting.

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Members of the Planning and Zoning Commission
From: Brad Parrish, Community Development Director
Subject: **Minutes December 4, 2024**
Department/Office: Planning

Recommended Action:

Approve Minutes

Summary Explanation & Background:

Minutes December 4, 2024

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. 12.04.24 Minutes Draft P&Z

The Planning and Zoning Commission (P&Z) of the City of Titusville, Florida met in regular session in City Hall Council Chamber located at 555 South Washington Avenue on Wednesday December 4, 2024 at 6:00 p.m.

XXX

Chairman Joseph Richardson called the meeting to order at 6:00 p.m. Present were Vice Chairman Dan Aton, Secretary Romie Grant, Member Christopher Childs, Member Erron Fayson, Member Theodore Garrod, Alternate John Rogers and School Board Member Jaqueline McLaughlin. Alternate Member Michael Fendler was absent. Also, in attendance were Principal Planner Eddy Galindo, Senior Planner Christie Anderson, Assistant City Attorney Chelsea Farrell and Recording Secretary Laurie Dargie.

XXX

Vice Chairman Aton made a motion to approve the minutes from the November 6, 2024 meeting as presented. Member Childs seconded. There was a unanimous voice vote in favor.

XXX

Quasi-Judicial Confirmation Procedures

XXX

Petitions and Requests from the Public Present

Toni Shifalo of Titusville, Florida came to speak about her support for the Titusville Environmental Commission and the requirements of the City of Titusville to be a Tree City USA.

XXX

Old Business

None

XXX

Chairman Richardson stated that city staff request to hear item 8 A 5. Ordinance No. 48-2024 Annual 5-Year Capital Improvement Element (CIE) update first on the agenda. The Planning and Zoning Commission members agreed to hear this item first.

XXX

New Business

Ordinance No. 48-2024 Annual 5-Year Capital Improvement Element (CIE) Update

Principal Planner Eddy Galindo gave an overview of this item. Mr. Galindo stated that Public Works Director Kevin Cook is present to answer any questions that the Planning and Zoning Commission may have.

The Planning and Zoning Commission members had a discussion with Mr. Cook and staff relating to utility maintenance, trees, and the pursuit of grant opportunities.

Member Garrod encouraged the City of Titusville staff to look into obtaining more grants since the City of Titusville's population has exceeded fifty thousand.

The Planning and Zoning Commission had lengthy discussion relating to septic tank replacement and sewer connections, diverting water flow from the Indian River Lagoon, baffle boxes, tree boxes, street improvements and traffic calming.

XXX

Member Garrod made a motion to recommend approval of Ordinance No. 48-2024 Annual 5-Year Capital Improvement Element (CIE) as presented and with two recommendations. 1. As part of the Capital Improvement Program, due to the increased population, explore a grants administration program, and move away from using a consultant. 2. Should amend the subdivision code to include required traffic calming design standards on excessive lengths of streets. Member Rogers seconded.

Roll call was as follows:

Member Garrod	Yes
Vice Chairman Aton	Yes
Member Childs	Yes
Secretary Grant	Yes
Member Rogers	Yes
Member Fayson	Yes
Chairman Richardson	Yes

Motion passed.

XXX

Small Scale Comprehensive Plan Amendment – SSA#8-2024 – 1717 Barna Avenue – Royal Manor Townhomes

Senior Planner Christie Anderson gave an overview of this item.

The Planning and Zoning Commission members had brief discussion with staff.

Rodney Honeycutt of Titusville, Florida representing the owner, came to speak in favor of this item and answer questions.

James Troutman of Titusville, Florida came to speak against this item. Mr. Troutman had a multi-page handout to provide to the Planning and Zoning Commission members. A copy of this handout is available as part of the public record. Mr. Troutman spoke about his concerns and referenced the handouts.

Toni Shifalo of Titusville, Florida came to speak against this item.

Kay St. Onge of Titusville, Florida came to speak against this item.

Theresa Bassallion of Titusville, Florida came to speak against this item.

Vickie Conklin of Titusville, Florida came to speak against this item.

Cason Childs of Titusville, Florida came to speak against this item.

Rodney Honeycutt of Titusville, Florida came to give a rebuttal.

The Planning and Zoning Commission had discussion with Mr. Honeycutt and staff regarding the concerns that were raised regarding multi-family development going into a predominantly single-family zoning.

XXX

Member Childs made a motion to recommend denial of the Future Land Use Map amendment for Small Scale Comprehensive Amendment SSA#8-2024 based on it doesn't comply with the Future Land Use. Secretary Grant seconded.

Roll call was as follows:

Secretary Grant	Yes
Member Rogers	Yes
Member Fayson	Yes
Member Childs	Yes
Vice Chairman Aton	No
Member Garrod	No
Chairman Richardson	Yes

Motion passed with a 5 yes, 2 no vote.

XXX

Member Childs made a motion to recommend denial of the rezoning request to Multi-Family Medium Density (R2) zoning for Small Scale Comprehensive Amendment SSA#8-2024 as it is inconsistent with the Future Land Use designation. Member Fayson seconded.

Roll call was as follows:

Member Fayson	Yes
Member Garrod	Yes
Member Rogers	Yes
Vice Chairman Aton	Yes
Member Childs	Yes
Secretary Grant	Yes
Chairman Richardson	Yes

Motion to deny passed.

XXX

Huntington Park Final Plat

Principal Planner Eddy Galindo gave an overview of this item.

James Hill of Melbourne, Florida came to speak in favor of this item.

Kay St. Onge of Titusville, Florida came to speak neither for nor against this item.

XXX

Member Fayson made a motion to recommend approval of the Huntington Park Final Plat as presented. Secretary Grant seconded.

Roll call was as follows:

Member Garrod	Yes
Secretary Grant	Yes
Member Childs	Yes
Member Fayson	Yes
Member Rogers	Yes
Vice Chairman Aton	Yes
Chairman Richardson	Yes

Motion passed.

XXX

Tranquility, Phase 3 – Sketch Plat

Principal Planner Eddy Galindo gave an overview of this item.

Mr. Galindo stated that if the Planning and Zoning Commission chooses to approve the sketch plat, he would ask that the Commission consider also the following revised condition. Mr. Galindo read the condition: Approve the sketch plat for Tranquility Shores, Phase 3 with the condition that the proposed trail over the Addison Canal connecting to the Phase 1 subdivision be permitted with site construction of the Phase 3 subdivision unless the applicant is unable to obtain the necessary permits from the applicable regulating state agencies. Evidence of the completed permit application filed with all relevant permitting agencies and evidence of approval or denial shall be provided. (This is a quasi-judicial item.)

Rodney Honeycutt of Titusville, Florida came to speak in favor of this item.

Mr. Galindo stated that staff requested the applicant to consider saving Lot 34 as a tree tract, however the applicant was not inclined to agree with this request.

Member Rogers and Mr. Honeycutt advised that the lot that was requested could be Lot 42 on the current conceptual site plan. There was some discussion as to what lot was being requested as the tree tract Lot.

Member Garrod asked what the tree species are that are on the lot that was being requested as the tree tract lot. Mr. Honeycutt advised that they were most likely to be Pine trees, but he could not confirm. Member Garrod said that the tree species are important to consider as Pine trees do not live as long as Oak trees and knowing the actual tree species would help in his consideration of this request.

Member Garrod asked if the applicant would consider tabling this item until the next Planning and Zoning Commission meeting to allow clarification on the correct lot being requested as a tree tract by staff and also for the applicant to provide the specific tree species on the lot. Mr. Honeycutt advised that they do not want to have this item tabled.

Assistant City Attorney Farrell advised the Planning and Zoning Commission that the applicant has an approved Development Agreement from 2017 that governs this development.

The Planning and Zoning Commission had discussion regarding the percentage of trees that must be saved in this phase. Mr. Honeycutt reminded the Planning and Zoning Commission members that this development is under the 2017 tree preservation regulations, which is ten percent.

Kay St. Onge of Titusville, Florida came to speak against this item and read from Section 30-40 (b) of the Land Development Regulations.

Chairman Richardson stated that he has been to Tranquility, and he has seen nothing but clear cutting.

XXX

Member Garrod made a motion to table the Tranquility Phase 3 Sketch Plat for thirty (30) days and requires the applicant to reconcile the matters that have been brought up regarding the specific tree species and what trees are on what lot.

Motion dies due to lack of a second.

XXX

Member Rogers made a motion to recommend denial of Tranquility Phase 3 Sketch Plat based on the Commission needs more information on the specific tree species, lot clarification and clear cutting of trees.

Motion dies due to lack of a second.

XXX

Member Fayson made a motion to recommend approval of the Tranquility Phase 3 – Sketch Plat with the staff recommended condition. Vice Chairman Aton seconded.

Vice Chairman Aton and Member Fayson said that their recommendation for approval is being made because it is what the Commission is bound to do based on the law.

Roll call was as follows:

Member Garrod	No
Vice Chairman Aton	Yes
Member Childs	Yes
Secretary Grant	Yes
Member Rogers	No
Member Fayson	Yes
Chairman Richardson	No

Motion passed with a 4 yes, 3 no vote.

Member Garrod, Member Rogers, and Chairman Richardson voted no due to wanting additional information regarding the specific tree species and clarification on the lot requested for the tree tract.

XXX

Multi-Family Infill Lot Ordinance

Principal Planner Eddy Galindo gave an overview of this item.

Vice Chairman Aton stated that he owns Multi-Family High Density Residential (R3) zoned properties in Titusville and asked Assistant City Attorney Chelsea Farrell if he should abstain from the vote. Assistant City Attorney Farrell advised Vice Chairman Aton to abstain out of an abundance of caution.

The Planning and Zoning Commission members had discussion with staff relating to buffers and setbacks.

Rodney Honeycutt of Titusville, Florida came to speak in favor of this item.

Toni Shifalo of Titusville, Florida came to speak against this item.

Vickie Conklin of Titusville, Florida came to speak against this item.

The Planning and Zoning Commission members had additional discussion relating to the buffers, multi-family on infill lots and affordable housing.

XXX

Member Rogers made a motion to recommend approval of the Multi-Family Infill Lot Ordinance with the stipulation that it has to be on one acre or less.

Motion dies due to a lack of a second.

XXX

Member Fayson made a motion to recommend approval of the Multi-Family Infill Lot Ordinance as presented. Secretary Grant seconded.

Roll call was as follows:

Member Fayson	Yes
Member Garrod	Yes
Member Rogers	Yes
Vice Chairman Aton	Abstain
Member Childs	Yes
Secretary Grant	Yes
Chairman Richardson	Yes

Motion passed 6 yes, 1 Abstain

XXX

Petitions & Requests from the Public Present

Kay St. Onge of Titusville, Florida came to speak about the Tree City USA criteria and the Public Works use of the two dollars per capita.

XXX

Reports

Assistant City Attorney Chelsea Farrell advised the Planning and Zoning Commission that there is no Planning and Zoning Commission meeting on December 18, 2024.

Chairman Richardson spoke about City Council delaying the reappointment of the Titusville Environmental Commission members to review allowing members who live outside the City of Titusville limits to serve of city boards/commissions and also to review the guidelines for members who may serve on multiple city boards/commissions. Chairman Richardson said that several of the Planning and Zoning Commission members are coming up for reappointment and he is unsure what City Council intends to do with their reappointment.

Chairman Richardson wished everyone a Merry Christmas and a Happy New Year!

XXX

Adjournment 10:00pm

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

LAST NAME—FIRST NAME—MIDDLE NAME ATAN, Danny Ray		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Planning and Zoning	
MAILING ADDRESS 417 INDIAN RIVER DR.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY TITUSVILLE	COUNTY BREVARD	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 12-4-24		NAME OF POLITICAL SUBDIVISION: City of Titusville	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Dan Atan, hereby disclose that on 12-4-, 20 24:

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

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

I own property that may be subject on
the ordinance

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

12-4-24
Date Filed

[Signature]
Signature

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



City of Titusville

Planning Department Staff Report

Small Scale Comprehensive Plan Map Amendment and Rezoning

SSA No. 12-2024 – SEDGWICK AVE DUPLEX

Meeting Dates:

Commission/Council	Meeting dates
Planning and Zoning Commission	January 8, 2025
City Council First Ordinance Reading	January 14, 2025
City Council Public Hearing	January 28, 2025

Prepared By: Eddy Galindo, AICP – Principal Planner

Applicant(s): Jeremiah Ofori, on behalf of Gold Coast Developers of Florida, LLC, owner

Applicant's Request: **SSA:** Amend the Comprehensive Plan Future Land Use Map by changing the future land use designation on 0.9± acres of property identified by Brevard County Parcel ID Nos. 21-35-33-00-271, 21-35-33-00-272, and 21-35-33-00-319 from Low Density Residential to Medium Density Residential.

REZ: Rezone the same 0.9± acres of property identified by Brevard County Parcel ID Nos. 21-35-33-00-271, 21-35-33-00-272, and 21-35-33-00-319 from Single-Family Medium Density (R-1B) to Multifamily Medium Density Residential (R-2).

Staff Recommendation: **SSA:** Approve the Small Scale Comprehensive Plan Amendment.

REZ: Approve the rezoning consistent with the Small Scale Amendment.

BACKGROUND INFORMATION

The Applicant is requesting a Small-Scale Comprehensive Plan Amendment (SSA) with rezoning to allow the construction of a multifamily structure (duplex). The property is located on Sedgwick Avenue, between N Dixie Avenue and Kel Avenue, generally located east of Arthur Dunn Airpark. The current Low Density Residential future land use designation and Single-Family Medium Density (R-1B) zoning district do not permit multifamily residential uses.

The applicant did not submit a concept plan with the request; therefore, the analysis in this report considers the maximum allowable buildout scenario under the requested Medium Density Residential future land use designation and the Multifamily Medium Density Residential (R-2) zoning district. The Medium Density Residential future land use designation allows a maximum density of 10 dwelling units per acre. The requested Multifamily Medium Density Residential (R-2) zoning district is more restrictive than the requested future land use designation and allows a maximum of 9 dwelling units per acre (du/ac). The subject property is 0.9± acres in size, which yields a maximum of 8 residential units in the R-2 zoning district and could take the form of duplexes, triplexes, quadplexes, or other multifamily structures, provided all the development standards can be met.

Previously, the property was rezoned from Rural Residential (RR) to Single-Family Medium Density (R-1B) in 2005 with Rezoning #1-2005 (Ordinance No. 7-2005). The intent of the 2005 request was to allow the construction of three single-family residences. The staff report for that application identified the apartment complex abutting the subject property to the north, which is zoned R-3 (maximum 15 dwelling units per acre). The report also identified the manufactured housing park to the south, across Sedgwick Avenue, zoned RMH-2 (maximum 8 dwelling units per acre). These properties were referenced as examples of how the requested increase in residential density would be consistent with the surrounding zoning.

PROPERTY INFORMATION

Existing Use, Future Land Use, and Zoning

Existing Use	Future Land Use	Zoning
Vacant	Low Density Residential [5 units per acre]	Single-Family Medium Density (R-1B) [5.8 units per acre]

Proposed Use, Future Land Use, and Zoning

Proposed Use	Future Land Use	Zoning
Multifamily Residential (Duplex)	Medium Density Residential [10 units per acre] = Max 9 units	Multifamily Medium Density Residential (R-2) [9 units per acre] = Max 8 units

SURROUNDING PROPERTY INFORMATION

Location	Use	Future Land Use	Zoning
North	Multifamily Residential (Apartments)	High Density Residential [15 units per acre]	Multifamily High Density Residential (R-3) [15 units per acre]
South	Manufactured Housing Park	Medium Density Residential [10 units per acre]	Residential Manufactured Housing Park (RMH-2) [8 units per acre]
West	Single Family Residence	Residential Two [2 units per acre]	Rural Residential (RR) [2 units per acre]
East	Single Family Residence	Residential Two [2 units per acre]	Rural Residential (RR) [2 units per acre]

1 **STAFF ANALYSIS**

2 **General Information:**

3 The subject property is 0.9± acres of land which is currently vacant and fronts on Sedgwick
4 Avenue, a local roadway. The existing Low Density Residential future land use designation and
5 the Single-Family Medium Density (R-1B) zoning district do not support development of the site
6 for the applicant's intended use, a multifamily residential structure (duplex). The abutting
7 properties are currently developed as a mix of low-density single-family residences, high-density
8 multifamily residential (apartments), and a manufactured housing park.

9 Comprehensive Plan Future Land Use [FLUE] Policy 1.14.5 states that medium density
10 residential uses (maximum ten (10) units per acre) be located adjacent to at least a collector
11 street. The subject property has frontage on Sedgwick Avenue, a local roadway. The proposed
12 Future Land Use designation could be considered an extension of the existing Medium Density
13 Residential Future Land Use designation on Sedgwick Avenue, which is adjacent to N. Dixie
14 Avenue, a collector road.

15 The purpose statement of the requested R-2 zoning district states, "*The Multifamily Medium
16 Density Residential (R-2) district is intended to allow the erection of a variety of housing types at
17 a maximum density of nine (9) units per acre. This district is designed to allow development
18 adjacent to arterial or collector streets and is well served by public services and facilities...*"

19 The property meets the criteria for being designated as infill development consistent with
20 Comprehensive Plan Policy 1.7.7, which states "Is within an area that contains lots of two (2)
21 acres or less where eighty (80) percent or more of the lots or tracts are developed and have been
22 for at least twenty (20) years." Infill development is encouraged in Comprehensive Plan Policy
23 1.7.9 which states, "the City shall provide standards and administrative process to facilitate infill
24 development. The Land Development Regulations shall be amended to provide flexibility in site
25 development."

26 **Area of Critical Concern:**

27 The property is located within the Area of Critical Concern.

28 **COMPREHENSIVE PLAN AMENDMENT (CPA) REVIEW**

29 **Future Land Use Map Amendment Sprawl Criteria**

30 The following list is the review criteria under which the Planning and Zoning Commission and the
31 City Council review applications as they relate to urban sprawl [Section 34-23 of the LDR].

32 **Summary of Staff's findings**

- 33 1. The extent to which the proposed amendment is contiguous to an existing development area
34 which has developed in a manner providing a compact, contiguous development pattern
35 with the proposed amendment;

36 *Staff Comment: The subject property is a vacant, undeveloped site which is surrounded by*
37 *existing development on all sides. Single-family residences are located east and west of the*
38 *subject property. A multifamily residential structure (apartment building) abuts the subject*
39 *property to the north and the property to the south is developed as a manufactured housing*
40 *park.*

- 41 2. The extent to which population growth and development trends warrant an amendment,
42 including an analysis of vested and approved but unbuilt development;

1 *Staff Comment:* A 2022 report by the Florida Housing Coalition identified an ongoing
2 housing affordability crisis statewide. There is a need for additional housing units, especially
3 affordable housing units, to increase the supply of housing units and potentially reduce
4 housing costs.

- 5 3. The extent to which adequate infrastructure to accommodate the proposed amendment
6 exists, or is programmed and funded through an adopted capital improvement schedule, or
7 will be privately financed through a binding executed agreement, or will otherwise be
8 provided at the time of development impacts as required by law;

9 *Staff Comment:* The amendment will not require new infrastructure to serve the site.
10 Existing infrastructure near the site includes an eight (8) inch sewer gravity main and a six
11 (6) inch water main on Sedgwick Avenue.

12 Reclaimed water service is not available to the property. The nearest reclaimed water
13 main terminates approximately 1,500 feet south of the subject property, at the intersection
14 of Kel Avenue and N Dixie Avenue. Reclaimed water dry-lines will be required to be
15 installed to allow for service connection when the utility becomes available to the property
16 consistent with Infrastructure Element Policy 5.2.4.

17 The intent of the request is to construct a multifamily residential use with two units
18 (duplex). The current zoning does not permit the type of housing requested.

19 The proposed R-2 zoning district is consistent with the requested Medium Density
20 Residential designation, which allows up to ten (10) units per acre. For a site 0.9 acres in
21 size, the requested amendment represents an increase in the maximum number of units
22 from 4 units to 9 units. The scale of this change is considered to have a “de minimis”
23 impact on the City’s concurrency LOS standards.

24 While the applicant’s stated intent is to build only two units, approval of the request would
25 entitle the property with up to 9 units in the future land use designation. The units could
26 take the form of various residential uses.

- 27 4. The extent to which the amendment will result in an efficient use of public funds needed for
28 the provision of new infrastructure and services related to it;

29 *Staff Comment:* The amendment will not require new infrastructure to serve the site.
30 Existing infrastructure near the site includes an eight (8) inch sewer gravity main and a six
31 (6) inch water main on Sedgwick Avenue.

- 32 5. The extent to which the amendment will not result in a sprawl development pattern as
33 determined by Chapter 163, Florida Statutes, and will not discourage infilling of more
34 appropriate areas available for development within existing Development Area Boundaries;
35 and

36 *Staff Comment:* The subject site is located within the City’s Urban Service Area, is currently
37 served by city utilities, and is surrounded by existing developed sites. The surrounding
38 properties are developed as single family and multifamily development. Development of the
39 site will not result in a sprawl development pattern or discourage infilling of other areas.

40 The property meets the criteria for being designated as infill development consistent with
41 Comprehensive Plan Policy 1.7.7, which states “Is within an area that contains lots of two
42 (2) acres or less where eighty (80) percent or more of the lots or tracts are developed and
43 have been for at least twenty (20) years.” Infill development is encouraged in
44 Comprehensive Plan Policy 1.7.9 which states, “the City shall provide standards and

1 *administrative process to facilitate infill development. The Land Development Regulations*
2 *shall be amended to provide flexibility in site development.”*

- 3 6. The extent to which the amendment will result in a sustainable development pattern through
4 a balance of land uses that is internally interrelated, demonstrates an efficient use of land,
5 ensures compatible development adjacent to agriculture lands, protects environmental
6 qualities and characteristics, provides interconnectivity of roadways, supports the use of
7 non-automobile modes of transportation, and appropriately addresses the infrastructure
8 needs of the community.

9 *Staff Comment: The subject property is located within the City’s Urban Service Area in an*
10 *area which is predominantly residential in nature. The property is adjacent to a multifamily*
11 *residential use (apartments) to the north and a manufactured housing park to the south. A*
12 *convenience store is located approximately 150 feet to the northwest, along N. Dixie*
13 *Avenue.*

- 14 7. The extent to which the amendment results in positive market, economic and fiscal benefits
15 of the area as demonstrated through a market demand analysis, economic impact analysis
16 and fiscal impact analysis.

17 *Staff Comment: A market demand analysis or economic impact analysis is unnecessary as*
18 *the scale of the change is considered to have a “de minimis” impact on the City’s*
19 *concurrency LOS standards. The property was rezoned to Single-Family Medium Density*
20 *(R-1B) in 2005 to allow the construction of three single-family residences. Since then, the*
21 *property has remained vacant, potentially indicating a lack of demand for single family*
22 *residences in the area. Development of the property will result in positive market, economic*
23 *and will have a de minimis fiscal impact to City services.*

24 **Consistency with the Comprehensive Plan**

25 The following is an analysis of the consistency of the request with the City’s Comprehensive Plan.
26 The request for a Comprehensive Plan Amendment and rezoning is consistent with the
27 Comprehensive Plan and more specifically with the following objectives and policies of the
28 Comprehensive Plan.

29 Future Land Use [FLUE] Policy 1.7.7: The City shall define and designate infill
30 development as vacant, skipped-over parcels of land in built up areas that have been
31 platted or previously developed more than twenty (20) years ago. Infill development
32 properties must also meet one (1) or more of the following characteristics:

33
34 1) Is in a subdivision that is more than eighty (80) percent built out and that was platted
35 more than twenty (20) years ago.

36 2) Is within an area that contains lots of two (2) acres or less where eighty (80) percent
37 or more of the lots or tracts are developed and have been for at least twenty (20) years.

38 3) Is within a blighted area as defined by state law or is within the City’s Community
39 Development Block Grant Target areas.

40 4) Contains an original structure or use that is no longer viable or which is not
41 economically feasible to renovate.

1 5) Contains an existing structure that does not comply with current development and/or
2 zoning code requirements.

3 6)Is a lot that does not comply with current zoning or development code requirements
4 and has been developed in the past.

5 Staff Comment: *The property is located in an area containing lots of two (2) acres or*
6 *less where eighty (80) percent or more of the lots are developed and have been for at*
7 *least 20 years and meets the criteria for infill development.*

8 Future Land Use [FLUE] Policy 1.7.9: The City shall provide standards and administrative
9 process to facilitate infill development. The Land Development Regulations shall be
10 amended to provide flexibility in site development.

11 Staff Comment: *The intent of the request is to construct a multifamily residential use*
12 *with two units (duplex). The current zoning does not permit the type of housing*
13 *requested. The City's Land Development Regulations do not currently provide an*
14 *administrative process to allow flexibility with regards to the type of housing.*

15 Future Land Use [FLUE] Policy 1.14.1: Sites for residential development shall be located
16 throughout the City in a variety of residential zoning classifications, which provide for a
17 variety of lot sizes, floor areas, setbacks, and residential densities.

18 Staff Comment: *The current future land use allows for residential development at the*
19 *site. The abutting properties are currently developed as a mix of low-density single-*
20 *family residences, high-density multifamily residential (apartments), and a*
21 *manufactured housing park. There is a need throughout the city for additional housing*
22 *options beyond single family residences. The addition of a multifamily residential use*
23 *would further add to the variety of residential developments and densities permitted*
24 *throughout the city.*

25 *The requested Medium Density Residential future land use designation can also be*
26 *found on several surrounding properties including the manufactured housing park*
27 *located south across Sedgwick Avenue (Titusville Estates), the manufactured housing*
28 *park approximately 475 feet to the east (Missile View Mobile Home Park); and the*
29 *Grove Park Subdivision (and subsequent additions).*

30 Future Land Use [FLUE] Policy 1.14.5: Medium density residential uses (maximum ten
31 (10) units per acre) shall consider existing and proposed land uses to ensure compatibility.
32 Further, such densities shall be located adjacent to at least a collector street, unless the
33 property is located along the following local road, which already has a multi-family
34 development pattern and is capable of supporting higher density: Rock Pit Road (from
35 Tropic Street to South Street).

36 Staff Comment: *Single-family residences and multifamily residential uses are*
37 *established in the surrounding area. The development of an additional multifamily*
38 *structure (a duplex) will not change the residential nature of the surrounding area.*
39 *Increasing the maximum residential density on the subject property from 5 units per*
40 *acre to 10 units per acre is compatible with the residential densities on the surrounding*
41 *properties. The property to the north is designated as High Density Residential (15*
42 *dwelling units per acre) on the City's future land use map. The proposed Future Land*
43 *Use designation could be considered an extension of the existing Medium Density*

1 *Residential Future Land Use designation on Sedgwick Avenue, which is adjacent to a*
2 *collector road.*

3 Future Land Use Element [FLUE] Policy 1.17.1: The following items shall be addressed in
4 the analysis of the land use changes: Surrounding uses; Surrounding zoning; Acreage;
5 Description of site; Soils and topography; Flood zone; Recharge potential; Traffic counts
6 on adjacent streets; and Impact on adopted levels of service; Water supply availability.

7 Staff Comment: *Maps depicting soils, flood hazard areas, location etc. are provided*
8 *within the agenda package. Surrounding land uses, description of the site are*
9 *addressed in other areas of this report. The property is located within the Area of*
10 *Critical Concern.*

11 **REZONING REVIEW**

12 **Zoning Review Criteria**

13 Section 34-40 of the LDR lists the review criteria under which the Planning and Zoning
14 Commission and the City Council review applications as they relate to zoning.

15 The following are staff's findings.

- 16 1. ***Comprehensive Plan Consistency Statement.*** *Please see the previous pages for analysis*
17 *of the proposed request and consistency with the Comprehensive Plan. The requested zoning*
18 *district is not consistent with the existing comprehensive plan land use category.*

- 19 1.1. Public facilities are available and concurrent with the land use change per the
20 Comprehensive Plan and Concurrency provisions of the LDRs.

21 Staff Comment: *The property is in the City's urban service area. Sewer service is*
22 *available via an 8-inch sewer gravity main and water service is available via a 6-inch*
23 *water main on Sedgwick Avenue. Reclaimed water service is not available to the*
24 *property. The nearest reclaimed water main terminates approximately 1,500 feet south*
25 *of the subject property, at the intersection of Kel Avenue and N Dixie Avenue.*

26 *Approval of the amendment is expected to have a 'de minimis' impact on public school*
27 *concurrency. Per the Interlocal Agreement for Public School Facility Planning and*
28 *School Concurrency, Section 13.1 (6) a preliminary determination (non-binding) is not*
29 *required based on De minimis impact when the amendment request will not increase*
30 *the maximum allowable residential units by 50 units or more.*

31 Transportation impact.

32 Staff Comment: *A traffic study is not required. The scale of the change is considered to*
33 *have a "de minimis" impact on the City's concurrency LOS standards.*

34 Solid Waste.

35 Staff Comment: *Solid waste is available to serve the new residential density.*

- 36 1.2. Public streets are adequate to access the property.

37 Staff Comment: *The property has access to an improved public right-of-way.*

- 38 1.3. The land will support the proposed development.

39 Staff Comment: *The subject property is located within **Flood Zone X (area of minimal***
40 ***flood hazard).***

- 41 1.4. Environmental impact.

1 *Staff Comment:* According to the National Wetlands Inventory Map, no wetlands are
2 indicated on the site. No portions of the site are designated as Conservation on the
3 City's Future Land Use Map, which would be indicative of potential wetlands.

- 4 **2. The existing zoning, if deemed consistent with the Comprehensive Plan, shall be**
5 **presumed correct unless substantial change in the area has occurred since the original**
6 **zoning.**

7 *Staff Comment:* The property was rezoned from Rural Residential (RR) to Single-
8 Family Medium Density (R-1B) in 2005 with Rezoning #1-2005 (Ordinance No. 7-2005).
9 The intent of the 2005 request was to allow the construction of three single-family
10 residences. The staff report for that application identified the apartment complex
11 abutting the subject property to the north, zoned R-3 (maximum 15 dwelling units per
12 acre). The report also identified the manufactured housing park to the south, across
13 Sedgwick Avenue, zoned RMH-2 (maximum 8 dwelling units per acre). These
14 properties were referenced as examples of how the requested increase in residential
15 density would be consistent with the surrounding zoning.

16 There has not been a substantial change in the area; however, the subject property
17 has remained vacant while the surrounding properties are mostly developed. This could
18 be indicative of a lack of demand for single-family residences in this particular area.
19 Land Development Regulations Section 34-23. – Discouragement of urban sprawl
20 states, "The City shall encourage infill development. Infill development is development
21 on a vacant parcel or parcels of land within areas that are surrounded by an existing
22 built area. Compatibility of the infill development shall be considered with the
23 development review process." The requested R-2 zoning district is consistent with the
24 surrounding zoning.

- 25 **3. The density or intensity of the proposed rezoning and use shall be consistent with:**

26 **3.1. The development in the area:**

27 *Staff Comment:* The area surrounding the subject property is largely developed with
28 residential uses. The properties to the east and west are developed as single-family
29 residences. The property to the north is an existing apartment building and the property
30 to the south is an existing manufactured housing park. If approved the rezoning request
31 would allow a maximum buildout of 8 dwelling units, which could take the form of
32 various residential uses, provided all the development standards can be met.

33 The nearest property zoned or developed as a commercial use is an existing
34 convenience store which lies approximately 150 feet to the west along N Dixie Avenue.

35 **3.2. Not likely to cause a depreciation of property values in the area.**

36 *Staff Comment:* Single-family residences and multifamily residential uses are
37 established in the surrounding area. The development of an additional multifamily
38 structure (a duplex) is not expected to cause a depreciation of property values in the
39 area.

- 40 **4. The application is consistent with zoning in the area.**

41 *Staff Comment:* The subject property is in an area with a variety of zoning districts and
42 densities. The properties to the east and west are zoned Rural Residential (RR) which
43 permits a maximum of two (2) dwelling units per acre. The property to the north is zoned
44 R-3 (maximum 15 dwelling units per acre) and the property south of Sedgwick Avenue
45 is zoned RMH-2 (maximum 8 dwelling units per acre). The requested R-2 zoning allows

1 *a maximum of 9 dwelling units per acre or 8 total units for a property 0.9± acres in size.*
2 **The surrounding zoning in the area is predominantly residential in nature.**

3 **5. The application will protect the public health, safety, morals or welfare of the general**
4 **public.**

5 *Staff Comment: Single-family residences and multifamily residential uses are*
6 *established in the surrounding area. The development of an additional multifamily*
7 *structure (a duplex) would not change the residential nature of the surrounding area*
8 *and is not expected to generate any detriment to the public safety and welfare of the*
9 *general public.*

10 **6. Whether the applicant has sufficiently protected adjacent land uses and zoning**
11 **districts by adequate buffering and screening.**

12 *Staff Comment: Development of the site will require that all buffering, screening and*
13 *landscaping requirements are met.*

14 **7. Substantial reasons why the property cannot be used in the existing zoning district.**

15 *Staff Comment: There are no substantial reasons why the property cannot be used in*
16 *the existing zoning district. While the subject property has remained vacant, the*
17 *surrounding properties are mostly developed. This could be indicative of a lack of*
18 *demand for single-family residences in this particular area.*

19 ***This application is exempt from the community engagement requirements of Section 34-***
20 ***13. – Community engagement.***

21 **Highlights of Findings from Staff Analysis:**

22 **SMALL SCALE COMPREHENSIVE PLAN AMENDMENT (SSA)**

23 **Considerations of the proposed SSA request:**

- 24 • The surrounding area is predominantly residential in nature and includes a variety of
25 residential future land use designations that range in density from 2 units per acre
26 (Residential Two) to 15 units per acre (High Density Residential).
- 27 • Future Land Use [FLUE] Policy 1.14.5 states the Medium Density Residential future land
28 use designation to be located adjacent to at least a collector street. The proposed Future
29 Land Use designation could be considered an extension of the existing Medium Density
30 Residential Future Land Use designation on Sedgwick Avenue, which is adjacent to a
31 collector road. The requested Medium Density Residential currently exists on several
32 other nearby properties.
- 33 • Approval of the request would entitle the property with up to 9 units in the future land
34 use designation. The units could take the form of various residential uses.
- 35 • There is a need for additional housing units, especially housing typologies other than
36 single family residences, to increase the supply of housing units and potentially mitigate
37 the ongoing housing affordability crisis statewide.
- 38 • Comprehensive Plan Policy 1.7.9. encourages infill development. The property meets the
39 criteria for infill development in Comprehensive Plan Policy 1.7.7.

40 **REZONING (REZ)**

41 **Considerations of the proposed REZ request:**

- If City Council is inclined to approve the requested future land use change to Medium Density Residential, then staff recommends approval of the rezoning to Multifamily Medium Density Residential (R-2) as consistent with the future land use designation.
- The surrounding area is predominantly residential in nature and includes a variety of zoning districts with varying maximum densities: 2 units per acre (RR) to 15 units per acre (R-3).
- The purpose statement of the requested R-2 zoning district states, “This district is designed to allow development adjacent to arterial or collector streets...” The subject property has frontage on Sedgwick Avenue, a local roadway. However, the request appears to not be located adjacent to an arterial or collector street.
- Approval of the request would entitle the property with up to 8 units in the Multifamily Medium Density Residential (R-2) zoning district. The units could take the form of various residential uses.
- The property is in the City’s urban service area and public facilities are available to serve the property except for reclaimed water. The property is in the Area of Critical Concern which requires the installation of reclaimed water dry lines for future connection.
- There are no substantial reasons why the property cannot be used in the existing zoning district.

RECOMMENDATION:

Comprehensive Plan Amendment Recommendation: Approve the Small Scale Comprehensive Plan Amendment. The Amendment is consistent with the Comprehensive Plan. This recommendation is based upon the staff analysis, information and evidence presented, and in accordance with the City Charter of the City of Titusville, the Code of Ordinances and Land Development Regulations, Section 34-23 of the Code, the adopted comprehensive plan and the provisions of Chapter 163 and 166, Florida Statutes.

Rezoning Recommendation: Approve the rezoning request on the subject property from Single-Family Medium Density (R-1B) to Multifamily Medium Density Residential (R-2) on property identified by Brevard County Parcel ID Nos. 21-35-33-00-271, 21-35-33-00-272, and 21-35-33-00-319, as described in Exhibit A of the ordinance. This recommendation is based upon the staff analysis, information and evidence presented, and in accordance with the City Charter of the City of Titusville, the Code of Ordinances and Land Development Regulations, Section 34-40 of the Code, the adopted comprehensive plan and the provisions of Chapter 163 and 166, Florida Statutes.



Gateway to Nature & Space



OWNER'S AUTHORIZATION FORM

Date: 10/17/24

To: City of Titusville
Attn: Planning Department
555 S. Washington Avenue
Titusville, FL 32796-3584

This authorization form is for:

- ☐ Annexation (ANX)
- ☐ Comprehensive Plan Amendment (CPA)
- ☐ Conditional Use Permit (CUP)
- ☐ Development Agreement (DA)
- ☐ Easement Vacation (EAS)
- ☐ Master Plan (MP)
- ☐ Planned Development (PD)
- ☒ Rezoning (REZ)
- ☐ Right-of-Way Vacation (ROW)
- ☒ Small Scale Amendment (SSA)
- ☐ Variance (VAR)

PROJECT DESCRIPTION: Duplex

PROJECT ADDRESS: Sedgwick Ave

PARCEL ID# OR TAX ACCT #: 21-35-33-00-271, 272, 319

Please accept this documentation as authorization for Jeremiah Ofori

to apply for the above selected request.

(Name of Applicant)

[Signature]
Property Owner Signature

Jeremiah Ofori
Property Owner Name (Please Print)

121 Drennen Rd
Street Address

Orlando FL 32806
City, State, Zip code

407-710-8787
Telephone Number

Please Note: If the property is owned by a corporation, trust, et cetra, documentation must be included with this authorization form to prove the person signing this document has the legal authority to do so. If this documentation is not submitted, the application will not be accepted.

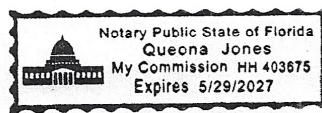
TO BE COMPLETED BY NOTARY

State of Florida
County of Orange

Subscribed and sworn to before me on this 17 day of October, 2024
By Jeremiah Ofori who is personally known to me or produced
as identification.

[Signature]
Notary Public Signature

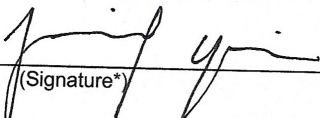
My Commission Expires: 5/29/27
Date



ACKNOWLEDGEMENT

1. I am the owner and/or legal representative of the owner of the property described, which is the subject of this application.
2. All answers to the questions in said application and all surveys and/or site plans and data attached to and made a part of this application are honest and true to the best of my knowledge and belief. By my signature below, I acknowledge that I have complied with all submittal requirements and that this request package is complete. I further understand that an incomplete application submittal may cause my application to be deferred.
3. Should this application be granted, I understand that any condition(s) imposed upon the granting of this request shall be binding to the owner, his heirs, and successors in title to possession of the subject property.
4. I understand that I must attend all applicable meetings and have been informed of the meeting date(s) and time(s). I understand that if I fail to appear at an applicable meeting, the appropriate Board or Commission may either table or deny the request.
5. I understand that my request if approved does not encumber provision of utility, road or other City infrastructure capacity. The analysis provided by staff of existing levels of service for public facilities and services in the vicinity of the parcel identified in this application is a non-binding analysis, and does not guarantee capacity will be available in the future or encumber/reserve capacity for any period of time.
6. I understand that as the Applicant, I must hold a public meeting prior to the scheduling of any public hearings before the Planning and Zoning Commission or City Council for this item. Notices for this meeting must be sent to all property owners within 500 feet of the subject property.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the City Council, Board of Adjustment & Appeals, and Planning & Zoning Commission on this topic to properly noticed public hearings or to written communication to the City Clerk's Office, City of Titusville, P.O. Box 2806, Titusville, FL 32781

/s/ 
(Signature*)

10/17/24
(Date)

* By entering your name in the "Signature" box above, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Application. By entering your name in the "Signature" box above, you consent to be legally bound by this Application's terms and conditions.

Date Received: _____

Accepted by: _____

9. Current Designation	Future Land Use: Medium Density Residential	Zoning: R-2
10. Proposed Designations	Future Land Use: Medium Density Residential	Zoning: R-2
11. Subject Property	Current Use: Low Density Residential	Proposed Use: Medium Density Residential
12. Note any previous amendments on the site		
13. Check other applications submitted	Conditional Use ☐ Vacation of Easement ☐ Master Plan Approval ☐ Rezoning ☒ Vacation of Right of Way ☐ Site Plan ☐ Subdivision/Plat ☐ Other: ☐	
14. Narrative	Please provide a brief description of the request and the proposed project: (Attach separate narrative page if necessary) Narrative attached	

- **All applications shall require Community Development Staff review prior to submittal.**
- All applications shall be submitted to the Planning Department electronically and officially logged in by **end of business day**.
- Tentative hearing dates are scheduled approximately 4 months from the time a completed application is submitted.
- Incomplete applications will not be accepted and will not be considered to be officially submitted until the appropriate information and fees are submitted. Meeting dates for incomplete applications will not be set until all required information and fees are submitted.
- Petitions requiring review from other boards or commissions prior to being forwarded to the Planning and Zoning Commission and City Council are not guaranteed placement on the schedule noted above.
- All meeting agendas will be posted on the City's web site and staff reports for the request can be obtained by contacting the Planning Department at 321-567-3782.



Gateway to Nature & Space



APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

Please submit electronically a completed application including required submittals to the Planning Department for payment and meeting scheduling. Chapter 34 of the Titusville Land Development Regulations contains the instructions for filing and the required exhibits. INCOMPLETE APPLICATIONS SHALL NOT BE ACCEPTED.

1. Annexation	Does the request include an annexation?	☐ Yes ☐ No
2. Regular or Small Scale Amendment	Regular Amendment (CPA) Property 50 acres or greater ☐	Small Scale Amendment (SSA) Property less than 50 acres ☒
3. Project Information	Project Name Sedgwick	Property Address/Location Description
4. Applicant / Owner	Name of Applicant/Contact Jeremiah Ofori	Name of Owner Gold Coast Developers of FL LLC
	Street Address 121 Drennen RD	Street Address 121 Drennen Rd
	City State Zip Orlando FL 32806	City State Zip Orlando FL 32806
	Telephone # 407-710-8787	Telephone # 407-710-8787
	Fax #	Fax #
	E-Mail Address admin@prorestoreservices.com	E-Mail Address jeremiah.ofori@prorestoreservices.com
5. Applicant Status	☒ Owner ☐ Tenant ☐ Agent ☐ Other	
6. Parcel ID	21-35-33-00-271,272,319	Tax Acct. 3036489,3036490,3036491
7. Site Size (Attach Legal Description)	Acres: .3 Square Feet:	
8. Current Land Uses	Identify the land uses located on-site and adjacent to the subject site (identify "all" uses that touch property on each boundary), such as grocery store, citrus farm, office, single family residential, etc.: SUBJECT SITE: NORTH: SOUTH: RMH-2 EAST: RR WEST: RR	



Gateway to Nature & Space



APPLICATION FOR REZONING (REZ) / PLANNED DEVELOPMENT (PD) / MASTER PLAN (MP)

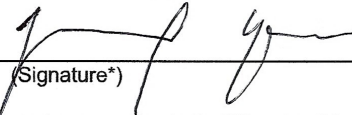
Please submit electronically a completed application including to the Planning Department for payment and meeting scheduling. Chapter 34 of the Titusville Land Development Regulations contains the instructions for filing and the required exhibits. INCOMPLETE APPLICATIONS SHALL NOT BE ACCEPTED.

1. Project Information	Project Name Proposed Duplex		Property Address/Location Description	
2. Type of Request	Rezoning (REZ) ☒ Planned Development (PD) ☐ Master Plan (MP) ☐			
2. Applicant/ Owner	Name of Applicant/Contact Jeremiah Ofori		Name of Owner Gold Coast Developers of FL	
	Street Address 121 Drennen Rd		Street Address 121 Drennen RD	
	City Orlando	State FL	Zip 32806	
	Telephone # 407-710-8787		Telephone # 407-710-8787	
	Fax #		Fax #	
3. Applicant Status	E-Mail Address admin@prorestoreservices.com		E-Mail Address jeremiah.ofori@prorestoreservices.com	
	☒ Owner ☐ Tenant ☐ Agent ☐ Other			
	4. Parcel ID		Tax Acct.	
	21-35-33-00-271,272,319		3036489, 3036490, 3036491	
	5. Site Size			
Acres: .3		Square Feet:		
6. Current Land Uses	Identify the land uses located on-site and adjacent to the subject site (identify "all" uses that touch property on each boundary), such as grocery store, citrus farm, office, single family residential, etc.:			
	SUBJECT SITE: _____			
	NORTH: _____			
	SOUTH: RMH-2			
	EAST: RR			
WEST: RR				

ACKNOWLEDGEMENT

1. I am the owner and/or legal representative of the owner of the property described, which is the subject of this application.
2. All answers to the questions in said application and all surveys and/or site plans and data attached to and made a part of this application are honest and true to the best of my knowledge and belief. By my signature below, I acknowledge that I have complied with all submittal requirements and that this request package is complete. I further understand that an incomplete application submittal may cause my application to be deferred.
3. Should this application be granted, I understand that any condition(s) imposed upon the granting of this request shall be binding to the owner, his heirs, and successors in title to possession of the subject property.
4. I understand that I must attend all applicable meetings and have been informed of the meeting date(s) and time(s). I understand that if I fail to appear at an applicable meeting, the appropriate Board or Commission may either table or deny the request.
5. I understand that my request if approved does not encumber provision of utility, road or other City infrastructure capacity. The analysis provided by staff of existing levels of service for public facilities and services in the vicinity of the parcel identified in this application is a non-binding analysis, and does not guarantee capacity will be available in the future or encumber/reserve capacity for any period of time.
6. I understand that as the Applicant, I must hold a public meeting prior to the scheduling of any public hearings before the Planning and Zoning Commission or City Council for this item. Notices for this meeting must be sent to all property owners within 500 feet of the subject property.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the City Council, Board of Adjustment & Appeals, and Planning & Zoning Commission on this topic to properly noticed public hearings or to written communication to the City Clerk's Office, City of Titusville, P.O. Box 2806, Titusville, FL 32781

/s/  10.18.24
(Signature*) (Date)

** By entering your name in the "Signature" box above, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Application. By entering your name in the "Signature" box above, you consent to be legally bound by this Application's terms and conditions.*

Date received: _____

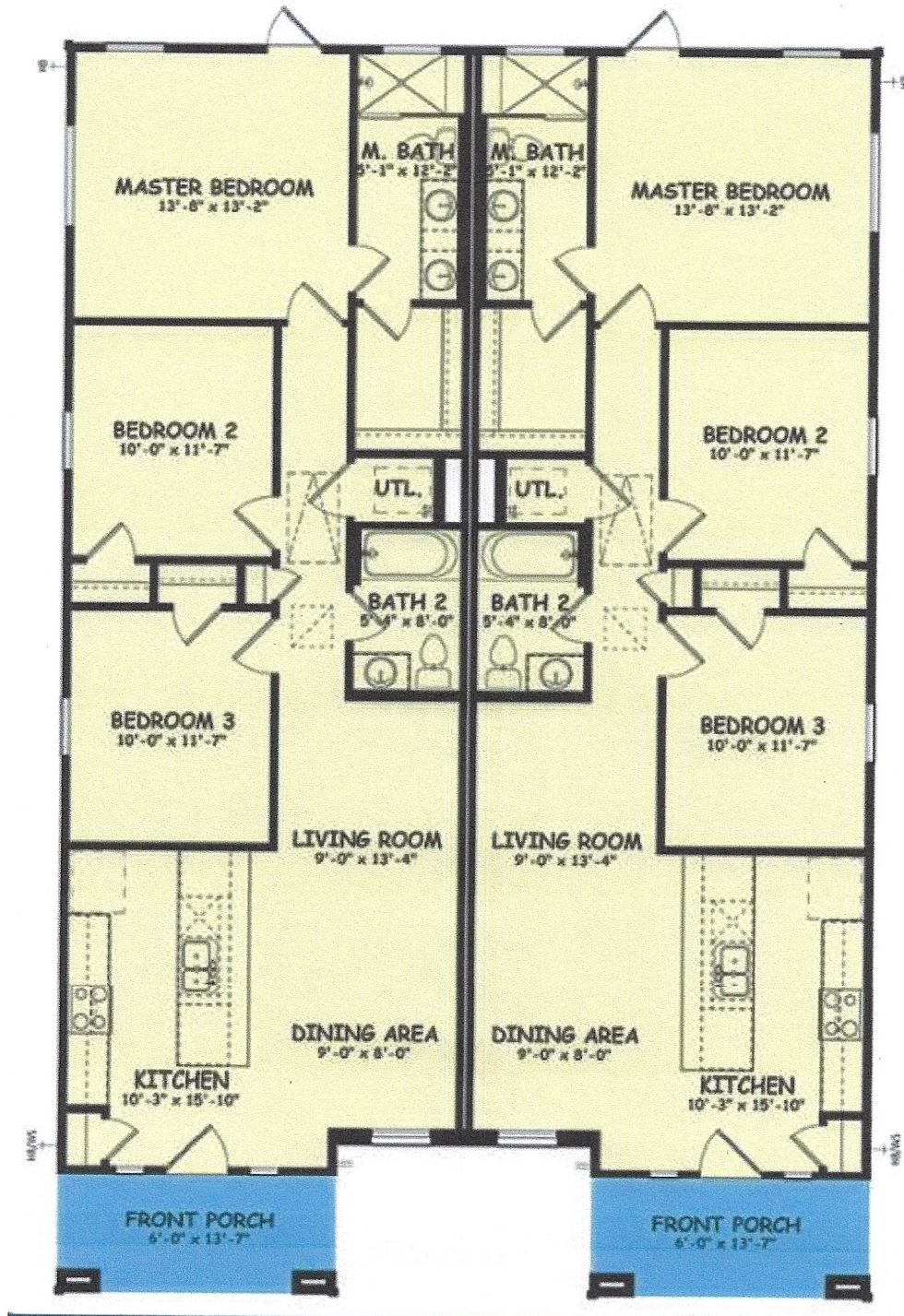
Accepted by: _____

The current zoning requirements force Single Family Housing to be located in the middle of Multi-Family High Density Apartments and Residential Manufactured Housing Park. This creates an opposing hardship for Single Family Housing to be surrounded by High Density Housing. We are proposing to build Multi Family Medium Density Residential (R-2), a duplex structure which will be similar in kind to the existing surrounding structures both Multi-Family High Density Apartments and Residential Manufactured Housing Park which justifies the rezoning request. The rezone request will allow Medium Density Residential Housing to exist adjacent to High Density Residential Housing which provides maximum compatibility with surrounding neighbors. This minimizes potential hardships variance requests from the current Single Family Low Density Future Land Use requirement.



40'

62'



ORDINANCE NO. XX-2025

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988, WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY OF TITUSVILLE, BY AMENDING THE FUTURE LAND USE DESIGNATION ON 0.9+/- ACRES OF LAND LOCATED ON SEDGWICK AVENUE, BETWEEN N DIXIE AVENUE AND KEL AVENUE, GENERALLY LOCATED EAST OF ARTHUR DUNN AIRPARK, AND IDENTIFIED BY BREVARD COUNTY PARCEL ID NOS. 21-35-33-00-271, 21-35-33-00-272, AND 21-35-33-00-319 FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Titusville, pursuant to Chapter 163, Florida Statutes, desires to amend its Comprehensive Plan adopted by Ordinance No. 60-1988; and

WHEREAS, a first and second public hearing has been held on the Comprehensive Plan amendments before the Local Planning Agency and the local governing body; and

WHEREAS, the City of Titusville finds that said Comprehensive Plan Amendment has been processed in accordance with the applicable law and desires to amend the Comprehensive Plan.

NOW, THEREFORE, BE IT ENACTED by the City of Titusville, Florida as follows:

SECTION 1: RECITALS. The foregoing recitals are deemed true and correct and are hereby adopted and incorporated herein by this reference.

SECTION 2. The City of Titusville's Comprehensive Plan is hereby amended by adopting Small Scale Comprehensive Plan Amendment #12-2024 and amends its Future Land Use Map, by changing the land use designation on 0.9+/- acres of property located on Sedgwick Avenue, between N Dixie Avenue and Kel Avenue, generally located east of Arthur Dunn airpark, and identified by Brevard County Parcel ID Nos. 21-35-33-00-271, 21-35-33-00-272, and 21-35-33-00-319, as described in Exhibit A, from Low Density Residential to Medium Density Residential; providing for severability; repeal of conflicting ordinances; and providing for an effective date;.

SECTION 3. SEVERABILITY. If any provisions of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect 31 days after adoption pursuant to Section 163.3187(5)(c) Florida Statutes.

PASSED AND ADOPTED, this _____ day of _____, 2025.

Andrew Connors, Mayor

ATTEST:

WANDA F. WELLS, CITY CLERK

EXHIBIT A
LEGAL DESCRIPTION

PARENT: A PORTION OF PARCEL "A" AND PARCEL "B" & "C"

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. FOR A POINT OF REFERENCE COMMENCE AT A POINT ON THE EAST SIDE OF THE OLD DIXIE HIGHWAY 682.75 FEET DUE SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CLYDE HOLMS TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89°08'41" EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, A DISTANCE OF 230.00 FEET; THENCE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, A DISTANCE OF 75.00 FEET, TO POINT OF BEGINNING; THENCE CONTINUE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, AT DISTANCE OF 225.00 FEET; THENCE SOUTH 01°43'13" EAST A DISTANCE OF 175.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE; THENCE SOUTH 89°22'39" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE, A DISTANCE OF 225.00 FEET; THENCE NORTH 01°43'13" WEST A DISTANCE OF 175.00 FEET TO SAID POINT OF BEGINNING.

PARCEL 1

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. FOR A POINT OF REFERENCE COMMENCE AT A POINT ON THE EAST SIDE OF THE OLD DIXIE HIGHWAY 682.75 FEET DUE SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CLYDE HOLMS TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89°08'41" EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, A DISTANCE OF 230.00 FEET; THENCE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, A DISTANCE OF 75.00 FEET, TO POINT OF BEGINNING; THENCE CONTINUE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, AT DISTANCE OF 75.00 FEET; THENCE SOUTH 01°43'13" EAST A DISTANCE OF 175.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE; THENCE SOUTH 89°22'39" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE, A DISTANCE OF 75.00 FEET; THENCE NORTH 01°43'13" WEST A DISTANCE OF 175.00 FEET TO SAID POINT OF BEGINNING.

PARCEL 2

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. FOR A POINT OF REFERENCE COMMENCE AT A POINT ON THE EAST SIDE OF THE OLD DIXIE HIGHWAY 682.75 FEET DUE SOUTH OF THE NORTH LINE OF THE

SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CLYDE HOLMS TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89°08'41" EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, A DISTANCE OF 230.00 FEET; THENCE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, A DISTANCE OF 150.00 FEET, TO POINT OF BEGINNING; THENCE CONTINUE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, AT DISTANCE OF 75.00 FEET; THENCE SOUTH 01°43'13" EAST A DISTANCE OF 175.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE; THENCE SOUTH 89°22'39" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE, A DISTANCE OF 75.00 FEET; THENCE NORTH 01°43'13" WEST A DISTANCE OF 175.00 FEET TO SAID POINT OF BEGINNING.

PARCEL 3

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. FOR A POINT OF REFERENCE COMMENCE AT A POINT ON THE EAST SIDE OF THE OLD DIXIE HIGHWAY 682.75 FEET DUE SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CLYDE HOLMS TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89°08'41" EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, A DISTANCE OF 230.00 FEET; THENCE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, A DISTANCE OF 225.00 FEET, TO POINT OF BEGINNING; THENCE CONTINUE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, AT DISTANCE OF 75.00 FEET; THENCE SOUTH 01°43'13" EAST A DISTANCE OF 175.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE; THENCE SOUTH 89°22'39" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE, A DISTANCE OF 75.00 FEET; THENCE NORTH 01°43'13" WEST A DISTANCE OF 175.00 FEET TO SAID POINT OF BEGINNING.

ORDINANCE NO. XX-2025

AN ORDINANCE AMENDING ORDINANCE NO. 5-1993 OF THE CITY OF TITUSVILLE, FLORIDA, BY AMENDING THE ZONING MAP MADE A PART OF SAID ORDINANCE BY REFERENCE BY CHANGING THE ZONING CLASSIFICATION ON 0.9+/- ACRES OF LAND LOCATED ON SEDGWICK AVENUE, BETWEEN N DIXIE AVENUE AND KEL AVENUE, GENERALLY LOCATED EAST OF ARTHUR DUNN AIRPARK, AND IDENTIFIED BY BREVARD COUNTY PARCEL ID NOS. 21-35-33-00-271, 21-35-33-00-272, AND 21-35-33-00-319 FROM THE SINGLE-FAMILY MEDIUM DENSITY (R-1B) ZONING DISTRICT TO THE MULTIFAMILY MEDIUM DENSITY RESIDENTIAL (R-2) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Titusville received an application for a rezoning from certain property owners; and

WHEREAS, a first and second public hearing has been held on the rezoning before the Local Planning Agency and the local governing body and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City of Titusville finds that said rezoning has been processed in accordance with the applicable law and desires to amend its Zoning Map to change the zoning designation on said properties; and

WHEREAS, the City Council of the City of Titusville desires to amend its Zoning Map.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA as follows:

SECTION 1. RECITALS. The foregoing recitals are deemed true and correct and are hereby adopted and incorporated herein by this reference.

SECTION 2. Ordinance No. 5-1993 is hereby amended by amending the Zoning Map of the City of Titusville, made a part of said Ordinance by reference, by designating the following property described in Exhibit A presently zoned Single-Family Medium Density (R-1B) to Multifamily Medium Density Residential (R-2).

SECTION 3. This ordinance shall take effect simultaneously with the effective date of Small-Scale Amendment (SSA) No. 12-2024 contained in Ordinance XX-2025.

SECTION 4. SEVERABILITY. If any provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall

be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. INCORPORATION INTO CODE. This ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the Code may be made.

PASSED AND ADOPTED this _____ day of _____, 2025.

Andrew Connors, Mayor

ATTEST:

Wanda F. Wells, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

PARENT: A PORTION OF PARCEL "A" AND PARCEL "B" & "C"

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. FOR A POINT OF REFERENCE COMMENCE AT A POINT ON THE EAST SIDE OF THE OLD DIXIE HIGHWAY 682.75 FEET DUE SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CLYDE HOLMS TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89°08'41" EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, A DISTANCE OF 230.00 FEET; THENCE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, A DISTANCE OF 75.00 FEET, TO POINT OF BEGINNING; THENCE CONTINUE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, AT DISTANCE OF 225.00 FEET; THENCE SOUTH 01°43'13" EAST A DISTANCE OF 175.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE; THENCE SOUTH 89°22'39" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE, A DISTANCE OF 225.00 FEET; THENCE NORTH 01°43'13" WEST A DISTANCE OF 175.00 FEET TO SAID POINT OF BEGINNING.

PARCEL 1

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. FOR A POINT OF REFERENCE COMMENCE AT A POINT ON THE EAST SIDE OF THE OLD DIXIE HIGHWAY 682.75 FEET DUE SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CLYDE HOLMS TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89°08'41" EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, A DISTANCE OF 230.00 FEET; THENCE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, A DISTANCE OF 75.00 FEET, TO POINT OF BEGINNING; THENCE CONTINUE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, AT DISTANCE OF 75.00 FEET; THENCE SOUTH 01°43'13" EAST A DISTANCE OF 175.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE; THENCE SOUTH 89°22'39" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE, A DISTANCE OF 75.00 FEET; THENCE NORTH 01°43'13" WEST A DISTANCE OF 175.00 FEET TO SAID POINT OF BEGINNING.

PARCEL 2

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. FOR A POINT OF REFERENCE COMMENCE AT A POINT ON THE EAST SIDE OF THE OLD DIXIE HIGHWAY 682.75 FEET DUE SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CLYDE HOLMS TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89°08'41" EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, A DISTANCE OF 230.00 FEET; THENCE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, A DISTANCE OF 150.00 FEET, TO POINT OF BEGINNING; THENCE CONTINUE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, AT DISTANCE OF 75.00 FEET; THENCE SOUTH 01°43'13" EAST A DISTANCE OF 175.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE; THENCE SOUTH 89°22'39" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE, A DISTANCE OF 75.00 FEET; THENCE NORTH 01°43'13" WEST A DISTANCE OF 175.00 FEET TO SAID POINT OF BEGINNING.

PARCEL 3

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. FOR A POINT OF REFERENCE COMMENCE AT A POINT ON THE EAST SIDE OF THE OLD DIXIE HIGHWAY 682.75 FEET DUE SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 33, TOWNSHIP 21 SOUTH, RANGE 35 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF CLYDE HOLMS TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 89°08'41" EAST ALONG THE SOUTH LINE OF TRACT DESCRIBED IN DEED BOOK 359, PAGE 35, A DISTANCE OF 230.00 FEET; THENCE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, A DISTANCE OF 225.00 FEET, TO POINT OF BEGINNING; THENCE CONTINUE NORTH 89°22'39" EAST ALONG THE NORTH LINE OF LOTS 6, 8, AND 10 OF SAID VIRGINIA HEIGHTS UNRECORDED SUBDIVISION, AT DISTANCE OF 75.00 FEET; THENCE SOUTH 01°43'13" EAST A DISTANCE OF 175.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE; THENCE SOUTH 89°22'39" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEDGWICK AVENUE, A DISTANCE OF 75.00 FEET; THENCE NORTH 01°43'13" WEST A DISTANCE OF 175.00 FEET TO SAID POINT OF BEGINNING.

Legal Description: Parent: A Portion of Parcel "A" and Parcel "B" & "C"

Parcel 1

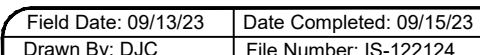
Parcel 2

Parcel 3

Flood Disclaimer

CERTIFIED TO:

DANNIEL WARD



Field Date: 09/13/23	Date Completed: 09/15/23	-Notes-	I hereby Certify that this Boundary Survey of the above described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed and is in Accordance with the State of Florida Surveyor Licensure Laws. I am Licensed and Active in the State of Florida under License No. 12214. I have read and understand the Florida Statutes and the Rules of the Board of Professional Regulation and I am in Compliance with the Florida Statutes and the Rules of the Board of Professional Regulation.
Drawn By: DJC	File Number: IS-12214	>Survey is Based upon the Legal Description supplied by Client. >Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps or Mistakes. >Subject to any Easements and/or Restrictions of Record. >Building Basis shown hereon, is Assumed and Based upon the Line Permitted with the "R" or "RB". >Building Lines are NOT to be used to reconstruct Property Lines. >Fence Ownership is NOT determined. >Roof Overhangs, Under eaves and/or Footers have NOT been located UNLESS otherwise noted. >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies. >Use of This Survey for any other purpose without the Written Verification, Will be at the User's Sole Risk and Without Liability. The Survey shall not be used to establish or to give any Rights or Benefits to Anyone other than those Certified. >Flood Zone Determination shown hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Survey may be affected by Flood Fronting and other information NEITHER provided by NOR given to this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying, Inc. and the surveyor assume NO LIABILITY for the Accuracy of this Determination.	I have read and understand the Florida Statutes and the Rules of the Board of Professional Regulation and I am in Compliance with the Florida Statutes and the Rules of the Board of Professional Regulation.

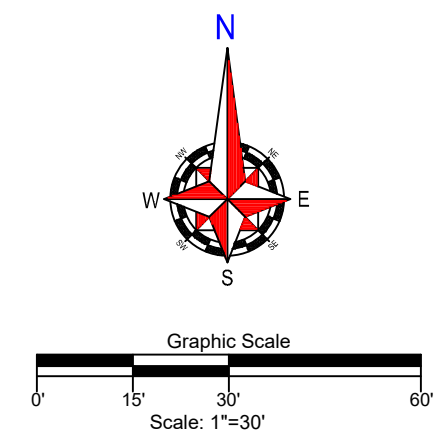
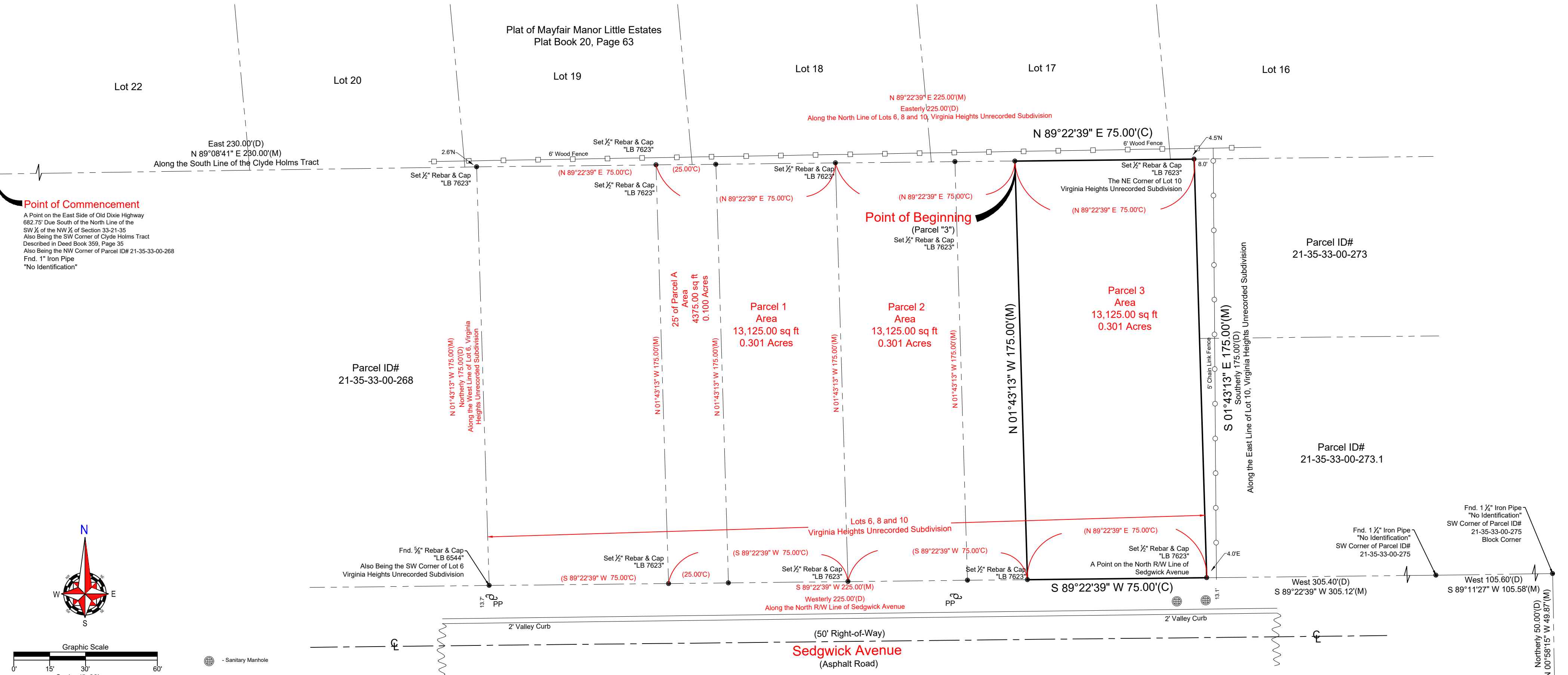
Boundary Survey

Legal Description: Parcel 3

A Parcel Of Land Lying In The Northwest 1/4 Of Section 33, Township 21 South, Range 35 East Of The Public Records Of Brevard County, Florida. For A Point Of Reference Commence At A Point On The East Side Of The Old Dixie Highway 682.75 Feet Due South Of The North Line Of The Southwest 1/4 Of The Northwest 1/4 Of Said Section 33, Township 21 South, Range 35 East, Said Point Also Being The Southwest Corner Of Clyde Holms Tract Described In Deed Book 359, Page 35, Public Records Of Brevard County, Florida; Thence North 89°08'41" East along the South Line of Tract Described In Deed Book 359, Page 35, A distance of 230.00 Feet; Thence North 89°22'39" East Along The North Line Of Lots 6, 8, and 10 Of Said Virginia Heights Unrecorded Subdivision, a distance of 225.00 Feet, to Point of Beginning; Thence continue North 89°22'39" East along The North Line Of Lots 6, 8, and 10 Of Said Virginia Heights Unrecorded Subdivision, at distance of 75.00 Feet; Thence South 01°43'13" East a distance of 175.00 Feet to the Northerly right of way line of Sedgwick Avenue; Thence South 89°22'39" West, Along the Northerly right of way line of Sedgwick Avenue, a distance of 75.00 Feet; Thence North 01°43'13" West a distance of 175.00 Feet to said Point of Beginning.

Flood Disclaimer
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN CITY OF TITUSVILLE, COMMUNITY NUMBER 125152, DATED 1/29/2021.

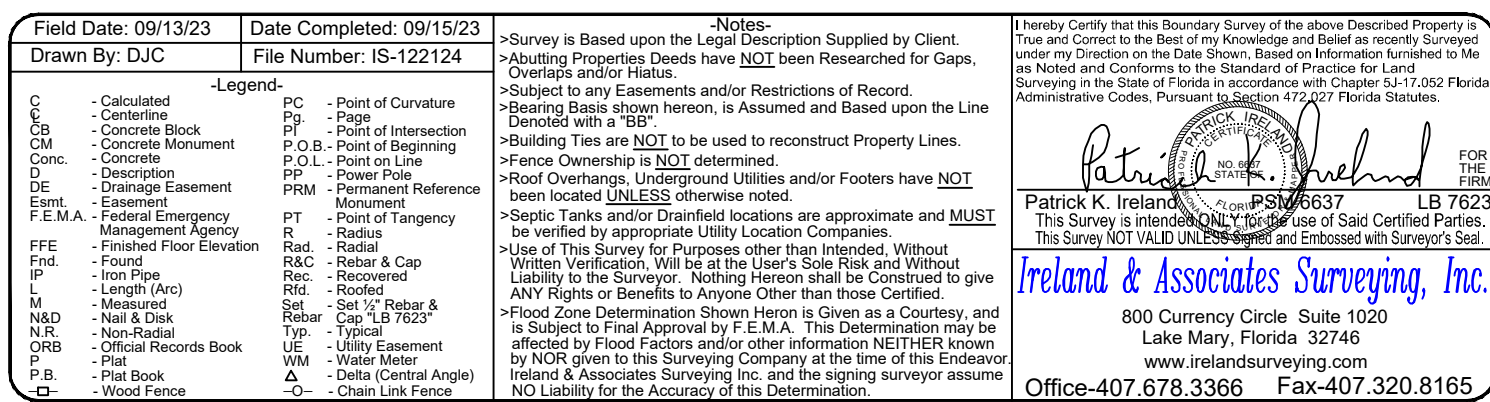
CERTIFIED TO:
DANNIEL WARD



Field Date: 09/13/23 Drawn By: DJC	Date Completed: 09/15/23 File Number: IS-122124	-Notes- >Survey is Based upon the Legal Description Supplied by Client. >Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus. >Subject to any Easements and/or Restrictions of Record. >Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "B". >Building Ties are NOT to be used to reconstruct Property Lines. >Fence Ownership is NOT determined. >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted. >Septic Tanks and/or Drained locations are approximate and MUST be verified by appropriate Utility Location Companies. >Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone Other than those Certified. >Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying, Inc. 800 Currency Circle, Suite 1020 Lake Mary, Florida 32746 www.irelandsurveying.com Office-407.678.3366 Fax-407.320.8165	-Legend- C - Calculated CL - Centerline CB - Concrete Block CM - Concrete Monument Conc. - Concrete D - Description DE - Drainage Easement Esmt. - Easement F.E.M.A. - Federal Emergency Management Agency FFE - Finished Floor Elevation Fnd. - Found IP - Iron Pipe L - Length (Arc) M - Measured N&D - Nail & Disk N.R. - Non-Radial ORB - Official Records Book P - Plat P.B. - Plat Book CF - Chain Link Fence PC - Point of Curvature Pg. - Page PI - Point of Intersection P.O.B. - Point of Beginning P.O.L. - Point on Line PP - Power Pole PRM - Permanent Reference Monument PT - Point of Tangency Rad. - Radial R&C - Rebar & Cap Rec. - Recovered Rd. - Road Set 1/2" Rebar & Cap "LB 7623" Typ. - Typical UE - Utility Easement WM - Water Meter Δ - Delta (Central Angle) C - Chain Link Fence
---------------------------------------	--	--	---

Legal Description: Parcel 1

Flood Disclaimer
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN CITY OF TITUSVILLE, COMMUNITY NUMBER 125152, DATED 1/29/2021.



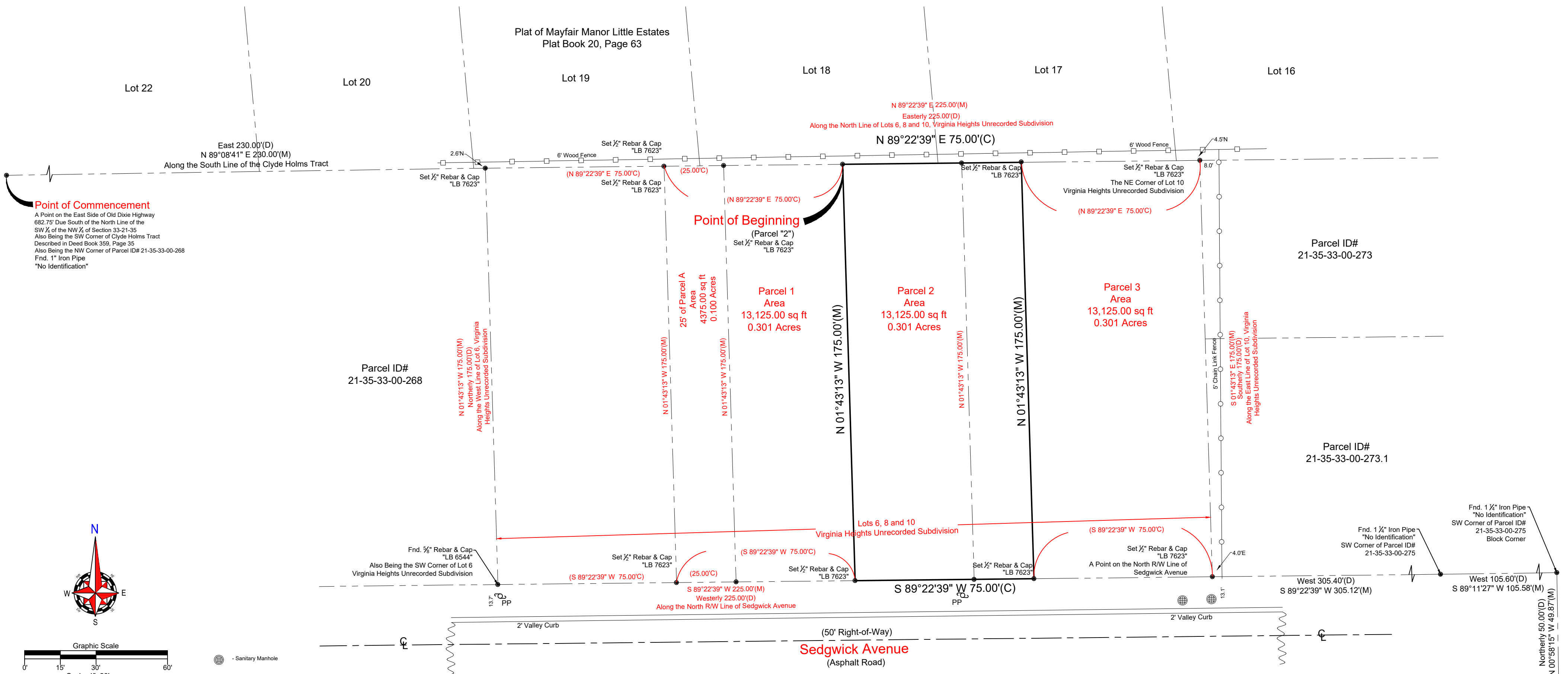
Boundary Survey

Legal Description: Parcel 2

A Parcel Of Land Lying In The Northwest 1/4 Of Section 33, Township 21 South, Range 35 East Of The Public Records Of Brevard County, Florida. For A Point Of Reference Commence At A Point On The East Side Of The Old Dixie Highway 682.75 Feet Due South Of The North Line Of The Southwest 1/4 Of The Northwest 1/4 Of Said Section 33, Township 21 South, Range 35 East, Said Point Also Being The Southwest Corner Of Clyde Holms Tract Described In Deed Book 359, Page 35, Public Records Of Brevard County, Florida; Thence North 89°08'41" East along the South Line of Tract Described In Deed Book 359, Page 35, A distance of 230.00 Feet;Thence North 89°22'39" East Along The North Line Of Lots 6, 8, and 10 Of Said Virginia Heights Unrecorded Subdivision, a distance of 150.00 Feet, to Point of Beginning; Thence continue North 89°22'39" East along The North Line Of Lots 6, 8, and 10 Of Said Virginia Heights Unrecorded Subdivision, at distance of 75.00 Feet; Thence South 01°43'13" East a distance of 175.00 Feet to the Northerly right of way line of Sedgwick Avenue; Thence South 89°22'39" West, Along the Northerly right of way line of Sedgwick Avenue, a distance of 75.00 Feet; Thence North 01°43'13" West a distance of 175.00 Feet to said Point of Beginning.

Flood Disclaimer
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN CITY OF TITUSVILLE, COMMUNITY NUMBER 125152, DATED 1/29/2021.

CERTIFIED TO:
DANNIEL WARD

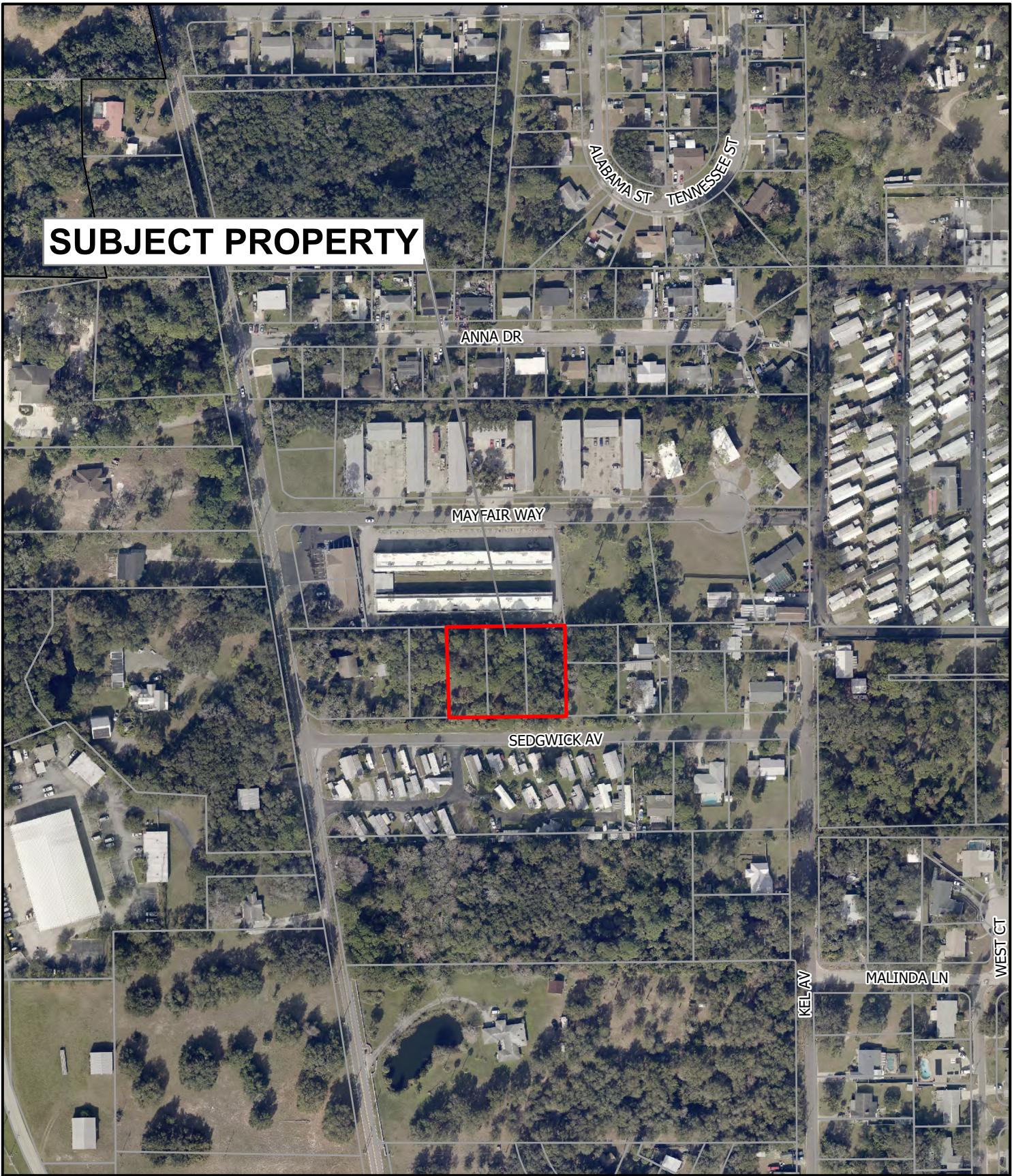


Field Date: 09/13/23	Date Completed: 09/15/23	-Notes-	
Drawn By: DJC	File Number: IS-122124	>Survey is Based upon the Legal Description Supplied by Client.	
-Legend-		>Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hattus.	
C	- Calculated	PC	- Point of Curvature
CB	- Centerline	Pg	- Page
CM	- Concrete Block	PI	- Point of Intersection
Conc.	- Concrete Monument	P.O.B.	- Point of Beginning
D	- Description	P.O.L.	- Point on Line
DE	- Drainage Easement	PP	- Power Pole
Easmt.	- Easement	PRM	- Permanent Reference Monument
F.E.M.A.	- Federal Emergency Management Agency	PT	- Point of Tangency
F.F.E.	- Finished Floor Elevation	R	- Radius
Fnd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rtd.	- Rooted
M	- Measured	Set	- Set 1/2" Rebar & Cap "LB 7623"
N&D	- Nail & Disk	Typ.	- Typical
N.R.	- Non-Radial	UE	- Utility Easement
NRB	- Official Records Book	WM	- Water Meter
P	- Plot	Δ	- Delta (Central Angle)
P.B.	- Plot Book	-O-	- Chain Link Fence
Q	- Wood Fence		

I hereby certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standard of Practice for Land Surveying in the State of Florida in accordance with Chapter 55-17.252 Florida Administrative Codes, Pursuant to Section 472.07 Florida Statutes.

Patrick K. Ireland
Patrick K. Ireland, P.S.M. 6637, L.B. 7623
This Survey is intended ONLY for the use of Said Certified Parties.
This Survey NOT VALID UNLESS signed and Embossed with Surveyor's Seal.

Ireland & Associates Surveying, Inc.
800 Currency Circle Suite 1020
Lake Mary, Florida 32746
www.Irelandsurveying.com
Office-407.678.3366 Fax-407.320.8165



SUBJECT PROPERTY

ANNA DR

MAYFAIR WAY

SEDGWICK AV

MALINDA LN

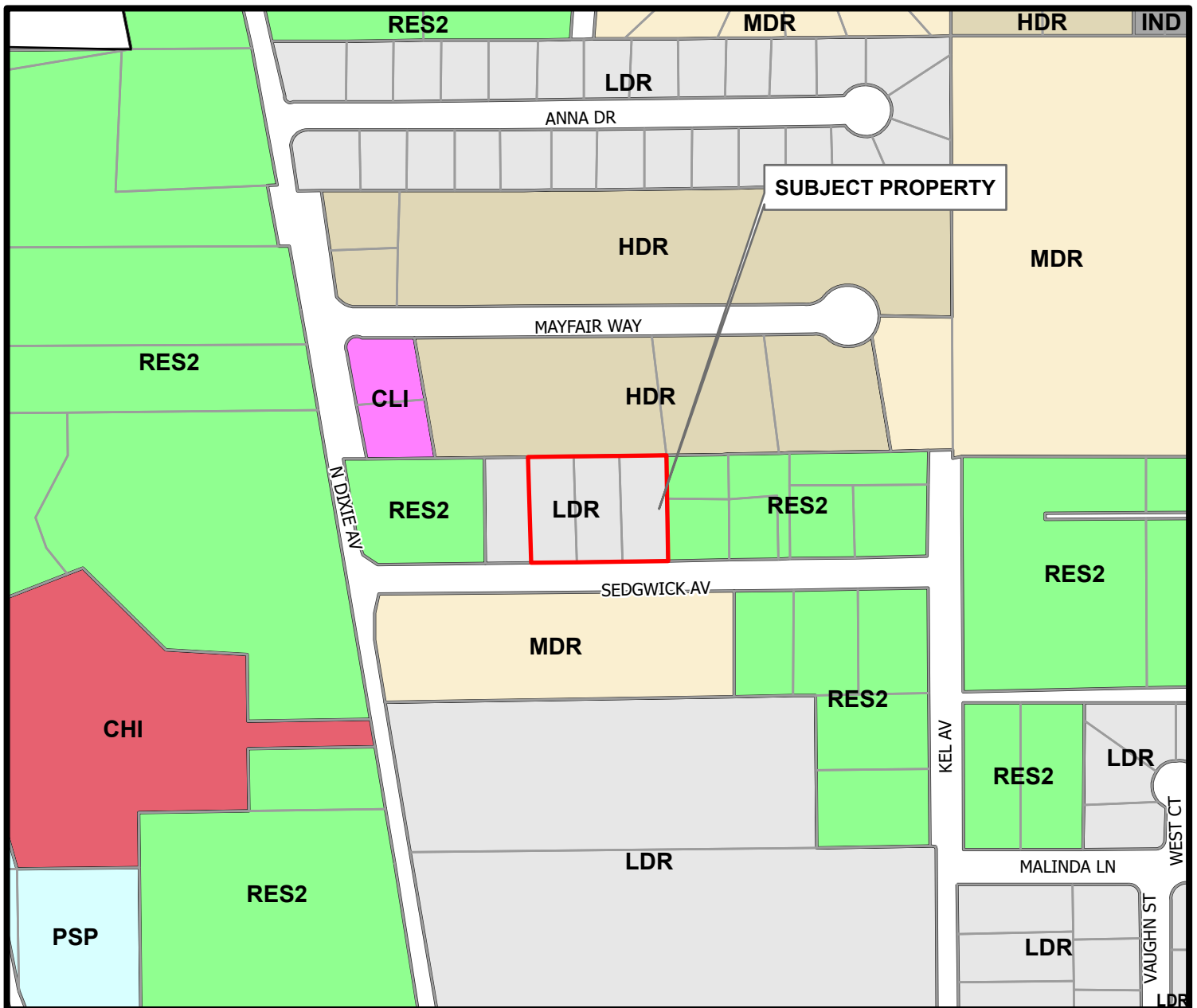
WEST CT

KEL AV



Aerial 2024
SSA #12-2024

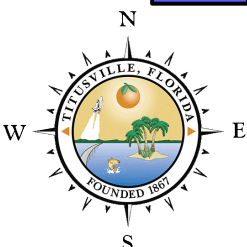
0 145 290 580 Feet



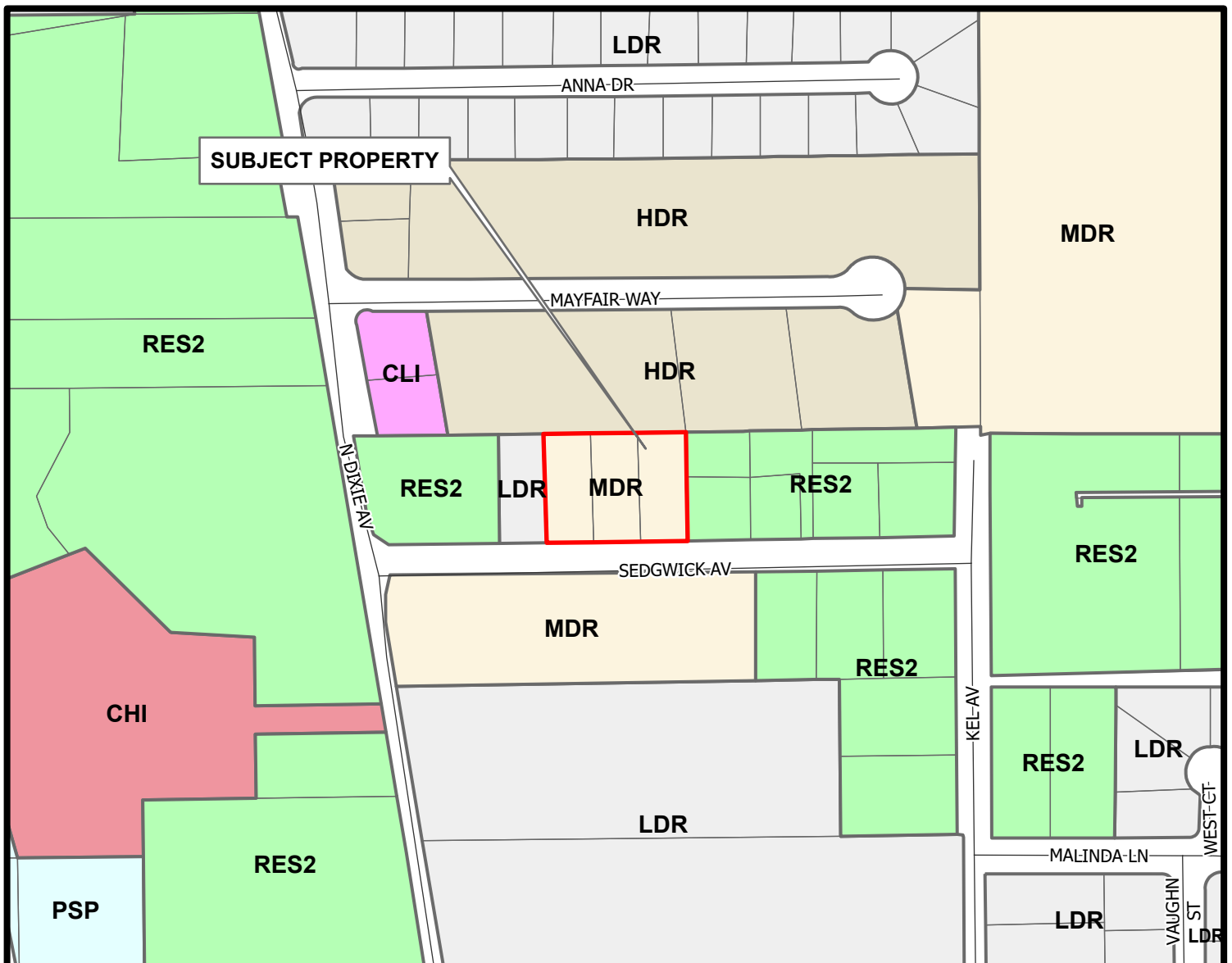
LOCATION OF PROPERTY AND FUTURE LAND USE MAP

CHI COMMERCIAL HIGH INTENSITY	ED EDUCATIONAL	PIP PLANNED INDUSTRIAL PARK	RES-2 RESIDENTIAL-2
CLI COMMERCIAL LOW INTENSITY	IND INDUSTRIAL	PSP PUBLIC/ SEMI-PUBLIC	RMU REGIONAL MIXED USE
CONS CONSERVATION	HDR HIGH-DENSITY RESIDENTIAL	PUD PLANNED UNIT DEVELOPMENT	SMU SHORELINE MIXED-USE
DMU DOWNTOWN MIXED-USE	MDR MEDIUM-DENSITY RESIDENTIAL	REC RECREATIONAL	UMU URBAN MIXED-USE
	LDR LOW-DENSITY RESIDENTIAL	RES-1 RESIDENTIAL-1	US1 US-1 CORRIDOR

Subject



0 160 320 640 Feet



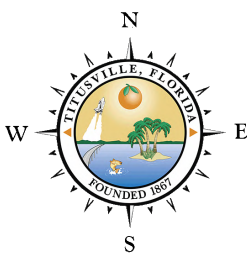
PROPOSED FUTURE LAND USE MAP

SSA #12-2024

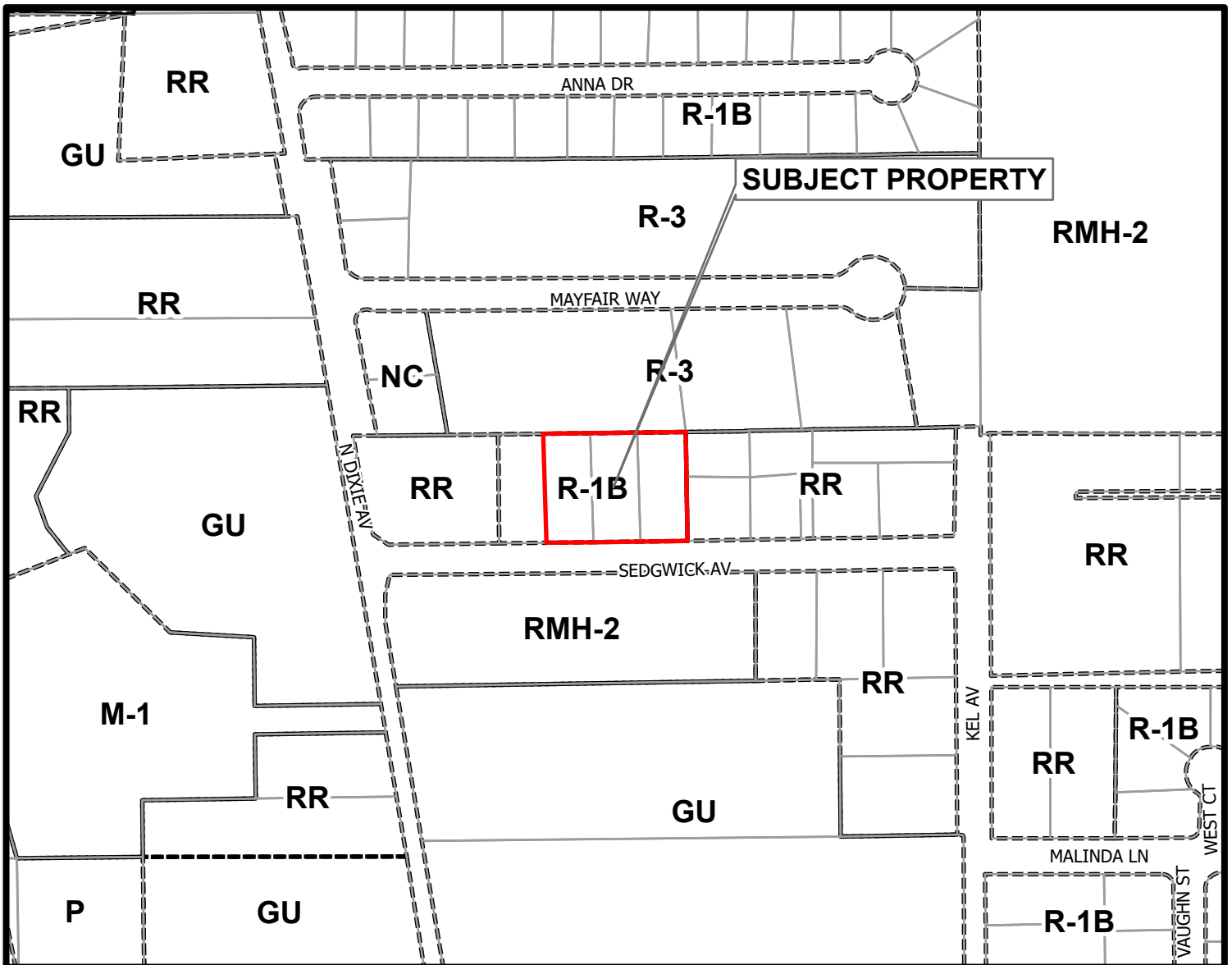
CHI COMMERCIAL HIGH INTENSITY	ED EDUCATIONAL	PIP PLANNED INDUSTRIAL PARK	RES-2 RESIDENTIAL-2
CLI COMMERCIAL LOW INTENSITY	IND INDUSTRIAL	PSP PUBLIC/ SEMI-PUBLIC	RMU REGIONAL MIXED USE
CONS CONSERVATION	HDR HIGH-DENSITY RESIDENTIAL	PUD PLANNED UNIT DEVELOPMENT	SMU SHORELINE MIXED-USE
DMU DOWNTOWN MIXED-USE	MDR MEDIUM-DENSITY RESIDENTIAL	REC RECREATIONAL	UMU URBAN MIXED-USE
	LDR LOW-DENSITY RESIDENTIAL	RES-1 RESIDENTIAL-1	US1 US-1 CORRIDOR

Subject

— Local Roads



0 125 250 500 Feet



ZONING MAP

RESIDENTIAL DISTRICTS

RE	RESIDENTIAL ESTATES
RR	RURAL RESIDENTIAL
R-1A	SINGLE FAMILY, LOW DENSITY
R-1B	SINGLE FAMILY, MEDIUM DENSITY
R-1C	SINGLE FAMILY, HIGH DENSITY
R-2	MULTIFAMILY, MEDIUM DENSITY
R-3	MULTIFAMILY, HIGH DENSITY
RMH-1	RESIDENTIAL MANUFACTURED HOUSING SUBDIVISION
RMH-2	RESIDENTIAL MANUFACTURED HOUSING PARK

COMMERCIAL DISTRICTS

HM	HOSPITAL MEDICAL
T	TOURIST
NC	NEIGHBORHOOD COMMERCIAL
CC	COMMUNITY COMMERCIAL
RC	REGIONAL COMMERCIAL
OP	OFFICE PROFESSIONAL

INDUSTRIAL DISTRICTS

M-1	LIGHT INDUSTRIAL SERVICES AND WAREHOUSING
M-2	HEAVY INDUSTRIAL
M-3	HIGHWAY INDUSTRIAL INFILL
PID	PLANNED INDUSTRIAL DEVELOPMENT

OVERLAY DISTRICTS

TSA	TITUSVILLE SHORELINE AREA
AIA	AIRPORT IMPACT AREA
WCA	WETLAND AND CONSERVATION AREA
ACC	AREA OF CRITICAL CONCERN
HPA	HISTORIC PRESERVATION AREA

SPECIAL DISTRICTS

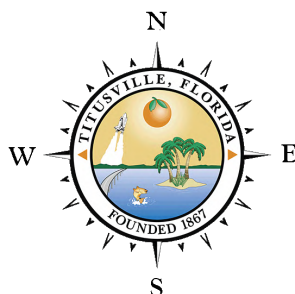
GU	GENERAL USE
OR	OPEN SPACE AND RECREATION
UMU	URBAN MIXED USE
SMU	SHORELINE MIXED USE
RHP	RESIDENTIAL HISTORIC PRESERVATION
RMU	REGIONAL MIXED USE
PD	PLANNED DEVELOPMENT
P	PUBLIC
UV	URBAN VILLAGE
DMU	DOWNTOWN MIXED USE
IRC-N	INDIAN RIVER CITY NEIGHBORHOOD RESIDENTIAL
IRC-N-C	INDIAN RIVER CITY NEIGHBORHOOD COMMERCIAL

Base Map

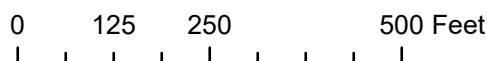
City Limits

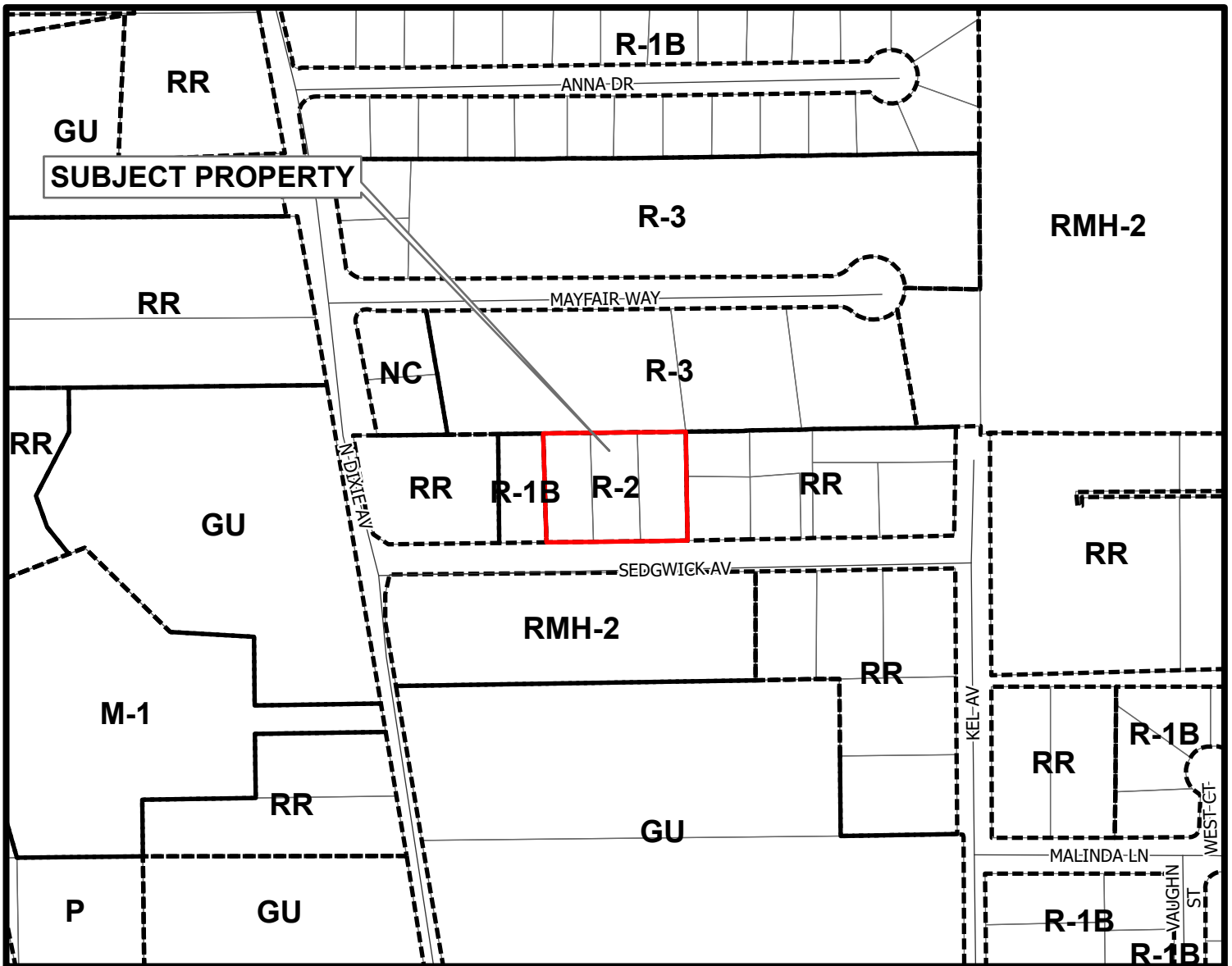
Zoning

Subject



SSA#12-2024





PROPOSED ZONING MAP

RESIDENTIAL DISTRICTS

RE	RESIDENTIAL ESTATES
RR	RURAL RESIDENTIAL
R-1A	SINGLE FAMILY, LOW DENSITY
R-1B	SINGLE FAMILY, MEDIUM DENSITY
R-1C	SINGLE FAMILY, HIGH DENSITY
R-2	MULTIFAMILY, MEDIUM DENSITY
R-3	MULTIFAMILY, HIGH DENSITY
RMH-1	RESIDENTIAL MANUFACTURED HOUSING SUBDIVISION
RMH-2	RESIDENTIAL MANUFACTURED HOUSING PARK

COMMERCIAL DISTRICTS

HM	HOSPITAL MEDICAL
T	TOURIST
NC	NEIGHBORHOOD COMMERCIAL
CC	COMMUNITY COMMERCIAL
RC	REGIONAL COMMERCIAL
OP	OFFICE PROFESSIONAL

INDUSTRIAL DISTRICTS

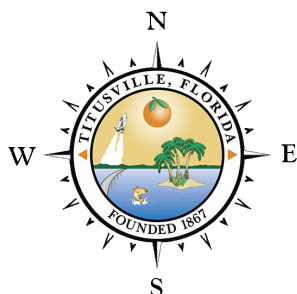
M-1	LIGHT INDUSTRIAL SERVICES AND WAREHOUSING
M-2	HEAVY INDUSTRIAL
M-3	HIGHWAY INDUSTRIAL INFILL
PID	PLANNED INDUSTRIAL DEVELOPMENT

OVERLAY DISTRICTS

TSA	TITUSVILLE SHORELINE AREA
AIA	AIRPORT IMPACT AREA
WCA	WETLAND AND CONSERVATION AREA
ACC	AREA OF CRITICAL CONCERN
HPA	HISTORIC PRESERVATION AREA

SPECIAL DISTRICTS

GU	GENERAL USE
OR	OPEN SPACE AND RECREATION
UMU	URBAN MIXED USE
SMU	SHORELINE MIXED USE
RHP	RESIDENTIAL HISTORIC PRESERVATION
RMU	REGIONAL MIXED USE
PD	PLANNED DEVELOPMENT
P	PUBLIC
UV	URBAN VILLAGE
DMU	DOWNTOWN MIXED USE
IRCN-R	INDIAN RIVER CITY NEIGHBORHOOD RESIDENTIAL
IRCN-C	INDIAN RIVER CITY NEIGHBORHOOD COMMERCIAL



Proposed Zoning

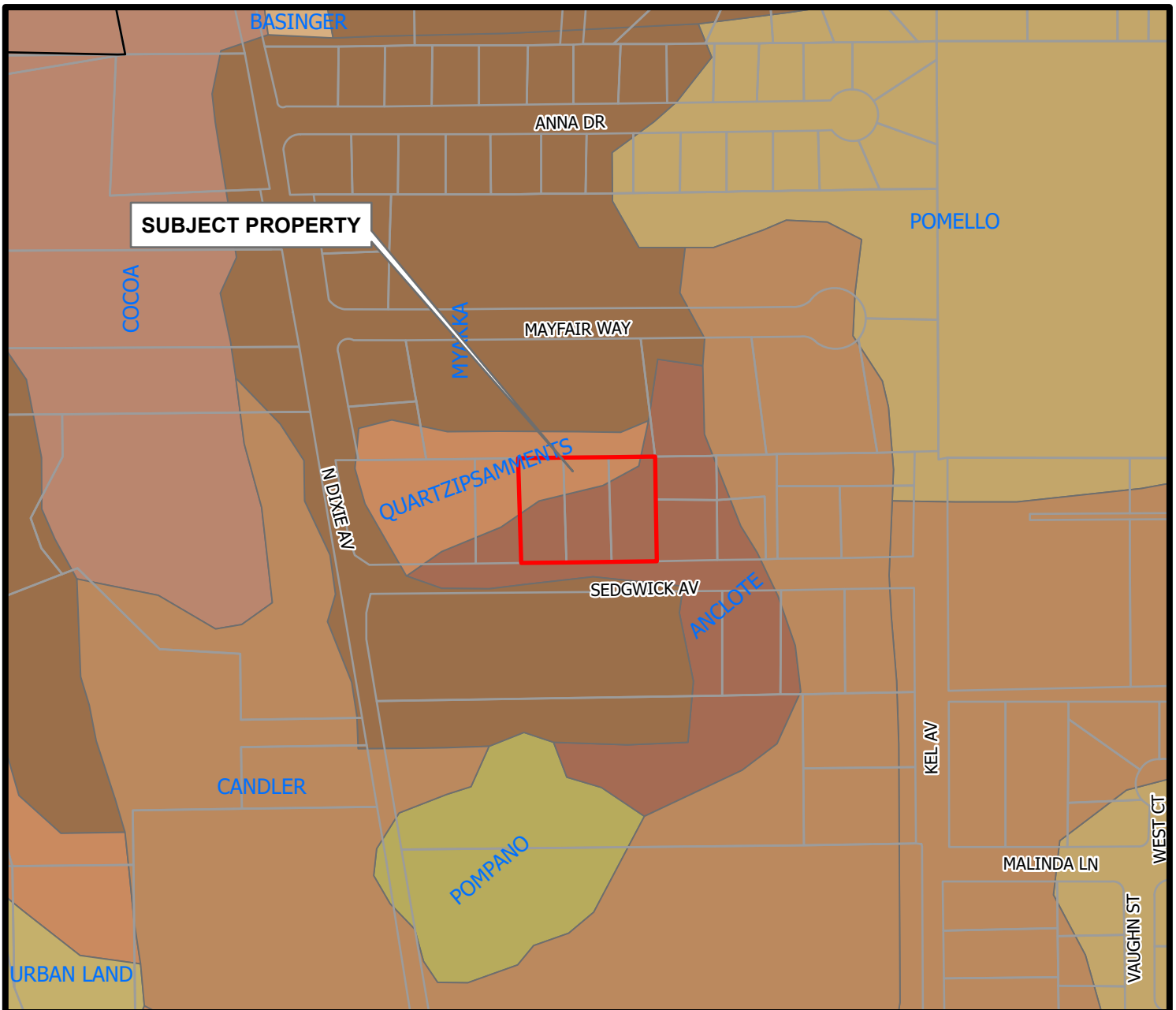
Parcels

Subject

Local Roads

SSA #12-2024

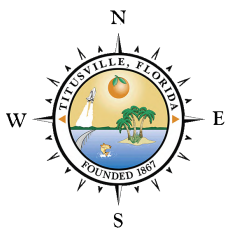
0 125 250 500 Feet



SOILS IN THE VICINITY OF SUBJECT PROPERTY

SSA#12-2024

SoilName	MYAKKA
ANCLOTE	POMELLO
BASINGER	POMPANO
CANDLER	QUARTZIPSAMMENTS
COCOA	URBANLAND

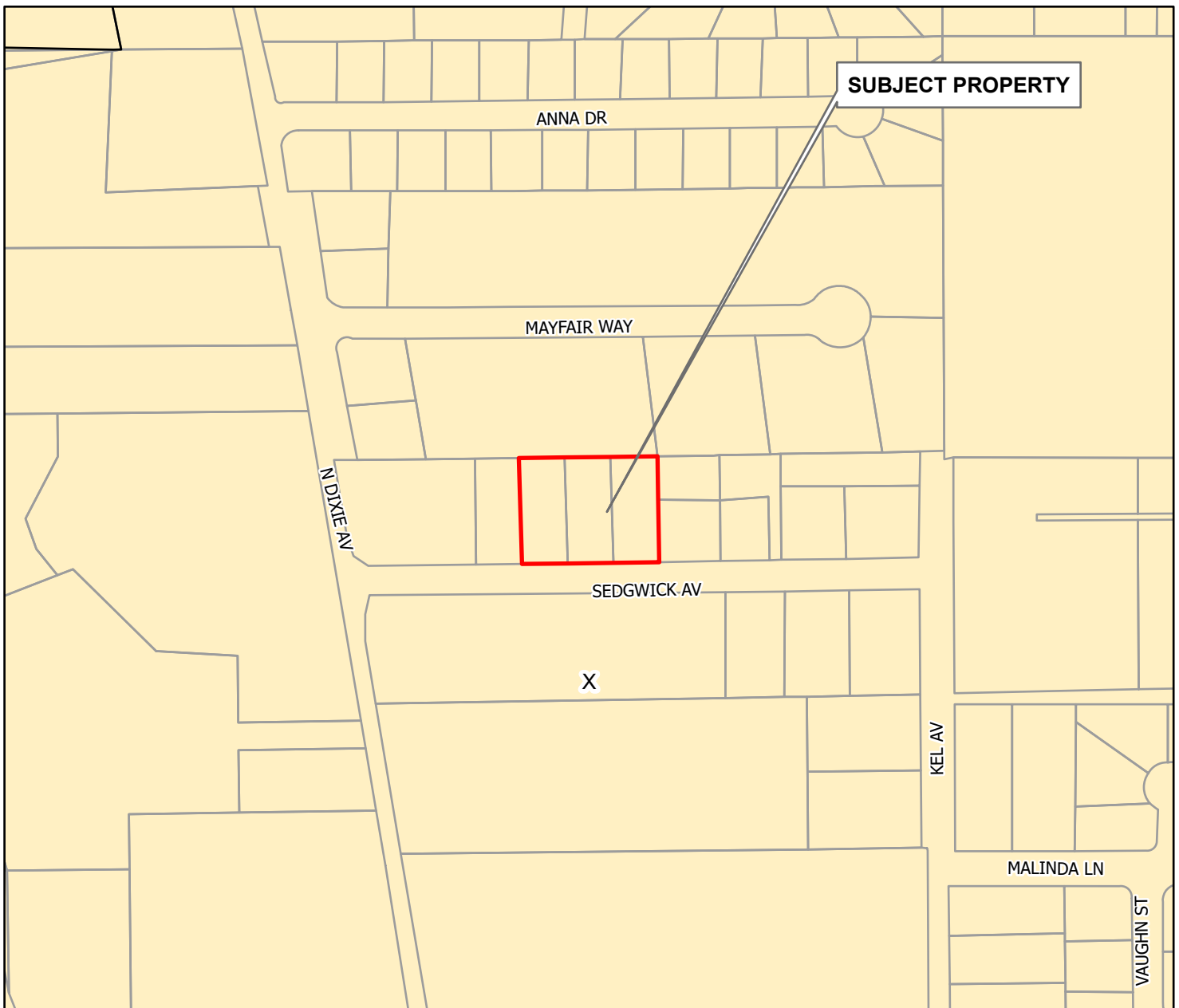


Community Development Department

0 125 250 500 Feet

Soils data source: The U.S. Department of Agriculture, Natural Resources Conservation Service. (2019)

10/21/2024



FEMA FLOOD HAZARD AREAS

SSA #12-2024

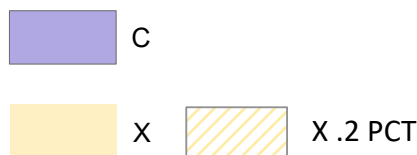
Special Flood Hazard Area Zones



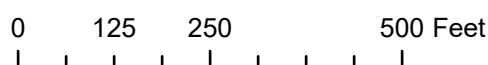
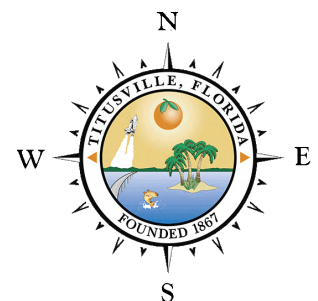
Moderate Flood Hazard Area Zone

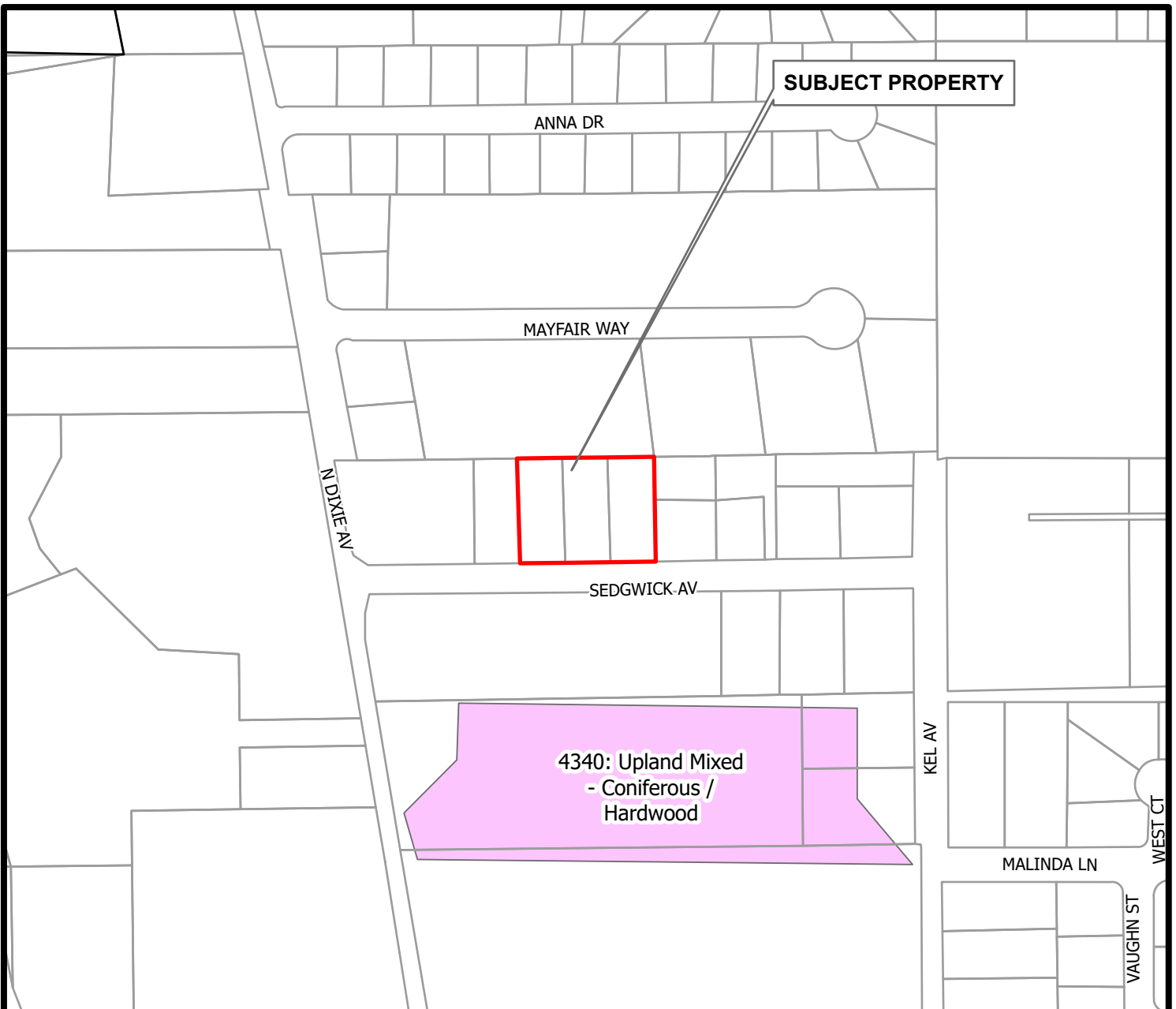


Minimal Flood Hazard Zones



Other Flood Zone Areas





SJRWMD Florida Land Use Cover Classification System **Upland Forests - 4000 Series** **SSA#12-2024**

LANDCOVER DESCRIPTION

4340: Upland Mixed - Coniferous / Hardwood

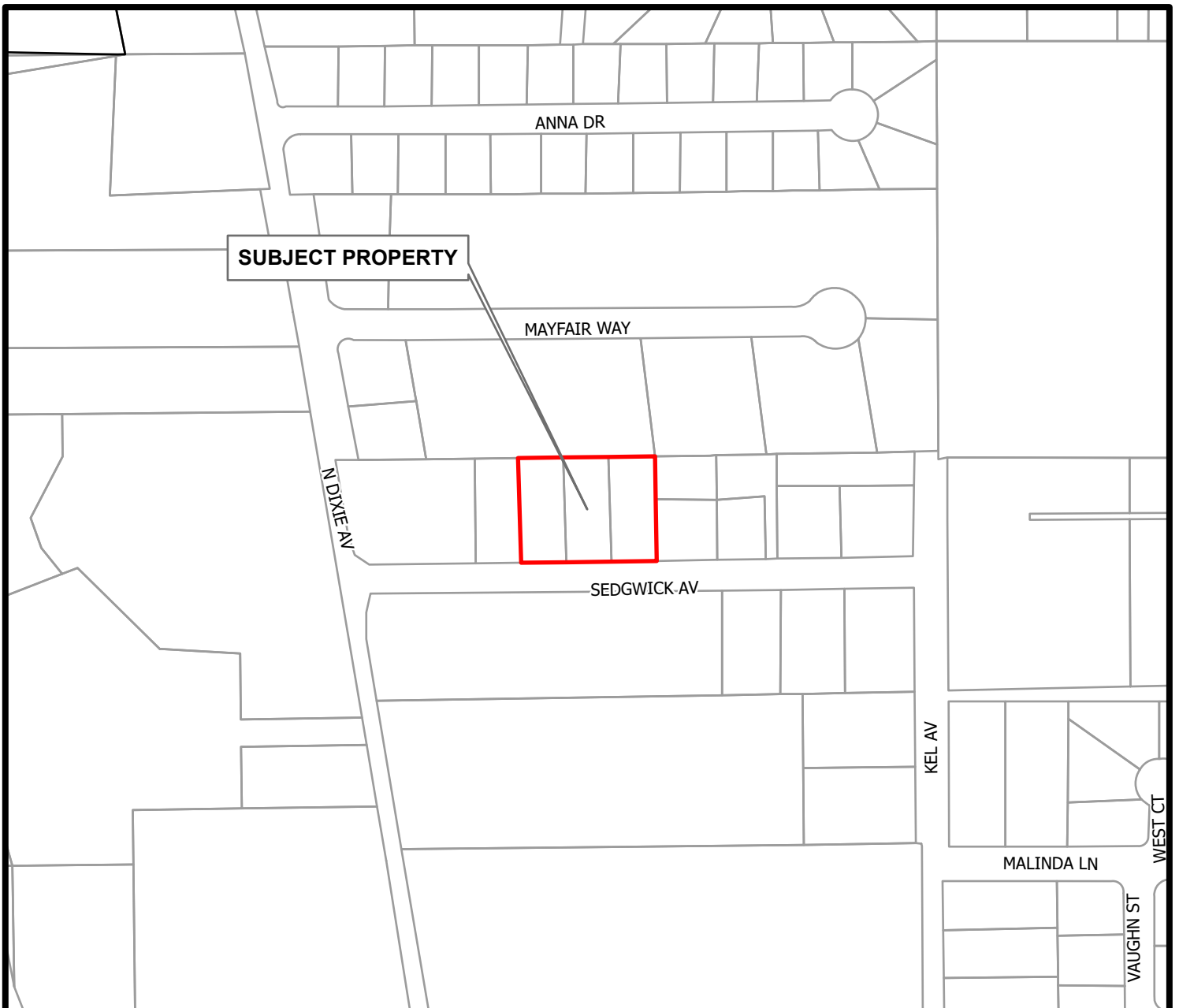


Community Development Department

0 125 250 500 Feet

10/21/2024

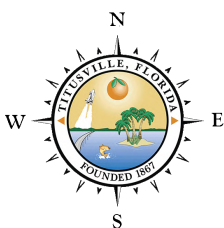
This dataset (2017) is a compilation of the Land Use/Land Cover datasets created by St. John's River Water Management District



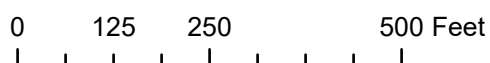
SJRWMD Florida Land Use Cover Classification System **Wetlands - 6000 Series** **SSA #12-2024**

Base Ma

- Parcels
- Subject



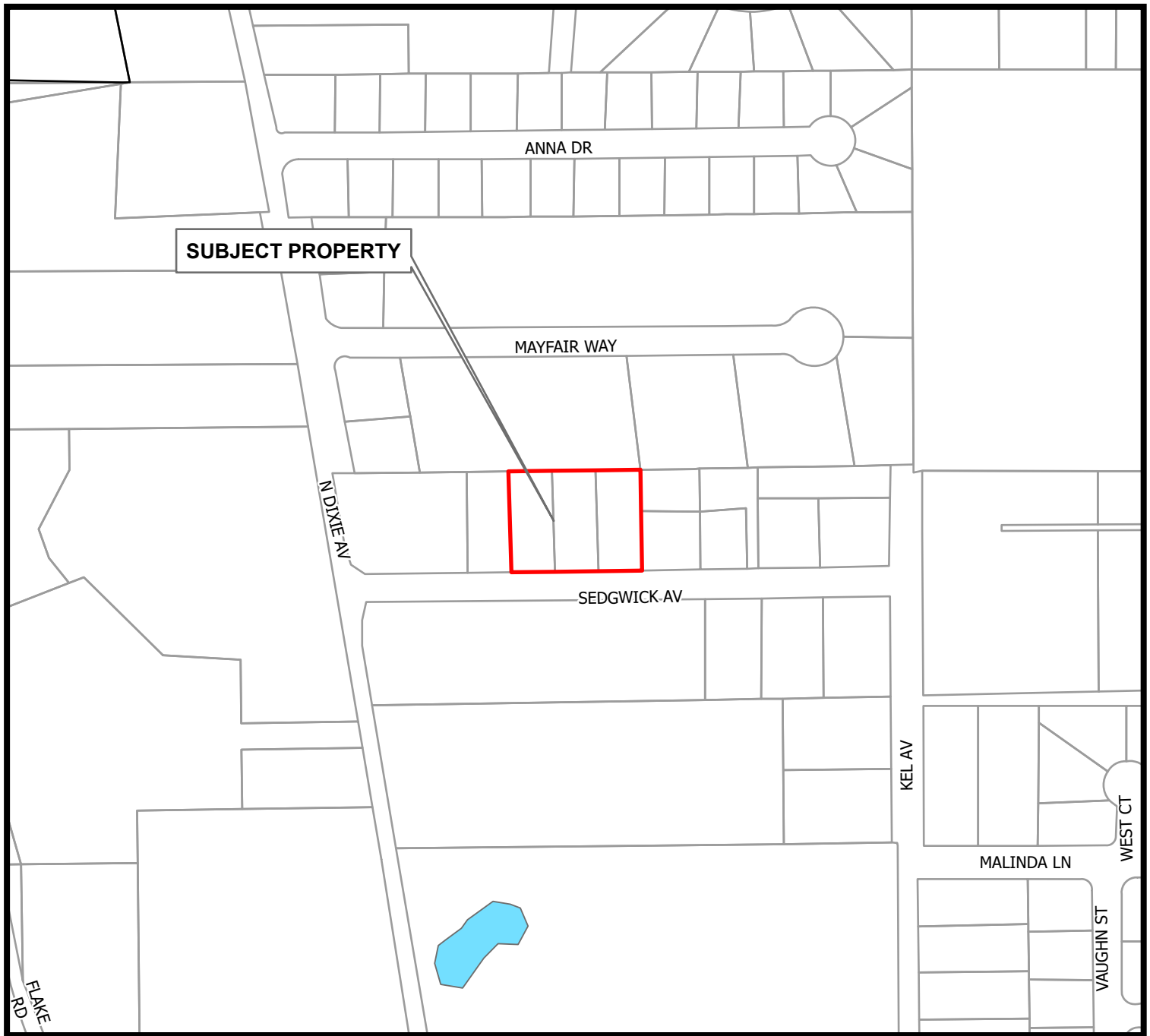
Community Development Department



This dataset (2017) is a compilation of the Land Use/L and Cover datasets created by St. John's River Water Management District

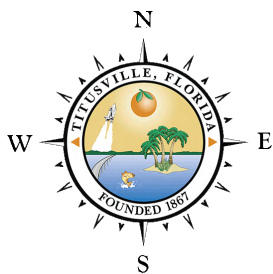
10/21/2024

Q:\GIS\Community Development\PLANNING\Planning Templates\ArcPro\PlanningMaps\PlanningMaps.aprx



WETLANDS IN VICINITY OF PROPERTY

SSA#12-2024



WETLAND_TY

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland

- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

10/21/2024

Scale:1:3,000

Community Development Department
Source: USFWS NWI (2023)

This data set represents the approximate location and type of wetlands and deepwater habitats. The primary intended use is for regional and watershed data display and analysis, rather than specific project data analysis.

Q:\GIS\Community Development\PLANNING\Planning Templates\ArcPro\Planning Maps\Planning Maps.aprx



City of Titusville

Planning Department Staff Report

Small Scale Comprehensive Plan Map Amendment and Rezoning

SSA No. 7-2024– 800 LANE AVENUE

Meeting Dates:

Commission/Council	Meeting dates
Planning and Zoning Commission	January 8, 2025
City Council First Ordinance Reading	January 14, 2025
City Council Public Hearing	January 28, 2025

Prepared By: Eddy Galindo, AICP – Principal Planner

Applicant(s): Kelly Hyvonen, AICP on behalf of 800 Land Ave LLC

Applicant's Request: **SSA:** Amend the Comprehensive Plan Future Land Use Map by changing the future land use designations on 10.19± acres of property located at 800 Lane Avenue (Brevard County Parcel ID: 22-35-04-00-504) from Downtown Mixed Use, Educational, and Conservation to Downtown Mixed Use, Commercial High Intensity, and Commercial Low Intensity.

REZ: Rezone the same 10.19± acres of property located at 800 Lane Avenue (Brevard County Parcel ID: 22-35-04-00-504) from Public (P) and Open Space/Recreation (OR) to Community Commercial (CC).

Staff Recommendation: **SSA:** Approve the Small Scale Comprehensive Plan Amendment.

REZ: Approve the rezoning consistent with the Small Scale Amendment

BACKGROUND INFORMATION

The Applicant is requesting a Small-Scale Comprehensive Plan Amendment (SSA) with rezoning to market and redevelop the property for commercial purposes. The property is located at the southwest corner of South Street and Lane Avenue and was previously owned by Brevard Public

1 Schools as the site of the Whispering Hills Primary School. At the July 11, 2023 School Board
2 meeting, the Whispering Hills facility was declared unnecessary or unsuitable for educational or
3 ancillary purposes after years of deferred maintenance. The Board's declaration, made by
4 adopting Resolution 2022-03, facilitated the sale of the property to private owners. The City's
5 current Educational future land use designation and Public (P) zoning district do not support
6 private development of the site.

7 The request is illustrated on the attached future land use and zoning maps and can generally be
8 described as retaining the future land use of the north portion of the property as Downtown Mixed
9 Use and changing the middle of the property to Commercial High Intensity and the south portion
10 of the property to Commercial Low Intensity. In their request, the applicant stated that the
11 proposed future land use pattern is in response to the two community meetings held with
12 surrounding property owners. The applicant further stated, "allows for a step-down approach in
13 intensity to allow for more intense development near SR405 and less intense development to the
14 south where [the property] is adjacent to single-family residential."

15 An environmental assessment was conducted on-site in support of the request to replace the
16 Conservation future land use designation and Open Space and Recreation (OR) zoning district
17 located on the west side of the property. The environmental assessment found no evidence of
18 wetlands on-site, which supports the requested change.

19 The applicant did not submit a concept plan with the request; therefore, the analysis in this
20 report considers the maximum allowable buildout scenario.

PROPERTY INFORMATION

Existing Use and Future Land Use

Existing Use	Future Land Use	Density Intensity	Buildout potential
Vacant Brevard Public School Facility Building 54,658 sq.ft.	Downtown Mixed Use	20 units/acre 5.0 FAR	48 residential units and 524,898 sq.ft.
	Educational	none	none
	Conservation	1 unit/5 acres	0

Proposed Use and Future Land Use

Proposed Use	Future Land Use	Density Intensity	Buildout potential
Commercial	Downtown Mixed Use 2.43 ac	20 unit/acre 5.0 FAR	48 residential units and 529,254 sq.ft.
	Commercial High Intensity 5.44 ac	1.0 FAR	236,966 sq.ft.
	Commercial Low Intensity 2.33 ac	1.0 FAR	101,494 sq.ft.

Existing Use and Zoning

Existing Use	Zoning	Density	Max building coverage	Max height
Vacant Brevard Public School Facility Building 54,658 sq.ft.	Public (P)	none	none	none
	Public (P)	none	none	none
	Open Space & Recreation (OR)	1 unit/5 acres	none	35 ft.

Proposed Use and Zoning

Proposed Use	Zoning	Max Building Coverage [ground floor]		Max height
Commercial	Community Commercial (CC) 2.43 ac	30%	31,755 sq.ft.	Increase setback for every 1-2 feet above 35-feet
	Community Commercial (CC) 5.44 ac	30%	71,090 sq.ft.	
	Community Commercial (CC) 2.33 ac	30% with limitations*	30,448 sq.ft.	Council approval required above 35 feet

*Limitations include a maximum 40,000 square foot building, 75,000 square feet if it includes a retail food market or supermarket. Maximum height of 35 feet unless Council approves a greater height.

SURROUNDING PROPERTY INFORMATION

Existing Use, Future Land Use, and Zoning

Location	Use	Future Land Use	Zoning
North	Titusville Housing Authority, Townhomes	Downtown Mixed Use, and High Density Residential	Multi-Family High Density Residential (R-3)
South	Single Family Residential	Low Density Residential	Single-Family Medium Density (R-1B)
West	Vacant	Downtown Mixed Use, and High Density Residential	Multi-Family High Density Residential (R-3)
East	North Brevard Senior Center, Single Family Residential	Downtown Mixed Use, Medium Density Residential, Low Density Residential and Public/Semi-Public	Single-Family High Density (R-1C), Single-Family Medium Density (R-1B), Multi-Family High Density Residential (R-3) and Public (P)

STAFF ANALYSIS

The Whispering Hills school was constructed in 1960 prior to the enactment of the City's first zoning ordinance in 1965. The City designated the property with the Educational future land use category with the adoption of the comprehensive plan in 1988. The Educational land use is strictly limited to institutional uses on publicly owned properties. Commercial and residential uses are not consistent with the Educational land use. In 2010, the City designated large portions of State Road 405 with the Downtown Mixed Use land use category, including an approximately 200 feet of frontage on the subject property. The downtown land use allows an intense mixture of residential and commercial uses [See Property Information on page 3]. With the closing of the school and sale of the property the City has an opportunity to adopt a long-term policy that can foster investment and redevelopment and have a positive impact in the surrounding area. The proposed commercial land uses will expand the retail potential of the property from SR 405 into a larger area. The location of the commercial land uses adjacent to the Downtown Mixed Use land use is consistent with the criterion described in Future Land Use Objective 1.9.

The proposed land uses will provide a graduated pattern of development from SR 405 to the rear of the property. The Downtown Mixed Use land use allows a mixture of commercial and residential uses with an allowance of up to 20 residential dwelling units per acre and a floor area ratio (FAR) of 5.0. The Commercial High Intensity and the Commercial Low Intensity land use categories are limited to commercial/retail uses and a FAR OF 1.0. There are additional limitations associated with the Commercial Low Intensity. Section 28-15 of the Code states development which is to contain more than one (1) business use in a single center or as part of a single development, the maximum allowable leasable floor area for the total development shall not exceed seventy-five thousand (75,000) square feet. Forty thousand (40,000) square feet if the development does not contain a retail food market or supermarket. In addition, structures in excess of 35-feet require City Council's approval. The policies, development standards and buildout potentials are described in the Existing and Proposed Use tables on page 3.

1 Uses in the existing Public (P) zoning district are limited to public entities. Non-institutional uses
2 are not permitted in the P zoning district. The proposed Community Commercial (CC) district
3 permits a variety of retail sales and services such as department stores, pharmacies, restaurants
4 and lounges, grocery and markets, clothing shops, home and auto supply, furniture and
5 appliances, hardware, bakeries, pawnshops, electrical and lighting, laundry and dry cleaning, and
6 garden supplies [Chapter 37 Retail sales and services]. The CC zoning district is consistent with
7 the existing Downtown Mixed Use and the proposed Commercial High and Low Intensity land use
8 categories. Additional uses with the potential for creating nuisances will require a conditional use
9 permit. These include animal shelters, convenience stores and outdoor recreation/commercial
10 amusement uses. Finally, automobile/vehicle sales is a permitted use in the CC, including trucks,
11 boats and motorcycles with repair work conducted as an accessory use [Sec. 28-98].

12 The proposed land uses and zoning district are generally compatible with the surrounding area;
13 however, there may be concerns about the potential scale of a commercial development on the
14 10-acre property. It is surrounded by a developed mix of medium-density single family residential,
15 high-density single family residential, and multifamily residential homes (across South Street).
16 The property to the west is vacant and zoned for high density multifamily residential use. Access
17 to the site is available from SR 405 and Lane Avenue. Lane Avenue also provides access to the
18 North Brevard Senior Center, located southeast of the property. The new zoning district has the
19 potential of permitting up to 133,000+ square feet of ground floor retail space [See the Proposed
20 Use and Zoning Table on page 3]. The impact to the surrounding area may be mitigated by
21 performance standards described in the CC zoning district and Section 28-15 of the Code. The
22 combination of the land uses and zoning district will result in a graduated development pattern from
23 SR405 to the rear of the property. The setback must be increased for each 1-2 feet above 35-feet
24 in the CC zoning district [Sec. 28-314]. This should ensure that large buildings will maintain an
25 appropriate distance from adjacent properties. Further, the City Council must approve height
26 increases above 35 feet in the Commercial Low Intensity land use, which should help protect the
27 single family neighborhood at the rear of the property. Any development must adhere to all other
28 performance standards such as the minimum 10-foot landscape yards or buffers, screening,
29 lighting and noise regulations.

30 ***Area of Critical Concern:***

31 The property is not located within the Area of Critical Concern.

32 **COMPREHENSIVE PLAN AMENDMENT (CPA) REVIEW**

33 **Future Land Use Map Amendment Sprawl Criteria**

34 The following list is the review criteria under which the Planning and Zoning Commission and the
35 City Council review applications as they relate to urban sprawl [Section 34-23 of the LDR].

36 Summary of Staff's findings

- 37 1. The extent to which the proposed amendment is contiguous to an existing development area
38 which has developed in a manner providing a compact, contiguous development pattern
39 with the proposed amendment;

40 *Staff Comment: The amendment will introduce up to 10 acres of commercial and retail*
41 *development in area primarily surrounded by residential land uses and development.*

- 42 2. The extent to which population growth and development trends warrant an amendment,
43 including an analysis of vested and approved but unbuilt development;

1 *Staff Comment: The amendment will increase the area of commercial future land use to*
2 *provide goods and services to residents. The commercial land use do not include residential*
3 *uses.*

- 4 3. The extent to which adequate infrastructure to accommodate the proposed amendment
5 exists, or is programmed and funded through an adopted capital improvement schedule, or
6 will be privately financed through a binding executed agreement, or will otherwise be
7 provided at the time of development impacts as required by law;

8 *Staff Comment: The amendment will not require new infrastructure to serve the site.*
9 *Existing infrastructure near the site includes a twelve (12) inch water main on South Street,*
10 *an eight (8) inch water main on Lane Avenue, an eight (8) inch gravity sewer main on Lane*
11 *Avenue and a six (6) inch reclaimed pressured main on Lane Avenue. The preliminary*
12 *concurrency assessment found there is adequate capacity to serve the development.*

13 *The arterial road (South Street) can accommodate the additional volume according to the*
14 *City's concurrency assessment; however, a traffic study will be required to determine any*
15 *safety improvements that might be necessary.*

- 16 4. The extent to which the amendment will result in an efficient use of public funds needed for
17 the provision of new infrastructure and services related to it;

18 *Staff Comment: The amendment will not require new infrastructure to serve the site.*
19 *Existing infrastructure near the site includes a twelve (12) inch water main on South Street,*
20 *an eight (8) inch water main on Lane Avenue, an eight (8) inch gravity sewer main on Lane*
21 *Avenue and a six (6) inch reclaimed pressured main on Lane Avenue.*

- 22 5. The extent to which the amendment will not result in a sprawl development pattern as
23 determined by Chapter 163, Florida Statutes, and will not discourage infilling of more
24 appropriate areas available for development within existing Development Area Boundaries;
25 and

26 *Staff Comment: The subject site is located within the City's Urban Service Area and is*
27 *currently served by city utilities. Redevelopment of the site will not result in a sprawl*
28 *development pattern or discourage infilling of other areas.*

- 29 6. The extent to which the amendment will result in a sustainable development pattern through
30 a balance of land uses that is internally interrelated, demonstrates an efficient use of land,
31 ensures compatible development adjacent to agriculture lands, protects environmental
32 qualities and characteristics, provides interconnectivity of roadways, supports the use of
33 non-automobile modes of transportation, and appropriately addresses the infrastructure
34 needs of the community.

35 *Staff Comment: The development is located along to South Street (SR 405) within the City's*
36 *Urban Service Area. In determining the appropriate use of the property, it should be noted*
37 *that the area is predominantly residential in nature. The nearest commercial development*
38 *is approximately 1500 hundred feet to the east at the intersection of Park Avenue and South*
39 *Street. Access to the subject property is currently located on Lane Avenue, a local road;*
40 *however, the property has frontage on South Street (SR405), an arterial road. The North*
41 *Brevard Senior Center is adjacent to the subject property to the east and also has access*
42 *onto Lane Avenue.*

43 *The proposed land uses and zoning district are generally compatible with the surrounding*
44 *area; however, there may be concerns about the potential scale of a commercial*
45 *development on the 10-acre property. The impact to the surrounding area may be mitigated*
46 *by performance standards described in the Code.*

7. The extent to which the amendment results in positive market, economic and fiscal benefits of the area as demonstrated through a market demand analysis, economic impact analysis and fiscal impact analysis.

Staff Comment: The subject property was developed as a public school and has since ceased operation. Brevard Public Schools sold the property and redevelopment of the property will result in positive market, economic and fiscal impacts to the City. The site is primarily surrounded by residential development. The future land use designation on the north portion of the property is currently Downtown Mixed Use and is not proposed to change. Changing the future land use designation on the remaining portion of the property to Commercial High Intensity and Commercial Low Intensity and rezoning the entire subject property to CC would allow for a variety of commercial uses which are not currently available in the immediate area.

Consistency with the Comprehensive Plan

The following is an analysis of the consistency of the request with the City's Comprehensive Plan. The request for a Comprehensive Plan Amendment and rezoning is consistent with the Comprehensive Plan and more specifically with the following objectives and policies of the Comprehensive Plan.

Future Land Use [FLUE] Policy 1.8.6: The City shall require natural vegetative and other appropriate buffers to minimize nuisance effects of industrial land uses which include, but not limited to, noise, odor, glare and privacy factors and visual impacts and to minimize such industrial use intrusion into residential land use areas.

Staff Comment: The subject property was developed as a school in 1960, and there is very little natural vegetation on the parcel. Any redevelopment of the site will require compliance with the City's landscaping standards, including landscape yards (buffers).

Future Land Use [FLUE] Policy 1.9.1: Sites for high intensity commercial development shall be located with convenient and direct access at arterial intersections. Collector/arterial intersections are acceptable provided minimal access is necessary on the collector street.

Staff Comment: The property has frontage on South Street, a major arterial roadway, and is located at the intersection of South Street and Lane Avenue, a local road. Access to the site is currently located at the southeast corner of the property onto Lane Avenue; therefore, the site has convenient and direct access at an arterial intersection. The location of the commercial land uses adjacent to the Downtown Mixed Use land use is consistent. Together all three commercial land uses meet the intent and purpose described in Objective 1.9 and subsequent policies.

Future Land Use [FLUE] Policy 1.9.2: Negative impacts of commercial land uses on environmentally sensitive areas shall be minimized and/or eliminated. The Conservation Element objectives and policies and performance requirements shall be utilized in determining the appropriateness of commercial land use designations.

Staff Comment: The applicant submitted an environmental assessment dated March 18, 2024, completed by Atlantic Environmental in support of the request to remove the Conservation future land use and Open Space and Recreation zoning on the west portion of the property. Atlantic Environmental determined that the property is "solely comprised of uplands and no wetlands or surface waters are located there." The report recommends "having a formal 100 percent gopher tortoise survey completed and tortoise relocation permit acquired prior to any on-site work." If found to have protected

species on site, the appropriate regulatory agencies will review proposed development for any impacts.

Future Land Use [FLUE] Policy 1.9.3: Commercial development sites shall be accessible to and/or provide essential public services at levels of service adopted within the Capital Improvements Element of this Comprehensive Plan, including transportation, potable water, sewer collection/treatment, solid waste, drainage, and recreation and open space.

Staff Comment: According to the preliminary concurrency assessment, there is sufficient capacity for all essential public services to serve the proposed development.

Future Land Use [FLUE] Policy 1.9.4: Commercial land use designations shall be encouraged in a pattern, which offers maximum accessibility, compatibility, and clustering. Commercial land use designations shall be given priority at locations exhibiting proximity to other types of non-residential uses, including employment centers and marketing centers.

Staff Comment: The subject parcel is adjacent to existing residential property and vacant land zoned for residential development. The closest developed commercial property is located at the intersection of S. Park Avenue and South Street, approximately 1,500 feet to the east. Approving commercial future land use designations on the subject property would offer a high degree of accessibility of non-residential services to the surrounding residential properties; however, the area is predominantly residential in nature and offers a lower degree of compatibility and clustering with other commercial land uses.

Future Land Use [FLUE] Policy 1.9.5: Commercial land use designations and accompanying proposals shall consider compatibility between commercial and surrounding land uses, including, but not limited to, traffic circulation, pedestrian access, hours of operation, visual impacts, privacy factors and impacts on the microclimate.

Staff Comment: The subject property has frontage on South Street and is primarily surrounded by residential uses. Access to the site is currently located on Lane Avenue at the southeast corner of the property. Lane Avenue is a local road which also provides access to the North Brevard Senior Center southeast of the subject property. There are existing sidewalk facilities along South Street. Redevelopment of the site will require sidewalks along all right of way frontages (i.e. Lane Avenue).

Future Land Use [FLUE] Policy 1.9.9: Locations for High Intensity Commercial land use shall be deemed appropriate providing the following factors are additionally complied with:

- A. Sites for high intensity commercial development shall be located near the intersections of arterials and/or collector roadways. Sites shall be developed in a compact, cluster type pattern rather than new commercial strip centers. Intersection locations shall be preferable to linear development.

Staff Comment: The subject property is located at the intersection of South Street, a major arterial roadway, and Lane Avenue, a local roadway. The request includes changing the future land use designation of the south portion of the property to Commercial Low Intensity. The City's Land Development Regulations Section 28-15. - Commercially zoned districts located in Low Intensity Commercial future land use categories contains standards which could limit the development of commercial strip centers:

1 *"In addition to the restrictions and requirements of each zoning district created by*
2 *this section, commercially zoned property identified in the adopted Future Land*
3 *Use Map as Low Intensity Commercial shall be developed according to the*
4 *following criteria:*

5 (a) *Site requirements.*

6 (1) *For development which is to contain more than one (1) business use in*
7 *a single center or as part of a single development, the maximum allowable*
8 *leasable floor area for the total development shall not exceed seventy-five*
9 *thousand (75,000) square feet. Forty thousand (40,000) square feet if the*
10 *development does not contain a retail food market or supermarket.*

11 (2) *No more than two (2) individual uses shall contain more than three*
12 *thousand (3,000) square feet. The average area of uses in the*
13 *development shall not exceed ten thousand (10,000) square feet.*

14 (3) *Maximum impervious surface coverage shall be seventy-five (75)*
15 *percent of the gross area of the site."*

16 *The site is currently developed as a school and is not located in a strip center.*

- 17 B. Land development regulations shall establish performance requirements for high
18 intensity commercial land use, including residential compatibility, as well as floor area
19 ratio, maximum lot coverage, maximum impervious surface ratio, screening, height,
20 setbacks, glare, landscaping and architectural compatibility.

21 *Staff Comment: Future Land Use policy 1.21.1 establishes a maximum Floor Area*
22 *Ratio of 1.0 for the Commercial High Intensity future land use designation. A formal*
23 *site plan review for consistency with lot coverage, screening, height, etc. will be*
24 *conducted before any approval is granted for the project.*

- 25 C. Infill development into established commercial strip areas shall be preferred over the
26 expansion of such strip centers. Strip centers should be centered at intersections and
27 extend no further than ½ mile from said intersections.

28 *Staff Comment: The subject property does not meet the definition of infill*
29 *development in Comprehensive Plan Policy 1.7.7; however, approval of the*
30 *request would allow for redevelopment of the former school site. The parcel is*
31 *surrounded by development on three (3) sides and is located in an area of the City*
32 *where public facilities are available. Developed commercial properties exist along*
33 *the South Street (SR405) corridor; however, the nearest commercial property to*
34 *the subject site is located at the intersection of S. Park Avenue and South Street,*
35 *approximately 1,000 feet to the east.*

- 36 D. Impacts upon traffic circulation shall be mitigated, through right-of-way dedication for
37 road widening and frontage access streets, the assessment of impact fees and the
38 provision and/or expansion of pedestrian and bicycling facilities, as deemed appropriate
39 by the location and type of commercial impacts.

40 *Staff Comment: The preliminary concurrency assessment there is adequate*
41 *roadway capacity. A traffic study will be required. Any required traffic*
42 *improvements will be reviewed during the site plan process.*

- 43 E. Automotive oriented uses shall be clustered within established high intensity
44 commercial areas adjacent to major and minor arterials rather than at scattered
45 locations.

1 *Staff Comment:* No specific commercial use is proposed with the request;
2 however, some of the uses permitted within the Community Commercial zoning
3 district include automotive oriented uses with significant traffic generation rates.
4 According to the preliminary concurrency assessment, the major arterial roadway
5 has sufficient capacity available for the anticipated traffic demand. However, the
6 property lies approximately 1,000 feet from the nearest commercial area located
7 at the intersection of South Street and S. Park Avenue. The Brevard County
8 Sheriff's Office, zoned Public (P), and several single family residences zoned
9 Single Family Medium Density (R-1B) and Single Family High Density (R-1C) are
10 located between the subject property and the intersection of South Street and S.
11 Park Avenue.

- 12 F. Internal traffic movements of high intensity commercial development shall be designed
13 in a manner that provides for pedestrian and vehicular traffic compatibility and safety.

14 *Staff Comment:* Internal traffic movement will be reviewed as part of the site plan
15 approval process, including sidewalks.

16 Future Land Use Element [FLUE] Strategy 1.9.10: Locations for Low Intensity
17 Commercial land use shall be designated based on the same factors listed for High
18 Intensity Commercial, except that the following factors are additionally applicable:

- 19 A. Sites for low intensity commercial development shall be located near intersections.
20 Intersection locations are preferred to linear developments. The City shall not introduce,
21 approve or allow commercial land uses in an area where single family land uses are the
22 predominant land use of the area unless the proposed new land use is consistent with a
23 redevelopment plan or formal study adopted by City Council.

24 *Staff Comment:* The subject property is located at the intersection of South Street, a
25 major arterial roadway, and Lane Avenue, a local road. Existing single family
26 residences are located to the south and east of the subject property. Existing multifamily
27 residences are located to the north of the subject property and the adjacent property to
28 the west is vacant property zoned for multifamily development. The North Brevard
29 Senior Center is located to the southeast and has access onto Lane Avenue, directly
30 across from the subject property's driveway.

- 31 B. Land development regulations shall include additional requirements for low intensity
32 commercial and residential land use compatibility. Such requirements shall address, but
33 not be limited to, floor area ratio, maximum lot coverage, maximum impervious surface
34 ratio, screening, height, setbacks, glare, landscaping, and architectural compatibility.

35 *Staff Comment:* The City's Land Development Regulations Section 28-15. -
36 Commercially zoned districts located in Low Intensity Commercial future land use
37 categories, contains standards which are intended to limit the development of
38 commercial strip centers. Additional land development regulations are applicable and
39 are reviewed through the site plan process.

- 40 C. Low Intensity Commercial uses oriented towards neighborhood needs and
41 convenience factors and should be designated for limited retail and sales use and/or
42 commercial/professional mixed uses.

1 *Staff Comment: Low intensity commercial uses on the subject property would offer a*
2 *high degree of accessibility of non-residential services to the surrounding residential*
3 *properties.*

4 Future Land Use Element [FLUE] Strategy 1.16.2: As of 2009, the wetlands shown as
5 Conservation Land Use on the Future Land Use Map were established using the National
6 Wetlands Inventory Map of 1988. These wetlands shown on this map have not been
7 groundtruthed. In order to provide more accurate mapping of wetlands, when the City
8 receives a wetland delineation on specific sites, the delineations will be accepted by the
9 City of Titusville and the Future Land Use Map will be amended accordingly. The
10 Conservation Land Use shall be amended to include all wetland areas on the site to be
11 preserved, unless such wetlands are preserved by a conservation easement as part of a
12 Planned Development (PD) or other master-planned development, and any other upland
13 areas to be permitted for preservation for state and/or federal listed wildlife species.

14 *Staff Comment: The applicant submitted an environmental report dated March 18,*
15 *2024, completed by Atlantic Environmental. The report states that the property is*
16 *“comprised of uplands and no wetlands or surface waters”. Replacing the Conservation*
17 *future land use designation and Open Space and Recreation (OR) zoning on the west*
18 *portion of the subject property as proposed in the request is supported by the evidence*
19 *provided.*

20 *The report discusses the potential wildlife species that could occur. Atlantic*
21 *Environmental recommends that a formal survey for threatened/endangered species*
22 *be conducted. If a formal study is found necessary by USFWS or other agency, all*
23 *required actions will be taken as part of the review process by these agencies.*

24 Future Land Use Element [FLUE] Policy 1.16.4: Impacts to areas designated as
25 Conservation land use designation shall be considered if it is unavoidable due to absence
26 of feasible and/or practical alternatives for reasonable use of the land, or the regulations
27 create an inordinate burden on an existing use of the land or a vested right to a specific
28 use of the land, or due to significant site constraint and/or practical design modification
29 constraint. The allowable impacts shall be based upon site specific evaluation determined
30 through the permitting process conducted by all the regulatory agencies with jurisdiction.

31 *Staff Comment: The environmental assessment found that no wetlands are present on-*
32 *site.*

33 Future Land Use Element [FLUE] Policy 1.17.1: The following items shall be addressed in
34 the analysis of the land use changes: Surrounding uses; Surrounding zoning; Acreage;
35 Description of site; Soils and topography; Flood zone; Recharge potential; Traffic counts
36 on adjacent streets; and Impact on adopted levels of service; Water supply availability.

37 *Staff Comment: Maps depicting soils, flood hazard areas, location etc. are provided*
38 *within the agenda package. Surrounding land uses, description of the site, and*
39 *concurrency review are addressed in other areas of this report. The property is not*
40 *located within the Area of Critical Concern.*

41 Conservation Element (CE) Policy 1.1.4: The City shall maintain, to the best of its
42 abilities, the populations of wildlife species which are state and federal listed and their
43 habitat, and shall restrict activities within these areas known to adversely affect the
44 survival of these species as per regulations by permitting agencies.

45 *Staff Comment: The environmental report prepared by Atlantic Environmental*
46 *recommends a formal survey for threatened/endangered species prior to any*

development/redevelopment on the site. If a formal study is found necessary by USFWS or other agencies, all required actions will be taken as part of the review process by these agencies.

Conservation Element (CE) Policy 1.6.1: The development of wetlands shall be addressed in the development regulations according to the following criteria:

Strategy 1.6.1.1: The protection of the wetlands shall be determined by the functional value of the wetland.

Staff Comment: The environmental assessment found that no wetlands are present on-site.

Strategy 1.6.1.2: The development of land under all land uses categories shall take into consideration natural constraints such as flood hazards, wetlands, soil suitability and aquifer recharge potential.

Staff Comment: The site is located within Flood Zone X.

Conservation Element (CE) Policy 1.6.3: Wetlands shall be defined consistent with existing state and federal regulatory agencies.

Strategy 1.6.3.2: At a minimum, wetlands 5 acres or more in size shall be designated as a conservation land use and wetlands less than 5 acres will be subject to review to determine what protection, if any, they should receive from development. Said review shall be based on the functional value criteria specified in Strategy 1.6.4. If based on this determination, protection is warranted, development may be permitted, based upon criteria set forth in the environmental performance standards of the land development regulations.

Staff Comment: The environmental assessment found that no wetlands are present on-site.

REZONING REVIEW

Zoning Review Criteria

Section 34-40 of the LDR lists the review criteria under which the Planning and Zoning Commission and the City Council review applications as they relate to zoning.

The following are staff's findings.

1. **Comprehensive Plan Consistency Statement.** Please see the previous pages for analysis of the proposed request and consistency with the Comprehensive Plan. The requested zoning district is not consistent with the existing comprehensive plan land use category.

- 1.1. Public facilities are available and concurrent with the land use change per the Comprehensive Plan and Concurrency provisions of the LDRs.

Staff Comment: The property is located in the City's urban service area. Sewer service is available via an 8-inch sewer main on the site. Water service is available via a 12-inch water main on South Street. A pressurized reclaimed water service is also available to this property. The preliminary concurrency review determined that public facilities are available to serve the proposed development.

Transportation impact.

Staff Comment: A traffic study is required.

1 Solid Waste.

2 Staff Comment: Solid waste needs will be evaluated with the submittal of a site plan.

3 1.2. Public streets are adequate to access the property.

4 Staff Comment: The proposed amendment has frontage along South Street (SR 405),
5 which is identified as an arterial per Sec. 9.3 of the Transportation Technical Manual.

6 1.3. The land will support the proposed development.

7 Staff Comment: The subject property is located within **Flood Zone X (area of minimal**
8 **flood hazard)** and the environmental assessment found no presence of wetlands on-
9 site.

10 1.4. Environmental impact.

11 Staff Comment: The applicant submitted an environmental report dated March 18,
12 2024, completed by Atlantic Environmental. The report states that the property is
13 “comprised of uplands and no wetlands or surface waters”. Replacing the Conservation
14 future land use designation and Open Space and Recreation (OR) zoning on the west
15 portion of the subject property as proposed in the request is supported by the evidence
16 provided. The environmental report prepared by Atlantic Environmental recommends
17 that a formal survey for threatened/endangered species prior to redevelopment of the
18 site. If a formal study is found necessary by USFWS or other agencies, all required
19 actions will be taken as part of the review process by these agencies.

20 2. **The existing zoning, if deemed consistent with the Comprehensive Plan, shall be**
21 **presumed correct unless substantial change in the area has occurred since the original**
22 **zoning.**

23 Staff Comment: The property was sold by Brevard Public Schools and the current
24 Public (P) zoning is not consistent with the private ownership of the property. In
25 addition, the applicant submitted an environmental report dated March 18, 2024,
26 completed by Atlantic Environmental. The report states that the property is “comprised
27 of uplands and no wetlands or surface waters”. Replacing the Open Space and
28 Recreation (OR) zoning on the west portion of the property is supported by the evidence
29 provided. Substantial changes have occurred since the original zoning.

30 3. **The density or intensity of the proposed rezoning and use shall be consistent with:**

31 3.1. The development in the area;

32 Staff Comment: The zoning district is generally compatible with the surrounding area;
33 however, there may be concerns about the potential scale of a commercial
34 development on the 10-acre property. It is surrounded by a developed mix of medium-
35 density single family residential, high-density single family residential, and multifamily
36 residential homes (across South Street). The property to the west is vacant and zoned
37 for high density multifamily residential use. The new zoning district has the potential of
38 permitting up to 133,000+ square feet of ground floor retail space [See the Proposed
39 Use and Zoning Table on page 3]. The impact to the surrounding area may be mitigated
40 by performance standards described in the CC zoning district and Section 28-15 of the
41 Code. The combination of the land uses and zoning district will result in a graded
42 development pattern from SR405 to the rear of the property. The setback must be
43 increased for each 1-2 feet above 35-feet in the CC zoning district [Sec. 28-314]. This
44 should ensure that large buildings will maintain an appropriate distance from adjacent
45 properties. Further, the City Council must approve height increases above 35 feet in

1 the Commercial Low Intensity land use, which should help protect the single family
2 neighborhood at the rear of the property.

3 3.2. Not likely to cause a depreciation of property values in the area.

4 Staff Comment: Multifamily and single family residential uses are established in the
5 surrounding area. Introducing a commercial use along an arterial roadway is not
6 expected to cause a depreciation of property values in the area.

7 **4. The application is consistent with zoning in the area.**

8 Staff Comment: The subject parcel is adjacent to existing residentially zoned property.
9 The closest commercially zoned property is located at the intersection of S. Park
10 Avenue and South Street, approximately 1,000 feet to the east. The surrounding zoning
11 in the area is predominantly residential in nature.

12 **5. The application will protect the public health, safety, morals or welfare of the general**
13 **public.**

14 Staff Comment: The redevelopment of the former public school site into a commercial
15 use would change the residential nature of the surrounding area, however, the change
16 is not expected to generate any detriment to the public safety and welfare of the general
17 area.

18 **6. Whether the applicant has sufficiently protected adjacent land uses and zoning**
19 **districts by adequate buffering and screening.**

20 Staff Comment: Redevelopment of the site will require all buffering, screening and
21 landscaping standards of the City be met during site plan approval.

22 **7. Substantial reasons why the property cannot be used in the existing zoning district.**

23 Staff Comment: The property was previously owned by Brevard Public Schools as the
24 site of Whispering Hills Primary School. The School Board sold the property to private
25 owners and the City's Public (P) zoning district does not support private development
26 of the site.

27 An environmental assessment was conducted on-site in support of the request to
28 replace the Open Space and Recreation (OR) zoning district located on the west side
29 of the property. The environmental assessment found no evidence of wetlands on-site.

30 **Community engagement meetings were held by the applicant on June 14, 2023, and**
31 **September 5, 2024.**

32 **Highlights of Findings from Staff Analysis:**

33 **Items that support the proposed request:**

- 34 • The current Educational future land use designation and Public (P) zoning is limited to
35 public institutional uses only.
- 36 • The environmental report determined that no wetlands are present on-site. The current
37 Conservation future land use designation and Open Space/Recreation (OR) zoning on
38 the west portion of the site may be amended to reflect that these are upland areas.
- 39 • The amendment will increase the cumulative acreage of non-residential future land use
40 categories to provide goods and services to residents.
- 41 • Commercial uses on the subject property would offer a high degree of accessibility of
42 non-residential goods and services to the surrounding residential properties.

- Designating the south portion of the subject property Commercial Low Intensity future land use helps protect the adjacent single family residences.
- If City Council is inclined to approve the requested future land use change to Commercial High Intensity, then staff recommends approval of the rezoning to Community Commercial (CC) as consistent with the future land use designation.

Potential issues that may not support the proposed request:

- The surrounding area is predominantly residential in nature.
- A commercial future land use designation at this site does not support a high degree of clustering with other commercial land uses.
- Certain auto-oriented uses permitted in the CC zoning district may be incompatible with the adjacent single family development if they are the predominant use on the 10-acre property.

RECOMMENDATION:

Comprehensive Plan Amendment Recommendation: Approve the Small Scale Comprehensive Plan Amendment. The Amendment is consistent with the Comprehensive Plan. This recommendation is based upon the staff analysis, information and evidence presented, and in accordance with the City Charter of the City of Titusville, the Code of Ordinances and Land Development Regulations, Section 34-23 of the Code, the adopted comprehensive plan and the provisions of Chapter 163 and 166, Florida Statutes.

Rezoning Recommendation: Approve the rezoning consistent with the Small Scale Amendment to change the zoning on the subject property from Public (P) and Open Space/Recreation (OR) to Community Commercial (CC) on property located at 800 Lane Avenue (Parcel No. 22-35-04-00-504), as described in Exhibit A of the ordinance. This recommendation is based upon the staff analysis, information and evidence presented, and in accordance with the City Charter of the City of Titusville, the Code of Ordinances and Land Development Regulations, Section 34-40 of the Code, the adopted comprehensive plan and the provisions of Chapter 163 and 166, Florida Statutes.

ORDINANCE NO. ■-2025

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988, WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY OF TITUSVILLE, BY AMENDING THE FUTURE LAND USE DESIGNATION ON LAND LOCATED AT 800 LANE AVENUE FROM DOWNTOWN MIXED USE, EDUCATIONAL, AND CONSERVATION TO DOWNTOWN MIXED USE, COMMERCIAL HIGH INTENSITY, AND COMMERCIAL LOW INTENSITY ON 10.19+/- ACRES OF PROPERTY HAVING PARCEL ID NO. 22-35-04-00-504; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Titusville, pursuant to Chapter 163, Florida Statutes, desires to amend its Comprehensive Plan adopted by Ordinance No. 60-1988; and

WHEREAS, a first and second public hearing has been held on the Comprehensive Plan amendments before the Local Planning Agency and the local governing body; and

WHEREAS, the City of Titusville finds that said Comprehensive Plan Amendment has been processed in accordance with the applicable law and desires to amend the Comprehensive Plan.

NOW, THEREFORE, BE IT ENACTED by the City of Titusville, Florida as follows:

SECTION 1: RECITALS. The foregoing recitals are deemed true and correct and are hereby adopted and incorporated herein by this reference.

SECTION 2. The City of Titusville's Comprehensive Plan is hereby amended by adopting Small Scale Comprehensive Plan Amendment #7-2024 and amends its Future Land Use Map, by changing the land use designation on 10.19+/- acres of property located at 800 Lane Avenue, as described in Exhibit A, from Downtown Mixed Use, Educational, and Conservation to Downtown Mixed Use, Commercial High Intensity, and Commercial Low Intensity; providing for severability; repeal of conflicting ordinances; and providing for an effective date;.

SECTION 3. SEVERABILITY. If any provisions of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect 31 days after adoption pursuant to Section 163.3187(5)(c) Florida Statutes.

PASSED AND ADOPTED, this ____ day of ____, 2025.

Andrew Connors, Mayor

ATTEST:

WANDA F. WELLS, CITY CLERK

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING AT A POINT 220 FEET WEST OF THE NORTHEAST CORNER OF GOVERNMENT LOT 3, SECTION 4, TOWNSHIP 22 SOUTH, RANGE 35 EAST, WHICH POINT IS THE NORTHWEST CORNER OF A LOT FORMERLY CALLED MOSIG LOT, AT A POST; RUN SOUTH 1° EAST ALONG THE WEST LINE OF SAID MOSIG LOT A DISTANCE OF 834.09 FEET, THENCE SOUTH 88° WEST A DISTANCE OF 673.69 FEET, THENCE NORTH 10° WEST TO A POINT WHICH IS THE NORTHWEST CORNER OF WAS FORMERLY KNOWN AS THE CARNES HOME PLACE, THENCE NORTH 88° EAST A DISTANCE OF 775 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT LANDS DEEDED TO CITY OF TITUSVILLE BY DEED RECORDED IN OFFICIAL RECORDS BOOK 1 PAGE 594 AND CORRECTED IN OFFICIAL RECORDS BOOK 46 PAGE 591. LESS AND EXCEPT ALL ROAD RIGHTS OF WAY.

ALSO DESCRIBED AS

A PORTION OF GOVERNMENT LOT 3 IN FRACTIONAL SECTION 4, TOWNSHIP 22 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING A PORTION OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 37, PAGE 528, LESS AND EXCEPT THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1, PAGE 594, AND CORRECTED IN OFFICIAL RECORDS BOOK 46 PAGE 591, AND LESS AND EXCEPT THE RIGHT OF WAY FOR LANE AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 2770, PAGE 515 AND ALSO LESS AND EXCEPT THE RIGHT OF WAY FOR STATE ROAD 405 AS DESCRIBED IN FINAL JUDGMENT RECORDED IN CIRCUIT MINUTES BOOK 51, PAGE 356, ALL OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF CITRUS HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 88 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N15°10'40"W, ALONG THE WEST LINE OF CARNES HOME PLACE AS SHOWN ON SAID PLAT, A DISTANCE OF 661.37 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1, PAGE 594, AND CORRECTED IN OFFICIAL RECORDS BOOK 46 PAGE 591; THENCE N88°03'18"E, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 155.74 FEET, TO THE SOUTHEAST CORNER THEREOF; THENCE N01°56'42"W, ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 139.64 FEET, TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 405 (SOUTH STREET); THENCE THE FOLLOWING 4 COURSES ALONG SAID SOUTH RIGHT OF WAY LINE; (1) N86°58'38"E, A DISTANCE OF 473.60 FEET; (2) S55°46'21"E, A DISTANCE OF 12.53 FEET; (3) S02°58'08"E, A DISTANCE OF 43.00 FEET; (4) N87°01'52"E, A DISTANCE OF 16.00 FEET, TO THE WEST RIGHT OF WAY LINE OF LANE AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 2770, PAGE 515; THENCE THE FOLLOWING 3 COURSES ALONG THE WEST RIGHT OF WAY LINE OF LANE AVENUE; (1) S02°58'08"E, A DISTANCE OF 692.50 FEET; (2) S88°04'18"W, A DISTANCE OF 125.06 FEET; (3) S02°58'08"E, A DISTANCE OF 50.01 FEET, TO THE NORTHEAST CORNER OF LOT 2 OF SAID CITRUS HEIGHTS; THENCE S88°04'18"W, ALONG THE NORTH LINE OF SAID CITRUS HEIGHTS, A DISTANCE OF 392.95 FEET, TO THE POINT OF BEGINNING.

ORDINANCE NO. ■-2025

AN ORDINANCE AMENDING ORDINANCE NO. 5-1993 OF THE CITY OF TITUSVILLE, FLORIDA, BY AMENDING THE ZONING MAP MADE A PART OF SAID ORDINANCE BY REFERENCE BY CHANGING THE ZONING CLASSIFICATION ON LAND LOCATED AT 800 LANE AVENUE FROM THE PUBLIC (P) AND OPEN SPACE AND RECREATION (OR) ZONING DISTRICTS TO THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT ON 10.19+/- ACRES OF PROPERTY; HAVING PARCEL ID NO. 22-35-04-00-504; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Titusville received an application for a rezoning from certain property owners; and

WHEREAS, a first and second public hearing has been held on the rezoning before the Local Planning Agency and the local governing body and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City of Titusville finds that said rezoning has been processed in accordance with the applicable law and desires to amend its Zoning Map to change the zoning designation on said properties; and

WHEREAS, the City of Titusville finds that said rezoning has been processed in accordance with the applicable law and desires to amend its Zoning Map to change the zoning designation on said properties; and

WHEREAS, the City Council of the City of Titusville desires to amend its Zoning Map.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA as follows:

SECTION 1. RECITALS. The foregoing recitals are deemed true and correct and are hereby adopted and incorporated herein by this reference.

SECTION 2. Ordinance No. 5-1993 is hereby amended by amending the Zoning Map of the City of Titusville, made a part of said Ordinance by reference, by designating the following property described in Exhibit A presently zoned Public (P) and Open Space and Recreation (OR) to Community Commercial (CC).

SECTION 3. This ordinance shall take effect simultaneously with the effective date of Small-Scale Amendment (SSA) No. 7-2024 contained in Ordinance ■-2025.

SECTION 4. SEVERABILITY. If any provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall

be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. INCORPORATION INTO CODE. This ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the Code may be made.

PASSED AND ADOPTED this _____ day of _____, 2025.

Andrew Connors, Mayor

ATTEST:

Wanda F. Wells, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING AT A POINT 220 FEET WEST OF THE NORTHEAST CORNER OF GOVERNMENT LOT 3, SECTION 4, TOWNSHIP 22 SOUTH, RANGE 35 EAST, WHICH POINT IS THE NORTHWEST CORNER OF A LOT FORMERLY CALLED MOSIG LOT, AT A POST; RUN SOUTH 1° EAST ALONG THE WEST LINE OF SAID MOSIG LOT A DISTANCE OF 834.09 FEET, THENCE SOUTH 88° WEST A DISTANCE OF 673.69 FEET, THENCE NORTH 10° WEST TO A POINT WHICH IS THE NORTHWEST CORNER OF WAS FORMERLY KNOWN AS THE CARNES HOME PLACE, THENCE NORTH 88° EAST A DISTANCE OF 775 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT LANDS DEEDED TO CITY OF TITUSVILLE BY DEED RECORDED IN OFFICIAL RECORDS BOOK 1 PAGE 594 AND CORRECTED IN OFFICIAL RECORDS BOOK 46 PAGE 591. LESS AND EXCEPT ALL ROAD RIGHTS OF WAY.

ALSO DESCRIBED AS

A PORTION OF GOVERNMENT LOT 3 IN FRACTIONAL SECTION 4, TOWNSHIP 22 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING A PORTION OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 37, PAGE 528, LESS AND EXCEPT THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1, PAGE 594, AND CORRECTED IN OFFICIAL RECORDS BOOK 46 PAGE 591, AND LESS AND EXCEPT THE RIGHT OF WAY FOR LANE AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 2770, PAGE 515 AND ALSO LESS AND EXCEPT THE RIGHT OF WAY FOR STATE ROAD 405 AS DESCRIBED IN FINAL JUDGMENT RECORDED IN CIRCUIT MINUTES BOOK 51, PAGE 356, ALL OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF CITRUS HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 88 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N15°10'40"W, ALONG THE WEST LINE OF CARNES HOME PLACE AS SHOWN ON SAID PLAT, A DISTANCE OF 661.37 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1, PAGE 594, AND CORRECTED IN OFFICIAL RECORDS BOOK 46 PAGE 591; THENCE N88°03'18"E, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 155.74 FEET, TO THE SOUTHEAST CORNER THEREOF; THENCE N01°56'42"W, ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 139.64 FEET, TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 405 (SOUTH STREET); THENCE THE FOLLOWING 4 COURSES ALONG SAID SOUTH RIGHT OF WAY LINE; (1) N86°58'38"E, A DISTANCE OF 473.60 FEET; (2) S55°46'21"E, A DISTANCE OF 12.53 FEET; (3) S02°58'08"E, A DISTANCE OF 43.00 FEET; (4) N87°01'52"E, A DISTANCE OF 16.00 FEET, TO THE WEST RIGHT OF WAY LINE OF LANE AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 2770, PAGE 515; THENCE THE FOLLOWING 3 COURSES ALONG THE WEST RIGHT OF WAY LINE OF LANE AVENUE; (1) S02°58'08"E, A DISTANCE OF 692.50 FEET; (2) S88°04'18"W, A DISTANCE OF 125.06 FEET; (3) S02°58'08"E, A DISTANCE OF 50.01 FEET, TO THE NORTHEAST CORNER OF LOT 2 OF SAID CITRUS HEIGHTS; THENCE S88°04'18"W, ALONG THE NORTH LINE OF SAID CITRUS HEIGHTS, A DISTANCE OF 392.95 FEET, TO THE POINT OF BEGINNING.



Gateway to Nature & Space



APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

Please submit electronically a completed application including required submittals to the Planning Department for payment and meeting scheduling. Chapter 34 of the Titusville Land Development Regulations contains the instructions for filing and the required exhibits. INCOMPLETE APPLICATIONS SHALL NOT BE ACCEPTED.

1. Annexation	Does the request include an annexation?	☐ Yes ☒ No	
2. Regular or Small Scale Amendment	Regular Amendment (CPA) Property 50 acres or greater ☐	Small Scale Amendment (SSA) Property less than 50 acres ☒	
3. Project Information	Project Name 800 Lane Avenue	Property Address/Location Description 800 Lane Avenue	
4. Applicant / Owner	Name of Applicant/Contact Kelly Hyvonen, AICP	Name of Owner 800 Land Ave LLC	
	Street Address 355 Spoonbill Lane	Street Address 17040 NE 11TH AVE	
	City State Zip Melbourne Beach FL 32951	City State Zip Miami FL 33162	
	Telephone # 612-710-9296 Fax #	Telephone # 845-746-1240 Fax #	
	E-Mail Address kelly.hyvonen@gmail.com	E-Mail Address Jacobm@ardentg.com	
5. Applicant Status	☐ Owner ☐ Tenant ☒ Agent ☐ Other		
6. Parcel ID	22-35-04-00-504	Tax Acct.	2201393
7. Site Size (Attach Legal Description)	Acres: 10.19 Square Feet:		
8. Current Land Uses	Identify the land uses located on-site and adjacent to the subject site (identify "all" uses that touch property on each boundary), such as grocery store, citrus farm, office, single family residential, etc.:		
	SUBJECT SITE:	Vacant Brevard County school building	
	NORTH:	Titusville Housing Authority, townhomes	
	SOUTH:	Single-family residential	
	EAST:	North Brevard Senior Center, single-family residential	
	WEST:	Vacant multi-family residential land	

9. Current Designation	Future Land Use: Educational, Conservation and Downtown Mixed Use	Zoning: P and OR
10. Proposed Designations	Future Land Use: Commercial-High Intensity	Zoning: CC
11. Subject Property	Current Use: Vacant educational building	Proposed Use: Retail/office/commercial, indoor recreation
12. Note any previous amendments on the site		
13. Check other applications submitted	Conditional Use ☐ Vacation of Easement ☐ Vacation of Right of Way ☐ Site Plan ☐	Master Plan Approval ☐ Rezoning ☒ Subdivision/Plat ☐ Other:
14. Narrative	Please provide a brief description of the request and the proposed project: (Attach separate narrative page if necessary) This property was previously owned by the School Board of Brevard County and was the location of a school/educational facility. The school is no longer in use and sits vacant. In order for the property to be developed, a change to the future land use and zoning is required. The property owner desires to market and develop the property commercially.	

- **All applications shall require Community Development Staff review prior to submittal.**
- All applications shall be submitted to the Planning Department electronically and officially logged in by **end of business day**.
- Tentative hearing dates are scheduled approximately 4 months from the time a completed application is submitted.
- Incomplete applications will not be accepted and will not be considered to be officially submitted until the appropriate information and fees are submitted. Meeting dates for incomplete applications will not be set until all required information and fees are submitted.
- Petitions requiring review from other boards or commissions prior to being forwarded to the Planning and Zoning Commission and City Council are not guaranteed placement on the schedule noted above.
- All meeting agendas will be posted on the City's web site and staff reports for the request can be obtained by contacting the Planning Department at 321-567-3782.

ACKNOWLEDGEMENT

1. I am the owner and/or legal representative of the owner of the property described, which is the subject of this application.
2. All answers to the questions in said application and all surveys and/or site plans and data attached to and made a part of this application are honest and true to the best of my knowledge and belief. By my signature below, I acknowledge that I have complied with all submittal requirements and that this request package is complete. I further understand that an incomplete application submittal may cause my application to be deferred.
3. Should this application be granted, I understand that any condition(s) imposed upon the granting of this request shall be binding to the owner, his heirs, and successors in title to possession of the subject property.
4. I understand that I must attend all applicable meetings and have been informed of the meeting date(s) and time(s). I understand that if I fail to appear at an applicable meeting, the appropriate Board or Commission may either table or deny the request.
5. I understand that my request if approved does not encumber provision of utility, road or other City infrastructure capacity. The analysis provided by staff of existing levels of service for public facilities and services in the vicinity of the parcel identified in this application is a non-binding analysis, and does not guarantee capacity will be available in the future or encumber/reserve capacity for any period of time.
6. I understand that as the Applicant, I must hold a public meeting prior to the scheduling of any public hearings before the Planning and Zoning Commission or City Council for this item. Notices for this meeting must be sent to all property owners within 500 feet of the subject property.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the City Council, Board of Adjustment & Appeals, and Planning & Zoning Commission on this topic to properly noticed public hearings or to written communication to the City Clerk's Office, City of Titusville, P.O. Box 2806, Titusville, FL 32781

/s/ Kelly Hyman
(Signature*)

04/23/2024
(Date)

** By entering your name in the "Signature" box above, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Application. By entering your name in the "Signature" box above, you consent to be legally bound by this Application's terms and conditions.*

Date Received: _____

Accepted by: _____



Gateway to Nature & Space



SUBMITTAL CHECKLIST

(Development Review Procedures Manual Section 4)

Please fill out the following and submit the documents to the Planning Department electronically. Payment of fees does not ensure a favorable decision. Additional information may include documents initially waived at the pre-application meeting but subsequently determined necessary by staff.

1.	Complete Application and Fees	☒
2.	Warranty Deed	☒
3.	Notarized Owner Authorization Form (If applicable)	☒
4.	Legal Description (from a certified survey in Microsoft Word format)	☒
5.	Certified Survey (sealed and containing permanent reference points as described by Chapter 177, Florida Statutes, with bearings, distances and closures) in electronic PDF format.	☒
6.	Names, addresses and address labels for all property owners within 500 feet of the subject property. <i>Note: This listing is available from either the Brevard County Property Appraiser's Office or the City of Titusville Planning Department. Current charge for this service is \$35.00.</i>	☒
7.	Additional site-specific data as necessary to describe any impacts to conservation / wetland areas, and other environmentally sensitive resources, including any mitigation efforts to be proposed or required by these regulations.	☒
8.	Traffic counts and Level of Service (LOS) on streets providing access to subject property may be required by the City. A determination of the needed information will be provided by the City prior to submittal of the request.	☐
9.	Pre-Application Meeting Held – Date: 4/18/2024 Staff in Attendance: Eddy Galindo & Christie Anderson	☒
10.	Preliminary School Concurrency Determination Submitted. Contact Brevard County Public Schools, David Lindemann to receive this application for completion. Lindemann.David@BrevardSchools.org	☐
11.	Community Meeting per Ordinance 26-2019 – Tentative meeting date <u>5/23/2024</u>	☒

Conceptual Site Plan Checklist

(Development Review Procedures Manual Section 4)

In order to illustrate the proposed use of the property to be rezoned, the applicant is encouraged to submit a conceptual site plan in support of the proposal. If a conceptual site plan or developer's agreement is not provided with the application, the City shall review the application based on the most intensive land use and the maximum intensity and/or density within the zoning district requested within the application. If a conceptual site plan is submitted, the following information shall be provided:

1.	A vicinity map indicating the general location of the abutting streets and utilities.	☐
2.	General information regarding the existing site conditions and physical characteristics, adjacent community facilities and public utilities, and surrounding property conditions.	☐
3.	General description of the proposed development including the total acreage, the proposed number of buildings, or the number of units.	☐
4.	The location of existing buildings and structures including the dimensions.	☐
5.	The means of ingress and egress to the project.	☐
6.	General location and dimension of all existing and proposed parking and/or loading areas.	☐
7.	Information showing approximate location of all structures and major features, setbacks, distance between structures and property lines, floor areas, width of driveways, parking spaces, property or lot lines, percent of property or lot lines, percent of property coverage.	☐



Gateway to Nature & Space



APPLICATION FOR REZONING (REZ) / PLANNED DEVELOPMENT (PD) / MASTER PLAN (MP)

Please submit electronically a completed application including to the Planning Department for payment and meeting scheduling. Chapter 34 of the Titusville Land Development Regulations contains the instructions for filing and the required exhibits. INCOMPLETE APPLICATIONS SHALL NOT BE ACCEPTED.

1. Project Information	Project Name 800 Lane Avenue	Property Address/Location Description 800 Lane Avenue	
2. Type of Request	Rezoning (REZ) ☒	Planned Development (PD) ☐	Master Plan (MP) ☐
2. Applicant/ Owner	Name of Applicant/Contact Kelly Hyvonen, AICP	Name of Owner 800 Land Ave LLC	
	Street Address 355 Spoonbill Lane	Street Address 17040 NE 11th Ave	
	City State Zip Melbourne Beach FL 32951	City State Zip Miami FL 33162	
	Telephone # 612-710-9296	Telephone # 845-746-1240	
	Fax # 	Fax # 	
3. Applicant Status	E-Mail Address kelly.hyvonen@gmail.com		
	E-Mail Address jacobm@ardentg.com		
3. Applicant Status	☐ Owner ☐ Tenant ☒ Agent ☐ Other		
4. Parcel ID	22-35-04-00-504	Tax Acct.	2201393
5. Site Size	Acres: 10.19 Square Feet:		
6. Current Land Uses	Identify the land uses located on-site and adjacent to the subject site (identify "all" uses that touch property on each boundary), such as grocery store, citrus farm, office, single family residential, etc.: SUBJECT SITE: Vacant Brevard County school building NORTH: Titusville Housing Authority, townhomes SOUTH: Single-family residential EAST: North Brevard Senior Center, single-family residential WEST: Vacant multi-family residential land		

7. Current Future Land Use Designation	Future Land Use: Educational, Conservation and Downtown Mixed Use			
8. Existing Zoning District	P and OR			
9. Proposed Zoning District	CC			
10. Building Status	Existing Building(s) on the site? Yes - vacant educational facilities		New Buildings Proposed? Commercial uses	
11. Note any previous rezonings on the site				
12. Check other applications submitted	Conditional Use ☐	Vacation of Easement ☐	Master Plan Approval ☐	Rezoning ☐
	Vacation of Right of Way ☐	Site Plan ☐	Subdivision/Plat ☐	Other: Comprehensive Plan Map ☐
13. Narrative	Please provide a brief description of your request and the proposed project: (Attach separate narrative page if necessary) This property was previously owned by the School Board of Brevard County and was the location of a school/educational facility. The school is no longer in use and sits vacant. In order for the property to be developed, a change to the future land use and zoning is required. The property owner desires to market and develop the property commercially.			

- **All applications shall require Community Development Staff review prior to submittal.**
- All applications shall be submitted to the Planning Department electronically and officially logged in by **end of business day**.
- Tentative hearing dates are scheduled approximately 4 months from the time a completed application is submitted.
- Incomplete applications will not be accepted and will not be considered to be officially submitted until the appropriate information and fees are submitted. Meeting dates for incomplete applications will not be set until all required information and fees are submitted.
- Petitions requiring review from other boards or commissions prior to being forwarded to the Planning and Zoning Commission and City Council are not guaranteed placement on the originally scheduled date(s).
- All meeting agendas will be posted on the City's web site and staff reports for the request can be obtained by contacting the Planning Department at 321-567-3782.

ACKNOWLEDGEMENT

1. I am the owner and/or legal representative of the owner of the property described, which is the subject of this application.
2. All answers to the questions in said application and all surveys and/or site plans and data attached to and made a part of this application are honest and true to the best of my knowledge and belief. By my signature below, I acknowledge that I have complied with all submittal requirements and that this request package is complete. I further understand that an incomplete application submittal may cause my application to be deferred.
3. Should this application be granted, I understand that any condition(s) imposed upon the granting of this request shall be binding to the owner, his heirs, and successors in title to possession of the subject property.
4. I understand that I must attend all applicable meetings and have been informed of the meeting date(s) and time(s). I understand that if I fail to appear at an applicable meeting, the appropriate Board or Commission may either table or deny the request.
5. I understand that my request if approved does not encumber provision of utility, road or other City infrastructure capacity. The analysis provided by staff of existing levels of service for public facilities and services in the vicinity of the parcel identified in this application is a non-binding analysis, and does not guarantee capacity will be available in the future or encumber/reserve capacity for any period of time.
6. I understand that as the Applicant, I must hold a public meeting prior to the scheduling of any public hearings before the Planning and Zoning Commission or City Council for this item. Notices for this meeting must be sent to all property owners within 500 feet of the subject property.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the City Council, Board of Adjustment & Appeals, and Planning & Zoning Commission on this topic to properly noticed public hearings or to written communication to the City Clerk's Office, City of Titusville, P.O. Box 2806, Titusville, FL 32781

/s/ Kelly Hyman
(Signature*)

04/23/2024

(Date)

** By entering your name in the "Signature" box above, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Application. By entering your name in the "Signature" box above, you consent to be legally bound by this Application's terms and conditions.*

Date received: _____

Accepted by: _____



Gateway to Nature & Space

SUBMITTAL CHECKLIST

(Development Review Procedures Manual Section 5 and 6)



Please fill out the following and submit the documents to the Planning Department electronically. Payment of fees does not ensure a favorable decision. Additional information may include documents initially waived at the pre-application meeting but subsequently determined necessary by staff.

1.	Complete Application and Fees	☒
2.	Warranty Deed	☒
3.	Notarized Owner Authorization Form (If applicable)	☒
4.	Legal Description (from a certified survey in Microsoft Word format)	☒
5.	Certified Survey (sealed and containing permanent reference points as described by Chapter 177, Florida Statutes, with bearings, distances and closures) in electronic PDF format	☒
6.	Names, addresses and address labels for all property owners within 500 feet of the subject property. <i>Note: This listing is available from either the Brevard County Property Appraiser's Office or the City of Titusville Planning Department. Current charge for this service is \$35.00.</i>	☒
7.	For Planned Development and Master Plan applications, a conceptual site plan (minimum 24" x 36") in electronic PDF format. See table below for requirements.	☐
8.	For Planned Development and Master Plan applications, a Planned Development Ordinance establishing the development standards for the Planned Development.	☐
9.	For Master Plan applications, a Unified Control Agreement pursuant to Sec. 34-54 of the Land Development Regulations.	☐
10.	Pre-Application Meeting Date: 4/18/2024 Staff in Attendance: Eddy Galindo & Christie Anderson	☒
11.	Community Meeting per Ordinance 26-2019 – Tentative meeting date _5/23/2024_____	☒

Conceptual Site Plan Checklist
(Development Review Procedures Manual Section 5 and 6)

THE CONCEPTUAL SITE PLAN SHALL INCLUDE THE FOLLOWING:

1.	All information required for a sketch plat. (if applicable)	☐
2.	Development plan identifying the location and acreage of each component and district of the project, including the location and placement of proposed land uses by type and density, density, layout of lots, open space designation, location of landscape buffer areas required by these regulations, recreational facilities, commercial uses, other permitted uses, off-street parking and loading locations and refuse collection locations.	☐
3.	Development plans showing access and buffer areas (both external and internal) to the development and how pedestrian and other non-motoring travel will be safely integrated.	☐
4.	Tabulations of acreage devoted to each use and total gross acreage of the project. These tabulations shall include acreage totals for each use, open space designations, recreation facilities, streets, parks, schools and other uses. Within these tabulations, information relative to the total number and type of residential units, the residential density for each type of unit, and the overall residential density of the project shall be provided.	☐
5.	An environmental component, including maps and analyses, which determine the effect of the proposed development upon the conservation/preservation of native habitat, wildlife, floodplains, recreation advantages wetlands and other natural resources.	☐
6.	Documentation as to the impact of the proposed development on the levels of service for roads, potable water, sanitary sewer, solid waste drainage, parks and any other public facilities and services. (Preliminary Concurrency Analysis)	☐
7.	A stormwater management plan with sufficient detail included to demonstrate that the proposed development can comply with the requirements of the Land Development Regulations.	☐
8.	The location of existing buildings and structures including the dimensions.	☐



ENVIRONMENTAL ASSESSMENT

On the

**800 Lane Avenue Project Site
Titusville, Florida**

**Tax Account No. 2201393
±10.19-acres
Section 4, Township 22 South, Range 35 East**

Conducted for:

**Mr. Jacob Mermelstein
17101 NE 11th Court
North Miami Beach, Florida 33162**

Conducted by:

**Atlantic Environmental of Florida, LLC
657 Montreal Avenue
Melbourne, Florida 32935**

March 18, 2024



657 Montreal Avenue • Melbourne, FL 32935
ph 321.676.1505 • fax 321.676.1730 • www.environmentalpermitting.com

March 18, 2024

Mr. Jacob Mermelstein
17101 NE 11th Court
North Miami Beach, FL 33162
Via email: jacobredeal@gmail.com

Re: Environmental Assessment
800 Lane Avenue Project Site
Tax Account No. 2201393
Titusville, Florida
Atlantic Environmental File No. 24213

Dear Mr. Mermelstein:

Atlantic Environmental of Florida, LLC (Atlantic Environmental) has completed an environmental assessment and feasibility study of the above-referenced ± 10.19 -acre project site located at 800 Lane Avenue in Titusville, Brevard County, Florida (Figures 1 and 2). The field assessment of this parcel, hereinafter referred to as "the Property", occurred on March 13, 2024. This study is intended to assess any reasonably ascertainable environmental issues that might influence the developability of the subject property. Following are the results of our study.

Topography and Soils

Figure 3 shows the USGS Topographical Map for the Property and surrounding areas. According to this map, the Property is higher in the west and slopes down to the east. The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) map for Brevard County (Figure 4) depicts four soil types underlying the Property. Following is a description of the mapped soil types as they occur in a natural environment.

Candler fine sand (4)

The Candler component makes up 90 percent of the map unit. This component is on ridges on marine terraces on coastal plains. The parent material consists of eolian deposits and/or sandy and loamy marine deposits. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

Candler – Urban land complex (5)

This soil type is a mixture of Candler sand and Urban land complex. This component is on ridges on marine terraces on coastal plains. The natural drainage class is excessively drained. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

Myakka sand (36)

The Myakka component makes up 85 percent of the map unit. This component is on flats on marine terraces on coastal plains. The parent material consists of sandy marine deposits. The

natural drainage class is poorly drained. This soil is not flooded or ponded. A seasonal zone of water saturation is at 12 inches during June, July, August, and September. This soil does not meet hydric criteria.

Myakka-Urban land complex (39)

This soil is comprised of Myakka and Urban land soils. This component is on flats on marine terraces on coastal plains. The parent material consists of sandy marine deposits. The natural drainage class is poorly drained. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 12 inches during June, July, August, and September. This soil does not meet hydric criteria.

Past development surrounding and within the Property appears to have altered some of the characteristics possessed by the underlying soils. However, the soils underlying the Property appear fairly consistent with the above descriptions.

Vegetation and Community Types

Different combinations of natural and human-influenced factors, such as surface elevation, hydrology, vegetative species and structure, soil characteristics, and degree and type of historical disturbance, will give rise to a variety of distinct ecological systems and functions, known as communities and land uses. The Florida Land Use, Cover, and Forms Classification System (FLUCFCS) organizes most of the major categories of communities and land uses into particular descriptions, each corresponding to a different code number. Using our field observations and the FLUCFCS system as a guideline, Atlantic Environmental has identified the on-site communities as they currently exist on the Property. Figure 5 depicts the code numbers of the on-site FLUCFCS category, specifically, Educational Facilities (FLUCFCS Code Number 171) and Open Land (190).

Following is a description of these classifications, as they exist on the Property, along with an assessment of the jurisdictional wetland status based on the rules and regulations of the St. Johns River Water Management District (SJRWMD) and the U.S. Army Corps of Engineers (USACE).

Educational Facilities (171)

Approximately half of the Property consists of an abandoned school which includes buildings, parking, and recreations areas. This community encompasses approximately 5.11 acres. This community type consists of upland habitat and will require no wetland permitting or mitigation for wetland impacts.

Open Land (190)

The remaining ± 5.08 acres of the Property consist of an open field surrounded by chain link fencing. This open area appears to be maintained (i.e., mowed) on a regular basis. Vegetation includes bahiagrass, Spanish needles, ragweed, Florida snow, guineagrass, Brazilian pepper, as well as scattered cabbage palm, live oak, and slash pine. This community type consists of upland habitat and will require no wetland permitting or mitigation for direct wetland impacts.

Habitat Potential for Protected Wildlife Species

A preliminary survey for listed species and suitable listed species habitats was completed on the

Property. This survey resulted in the determination that the Property may provide adequate habitat to support gopher tortoises.

Gopher Tortoise

Gopher tortoises are state listed as a threatened species. These species require three environmental conditions: well drained loose soil in which to burrow, adequate low-growing herbs for food, and open sunlit sites for nesting. It appears a majority of the open areas of the Property meet these conditions and Atlantic Environmental did observe evidence of gopher tortoise presence (i.e., scat) during the site survey. Therefore, Atlantic Environmental recommends having a formal gopher tortoise survey completed prior to clearing/development over 100% of the suitable on-site habitat. Prior to impacts, the acquisition of a permit will be required from the FWC. The cost of relocating can be discussed after a survey is completed and the number of potential tortoises are found. With this having been said, Atlantic Environmental believes the tortoise population will be low, likely less than 5 individuals. Should 5 individual tortoises be present on the Property, understand that recipient fees to accept tortoises per FWC guidelines cost \$5,500.00 per tortoise.

Conclusions

Atlantic Environmental determined that the Property is solely comprised of uplands and no wetlands or surface waters are located here. Atlantic Environmental recommends having a formal 100 percent gopher tortoise survey completed and tortoise relocation permit acquired prior to any on-site work.

Should you have any questions or need additional information, please do not hesitate to contact our office.

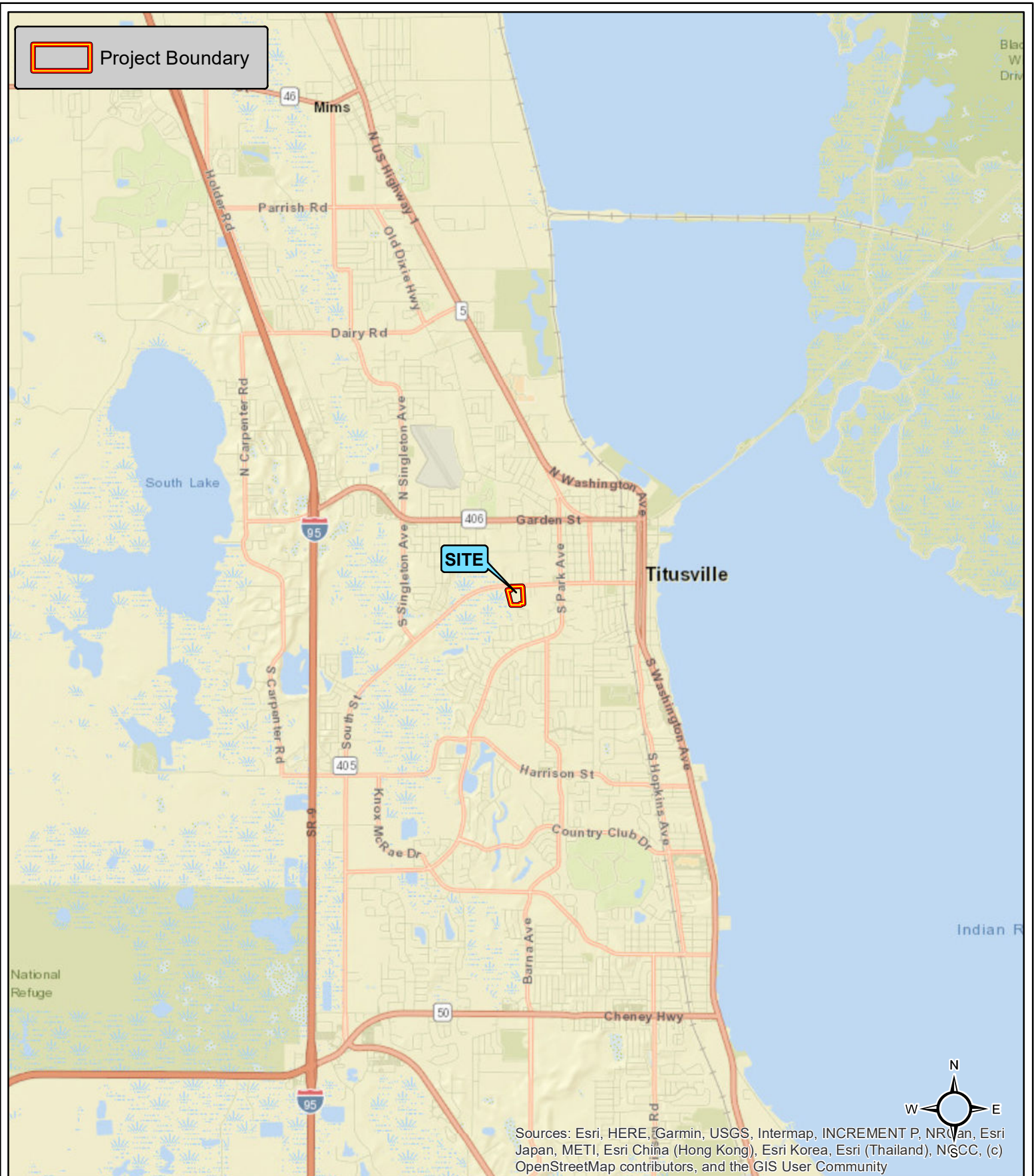
Sincerely,



David G. Purkerson, MS, PWS
Vice President/Biologist



Jon H. Shepherd, MS, PWS
President/Ecologist



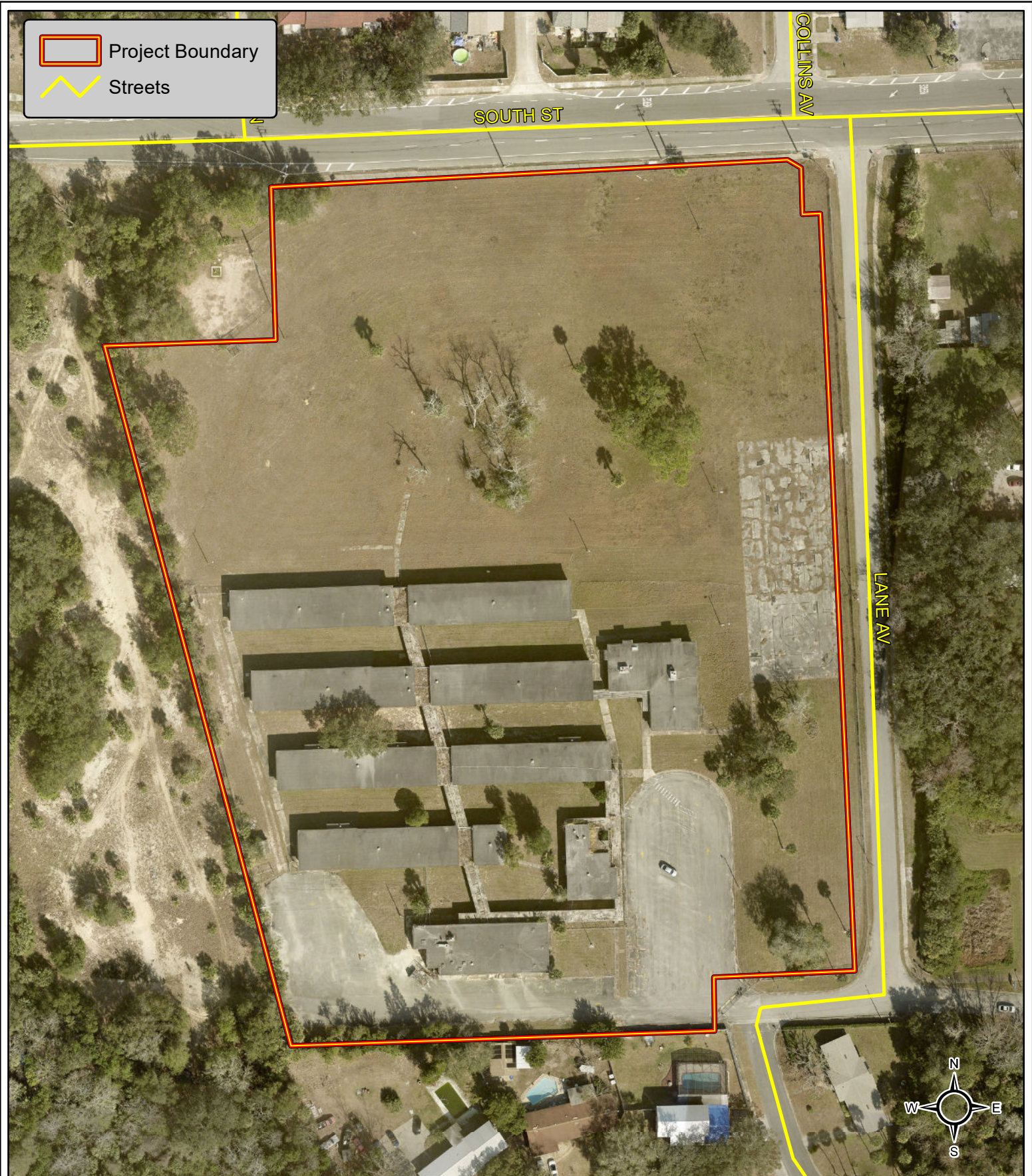
Project: 800 Lane Avenue

Figure 1: Location Map

0 0.5 1 2 Miles

Brevard County, Florida





Project: 800 Lane Avenue

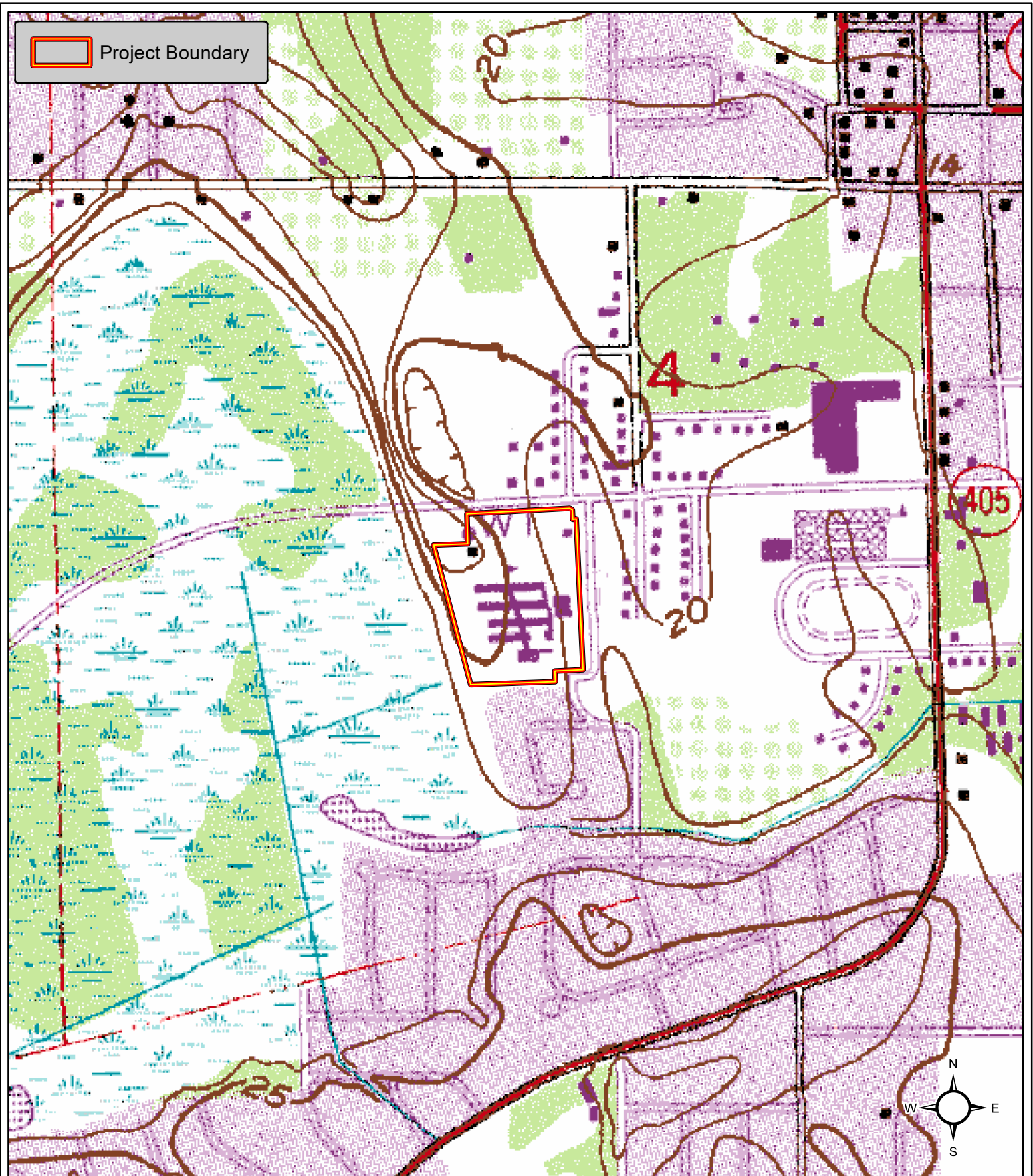
Figure 2: Aerial Map

0 100 200 400 Feet

2023 Aerial, Brevard County, Florida



AE Proj #: 24213
Page 93 of 108



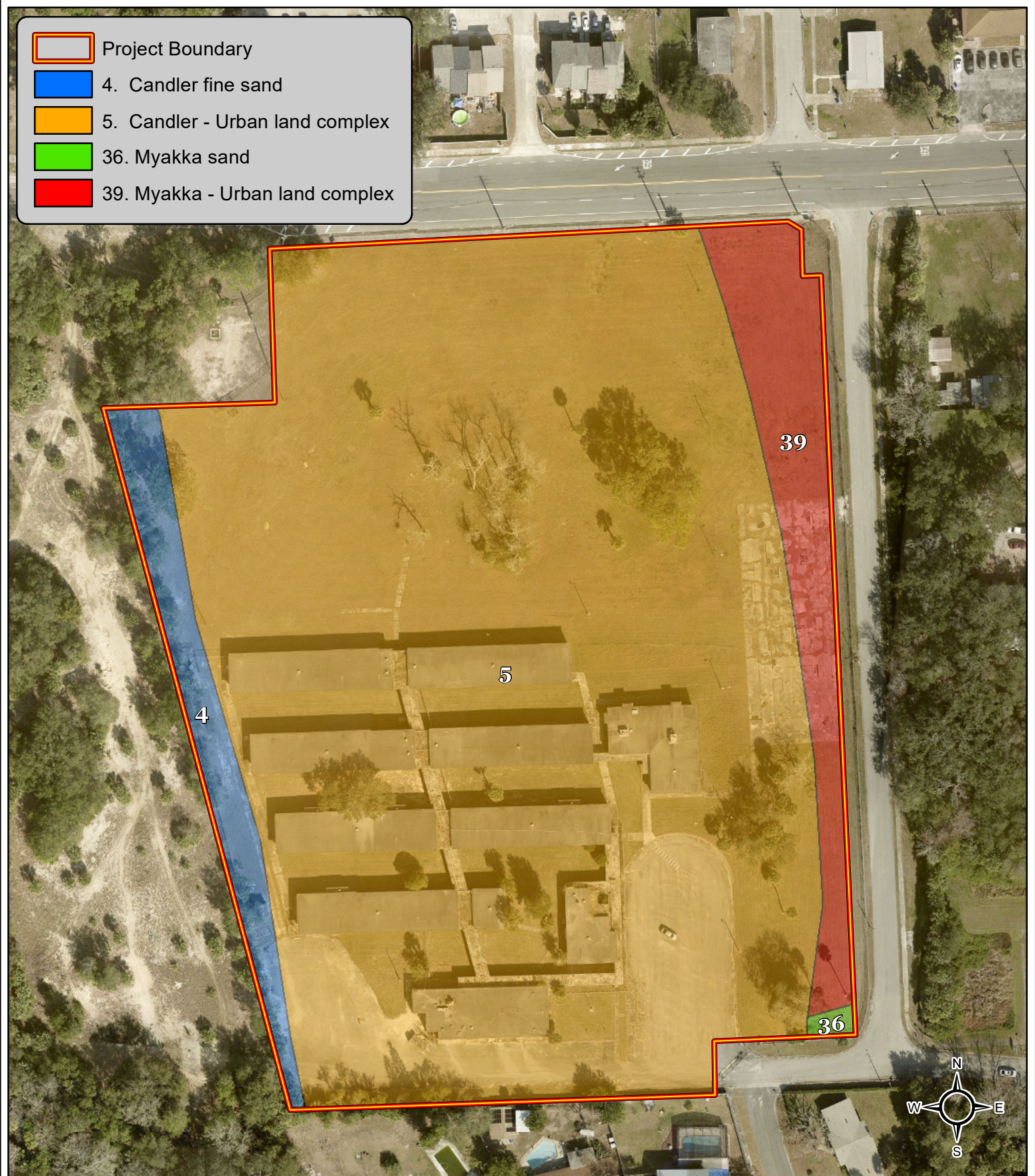
Project: 800 Lane Avenue

Figure 3: USGS Topo Map

0 500 1,000 2,000
Feet

Titusville Quadrangle, Brevard County, Florida



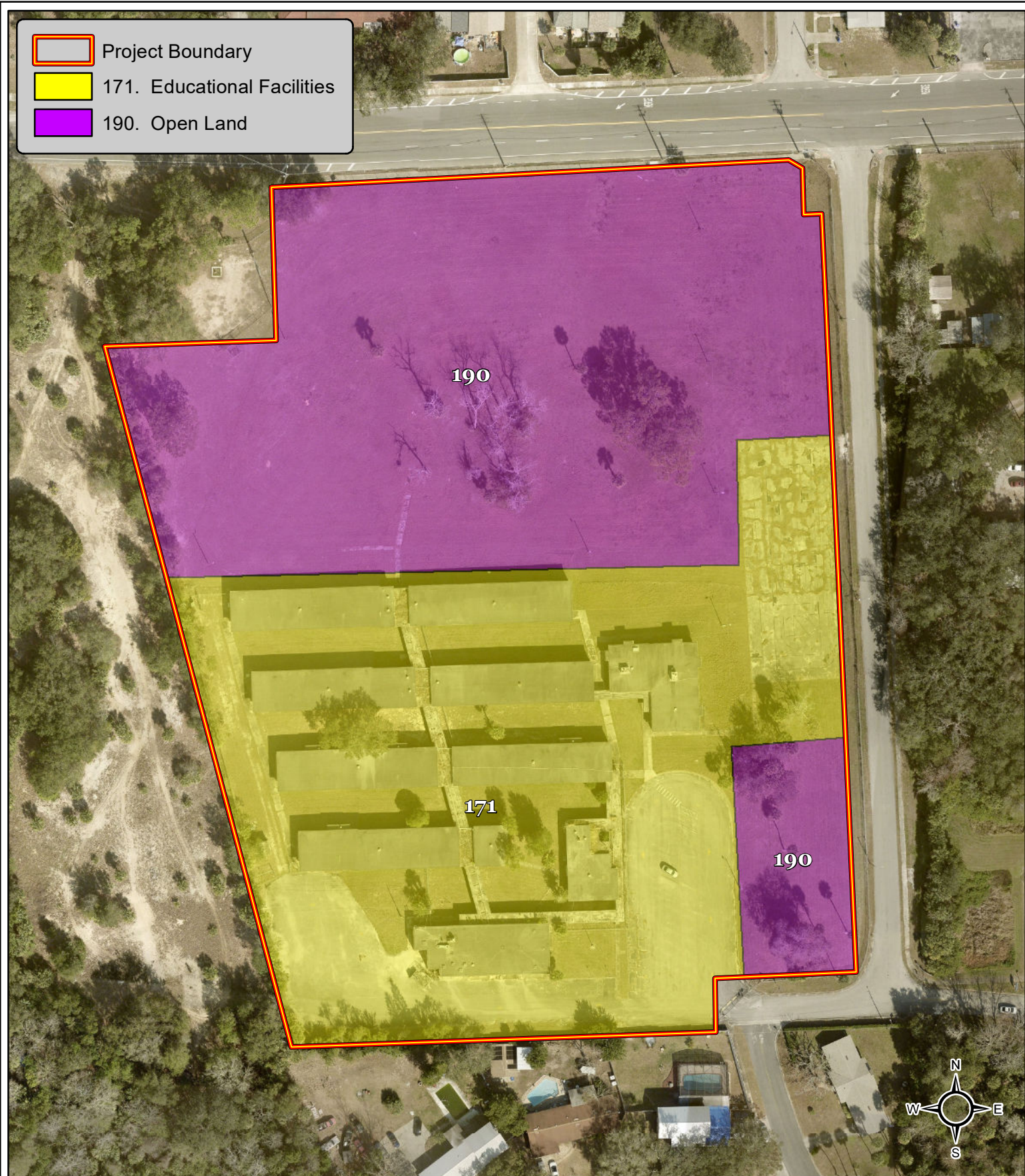


Project: 800 Lane Avenue

Figure 4: NRCS Soils Map

0 100 200 400 Feet

2023 Aerial, Brevard County, Florida



Project: 800 Lane Avenue

Figure 5: Land Use (FLUCFCS) Map

0 100 200 400 Feet

2023 Aerial, Brevard County, Florida



From: [Kelly Delmonico](#)
To: [Parrish, Bradley](#); [Galindo, Eddy](#)
Cc: [Israel Ausch](#); [Yanky Mermelstein](#)
Subject: 800 Lane Comp Plan Map Amendment Revision
Date: Tuesday, September 17, 2024 11:32:05 AM
Attachments: [image.png](#)

Hi Brad and Eddy,

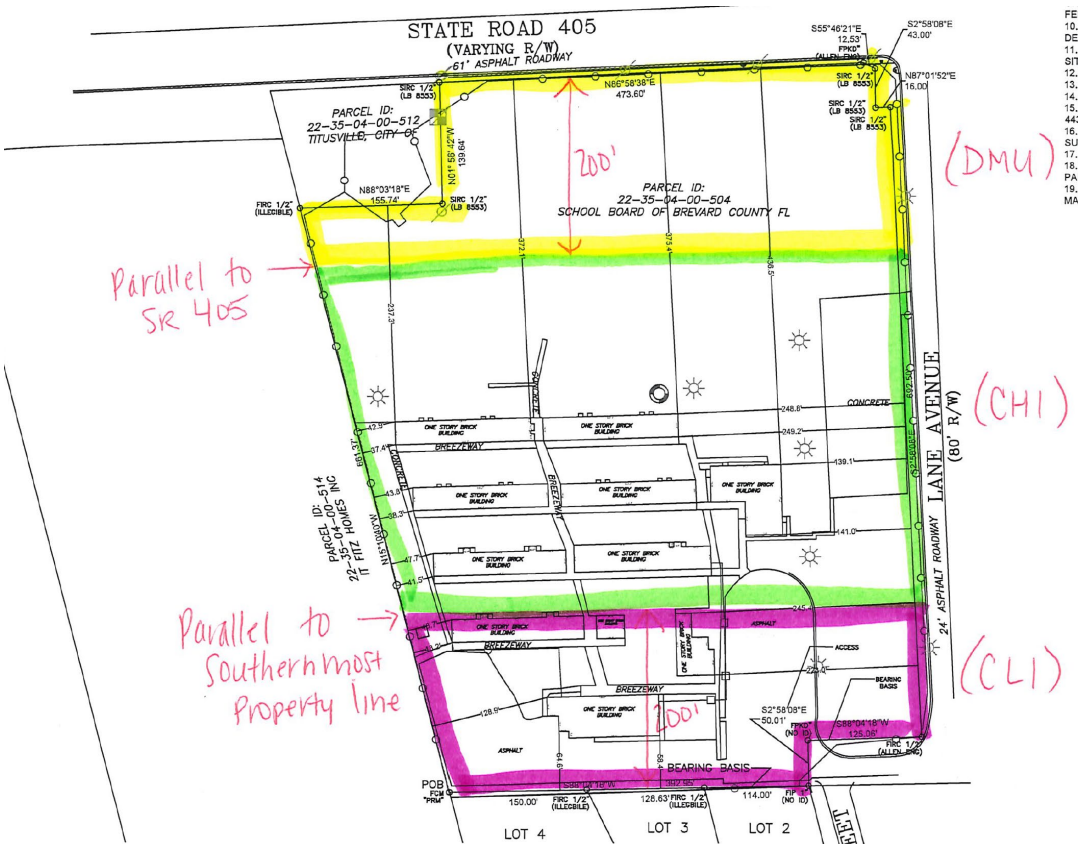
I have spoken with my clients and they are in agreement to amend the request for the comprehensive plan map amendment to include three FLU designations. This allows for a step down approach in intensity to allow for more intense development near SR 405 and less intense development to the south where we are adjacent to single-family residential. This is in response to the two community meetings I have had with the neighbors along with the roadblocks we are running into with the comprehensive plan and land development regulations that restrict development in the Commercial Low Intensity future land use category.

We are specifically seeking the CC zoning on the entire property to allow the property owner the ability to have indoor recreation and request a conditional use for outdoor recreation. Due to the size of the property (over 10 acres) we also need to seek Commercial High Intensity (CHI) future land use for a good portion of the site, opposed to Commercial Low Intensity (CLI). Unfortunately, CLI restricts the overall square footage of buildings to 40,000 SF, regardless of property size, which will not work for a site this size. CLI additionally restricts the number of units that can be 3,000 SF or larger.

The image below is what I have sent to our surveyor so they can prepare legal descriptions for each FLU designation. This is also what I would like the application to reflect. The 200' of DMU would be maintained, the south 200' would be CLI, and the remainder of the site would be CHI.

Please let me know if you have additional questions.

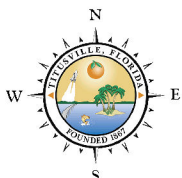
Take care,
Kelly



Kelly (Hyvonen) Delmonico, AICP
Principal Planner / Owner

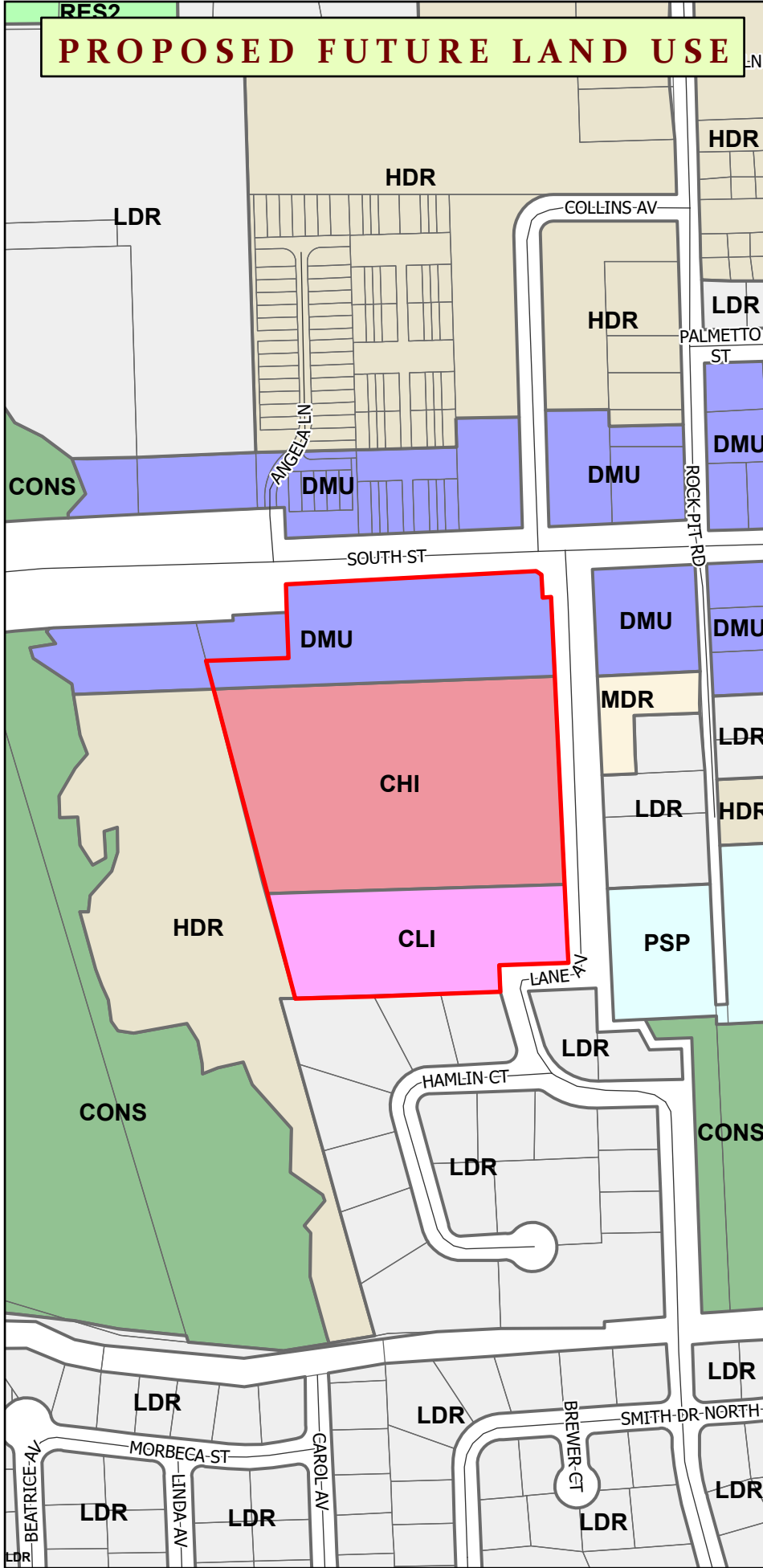
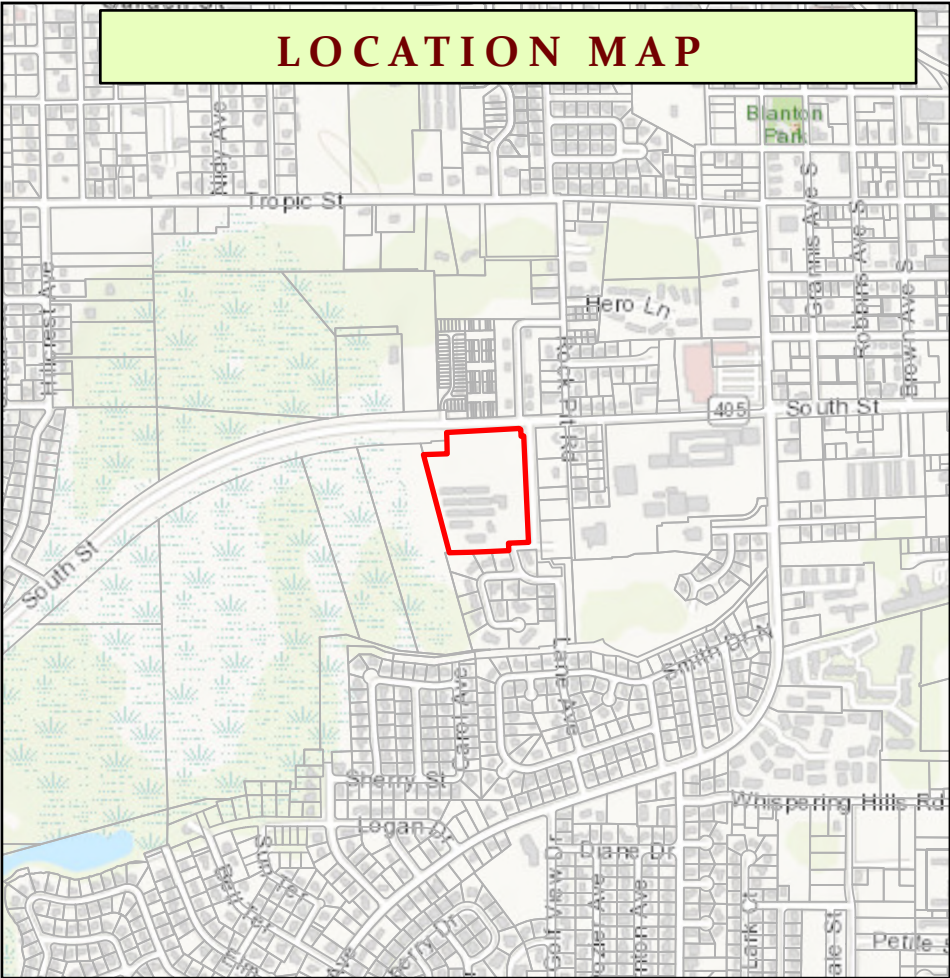
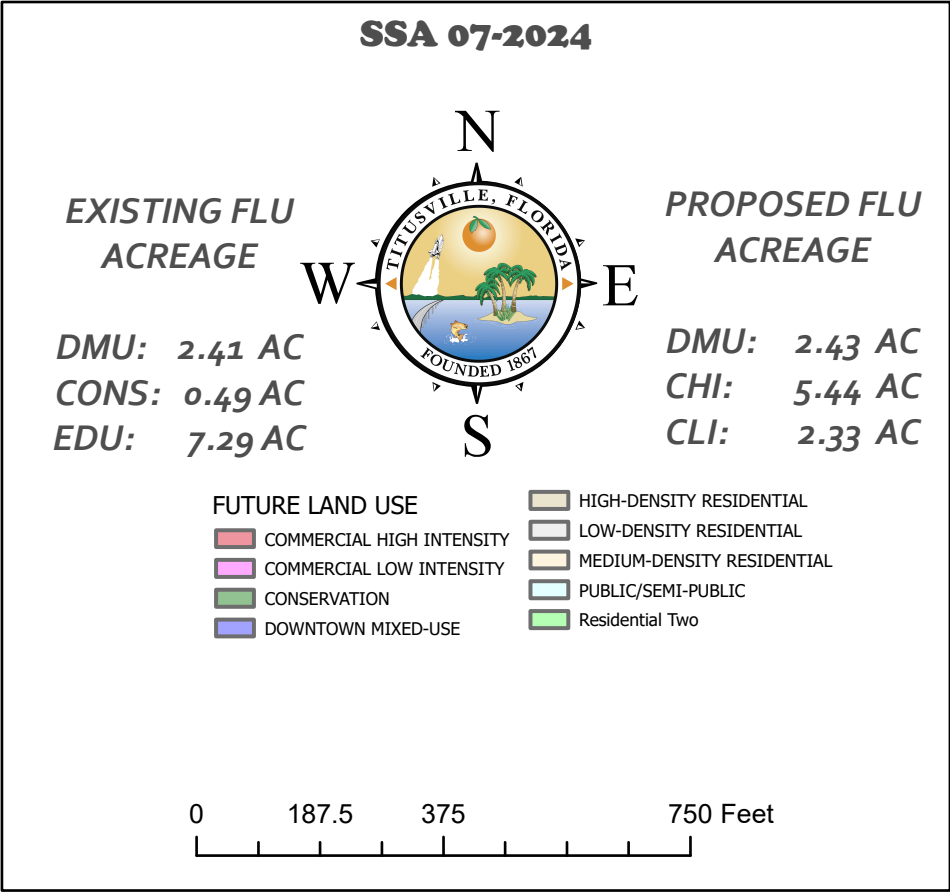
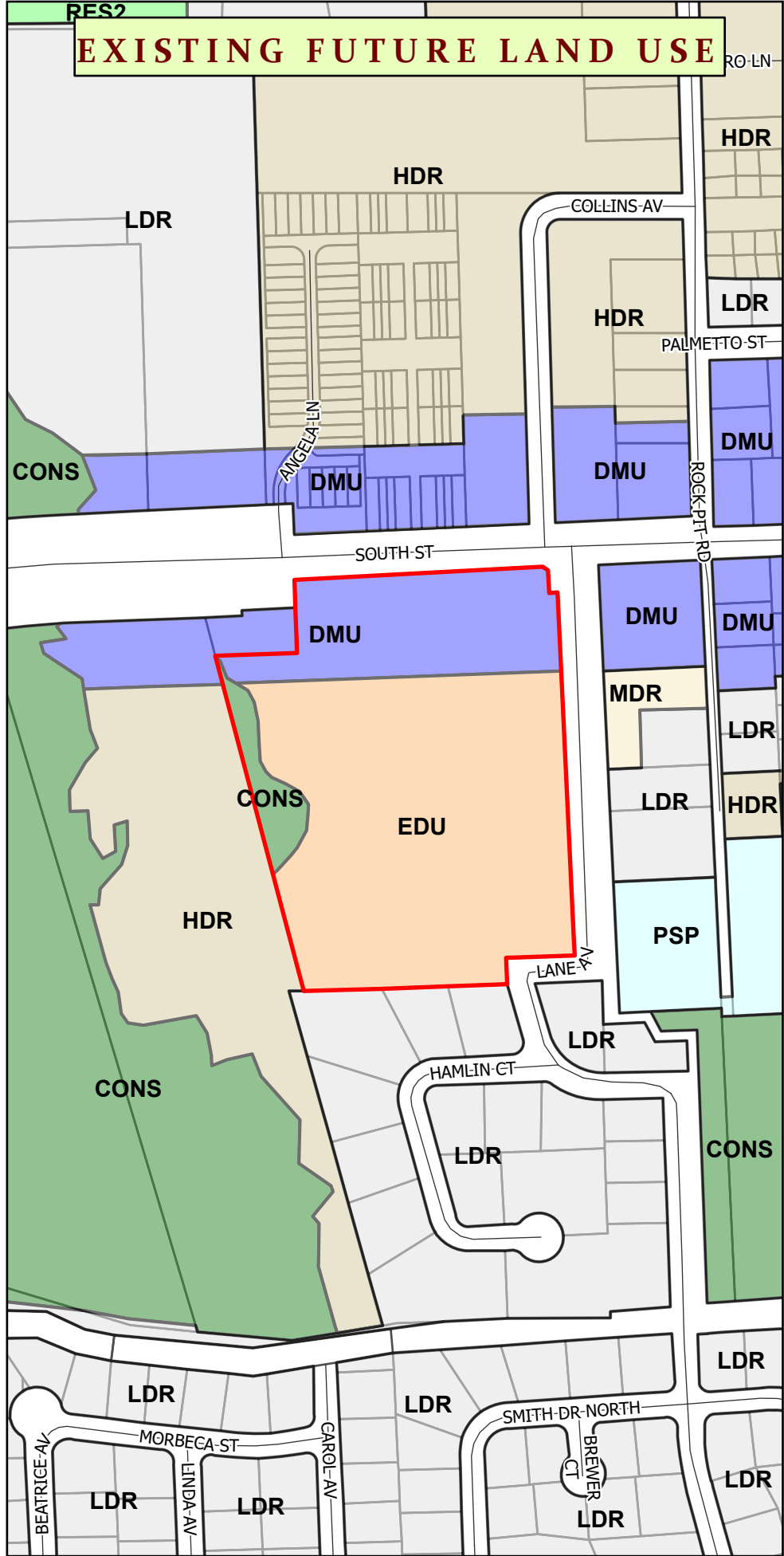


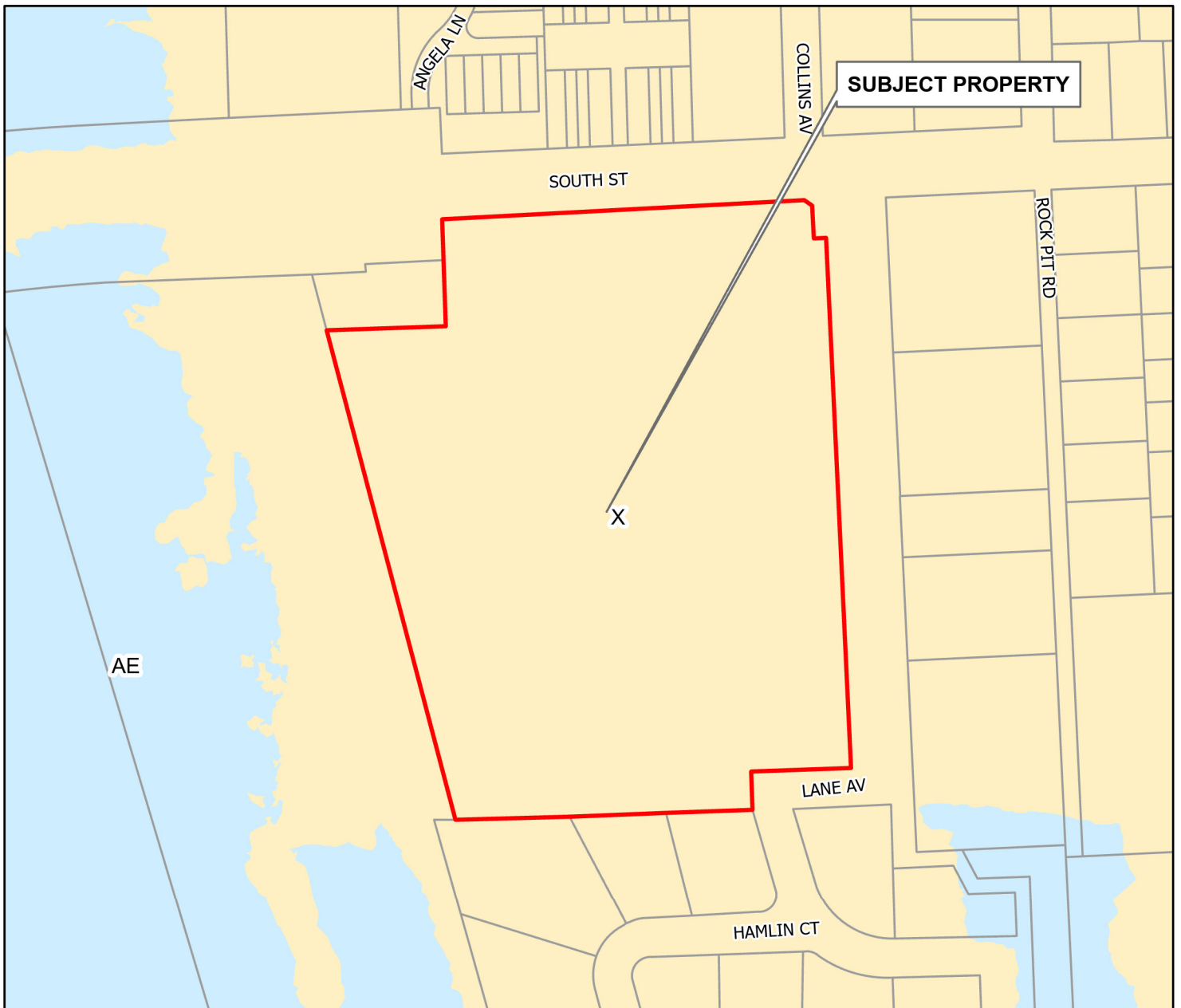
612-710-9296
Melbourne, FL
www.landdevelopmentstrategies.com



Aerial 2023
SSA_7-2024

0 115 230 460 Feet





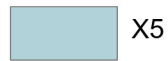
FEMA FLOOD HAZARD AREAS

SSA_7-2024

Special Flood Hazard Area Zones



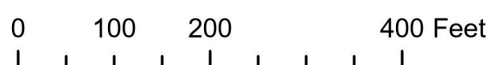
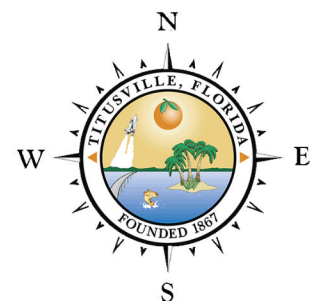
Moderate Flood Hazard Area Zone

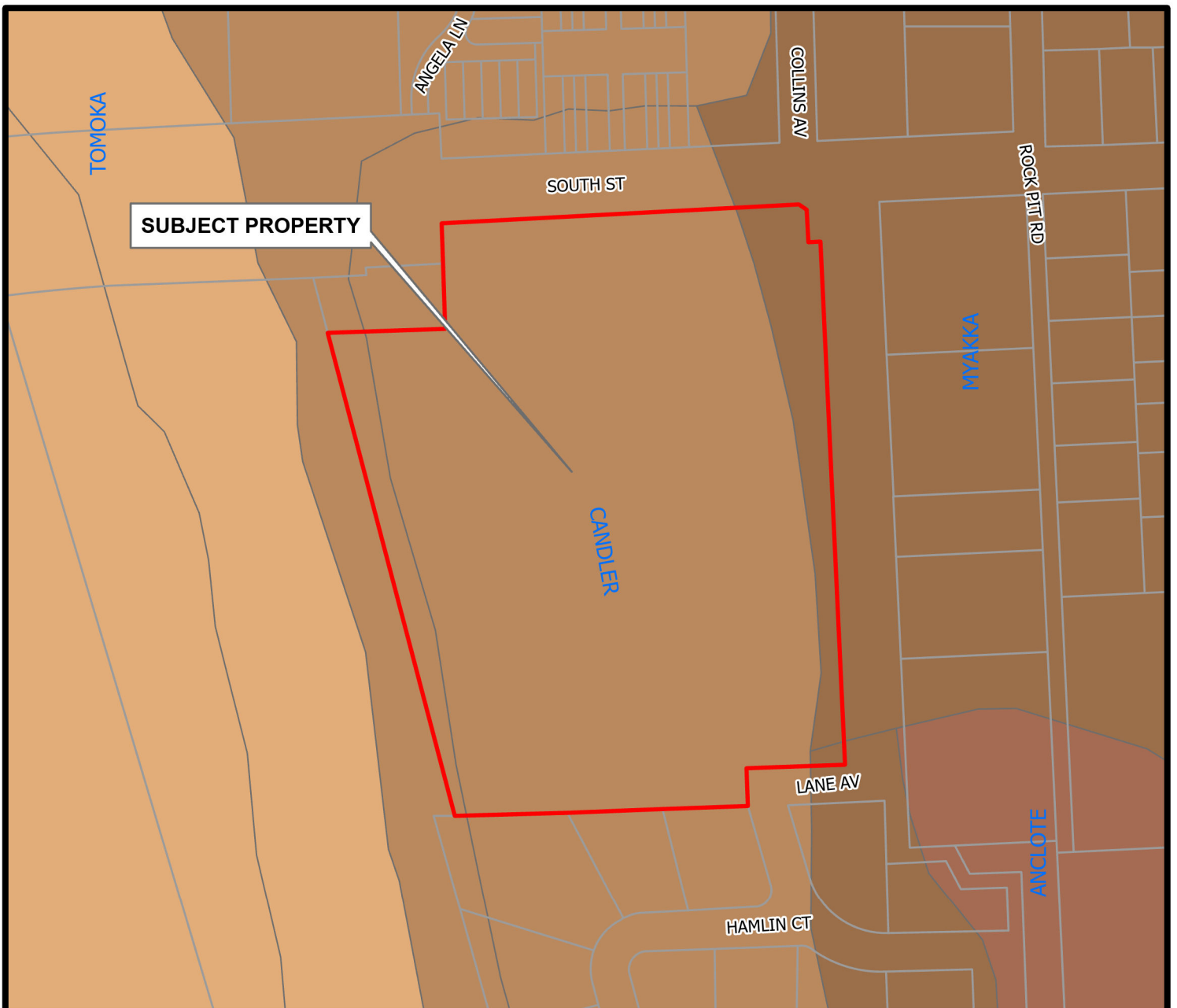


Minimal Flood Hazard Zones



Other Flood Zone Areas

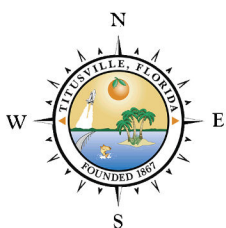




SOILS IN THE VICINITY OF SUBJECT PROPERTY SSA_7-2024

SoilName

- ANCLOTE
- CANDLER
- MYAKKA
- TOMOKA

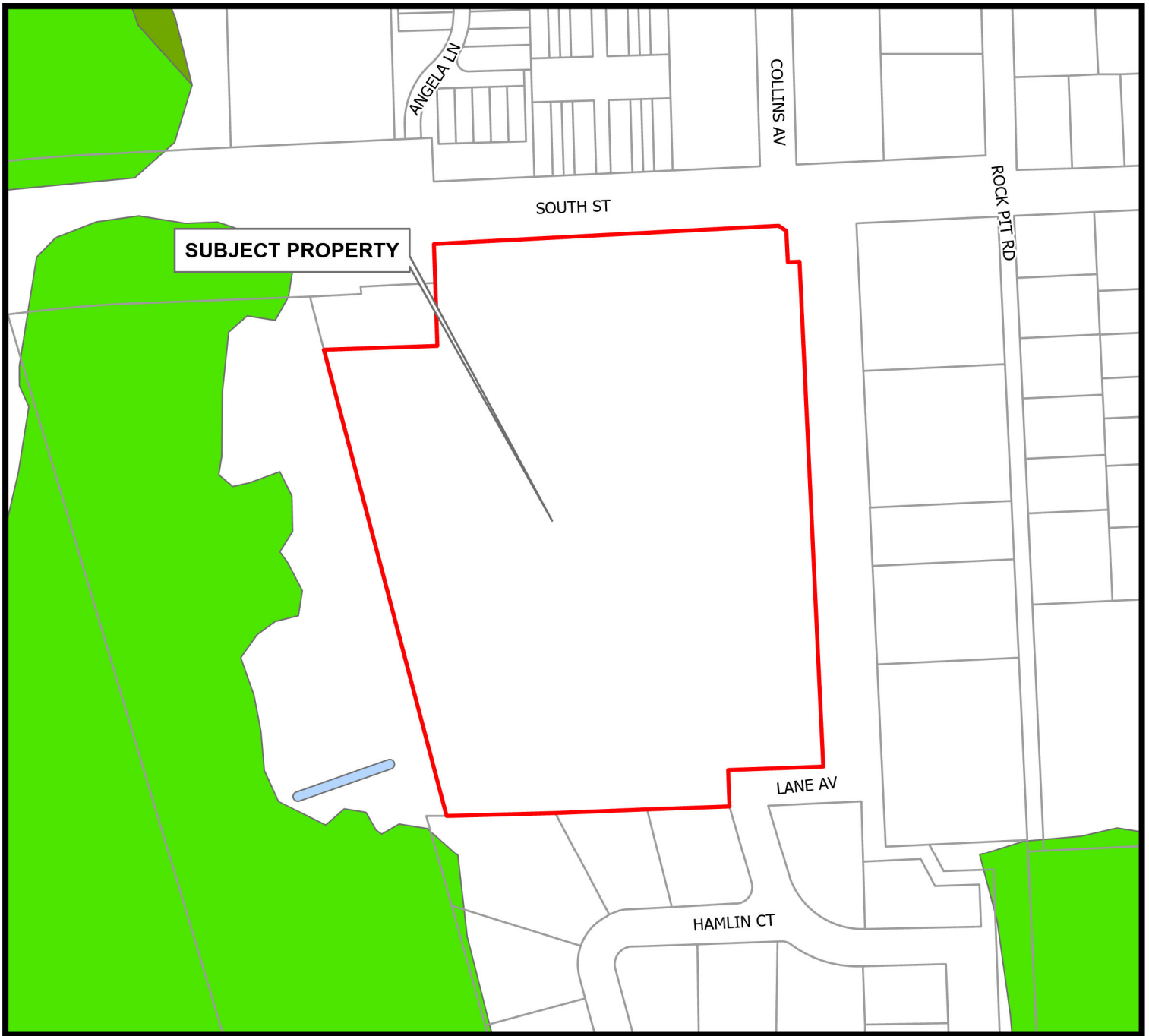


Community Development Department

0 100 200 400 Feet

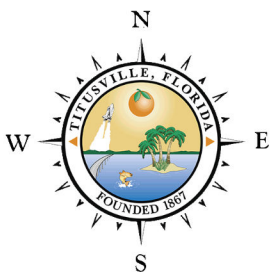
Soils data source: The U.S. Department of Agriculture, Natural Resources Conservation Service. (2019)

5/16/2024



WETLANDS IN VICINITY OF PROPERTY

SSA_7-2024



WETLAND_TY

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland

- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

5/16/2024

Scale:1:2,400

Community Development Department
Source: USFWS NWI (2023)

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Members of the Planning and Zoning Commission
From: Brad Parrish, Community Development Director
Subject: **Semi Annual Report**
Department/Office: Planning

Recommended Action:

Approve

Summary Explanation & Background:

Review and approve the Planning and Zoning Commission Semi-Annual report to City Council

Alternatives:

Approve with corrections or additions

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. July - December 2024 SemiAnnual Update



City of Titusville

Planning Department

To: Scott Larese, City Manager

FROM: BRAD PARRISH, COMMUNITY DEVELOPMENT DIRECTOR

Date: 01/28/2025

RE: Planning and Zoning Commission Semi-Annual Report July– December 2024

Within the last six months the Planning and Zoning Commission has reviewed the following items:

1. Ordinances and Technical Manuals

1. Planning and Zoning Commission By-Laws Proposed Amendment – P&Z made a motion to propose that the Planning and Zoning Commission follow City Council’s agenda in accordance to Section 2-26 of their By-Laws
2. Titusville Environmental Commission Powers & Duties – P&Z made a motion to recommend approval of the changes to the TEC Powers & Duties. August 21, 2024
3. Planning & Zoning Commission By-Laws – P&Z made a motion to approve the changes to their By-Laws. Approved unanimously. August 21, 2024
4. Building Trade Services (Clean Up Ordinance) – P&Z made a motion to recommend approval of the Building Trade Services Clean Up Ordinance as presented. Approved Unanimously. October 2, 2024
5. Outdoor Storage (Clean Up Ordinance) – P&Z made a motion to recommend approval of the Outdoor Storage Clean Up Ordinance as presented. Approved unanimously. October 2, 2024
6. Conditional Use Permit CUP Legal Advertisement Requirement Ordinance – P&Z made a motion to recommend approval of the Conditional Use Permit (CUP) Legal Ad Requirement Ordinance as presented. Approved unanimously. October 2, 2024
7. Consolidated Fees for the Development Applications and Legal Advertising Ordinance – P&Z made a motion to recommend approval of the ordinance as presented. Approved unanimously. November 6, 2024
8. Annual 5-Year Capital Improvement Element (CIE) update – P&Z made a motion to recommend approval of Ordinance No. 48-2024 Annual 5-Year Capital Improvement Element (CIE) as presented and with two recommendations. 1. As part of the Capital

Planning and Zoning Commission Semi-Annual Report July-Dec 2024

Improvement Program, due to the increased population, explore a grants administration program, and move away from using a consultant. 2. Should amend the subdivision code to include required traffic calming design standards on excessive lengths of streets. Approved unanimously. December 4, 2024

9. Multi-Family Infill Lot Ordinance – P&Z made a motion to recommend approval of the Multi-Family Infill Lot Ordinance as presented. Approved with a 6 yes vote. 1 abstention.

2. Comprehensive Plan Amendments (CPA)

1. CPA#1-2024 - Future Land Use, Transportation and Housing Elements, Downtown and Gateways Objectives, Policies and Strategies and new City-wide Element – P&Z made a motion to recommend approval as presented. Approved unanimously. September 18, 2024

3. Small Scale Amendments (SSA)

1. SSA#6-2024 – Tranquility – P&Z made a motion to approve Small Scale Comprehensive Plan Amendment SSA#6-2024 as presented. August 7, 2024
2. SSA#1-2024 – SR405 & Singleton Avenue PD North – P&Z made a motion to recommend approval of the Comprehensive Future Land Use Ordinance SSA#1-2024 as presented. Approved with a 4 yes, 3 no vote. September 18, 2024
3. SSA#1-2024 – SR405 & Singleton Avenue PD North – P&Z made a motion to recommend approval of the Rezoning Ordinance SSA#1-2024 with the staff recommended conditions and allowing connectivity to Highland Terrace. Also, the addition of the following conditions 1. Setback being increased to 72 feet on the Northeast boundary. 2. Traffic calming initiatives being presented at sketch plat phase 3. Building height, no greater than 40 feet. Approved with a 4 yes, 3 no vote. September 18, 2024
4. SSA#2-2024 – SR405 & Singleton Avenue PD South – P&Z made a motion to recommend approval of the Comprehensive Future Land Use Amendment Ordinance for SSA#2-2024 as presented. Approved unanimously. September 18, 2024
5. SSA#2-2024 – SR405 & Singleton Avenue PD South – P&Z made a motion to recommend approval of the Rezoning Ordinance for SSA#2-2024 with staff recommendations and also including that the height be restricted to 40 feet maximum and that the developer allow access from the new road to the existing Forest Hills Baptist Church to Singleton Avenue if possible. Approved with 4 yes, 3 not vote. September 18, 2024
6. SSA#8-2024 – 1717 Barna Avenue – Royal Manor Townhomes – P&Z made a motion to recommend denial of the Future Land Use Map amendment for Small Scale

Planning and Zoning Commission Semi-Annual Report July-Dec 2024

Comprehensive Amendment SSA#8-2024 based on it doesn't comply with the Future Land Use. Motion passed with a 5 yes, 2 no vote. December 4, 2024

7. SSA#8-2024 – 1717 Barna Avenue – Royal Manor Townhomes – made a motion to recommend denial of the rezoning request to Multi-Family Medium Density (R2) zoning for Small Scale Comprehensive Amendment SSA#8-2024. Approved to deny unanimously. December 4, 2024

4. Conditional Use Permits (CUP)

5. Rezoning (REZ)

1. REZ# 2-2024 – 1606 South Street– P&Z made a motion recommending approval of Rezoning #2-2024 as presented. Approved unanimously. August 7, 2024
2. REZ# 1-2024 – 2300 Columbia Blvd – P&Z made a motion to recommend approval of Rezoning #1-2024 as presented. Approved unanimously. August 21, 2024
3. REZ# 3-2024 – Titusville Resort & Destination Master Plan Amendment – P&Z made a motion to recommend approval of Rezoning REZ#3-2024 – Titusville Resort & Destination Master Plan Amendment as presented. Approved unanimously. October 2, 2024

6. Sketch Plats / Final Plats

1. Huntington Park – Final Plat – P&Z made a motion to recommend approval of the Huntington Park Final Plat as presented. Approved unanimously. December 4, 2024
2. Tranquility, Phae 3 – Sketch Plat – P&Z made a motion to recommend approval of the Tranquility Phase 3 – Sketch Plat with the staff recommended condition. Approved with a 4 yes, 3 no vote. December 4, 2024