



REVISED

STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

landdevelopmentweb@palmabayflorida.org

Prepared by

Christopher Balter, Senior Planner

CASE NUMBER

PD-32-2020

PLANNING & ZONING BOARD HEARING DATE

November 4, 2020

PROPERTY OWNER & APPLICANT

Benjamin E. Jefferies - Waterstone Farms, LLC

PROPERTY LOCATION/ADDRESS

A portion of Tax parcels 250 and 500, Section 4, Township 30, Range 37, and a portion of Tract 1 of the San Sebastian Farms Subdivision

SUMMARY OF REQUEST

Preliminary Planned Unit Development approval for a 154-unit residential subdivision to be known as Gardens of Waterstone Phase 1 PUD.

Existing Zoning

PUD, Planned Unit Development

Existing Land Use

Single-Family Residential Use

Site Improvements

Vacant Unimproved Land (Former Orange Groves)

Site Acreage

44.65 acres, more or less

SURROUNDING ZONING & USE OF LAND**North**

Melbourne-Tillman Drainage Canal No. 38

East

PUD; Heron Bay at Waterstone PUD; Single-Family Homes

South

PUD; The Lakes at Waterstone PUD; Single-Family Homes and Undeveloped Land

West

PUD; Waterstone at Palm Bay; Undeveloped Land

**COMPREHENSIVE PLAN
COMPATIBILITY**

The future land use designation of the subject property is Single-Family Residential Use. The development of a single-family planned unit development is compliant with the Single-Family Residential Use future land use designation. The proposed density is 3.44 units per acre, which is below the maximum density defined in the City's Comprehensive Plan for Single-Family Residential Use (up to 5 units per acre).

BACKGROUND:

The subject property is located north of and adjacent to Mara Loma Boulevard SE, and west of Babcock Street SE. Specifically a portion of Tax parcels 250 and 500, Section 4, Township 30, Range 37, and a portion of Tract 1 of San Sebastian Farms Subdivision of Brevard County Florida. This Preliminary PUD request includes approximately 44.65 acres of land.

In 2004 the subject property was annexed into the City via Ordinance 2004-35 totaling 1,167 acres. The original Future Land Use amendment designated all of the lands as Single-Family Residential Use via Ordinance 2004-52; which stated that 1,800 units could be placed on the lands of Waterstone or Cypress Bay Preserve. Site specific conditions were placed on the amendment via Ordinance 2004-48. Between 2005 and 2018, a series of 37 future land use map amendments were made bringing the total units entitled to 2,596. The total entitlements encumbered are as follows: 1802 units on the west side of Babcock Street, and 362 units on the east side of Babcock Street.

ANALYSIS:

The applicant is requesting Preliminary Development Plan (PDP) approval for a Planned Unit Development (PUD), to construct a single-family residential subdivision called Gardens at Waterstone Phase 1. The planned unit development is a concept which encourages and permits variation in residential developments by allowing deviation in lot size, bulk or type of dwellings, density, lot coverage, setbacks and open space, from those elements required in any singular zoning classification found in the city's Zoning Code.

The purpose of a planned unit development is to encourage the development of planned residential neighborhoods and communities that provide a full range of residence types, as well as commercial uses designed to serve the inhabitants of the proposed community. The planned unit development process simplifies the procedure for obtaining approval of these developments through simultaneous review of the proposed land use, site consideration, public needs and requirements, and health and safety factors.

Specifically, the PDP proposes a 154-unit single-family development that will be constructed in one phase. Per the PDP, typical lots within the residential development are 40' x 125'. The minimum size home will need to be identified in the Declaration of Covenants and Restrictions. The development will consist of a gated entrance with amenities neighborhood park, walking trails, recreation and open space areas, stormwater management ponds, and private roadways.

Lastly, technical staff review comments are attached to this report.

CONDITIONS:

In order to receive Preliminary Planned Unit Development approval, the proposal must meet the requirements of Section 185.066 of the City of Palm Bay's Code of Ordinances. Upon review, it appears that the request is in conformance with the applicable requirements of this section, subject to the following items being submitted with a Final PUD application:

- A. A preliminary subdivision plat and a boundary & title opinion;
- B. Deed restrictions establishing development standards and minimum dwelling sizes;

C. Construction drawings;

D.>>C.<< Specific layout and architectural drawings illustrating the amenities and walking trails;

E.>>D.<< The technical comments generated by the Development Review Staff (attached) shall be observed and incorporated into all future subdivision designs.

STAFF RECOMMENDATION:

Case PD-32-2020 is recommended for approval, subject to the staff comments contained in this report.

TECHNICAL COMMENTS

CASE PD-32-2020 – Gardens at Waterstone Phase 1 PUD

BREVARD COUNTY (Jeffrey Ball, Planning and Zoning Manager):

Brevard County has no concerns at this time. The applicant has previously acknowledged that a Traffic Signal Warrant Analysis will be conducted with the completion of Cypress Bay and the Gardens developments. They have also previously advised that a traffic signal, if warranted, will be the responsibility of the developer to provide for the design, permitting, and construction of said traffic signal.

PUBLIC WORKS (Natalie Shaber, Engineer II):

The Public Works Department has the following comments:

- An updated signal warrant, and traffic impact analysis will be required because of the constructed elementary school, adjacent Cypress Bay Development, and constructed St. John's Heritage Parkway.
- Additional safety features such as a cross walk across Mara Loma Blvd.
- Please make sure the proposed Mara Loma Blvd improvements comply with the City of Palm Bay Public Works manual, right-of-way manual as well as the ss184.18 Roadway Design City of Palm Bay Ordinances.
- Please evaluate the flow capacity and cross section of the ditch off site, the condition of the pipe in the Sotille drainage right of way (by the Willowbrook right-of-way). Replace pipe if required.
- Please provide landscape plans for the Mara Loma Blvd Extension.
- Please provide reliable tree root containment to prevent damage of the roadway and sidewalks in the Mara Loma Blvd. right-of-way.
- Make sure the proposed landscaping does not interfere with the sight distance.
- A two-year maintenance bond shall be required prior to the certificate of completion. The maintenance bond is 25 percent of the total value of the work in the public right-of-way.
- Please provide a Landscape agreement for the right-of-way to be executed between the Waterstone PUD CDD (successors and assigns) and the City to perpetually maintain the proposed landscaping in the public right-of-way.
- Please be advised that all project improvements are privately maintained until publicly accepted and approved per City of Palm Bay Ordinance Chapter 182.
- The stormwater management system shall meet the most stringent criteria from the St. John's River Water Management District and the City of Palm Bay's Floodplain and Stormwater Management Ordinance Chapter 174, when those criteria conflict. (SS 174.071).
- Drainage easement shall be provided over the system where it connects to Waterstone Phase One.

- The Courtyards at Waterstone plan and the Waterstone Phase 1 Site plans shall be revised to include this new upstream subdivision that will be routed south.
- Grading of the rear lots 23-41 of the Gardens shall be Type A.
- ADA compliant sidewalks shall connect to the existing sidewalks on Mara Loma Blvd.

UTILITIES (Christopher Little, Utilities Director):

The Utilities Department has no objection to the proposed 154 single-family residential units.

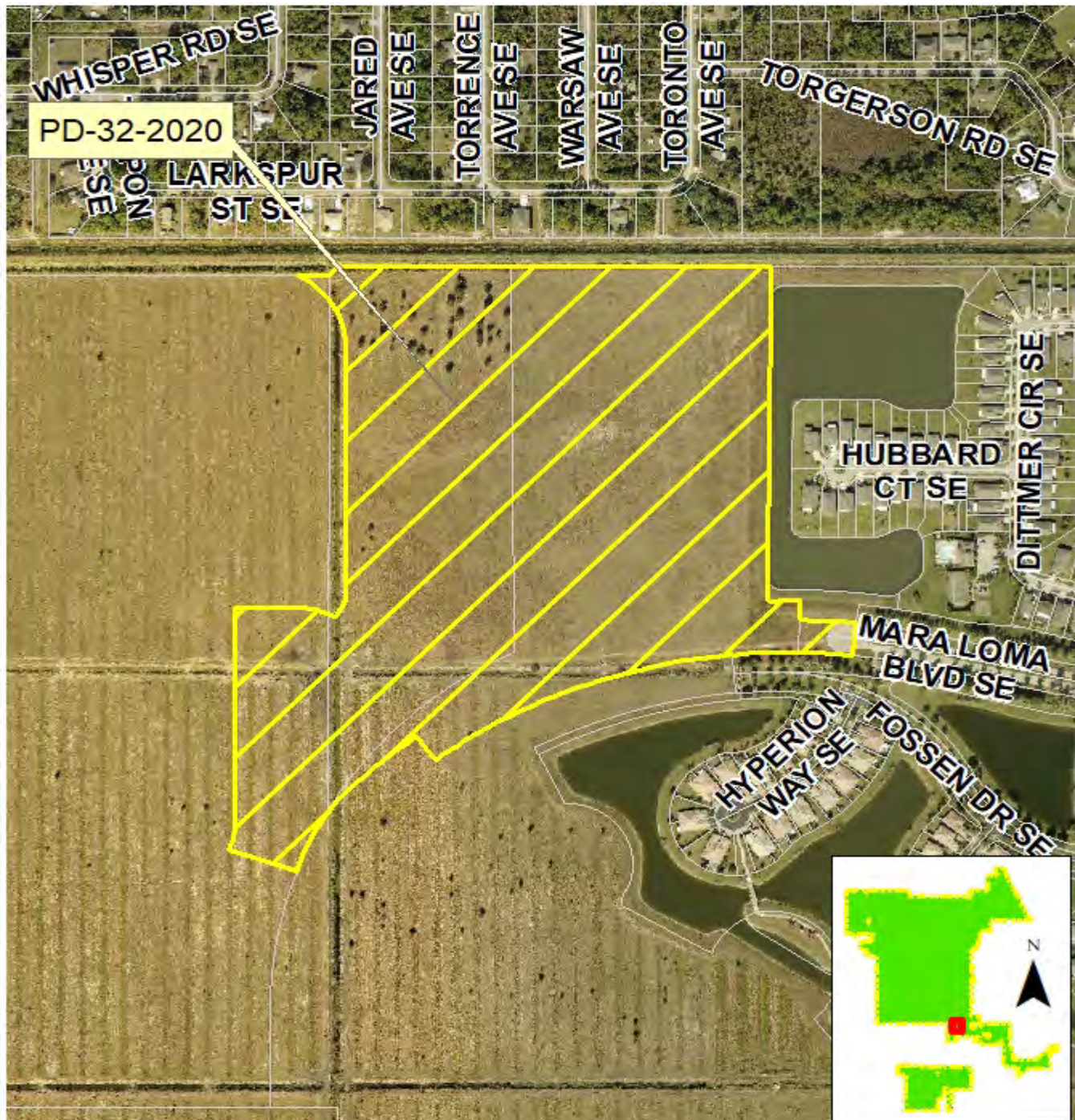
Upon development of the site, the following shall apply for connection to the City's Water and Sewer Utilities System:

1. The applicant/owner, at their expense, will be required to design, permit, install, inspect and test water & sewer systems of adequate size to accommodate the development and to connect to the City's water & sewer system. [§ 200.11(D)(1) – On-Site Facilities]
2. The applicant/owner may be required to extend and/or loop service from the On-Site Facilities to the existing water and sewer connection points. [§ 200.11(D)(2) – Off-Site Facilities].
3. The applicant/owner will be responsible for the property's hydraulic share for the new utilities required to serve the development. Oversizing of utilities at the request of the Utilities Department will be subject to a refunding agreement or refundable advance [§ 200.11(D) & (E)]. The City of Palm Bay's 2017 Wastewater Master Plan & 2017 Water Master Plan, both of which are available by request, identify proposed mainline extensions with the City's current pipe sizing requirements.
4. A City of Palm Bay "Utility Agreement" shall be executed between the Property Owner and the City. All Utility impact/connection charges noted in the "Utility Agreement" must be paid as outlined in the terms and conditions of the Utility Agreement. All fees are subject to change annually on October 1. The Property Owner shall submit a certified copy of the property deed as verification of ownership as part of the Utility Agreement.
5. All utility construction, materials, and testing shall be in accordance with the latest revision of the Palm Bay Utility Departments Policies, Procedures and Standards Handbook and the Standard Detail Drawings. Prior to any construction, all required FDEP Permit applications for the Water and Sanitary Sewer Construction shall be processed through and copies of the Permits filed with the Utilities Department.

BUILDING (James Williams, Flood Plain Administrator):

The entire site is in Floodzone X, no floodplain permits are required.

Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.

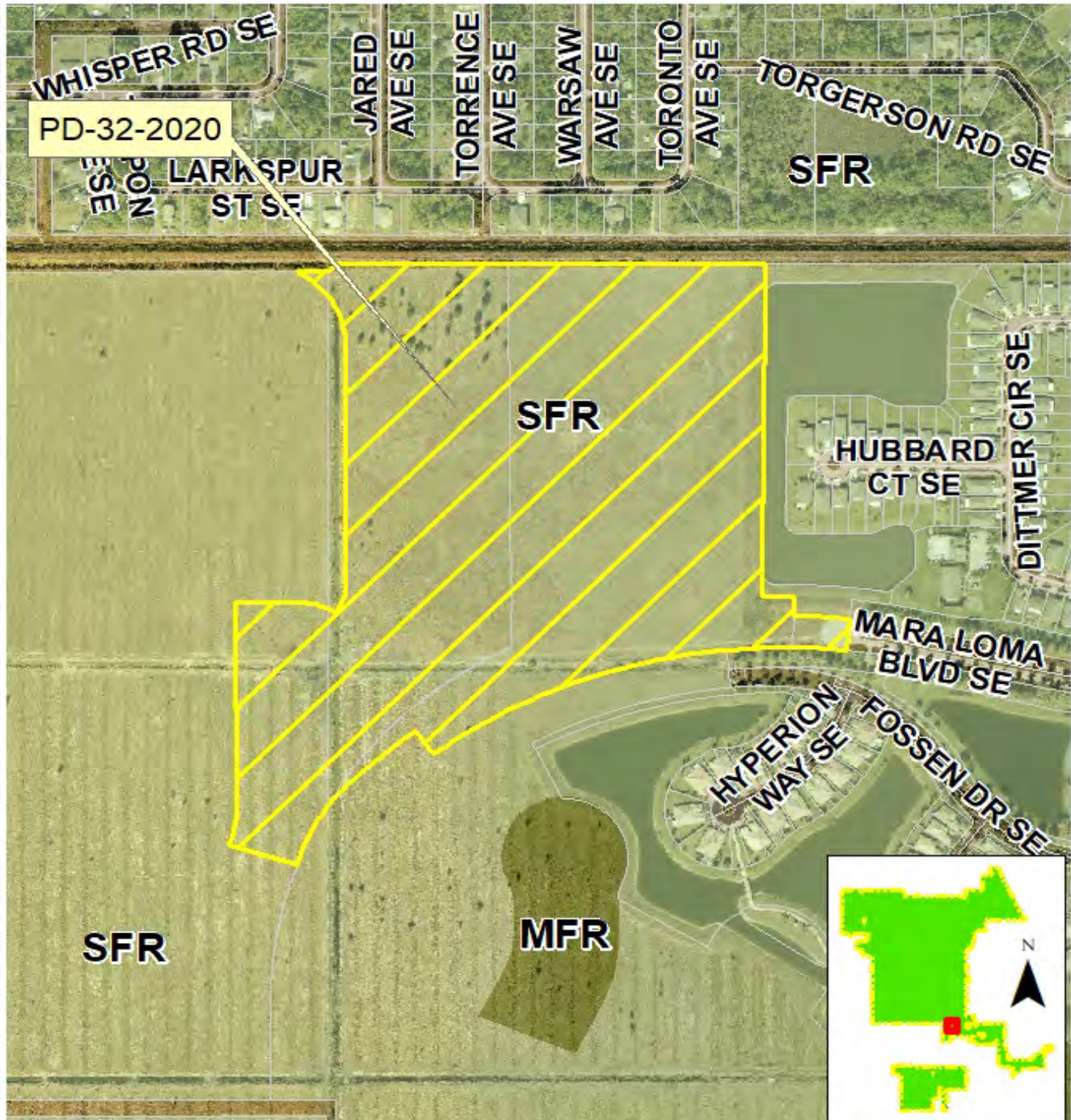


AERIAL LOCATION MAP CASE PD-32-2020

Subject Property

West of and adjacent to Mara Loma Boulevard SE and south of the Melbourne Tillman Water Control District Canal 38

Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



FUTURE LAND USE MAP CASE PD-32-2020

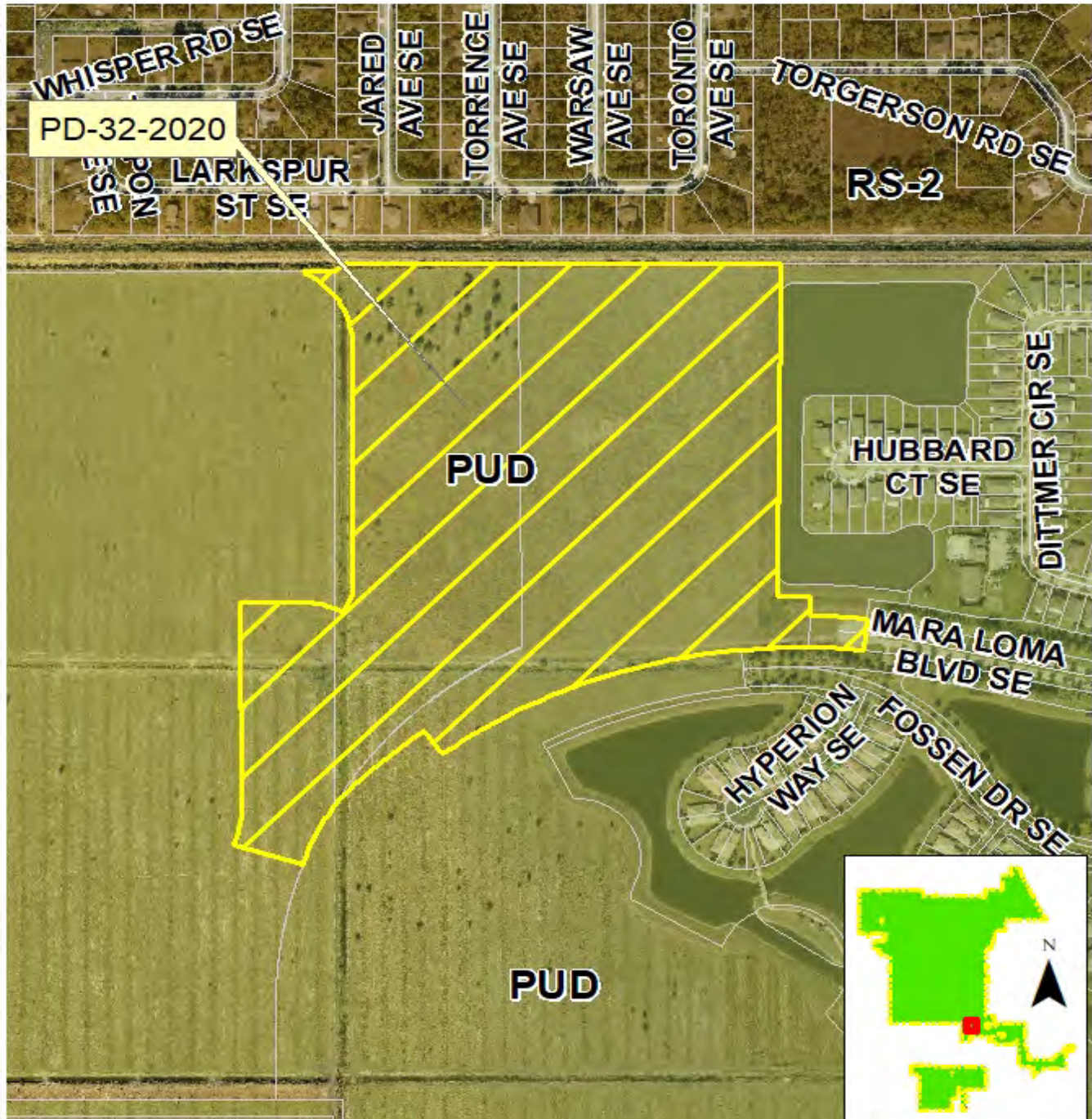
Subject Property

West of and adjacent to Mara Loma Boulevard SE and south of the Melbourne Tillman Water Control District Canal 38

Future Land Use Classification

SFR – Single Family Residential Use

Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



ZONING MAP

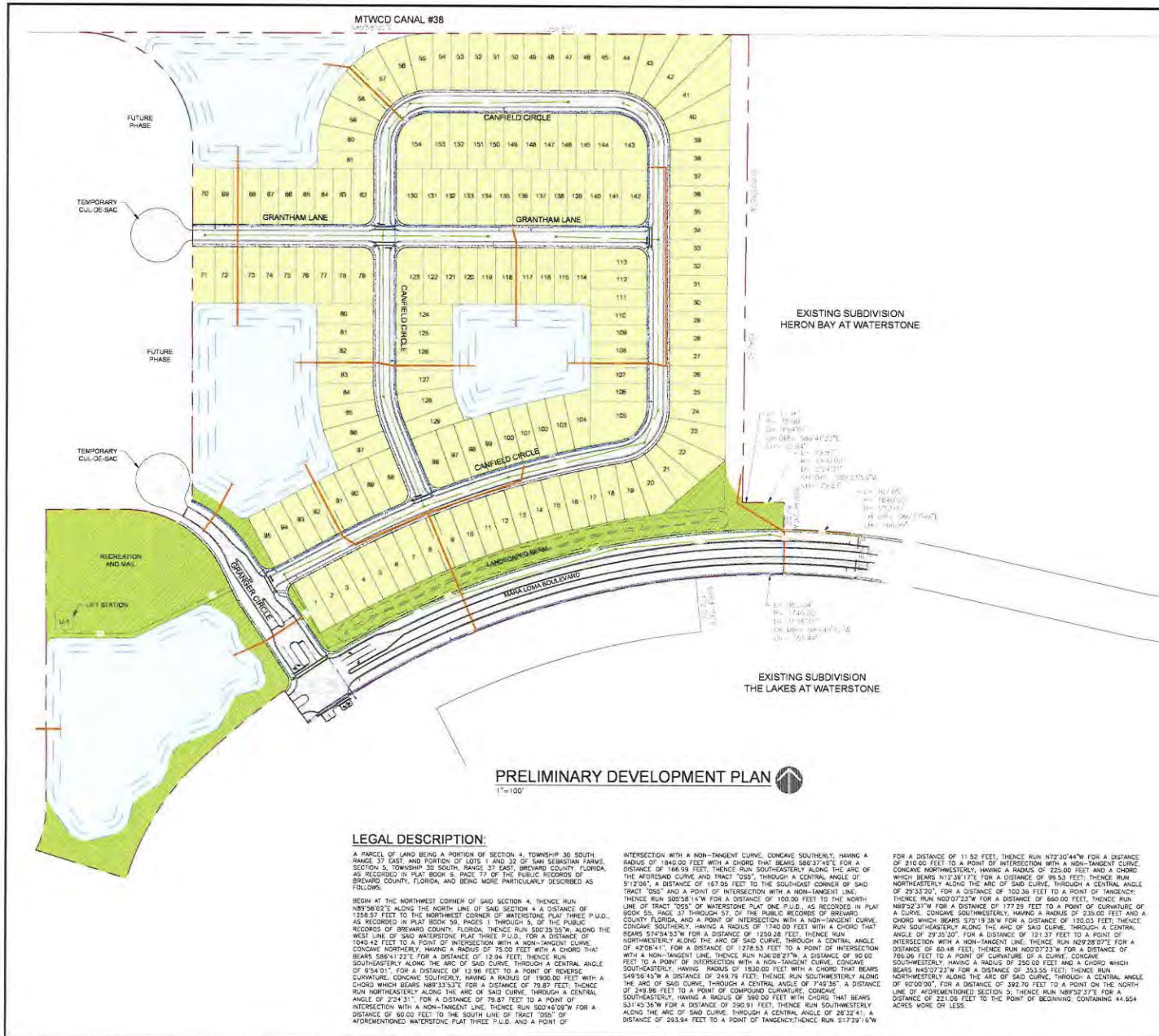
CASE PD-32-2020

Subject Property

West of and adjacent to Mara Loma Boulevard SE and south of the Melbourne Tillman Water Control District Canal 38

Current Zoning Classification

PUD – Planned Unit Development



PROJECT DATA:

GENERAL STATEMENT:
THE PROPOSED PROJECT CONSISTS OF INFRASTRUCTURE AND SITE IMPROVEMENTS TO ACCOMMODATE A 154 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION INCLUDING VEHICULAR ACCESS, SIDEWALKS, PEDESTRIAN EXERCISE TRAILS, A FUTURE AMENITY CENTER, LANDSCAPING, WATER, SEWER AND STORMWATER SYSTEMS. IT PROPOSES TO EXTEND MARK LOMA BOULEVARD AND CONTINUE THE MANICURED LANDSCAPED BEAMS.

OWNER/APPLICANT:
WATERSTONE FARMS, LLC
235 WEST DRIVE
MELBOURNE, FL 32904
TEL: (321) 757-5600

DIVISION:
JAKE T. WISE, P.E.
7651 EAU GALIE BLVD, SUITE A
MELBOURNE, FLORIDA 32935
TEL: (321) 610-1760
E-MAIL: JWISE@ENGINEERING.COM

SURVEYOR:
HORIZON SURVEYORS OF CENTRAL
FLORIDA, INC.
390 PONCHANA DRIVE
MELBOURNE, FL 32935
TEL: (321) 254-8133
EMAIL: BOSS@HORIZONSURVEYORS.COM

LOCATION:
SECTION 35
TOWNSHIP 25
RANGE 36E
PARCEL 101

TAX ACCOUNT:
30-37-04-00-560
30-37-09-HF-1
30-37-04-00-250
300216, 3000917, 3010608

SETBACKS	PROPOSED	LOT COUNT
FRONT:	25 FT	40 x 125' LOTS = 154
SIDE:	5 FT	MAXIMUM BUILDING HEIGHT
REAR:	20 FT	2 STORY: 25 FT
SIDE CORNER:	15 FT	MINIMUM WIDTH:
		SIDEWALKS: 5 FT
		RIGHT-OF-WAY WIDTH: 50 FT

CALCULATED STORMWATER BASIN COVERAGE	ACRE	PERCENT
IMPERVIOUS:	745.350	17.11
RESIDENTIAL (60%):	259.985	5.97
RIGHT-OF-WAY:	75.369	1.73
RECREATIONAL AREA:	1,080.754	24.81
TOTAL IMPERVIOUS:	1,116.220	2.67
PERVIOUS:	748.205	17.17
POND:	1,345.128	44.55
TOTAL:		100%

OPEN SPACE REQUIREMENTS	ACRE
OVERALL AREA (44.95 ACRES)	
COMBINED ON SITE PONDS (75% MAXIMUM CREDIT FOR REQUIRED AREA)	13.20 AC
RECREATION AREA	2.16 AC
PROVIDED:	12.06 AC
REQUIRED:	11.16 AC



LOCATION MAP

LEGEND:

PROJECT BOUNDARY	---
POND CONTOURS	---
STORM PIPE	---
WATER MAIN	---
SANITARY SOWER LINE	---
FORCE MAIN	---
RECREATION, LANDSCAPING AND OPEN SPACE	---
SINGLE FAMILY LOTS	---
STORM POND	---
ROADWAY	---
TEMPORARY CUL-DE-SAC	---
CONCRETE SIDEWALK	---



CONSTRUCTION ENGINEERING GROUP
Consulting Engineers

**GARDENS OF WATERSTONE
PHASE 1
WATERSTONE FARMS, LLC
MARK LOMA BOULEVARD, PALM BAY, FLORIDA**

PRELIMINARY DEVELOPMENT PLAN

DATE: 09/18/20
SCALE: 1"=100'
PROJ. NO: 190081
DESIGNED BY: CCM
DRAWN BY: SMB
CHECKED BY: JTW
DRAWING NO: GW-1



Land Development Division
120 Malabar Road SE
Palm Bay, FL 32907
321-733-3042
Landdevelopmentweb@palmabayflorida.org

PRELIMINARY DEVELOPMENT PLAN APPLICATION

This application must be completed, legible, and returned, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, Monday through Friday, during division office hours, to be processed for consideration by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

APPLICATION TYPE:

☒ **PUD** ☐ **PMU** ☐ **PCRD** ☐ **RAC**
Planned Unit Development Parkway Mixed Use District Planned Community Regional Activity Center District
(Section 185.060) (Preliminary Design Plan) (Section 185.055) (Preliminary Concept Plan)
(Section 185.056)

PROPOSED DEVELOPMENT NAME Gardens at Waterstone

PARCEL ID Parcel ID:30-37-04-00-250 Portions of:Parcel ID:30-37-04-00-500/Parcel ID:30-37-05-HF-1

TAX ACCOUNT NO. Portions of Account:3010608/3000217/3000216

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

See attached

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): 44.654 acres plus or minus

TOTAL LOTS PROPOSED (list by use): 154 Single family homes

DEVELOPER DEVELOPER IS UNKNOWN AT THIS TIME; OWNER/APPLICANT: Rochelle Lawandales, FAICP

Full Address for WATERSTONE FARMS, LLC 235 West Drive, Melbourne, FL 32904

Telephone 321.223.4664 Email rochelle.lawandales@gmail.com

ENGINEER Jake Wise, PE CEG

Full Address 32935 2651 Eau Gallie Blvd., Suite A, Melbourne, FL 32935

Telephone Tel. 321.253.1221 Email jwise@cegengineering.com

SURVEYOR Horizon Surveyors

Full Address 390 Poinciana Drive Melbourne, FL 32935

Telephone 321.254.8133 Email bob@horizonsurveyors.com

PRELIMINARY PLAN CRITERIA FOR SUBMITTAL:

TWO (2) COPIES OF THE FOLLOWING EXHIBITS SHALL BE ATTACHED TO THE PRELIMINARY APPLICATION. THE EXHIBITS SHALL ALSO BE PROVIDED ON MEMORY DRIVE.

- A) Vicinity map clearly outlining subject property and showing the relationship between the site and its surrounding area including adjacent streets and thoroughfares.
- B) Preliminary Development Plan that shall contain maps, drawings and narrative, as appropriate, providing the following information:
 - 1) A general plan for the use of all lands within the proposed development. Such plans shall indicate the general location of residential areas (including maximum density and unit types), open space, parks, passive or scenic areas, and nonresidential areas (including maximum building square footage or other intensity maximums).
 - 2) Proposed name or title of project, the name of the engineer, architect, and developer.
 - 3) North arrow, scale (1 inch = 200 feet or larger), date and legal description of the proposed site.
 - 4) Boundaries of tract shown with bearings, distances, closures, and bulkhead liner. All existing easements, section lines, and all existing streets and physical features in and adjoining the project, and the existing zoning.
 - 5) Proposed parks, school sites, or other public or private open space.
 - 6) Off-street parking, loading areas, driveways and access points.
 - 7) Site data including tabulation of the total number of gross acres in the project, the acreage to be devoted to each of the several types of primary residential and secondary non-residential uses, and the total number of dwelling units, the maximum height of all structures, the minimum setbacks of all structures (and parking areas) and the total area of pervious and impervious surfaces.
 - 8) Delineation of phased development, if applicable.
 - 9) Proposed means of drainage for the site.
- C) A plan of vehicular and pedestrian circulation showing the general locations and right-of-way widths of roads, sidewalks, the capacity of the system and major access points to the external and internal thoroughfare network.
- D) Schematic drawing of the elevation and architectural construction of the proposed primary and secondary nonresidential structures.
- E) A Traffic Study meeting generally accepted engineering practices examining the impact of the proposed development on the surrounding roadway network. (If applicable)
- F) Narrative describing in detail how the proposed Preliminary Development Plan meets the requirements of the Land Development Code and the Palm Bay Comprehensive Plan.

ADDITIONAL CONDITIONS MUST BE MET AND INCORPORATED INTO THE SITE PLAN FOR THE SPECIFIC TYPE OF DEVELOPMENT REQUESTED (PUD, PMU, PCRD, RAC). The additional criteria are listed in the Code of Ordinances and available from staff.

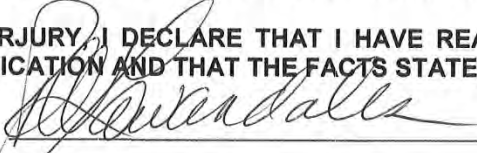
CITY OF PALM BAY, FLORIDA
PRELIMINARY DEVELOPMENT PLAN APPLICATION
PAGE 3 OF 3

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS PRELIMINARY DEVELOPMENT PLAN APPLICATION:

- ☒ *A \$1,000.00 application fee shall accompany the Development Plan application for the purposes of administration. Make check payable to "City of Palm Bay."
- ☒ Vicinity Map (see Item A).
- ☒ Preliminary Development Plan (see Item B).
- ☒ Vehicular and Pedestrian Circulation Plan (see Item C).
- ☒ Schematic Drawing (see Item D).
- ☒ Traffic Study (see Item E).
- ☒ Narrative (see Item F).
- ☒ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)
- ☒ Citizen Participation Plan. Refer to Section 169.005 of the Land Development Code for guidelines.
- ☒ School Board of Brevard County School Impact Analysis Application (if applicable).
- ☐ TBD Sign(s) posted on the subject property. Refer to Section 51.07(C) of the Legislative Code for guidelines.
- ☐ NA **Where property is not owned by the applicant**, a letter must be attached giving the notarized consent of the owner to the applicant to apply for the preliminary development plan.

I, THE UNDERSIGNED UNDERSTAND THAT THIS PRELIMINARY DEVELOPMENT PLAN APPLICATION MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AND CERTIFY THAT ALL THE ANSWERS TO THE QUESTIONS IN SAID APPLICATION, AND ALL DATA AND MATTER ATTACHED TO AND MADE A PART OF SAID APPLICATION ARE HONEST AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING PRELIMINARY DEVELOPMENT PLAN APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant  Date 9-21-2020

Printed Name of Applicant Rochelle W. Lawandales, FAICP

Full Address 235 West Drive, Melbourne, FL 32904

Telephone Cell: 321.223.4664 Email rochelle.lawandales@gmail.com

*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, AND PORTION OF LOTS 1 AND 32 OF SAN SEBASTIAN FARMS, SECTION 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE RUN N89°58'02"E ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 1258.57 FEET TO THE NORTHWEST CORNER OF WATERSTONE PLAT THREE P.U.D., AS RECORDED IN PLAT BOOK 59, PAGES 1 THROUGH 5, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN S00°35'55"W, ALONG THE WEST LINE OF SAID WATERSTONE PLAT THREE P.U.D., FOR A DISTANCE OF 1040.42 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 75.00 FEET WITH A CHORD THAT BEARS S86°41'22"E FOR A DISTANCE OF 12.94 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 9°54'01", FOR A DISTANCE OF 12.96 FEET TO A POINT OF REVERSE CURVATURE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1900.00 FEET WITH A CHORD WHICH BEARS N89°33'53"E FOR A DISTANCE OF 79.87 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 2°24'31", FOR A DISTANCE OF 79.87 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN S00°46'09"W FOR A DISTANCE OF 60.00 FEET TO THE SOUTH LINE OF TRACT "OS5" OF AFOREMENTIONED WATERSTONE PLAT THREE P.U.D. AND A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1840.00 FEET WITH A CHORD THAT BEARS S86°37'49"E FOR A DISTANCE OF 166.99 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF THE AFORESAID CURVE AND TRACT "OS5", THROUGH A CENTRAL ANGLE OF 5°12'06", A DISTANCE OF 167.05 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "OS5" AND A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN S05°58'14"W FOR A DISTANCE OF 100.00 FEET TO THE NORTH LINE OF TRACT "OS5" OF WATERSTONE PLAT ONE P.U.D., AS RECORDED IN PLAT BOOK 55, PAGE 37 THROUGH 57, OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, AND A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1740.00 FEET WITH A CHORD THAT BEARS S74°54'53"W FOR A DISTANCE OF 1250.28 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 42°06'41", FOR A DISTANCE OF 1278.53 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN N36°08'27"W, A DISTANCE OF 90.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING RADIUS OF 1830.00 FEET WITH A CHORD THAT BEARS S49°56'45"W A DISTANCE OF 249.79 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 7°49'36", A DISTANCE OF 249.98 FEET TO A POINT OF COMPOUND CURVATURE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 590.00 FEET WITH CHORD THAT BEARS S31°45'36"W FOR A DISTANCE OF 290.91 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°32'41, A DISTANCE OF 293.94 FEET TO A POINT OF TANGENCY; THENCE RUN S17°29'16"W FOR A DISTANCE OF 11.52 FEET; THENCE RUN N72°30'44"W FOR A DISTANCE OF 210.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET AND A CHORD WHICH BEARS N12°39'17"E FOR A DISTANCE OF 99.53 FEET; THENCE RUN

NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $25^{\circ}33'20''$, FOR A DISTANCE OF 100.36 FEET TO A POINT OF TANGENCY; THENCE RUN $N00^{\circ}07'23''W$ FOR A DISTANCE OF 660.00 FEET; THENCE RUN $N89^{\circ}52'37''W$ FOR A DISTANCE OF 177.29 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 235.00 FEET AND A CHORD WHICH BEARS $S75^{\circ}19'38''W$ FOR A DISTANCE OF 120.03 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $29^{\circ}35'30''$, FOR A DISTANCE OF 121.37 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN $N29^{\circ}28'07''E$ FOR A DISTANCE OF 60.48 FEET; THENCE RUN $N00^{\circ}07'23''W$ FOR A DISTANCE OF 786.06 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 250.00 FEET AND A CHORD WHICH BEARS $N45^{\circ}07'23''W$ FOR A DISTANCE OF 353.55 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$, FOR A DISTANCE OF 392.70 FEET TO A POINT ON THE NORTH LINE OF AFOREMENTIONED SECTION 5; THENCE RUN $N89^{\circ}52'37''E$ FOR A DISTANCE OF 221.06 FEET TO THE POINT OF BEGINNING; CONTAINING 44.654 ACRES MORE OR LESS.

September 21, 2020

Re: Letter of Authorization

As the property owner of the site legally described as:

Account:3000216Parcel ID:30-37-04-00-500/Account:3000217Parcel ID:30-37-05-HF-1/
Account:3010608Parcel ID:30-37-04-00-250/Account:3000219Parcel ID:30-37-05-HF-750

I, Owner Name: Benjamin E. Jefferies, Managing Member, Waterstone Farms, LLC

Address: 235 West Drive Melbourne, Florida 32904

Telephone: 321.258.7984

Email: ben@waterstonefl.com

hereby authorize:

Representative: Jake T. Wise, PE (CEG, Engineering)

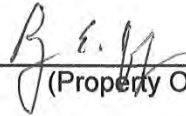
Address: 2651 Eau Gallie Blvd. Suite A Melbourne, Florida 32935

Telephone: 321.610-1760

Email: jwise@cegengineering.com

to represent the request(s) for:

Any and all applications regarding properties owned by Waterstone Farms, LLC



(Property Owner Signature)

STATE OF

Florida

COUNTY OF

Brevard

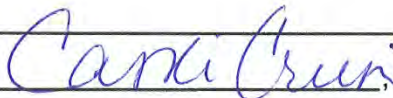
The foregoing instrument was acknowledged before me by means of ☒ physical
presence or ☐ online notarization, this 23 day of Sept., 2020 by

Ben Jefferies

, property owner.



Cami Crupi
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG117304
Expires 6/21/2021



Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:

September 21, 2020

Re: Letter of Authorization

As the property owner of the site legally described as:

Account:3000216Parcel ID:30-37-04-00-500/Account:3000217Parcel ID:30-37-05-HF-1/
Account:3010608Parcel ID:30-37-04-00-250/Account:3000219Parcel ID:30-37-05-HF-750

I, Owner Name: Benjamin E. Jefferies, Managing Member, Waterstone Farms, LLC

Address: 235 West Drive Melbourne, Florida 32904

Telephone: 321.258.7984

Email: ben@waterstonefl.com

hereby authorize:

Representative: Rochelle W. Lawandales, FAICP

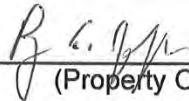
Address: 235 West Drive Melbourne, Florida 32904

Telephone: 321.223.4664

Email: rochelle.lawandales@gmail.com

to represent the request(s) for:

Any and all applications regarding properties owned by Waterstone Farms, LLC



(Property Owner Signature)

STATE OF Florida

COUNTY OF Brevard

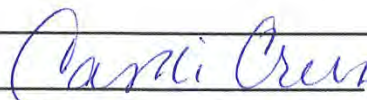
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23 day of September, 2020 by

Ben Jefferies

, property owner.



Cami Crupi
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG117304
Expires 6/21/2021



Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:

TAB C

**Gardens at Waterstone
Preliminary Development Plan Amendment
Compliance and Justification Report**

**Prepared by:
Rochelle W. Lawandales, FAICP
Waterstone Development Company, LLC for
Applicant:
Waterstone Farms, LLC**

September 24, 2020

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

PROJECT: GARDENS AT WATERSTONE

Gardens is a 154 lot single family subdivision with supporting infrastructure and site improvements including vehicular access, sidewalks, pedestrian/exercise trails, a future amenity center, landscaping, utilities, and stormwater to be located at the west end of the existing Mara Loma Boulevard. Map A shows the project location.

OWNER:

Benjamin E. Jefferies, Waterstone Development Company, LLC Managing Member of Waterstone Farms, LLC.

EXISTING ZONING: Planned Unit Development

LAND USE: Single Family Residential

REQUEST:

The owner seeks approval for a new Preliminary Development Plan in an existing PUD district zoning for a project to be called "Gardens at Waterstone", which is a portion of the prior approved Master development plan located west of Heron Bay. It was originally part of the Heron Bay subdivision, designed for 38' and 40' lots and this project seeks to construct 154, 40' x 125' lots.

APPLICATION PACKAGE SUBMISSION:

This package includes the following required items from the City's PUD application form:

TAB:

- A. 1. CHECK IN THE AMOUNT OF \$1,000
 - 2. APPLICATION AND LETTERS OF AUTHORIZATION
 - B. PRELIMINARY DEVELOPMENT PLAN BY CEG, SHOWING VICINITY, VEHICULAR AND PEDESTRIAN CIRCULATION AND ALL ITEMS IN (B)
 - C. NARRATIVE COMPLIANCE AND JUSTIFICATION REPORT, WHICH INCLUDES:
 - 1. APPROVED PRELIMINARY DEVELOPMENT PLAN 2005 ESTABLISHING ZONING
 - 2. CONCURRENCY DETERMINATION INFORMATION
 - 3. RESUME OF ROCHELLE W. LAWANDALES, FAICP
 - 4. OCTOBER, 2019 LETTER FROM LARRY BRADLEY REGARDING ZONING AND PUD
 - D. ENVIRONMENTAL ASSESSMENT BY JON SHEPHARD ATLANTIC ENVIRONMENTAL SERVICES
 - E. LASSITER TRANSPORTATION GROUP CONCURRENCY LETTER DATED APRIL 11, 2018 to CHRISTOPHER BALTER, CITY OF PALM BAY
 - F. STORMWATER PERMIT
 - G. CITIZEN PARTICIPATION PLAN
 - H. LIST OF ADJACENT PROPERTY OWNERS FROM BREVARD COUNTY PLANNING
-

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

EXECUTIVE SUMMARY

Property owned by Wheeler Farms was annexed into the City in 2004 via Ordinance 2004-35 totaling 1167 acres. The original Future Land Use amendment designating all the lands single family residential was accomplished in 2004 via Ordinance 2004-52 and 1800 residential units could be placed on either Waterstone (west of Babcock Street) or the original acres owned by Wheeler on lands currently known as Cypress Bay Preserve (east of Babcock Street). Site specific conditions were placed on the amendment in Ordinance 2004-48, in Policy FU 8.3 (G), adopted the same date as Ordinance 2004-52. Between 2005 and 2018, a series of 37 future land use map amendments have been made bringing the total units entitled for construction to be over 2,500. The Table 1 below shows the current entitlements:

Table 1
Current Residential Entitlements

WATERSTONE AND CYPRESS BAY			
ORIGINAL APPROVALS		WESTSIDE*	EASTSIDE*
As of October 2014 David Watkins' letter		2191	1058**
Less platted (Heron Bay and Lakes)		-296	
Total as of October 2014 David Watkins' letter		1895	1058
Number adjustments required for City failure to process small scale amendments by Divosta:			
Less 41 acreage as multifamily @ 10 units per acre		-417	
Plus 41 acres single family @1.5 units/ac		60	
Revised Total as of 2017		1538	1058
2018 and 2019 MODIFICATIONS			
Cypress Bay Farms Residential PUD	(FD 18-2018/ Ord 2019-02 APPROVED JANUARY, 2019)		-396
Courtyards PD	(FD-19-2019/Ord 2019-69 APPROVED JANUARY 2, 2020)	-201	
Waterstone Small Scale Amendments from SF to MF totalling 16.487 acres @ 10 units/ac	(CP-6-7-8-2018 approved by Ordinances 2018-20, 21, 22)	165	
Transfer of 300 to West Side per Original approval and David Watkins letter		300	-300
GRAND TOTAL ALL UNITS AS OF JUNE, 2020		1802	362
*WESTSIDE refers to the area on the west side of Babcock Street known as Waterstone (Including Waterstone Farms, LLC and Waterstone Holdings, LLC)			
*EASTSIDE refers to the lands on the east side of Babcock Street referred to Cypress Bay owned by Cypress Bay Farms, LLC			
**300 original units were able to go to west side.			

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

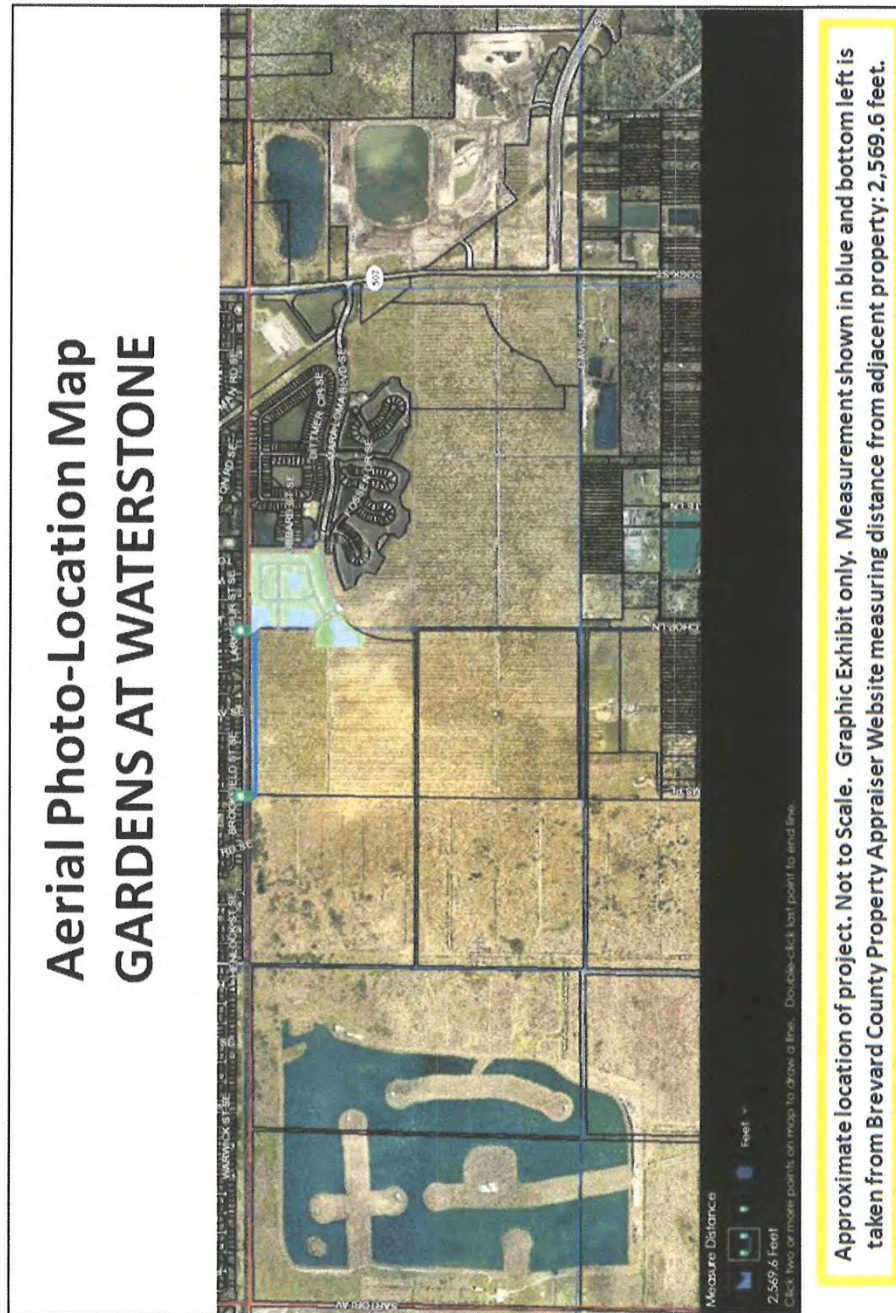
The Project underwent an ownership change and Pulte (Divosta Division) brought forth a Preliminary Development Plan for the 1167 acres and obtained Final Development Plan approval and PUD zoning in 2005 (See Map B) and began to permit, develop and complete several phases, including Heron Bay and the Lakes of Waterstone, which included 296 units, an elementary school site, and recreational amenities which are built and sold out today. The approval also included concurrency for 900 units, water and sewer, and other infrastructure. Map C shows the original development plan, and the area now proposed for the Gardens.

Waterstone revised the project lay-out in 2017 and submitted a new Preliminary Development Plan for the lands on the west side of Babcock Street to amend the 2005 development plan. The City Council granted Preliminary Development Plan approval on January 18, 2018. Final Development Plan/Preliminary Plat approval was granted by City Council action on June 7, 2018 for the 'Gardens at Waterstone', a phase of Waterstone in the northwest segment. That project was not adopted properly and became void.

With this new application, the owners, Waterstone Farms, LLC are petitioning the City for approval of a new preliminary development plan only for the Gardens Phase 1. Construction would begin after approval of a Final Development Plan, Preliminary Plan and construction plans. Map D shows the design, layout, vehicular and pedestrian circulation, open space, utilities, and stormwater system to meet the code requirements.

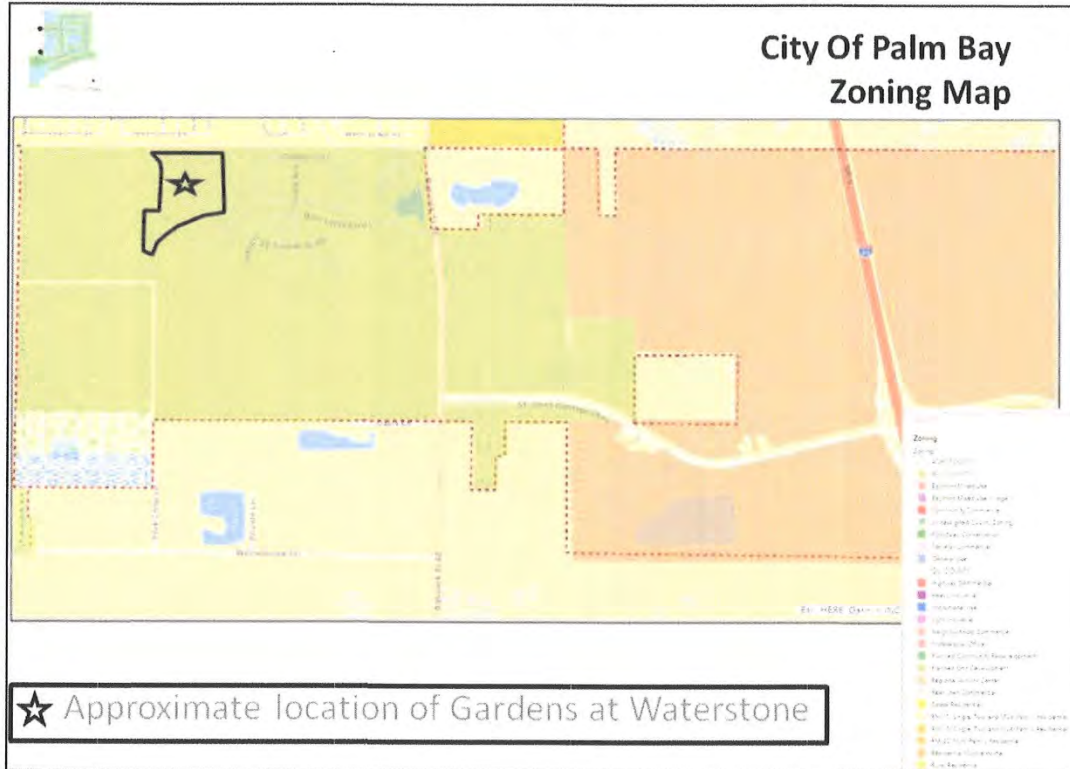
WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

MAP A
LOCATION MAP



WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

**MAP B
CITY ZONING MAP**



HISTORY OF WATERSTONE

During the period from 2006 to 2010, Pulte Homes and their subsidiary, DiVosta Homes, completed a wide variety of permits, agency approvals, traffic and engineering studies, environmental studies, comprehensive land use and zoning approvals for Waterstone. Pulte constructed a .6 mile long connector roadway off of Babcock Street called Mara Loma Boulevard, obtained County and City traffic concurrency for 900 units and provided for lands for an elementary school. Regional water and sewer mains were extended from just north of Valkaria Road to the western terminus of Mara Loma Boulevard. 296 Single family homes were constructed in the communities of Heron Bay and The Lakes at Waterstone. The Brevard County School Board constructed Sunrise Elementary School. Pulte Homes left the City of Palm Bay as a result of the financial crash in 2008. Pulte closed out Heron Bay and The Lakes at Waterstone communities by the end of 2010. The remaining PUD property was acquired by the applicants.

As required by the original land use approvals, Waterstone provides a mix of uses with the Waterstone Commercial Center with its significant frontage on the west side of Babcock Street. It will contain 133 acres, more or less, broken into lots and tracts sufficient in size for a variety of retail, office and related commercial uses to support the region. FDOT has completed the I-95 Interchange and the City has completed construction of the St. Johns Heritage Parkway (SJHP) from Babcock Street east to I-95.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Numerous commercial developers and commercial project owners are ready to come into the City of Palm Bay, and with the roadway network now available and more residential units being planned and constructed, the demand for and support of commercial ventures will rise.

A three mile water and sewer main running along Babcock Street from Valkaria Road south to Mara Loma Boulevard was installed completely at the developer's expense for the Waterstone project. In addition, when Mara Loma Boulevard was extended west from Babcock Street approximately 2,600 feet, large force mains, water mains, and three sewer lift stations were installed. All totaled, over \$10 million has been spent over the course of time on infrastructure improvements, including Mara Loma Blvd., 3 lift stations and utilities, permits, traffic/planning/environmental studies, stormwater management, environmental mitigation, and dedication of Rights-of-Way for the Parkway, among other items for the Waterstone project. The City has made commitments to assure future capacity through wastewater plant expansions.

Additionally, over the last 3 years, numerous meetings regarding the Waterstone/Cypress Bay master plans, transportation and infrastructure requirements and improvements, utility needs and extensions, have been held not only with Palm Bay officials and staff, but also with Brevard County, FDOT, Florida Power and Light, environmental regulatory agencies, and others to assure not only the highest quality product, but one that also will be a signature project for the City of Palm Bay.

The remaining land outside of the first phases developed by Pulte Homes is under the ownership of Waterstone Farms, LLC, and Waterstone Holdings, LLC. These companies have been working diligently over the last 10 years and have:

1. Obtained environmental permits from the Army Corps of Engineers and conceptual SJRWMD for the proposed residential areas of Waterstone;
2. Submitted traffic studies to the City and County for the developments planned for Waterstone;
3. Performed a signal warrant study for the Babcock/St. Johns Heritage Parkway (SJHP) intersection; and submitted requests for County permits for driveways and an access management plan for Babcock Street;
4. Obtained Final SJRWMD permits for the Waterstone Commercial Center;
5. Obtained Preliminary PUD approval for Waterstone (lands west of Babcock) in January, 2018;
6. Obtained Conceptual SJRWMD permits for 803 acres under a master stormwater system (on file with SJRWMD);
7. Obtained Final PUD approval for a 283 lot subdivision called the Gardens at Waterstone on June 7, 2018;
8. Obtained Final SJRWMD permit for 101 acres, covering the Gardens at Waterstone, for a the stormwater system to serve the subdivision;
9. Obtained Final PUD approval for 201 lot subdivision called 'Courtyards at Waterstone' in January, 2020. That project is under construction.

On January 18, 2018, Waterstone Holdings, LLC, Waterstone Farms, LLC and DR Horton, as co applicants, obtained approval of a revised Preliminary Development Plan amending the 2005 Master Plan for the undeveloped property on the west side of Babcock Street for a 1770 unit residential development. This approval included the Waterstone Commercial Center containing 133 acres fronting Babcock Street and Waterstone at Palm Bay consisting of 604 acres west of the commercial center, south and west of The Lakes at Waterstone and Heron Bay communities for a series of residential subdivisions.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

The first development phase of Waterstone at Palm Bay was intended to be "The Gardens of Waterstone at Palm Bay"; however, no construction has commenced nor other final development plans filed for other phases of the project since approval of the preliminary development plan or Gardens' final development plan. Therefore, under the City's code both preliminary and final development plans have expired.

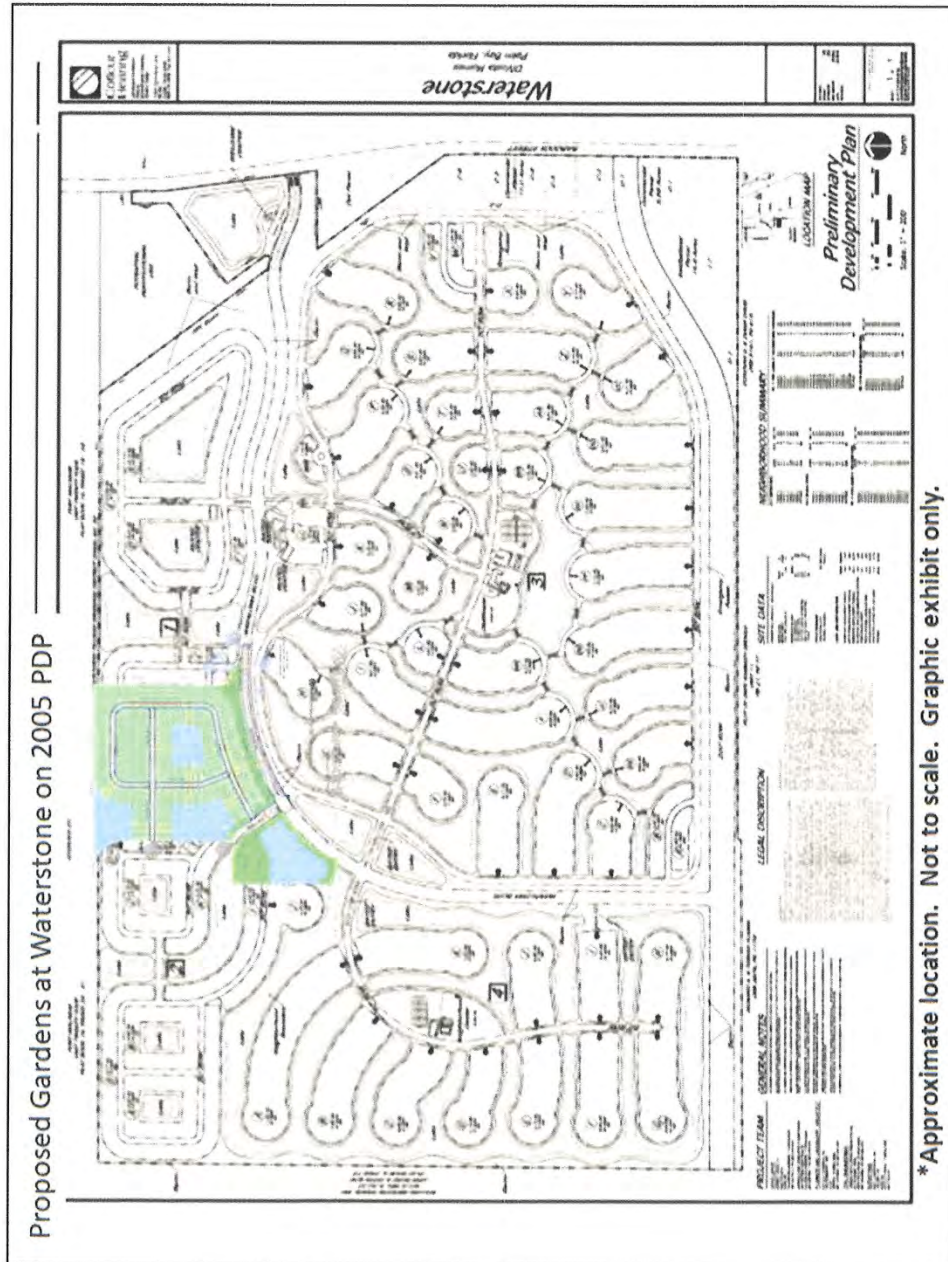
PRELIMINARY DEVELOPMENT PLAN (Map D) for 'GARDENS OF WATERSTONE'

Gardens is a 154 lot subdivision. The project will use a new access point to be created off Mara Loma Boulevard on a new private road to be called Rixford Way. There are utilities available to service the development and Waterstone retains County traffic concurrency for 403 units.

The following discussion relates specifically to this proposed subdivision and application. Map D shows the proposed Gardens preliminary development plan. The project data table below identifies the number and type of lots, percentages for categorical site areas and improvements, and open space.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

MAP C
ORIGINAL PRELIMINARY DEVELOPMENT PLAN FOR WATERSTONE AT PALM BAY WITH APPROXIMATE
LOCATION OF GARDENS



WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

MAP D
PROPOSED PRELIMINARY DEVELOPMENT PLAN FOR GARDENS AT WATERSTONE SUBDIVISION (Large version in Tab B)



**WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE**

**Table 2
PROJECT DATA**

<u>SETBACKS</u>	<u>PROPOSED:</u>	<u>LOT COUNT:</u>
FRONT:	25 FT	40'x125' LOTS = 154
SIDE:	5 FT	<u>MAXIMUM BUILDING HEIGHT:</u>
REAR:	20 FT	2 STORY: 25 FT
SIDE CORNER:	15 FT	<u>MINIMUM WIDTHS:</u>
		SIDEWALKS: 5 FT
		RIGHT-OF-WAY WIDTH: 50 FT

<u>CALCULATED STORMWATER BASIN COVERAGE:</u>			
<u>IMPERVIOUS:</u>	<u>SF</u>	<u>ACRE</u>	<u>PERCENT</u>
RESIDENTIAL (60%):	745,350	17.11	38
RIGHT-OF-WAY	259,985	5.97	13
RECREATIONAL AREA:	75,369	1.73	4
TOTAL IMPERVIOUS:	1,080,704	24.81	56
PERVIOUS:	116,220	2.67	6
POND:	748,205	17.17	38
TOTAL:	1,945,129	44.65	100

<u>OPEN SPACE REQUIREMENTS:</u>	
<u>OVERALL AREA (44.65 ACRES):</u>	
COMBINED ON SITE PONDS:	13.20 AC
(75% MAXIMUM CREDIT FOR REQUIRED AREA):	(9.90 AC)
<u>RECREATION AREA:</u>	<u>2.16 AC</u>
PROVIDED:	12.06 AC
REQUIRED:	11.16 AC

Source: Project Data taken from Preliminary and Final Development Plans, dated September 22, 2020

DEVELOPMENT PHASING

As it currently stands, the project is one phase.

DEVELOPMENT SCHEDULE

The project will commence upon receipt of construction plan approval in early 2021. It will take approximately 1-2 years to build out with an anticipated take down of 75 units per year.

CONSISTENCY WITH THE COMPREHENSIVE PLAN and FUTURE LAND USE MAP

Based upon my knowledge of the City's Comprehensive Plan and its contents, Gardens Preliminary development plans are consistent with the Goals, Objectives and Policies of the Comprehensive Plan and the Future Land Use Map. The City received a compliance determination for the initial approved land uses and subsequent amendments on the property. Those documents are on public record with the City and State Department of Economic Opportunity.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

LAND USE

Map E, uses the City's GIS system to depict the future land uses for the project which is all Single Family Residential (SFR). Gardens is a single-family subdivision, including ancillary infrastructure, stormwater management, open space and recreational amenities. Stormwater or lands devoted to infrastructure can be done in any category. No land use changes are necessary. The Zoning is Planned Unit Development "PUD" awarded in 2005. Therefore, the project site and single family uses are in conformance with the City's Comprehensive Plan, Future Land Use Map and Existing Zoning Map

**MAP E
FUTURE LAND USE MAP FROM CITY WEBSITE**

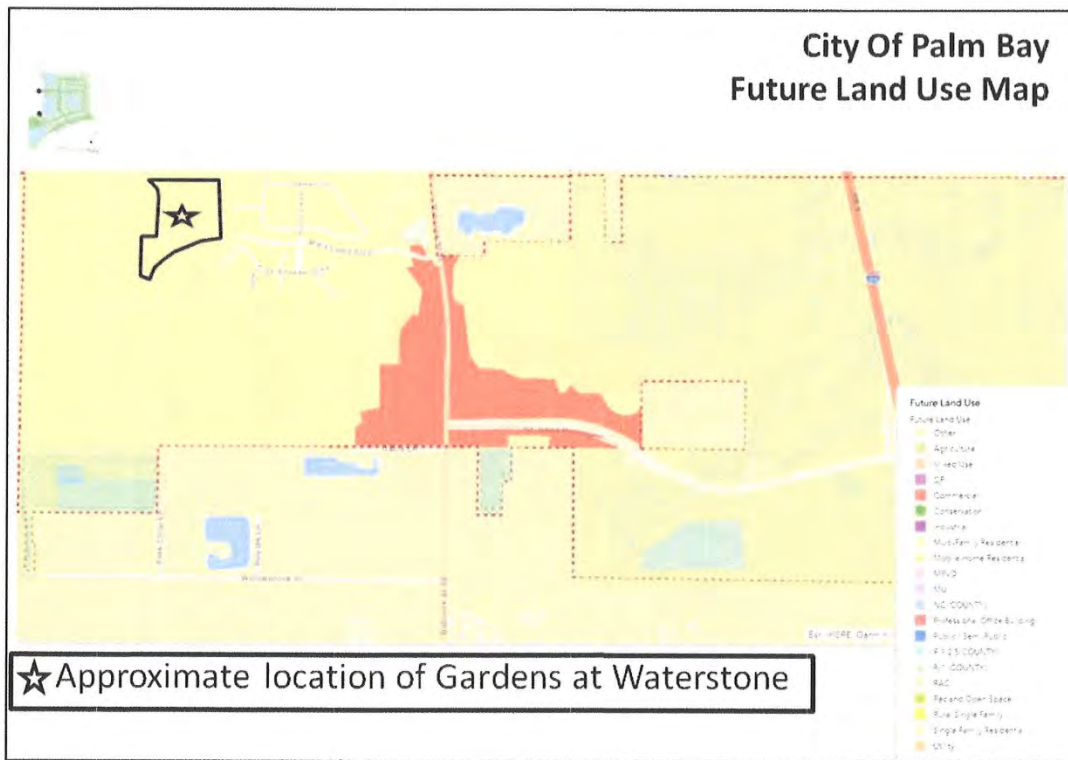


Figure 1 below also shows the land uses within the City's Study Area Boundary taken from the Comprehensive Plan in the City's website. Figure 2 shows the project is contained within the urban service boundary and also shows the historic location of the western St. Johns Heritage Parkway.

**WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE**

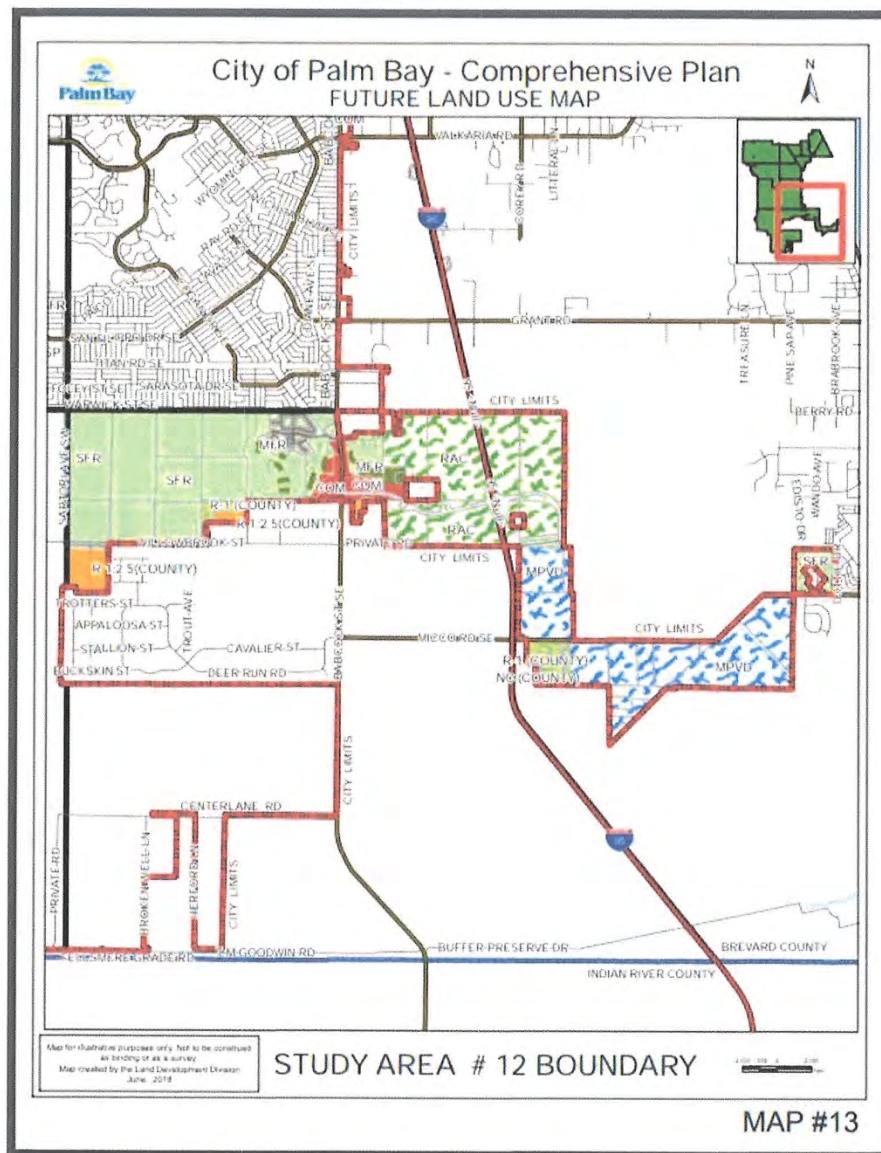


Figure 1: Future Land Use Map taken from the City's Comprehensive Plan on the City of Palm Bay Website, April, 2019

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

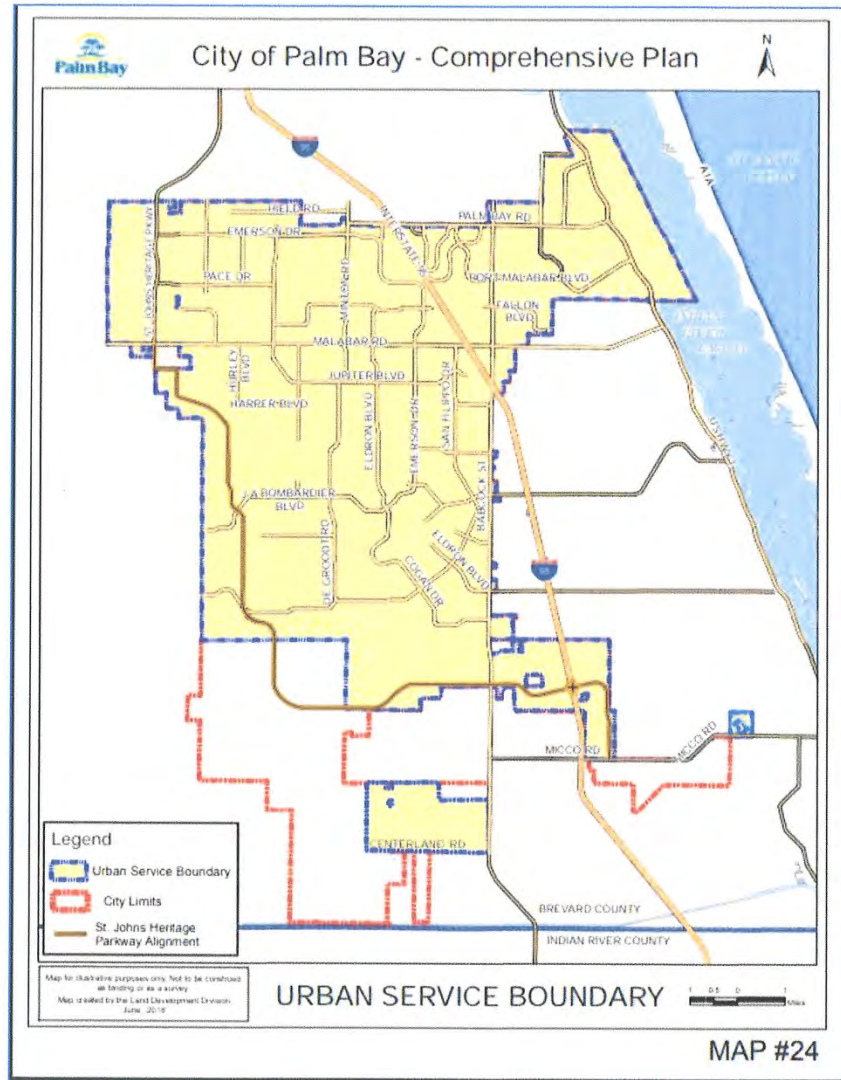


Figure 2 Urban Services Boundary Map adopted by the City in the EAR, October 2017; as shown on the City of Palm Bay website, April, 2019.

The following Objectives or Policies are implemented via this proposed development plan:

- OBJECTIVE FLU-1.3 Land Development Regulations shall provide for planned unit developments, planned commercial developments, planned industrial developments, planned residential developments, and mixed-use developments.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

- POLICIES FLU-1.3A The City shall continue to implement Land Development Regulations for Planned Unit Developments.
- OBJECTIVE FLU-1.4 Establish an Urban Service Area to control urban sprawl.
 - POLICIES FLU-1.4A The Urban Service Area maps shall be adopted for the ten-year time frame of the Comprehensive Plan as depicted in the adopted Urban Service Boundary Map.
- OBJECTIVE FLU-2.1 By 2001, adopt land development regulations which create a full range of types and styles, including planned unit developments, multi-family housing, ranges of single family densities, and mixed use with residential/nonresidential consistent with the needs of all age groups, incomes and lifestyles.
 - POLICIES FLU-2.1A The Zoning Code shall be amended to provide for a variety of types and densities of residential development in conformance with this Element and the Future Land Use Map.
 - POLICIES FLU-2.1B Continue to utilize Planned Unit Development (PUD) techniques to protect environmentally sensitive areas, protect amenities, and mitigate flood hazards.
- OBJECTIVE FLU-2.2 Residential development which can be served by public and community services meeting all LOS standards.
 - POLICIES FLU-2.2A Base residential development decisions on the adopted LOS standards for community facilities and services, the Future Land Use Map, and the policies of the Comprehensive Plan.
 - (Original Wheeler) FLU-8.3G The following special conditions shall be applicable to Case No. CP-12-2003 adopted by City Council as Ordinance No. 2004-52.
 1. Maximum residential density is capped at 1,800 residential units. **(THIS HAS INCREASED OVER TIME DUE TO 37 LAND USE AMENDMENTS)**
 2. A future school site be designated on the property at a suitable location and of suitable size as determined by negotiation between the developer and the Brevard County School Board. **(SCHOOL SITE CONSTRUCTED-SUNRISE ELEMENTARY)**
 3. The developer is required to identify and apply for the necessary Future Land Use Map amendment to provide commercial and public/semipublic uses necessary to service the proposed development within 5 years or prior to development of 600 units, whichever occurs first. **(133+/- ACRES HAVE BEEN DESIGNATED FOR COMMERCIAL LAND USE)**

CITIZEN PARTICIPATION/COUNTY COORDINATION

Several meetings have been held with the existing HOA's of Waterstone, and a Neighborhood meeting was held as recently as September 17, 2019 for the Courtyards at Waterstone neighboring development plan and project. Labels for notifying everyone within 500' are provided to the City for mailing the courtesy notice under Tab H.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

JOINT PLANNING AGREEMENT

The City's Growth Management staff regularly distributes the required courtesy copies of documents to the County planning staff pursuant to a 2016 Joint Planning Agreement.

UTILITIES

The development will connect to City water and wastewater. One additional lift station is proposed to be extended into the development from Mara Loma Boulevard to provide utility services. The City has long planned for an expansion to its wastewater plant and has made expansions to the water plant. The City recently approved the staff to proceed with planning/design/permitting of the expansion.

STORMWATER/DRAINAGE

Permit #96251-24 is provided in the Tabs, but is shown below. It is for a larger area than the 44 acres currently being applied for, which includes future phases of Gardens subdivision. All retention areas shall be owned and maintained by the residential homeowners association and shall be permitted through the Water Management District. The project will be designed to meet all pre and post development stormwater management as currently by the various agencies and the City by obtaining all required permits.

ENVIRONMENTAL ISSUES

A former grove, there are no environmental issues, no trees, no habitat or endangered species, no wetlands, or other known environmental issues on the proposed subdivision's lands. The property was originally a citrus grove. It was later converted into the existing cattle pasture. The proposed project is designed to and will be consistent with the following Goals, Objectives and Policies of the City's Comprehensive Plan.

GOAL FLU-6 Wise and efficient use of the City's natural resources.

- OBJECTIVE FLU-6.1 An intensity and distribution of land use and development which minimizes the impact on the natural environment.

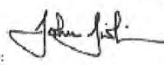
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT Post Office Box 1429 Palatka, Florida 32178-1429	
PERMIT NO: 96251-24	DATE ISSUED: April 26, 2018
PROJECT NAME: Waterstone at Palm Bay - Phase I	
A PERMIT AUTHORIZING: Authorization of a Stormwater Management System for Waterstone at Palm Bay - Phase I, a 101.37 - acre project to be constructed and operated as per plans received by the District on April 4, 2018.	
LOCATION: Section(s): 4 Brevard County	Township(s): 30S Range(s): 37E
Receiving Water Body:	
Name: Sotile Canal	Class: III Fresh
ISSUED TO: Waterstone Farms, LLC 235 West Dr Melbourne, FL 32904-1043	
The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.	
This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.	
This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.	
PERMIT IS CONDITIONED UPON: See conditions on attached "Exhibit A", dated April 26, 2018	
AUTHORIZED BY: St. Johns River Water Management District Division of Regulatory Services	
By: 	
John Julianna Regulatory Coordinator	

Figure 3 SJRWMD Permit covering the proposed 44 acre project

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

-
- POLICIES FLU-6.1A Land use decisions shall be based upon the support capability of the natural environment as determined by conformance to the Floodplain Management Ordinance, the Stormwater Management and Conservation Ordinance, the Trees and Shrubbery Ordinance, and the Zoning Ordinance.

Map F, Environmental Issues, shows via a recent aerial, the cleared land and current conditions of this project. A report from Jon Shepherd, Atlantic Environmental Services (AES) is attached to this document and identified as Tab D. That report reflects the possible existence, as determined by SJRWMD, of a

Crested Caracara on adjacent property, over 2500' away, owned by others. The AES report demonstrates that there are no specimen or signature trees on the property. The conclusion of that report is: AES determined that the Property supports approximately 44.654 acres of uplands and therefore can proceed with the planned development.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Map F
Environmental Issues

Environmental Issues



AES Environmental Study of the Gardens, in the Appendix, notes no known habitats for any protected bird species. The email from Jon Shepherd, dated April 17, 2018, shows no specimen or signature trees. Of note, SJRWMD requested and provided a map, (emails and maps included in the AES report) a determination of the existence of the Crested Caracara, previously known to frequent the adjacent property, in an approximated area shown in red. The Gardens project is 2,570' +/- away from that area.

PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE



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WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Traffic studies by Lassiter Transportation Group have been submitted by the owner to the City and County for Waterstone for all projects since 2017. Those studies are on record with the Growth Management Department of the City of Palm Bay and Brevard County Public Works. A memorandum from Lassiter Transportation Group regarding the Gardens concurrency can be found in Tab E.

SCHOOL CONCURRENCY

The owners worked with the School Board on land for an elementary school, and Sunrise Elementary is now open and serving the public. There are no other schools to be provided by Waterstone as a result of the proposed project. School Capacity and Concurrency applications will be completed by the applicant. The City is responsible for submitting the application and required Local Determination form to the School Board. Note that a Check for \$200 for a School Capacity determination is attached.

OPEN SPACE/RECREATION/AMENITIES

Gardens will have a neighborhood park, passive recreation areas, and interconnected meandering walking trails connecting the subdivision to Mara Loma and other future sections of the larger community all under control of the Gardens at Waterstone Homeowners Association, Inc.

DEVELOPMENT STANDARDS AND GOVERNANCE

Section 185.061 (A) The planned unit development is a concept which encourages and permits variation in residential developments by allowing deviation in lot size, bulk or type of dwellings, density, lot coverage, setbacks, open space, and other Land Development Regulations and open space from than required in any one (1) residential land use classification under the zoning regulations of the city. The purpose of a planned unit development is to encourage the development of planned residential neighborhoods and communities that provide a full range of residence types as well as commercial uses designed to serve the inhabitants of the planned unit development. It is recognized that only through ingenuity, imagination and flexibility can residential developments be produced which are in keeping with the intent of this subchapter, while departing from the strict application of conventional use and dimension requirements of other zoning districts and subdivision regulations." (Source: City Code, American Legal Publishing)

The project's zoning of Planned Unit Development gives the owner the ability to establish and restrict the allowable uses within the project and set the development standards. This will be done through Declaration of Covenants, Bylaws and Articles of Incorporation for the Homeowners Association provided in the Final Development Plan application package submittal. There will also be areas that are dedicated to the public and governed by either a regulatory agency or local government (streets and utilities). Subdivisions will be governed by the City and Chapter 177 Florida Statutes. Building permits and construction plan approval will be required by the City.

Therefore, this entire PUD has been creatively designed to assure a diverse mix of residential units and styles with non-residential and commercial uses that serve the community and region. The Deed restrictions will provide for specific uses, development standards, architectural and site design features, required landscaping/lighting/signage/materials, architectural review boards, maintenance, and the like. The project has been designed to be consistent with the Comprehensive Plan and Land Development Codes, and compatible with the surrounding area.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

The following is a general overview of the proposed uses, as well as dimensional information.

GENERAL RESIDENTIAL USES

The proposed project is a subdivision within a planned unit development zoning district consisting solely of 154 single family homes on 40' X 125' (on average) lots, ancillary recreation, utilities, and infrastructure. Figure 6 shows potential examples of what the residences may look like.

Residential uses will be controlled by the Deed Restrictions submitted with the application for final development plan approval. A Homeowner's Association will provide for maintenance.

Single Family Minimum Yard requirements (Setbacks):

All single family:

Front Yard:	25 feet
Rear Yard:	20 feet
Side yard:	5 feet
Side Corner:	15 feet
Pool Setback:	5 feet

Single Family Height: 2 stories (25 feet)

COMPATIBILITY WITH SURROUNDING AREA

The project is being placed on former groves and is a phase of a Master Planned community started in 2005. Heron Bay and the Lakes of Waterstone are 2 subdivisions that have been constructed containing 296 units. Homes on the Gardens 40' lots will range from 1200 square feet minimum with values from \$225,000 to over \$350,000 depending on size and amenity packages. This project will be compatible in style, type, value, and amenities with its surrounding area, including the large scale planned Regional Activity Center Emerald Lakes (approved in 2011 and 2016) and Cypress Bay PUD (2018) to the east. With over 1500 units remaining to be developed in the Waterstone project, the developers will not build any product that will destroy the future potential of various planned subdivisions. Therefore, the Gardens will be comparable to and compatible with the remaining subdivisions with the planned development in size, scale, character, intensity, and design as well.

COMFORMANCE WITH LAND DEVELOPMENT CODE (REVIEW CRITERIA)

All of the lands in Waterstone are zoned Planned Unit Development. The applications submitted for the Gardens project recognizes the expiration of the Waterstone at Palm Bay preliminary development plan as approved January 2018 and seeks to amend the 2005 Master Development Plan by ***obtaining approval of a new Preliminary Development Plan for the specific area of the Gardens at Waterstone.***

This document and narrative demonstrates how the Gardens project is consistent with the Comprehensive Plan, compliant with Land Development Code, and meets the review criteria in Chapter 185.066 of the City's Code, warranting approval. Since the project is zoned Planned Unit Development Zoning, therefore, a rezoning is not required.

CHAPTER 185.066 PRELIMINARY DEVELOPMENT PLAN PROJECT JUSTIFICATION: COMPLIANCE WITH REVIEW CRITERIA TAKEN FROM THE CITY'S LAND DEVELOPMENT CODE ON AMERICAN LEGAL'S WEB-SITE.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

185.066 (B) (5) Review criteria. The decision of the Planning and Zoning Board on the preliminary development plan application shall include the findings of fact that serve as a basis for its recommendation. In making its recommendation, the Planning and Zoning Board shall consider the following facts:

(a) Degree of departure of proposed planned unit development from surrounding residential areas in terms of character and density.

JUSTIFICATION: Gardens at Waterstone is part of an approved project and plan that was given Planned Unit Development Zoning in 2005. The project is southeast of the built subdivisions of Heron Bay and Lakes of Waterstone, which were begun by Pulte/Divosta around 2006. Completed with 296 homes and an elementary school, utilities are permitted, sized and installed to serve the entire planned development in lines run from Valkaria Road to Mara Loma Blvd, and 2600' feet of Mara Loma Blvd is constructed and dedicated.

Land use entitlements exist on 1200+/- acres straddling both sides of south Babcock Street. The proposed project is one of several large scale developments stimulated and supported by the new I-95 interchange and Parkway. Therefore, there is little departure from the current or proposed residential areas by the proposed project, which is in complete conformance with the character, density, and intensity of development approved by the State and City for this area.

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

JUSTIFICATION: Projects on adjacent lands have received City and/or State approval for similar mixed use, large scale developments with commensurate land use and zoning. As an extension of the original planned development, Gardens is compatible in size, scale, character, intensity, and design with both built subdivisions and future planned subdivisions.

(c) Prevention of erosion and degrading of surrounding area.

JUSTIFICATION: Gardens will meet all required agency permitting processes and procedures and create no off-site drainage issues. Preliminary St. John's River Water Management District Permits have been received and are on file with the City.

(d) Provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation as shown in the preliminary development plan.

JUSTIFICATION: The original Waterstone Development donated land for an elementary school, Sunrise Elementary, which is open and serving the public. There are no other schools to be provided by Waterstone. Gardens will have on site recreation amenities for use by its residents. All utilities will be planned for and installed by the developer(s), approved by the City, served by the City and permitted by the required Agencies. All required environmental permits will be obtained through the respective agencies. Currently, ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT PERMIT #96251-24 gives conceptual approval to the master planned drainage system for the Gardens multiple phases on 101 acres. That permit is on public record and file with the City.

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

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

JUSTIFICATION: The overall Waterstone project's residential areas will ultimately provide approximately 180 acres of recreational and open space amenities in both active and passive recreational areas. The Gardens will have its own smaller localized recreation area that may include such elements as tot-lots and other active or passive play amenities, and may contain fountains, gazebos, and trails. A 'Gardens at Waterstone Homeowners Owner's Association, Inc.' (HOA) will be responsible for operation and maintenance of the amenities within the residential areas.

(f) The feasibility and compatibility of the development plan to function as an independent development.

JUSTIFICATION: Each neighborhood within the Waterstone project will function on its own. Utilities provided by the owner to serve the existing Waterstone community will serve this project. The Gardens will have its own deed restrictions, HOA/POA, articles of incorporation and by-laws, permits, and plat.

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

JUSTIFICATION: Numerous Traffic Studies by Lassiter Transportation Group analyzing the roadway impacts and what improvements are necessary have been submitted over the years and are on file with the City and County. A Technical Memorandum was prepared for the Courtyards submittal with the 2018 application and is on file with the City. It shows that when the Cypress Bay Residential project of 400 is complete and the Gardens is complete, a traffic signal warrant study will be needed for the Mara Loma intersection with Babcock Street. Brevard County is conducting a PDE for widening of the roadway. The new interchange and Parkway is open. There is adequate roadways to support the project.

(h) The availability and adequacy of water and sewer service to support the proposed planned unit development.

JUSTIFICATION: Gardens will utilize the lines provided for the existing Waterstone Communities and tie into the City's water and wastewater system. The City began long range planning in 2012 with its consultants Wade-Trim for the utility needs for the new communities planned for Northwest and Southern Palm Bay. The City has begun the long planned expansion to its wastewater plant and has made expansions to the water plant. The City will be the provider of the requisite services. The owner engineer, CEG, working in concert with the City's Utilities department, has been advised that there is capacity available to serve this project.

(i) The benefits within the proposed development and to the general public to justify the requested departure from standard land use requirements inherent in a planned unit development classification.

JUSTIFICATION: Unlike using singular zoning districts and subdivision practices, Gardens is planned to be a quality, integrated, creative development similar in style and value to the existing Waterstone and Bayside Lakes Subdivisions. Landscaped roads, themed signage, entry features, underground utilities, specialty lighting, and deed restrictions will dictate and govern the uses, standards, character and quality of the development. In most cases, the requirements will be stricter than the City code. Because it's within the PUD district, there is greater control and quality than in a single development zone.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

(j) The conformity and compatibility of the planned unit development within any adopted development plan of the city.

JUSTIFICATION: This project is in compliance with the Comprehensive Plan of the City.

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

JUSTIFICATION: This project includes active and passive recreational uses for common enjoyment by the residents. There are no commercial uses within the Gardens.

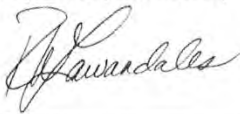
CONCLUSION

Several supporting documents are included in the Appendices. Exhibits required by the applications are under separate cover. Based upon my review of the documents, in my opinion, as a Fellow of the American Institute of Certified Planners, with 40 years of professional planning practice in the state of Florida, the proposed Gardens Preliminary Development Plan is:

- ***consistent with the Planned Unit Development Zoning Classification currently on the property,***
- **consistent with the Comprehensive Plan,**
- **compliant with the City's land development code, and ,**
- **compatible with the surrounding community.**

This narrative report, required by the application, is intended to serve as substantial competent evidence and testimony in all public hearings related to the Gardens.

Respectfully submitted,



Rochelle W. Lawandales, FAICP
Waterstone Development Company, LLC

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

MAPS AND FIGURES

MAPS

- MAP A: GARDENS LOCATION MAP**
MAP B: CITY ZONING MAP
**MAP C: ORIGINAL PRELIMINARY DEVELOPMENT PLAN FOR WATERSTONE AT PALM BAY
WITH APPROXIMATE LOCATION OF GARDENS**
MAP D: PROPOSED PRELIMINARY DEVELOPMENT PLAN
MAP E: CITY FUTURE LAND USE MAP
MAP F: ENVIRONMENTAL ISSUES

FIGURES

- FIGURE 1** Future Land Use Map taken from the City's Comprehensive Plan on the City of Palm Bay Website, April, 2019
FIGURE 2 Urban Services Boundary Map adopted by the City in the EAR, October 2017; as shown on the City of Palm Bay website, April, 2019.
FIGURE 6 SJRWMD Permit covering the proposed 44 acre project
FIGURE 4 Comprehensive Plan Wetlands Map, dated June, 2018, taken from the City of Palm Bay's website, April, 2019
FIGURE 5 Comprehensive Plan FEMA 100 Year Floodplain Map, taken from the City of Palm Bay's website, April, 2019
FIGURE 7 Single Family residential examples

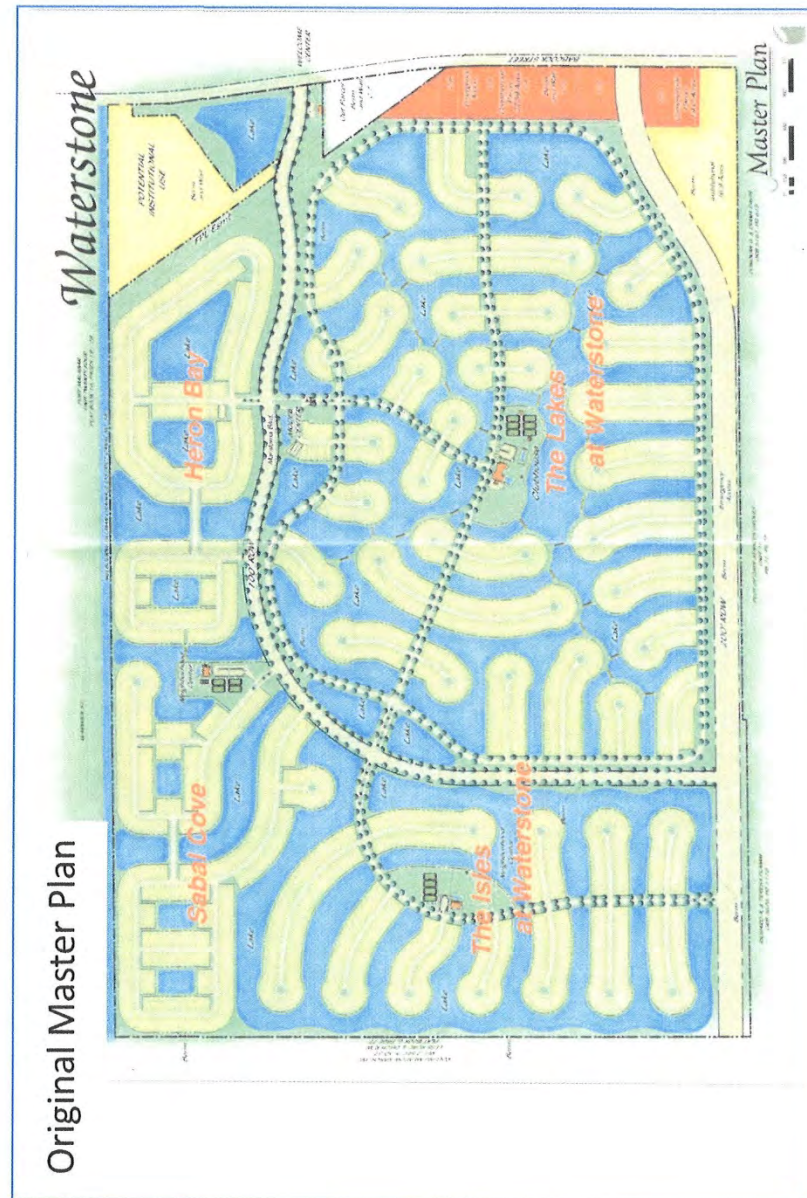
APPENDICES

- 1. APPROVED PRELIMINARY DEVELOPMENT PLAN 2005 ESTABLISHING ZONING**
- 2. CONCURRENCY DETERMINATION INFORMATION**
- 3. RESUME OF ROCHELLE W. LAWANDALES, FAICP**
- 4. OCTOBER, 2019 LETTER FROM LARRY BRADLEY REGARDING ZONING AND PUD**

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

APPENDICES

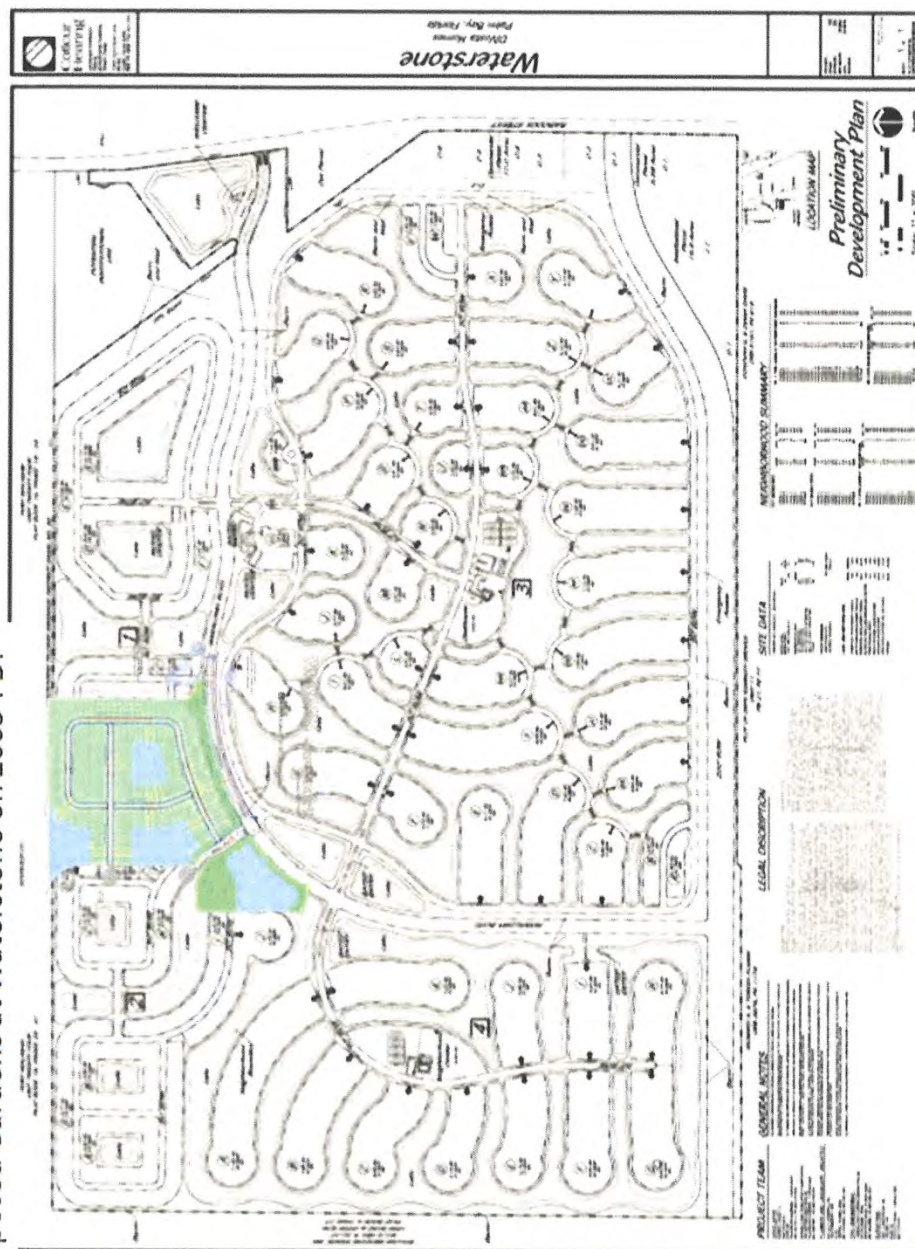
1. APPROVED ORIGINAL MASTER PLAN



May 15, 2005 FINAL PUD Approval

Resulted in PUD Zoning
Shown on City's GIS today

Proposed Gardens at Waterstone on 2005 PDP



* Approximate location. Not to scale. Graphic exhibit only.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

2. CONCURRENCY DETERMINATION INFORMATION



BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE
MEMORANDUM**

TO: George Clark, Roadway and Landscaping

FROM: Rich Votapka, P.E., Traffic Engineering *R.B. Votapka*

DATE: April 29, 2005

SUBJECT: Babcock Street/Waterstone PUD Driveway Connections Revised
April 20, 2005 for Roadway & Easement Improvement Application
No. 0175908

I have reviewed the April 19, 2005 response comment letter written by David Leach of PBS & J to John Denninghoff and the April 18, 2005 revised plans received by our office today. As a result, I requested additional information which was provided by David Leach, Project Manager, to you on April 27, 2005. After reviewing the information with John Denninghoff, Transportation Engineering Director, and R.W. Thompson, Traffic Engineering Director, it was agreed that the responses and the plans are in satisfactory compliance with both the Transportation Engineering and Traffic Engineering comments stated in my letter of April 18, 2005. Therefore, the April 19, 2005 PBS & J plans are approved with the following conditions:

1. The land use shall not be altered from the 900 unit Waterstone Planned Unit Development (PUD) adjacent to Babcock Street in Palm Bay, Florida including the proposed elementary school. Any changes in use or traffic circulation (including connections outside the PUD) shall require a new review by Brevard County concerning the concurrency determination and engineering details to confirm that Brevard County approval of this project can still remain in full force and effect.
2. According to the March 29, 2005 Traffic Analysis as prepared by PBS & J, Inc. for the Waterstone PUD, a traffic signal will eventually be warranted for the intersection of Babcock Street and Mara Loma Drive. When the traffic signal becomes warranted, Bayside Lakes Development, Inc. the developer, or the Waterstone Homeowners Association (HOA) shall be required to modify the Brevard County Driveway/Access Connection Permit (no. p0175908) for this project and have the traffic signal installed at the developer's or the HOA's expense.

3. At such time that Bayside Lakes Development, Inc. purchases the large tract of land that contains a borrow pit on the east side of the Babcock Street right-of-way and that lies directly opposite the Waterstone PUD, Bayside Lakes Development, Inc. agrees to accommodate the stormwater runoff from the future widening of Babcock street along the entire frontage of Waterstone PUD abutting the Babcock Street right-of-way.
- c: Deborah Adkison, Eng. 1, Transportation Eng.
John Denninghoff, Transportation Eng. Director
Bob Kamm, Director, Office of Transportation Planning
R.W. Thompson, Traffic Eng. Director

Contractor responsible for any damage to Right-of-Way and Easements and must repair and restore to Brevard County and Florida Department of Transportation Standards prior to C/O or Final

F.D.O.T. Utility Accommodation Manual
Doc. No. 710-020-001-d, 10.7 general
Requirements, Manholes and valve boxes
shall be outside the travel way and bike
lanes, to the greatest extent practical. The
county requires them to be outside.

Construction is not to interfere with drainage

Road cuts must be replaced with flowable fill. Must contact inspectors 2 weeks in advance of work start date.

any questions. (732) 653-2478 ext. 2

Brevard County Roadway and Easement Permits
Expire 60 days from date of issuance. Your
permit will expire 7-4-2005
Contact Roadway and Easement Permitting with
any questions. (321) 633-2178 ext 2



BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE
MEMORANDUM**

TO: George Clark, Roadway and Landscaping

FROM: Rich Votapka, P.E., Traffic Engineering *R.B. Votapka*

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- c: Deborah Adkison, Eng. I, Transportation Eng.
John Denninghoff, Transportation Eng. Director
Bob Kamm, Director, Office of Transportation Planning
R.W. Thompson, Traffic Eng. Director

BREVARD COUNTY FEE COLLECTION
DEVELOPMENT RECEIPT

TYPE II FEES		TYPE I FEES	
ROADS:	0.00	CS ENVIRON:	0.00
FIRE RESCUE:	0.00	CS LAND USE:	0.00
CORRECTIONAL:	0.00	CONCURRENCY:	0.00
SW DISPOSAL:	0.00	DRIVEWAY:	500.00 P
EMS:	0.00	DRIVEWAY BOND:	0.00
LIBRARY:	0.00	BUILDING PERMIT:	0.00
SCHOOL:	0.00	FLOOD ZONE:	0.00
CREDITS:	0.00	RADON/BOAT:	0.00
TOTAL IMPACT FEES:	0.00	REPOSITORY:	0.00
SEWER CONNECTION:	0.00	LANDSCAPE:	0.00
MING WATER:	0.00	UTIL RESERVE:	0.00
SERVICE FEES:	0.00	ADD BEDROOM:	0.00
BLDG REINSP FEE:	0.00	ADDRESS:	0.00
BUILD REINSP DUE:	0.00	SEPTIC FEES:	0.00
TYPE II FIRE:	0.00	TYPE I FIRE:	0.00
UTIL REINSP FEE:	0.00	LOT DRAINAGE:	0.00
UTIL REINSP DUE:	0.00	TOTAL TYPE I FEE:	500.00
DRIVEWAY REINSP:	0.00	TYPE I BAL DUE:	0.00
DRWAY REINSP DUE:	0.00		
SEPTIC REINSP FEE:	0.00		
SEPTIC REINSP DUE:	0.00		
DRAINAGE REINSP:	0.00		
DRAIN REINSP DUE:	0.00		
EST. TYPE II FEES:	0.00		
TYPE II DUE:	0.00		

* NOTE TYPE II DUE AMOUNT MAY VARY DUE TO ADDITIONAL FEES OR FEE REDUCTION
CREDIT REASON:

TOTAL FEES: 500.00
TOTAL PAYMENTS TYPE 1: 500.00 TOTAL PAYMENTS TYPE 2: 0.00

ADDRESS: 9150 BABCOCK ST PALM BAY

CONTROL NUMBER: P0231945 PERMIT NUMBER: P0175906

LEGAL DESC: 30 3704

APPROVED BY: BC CHECK NUMBER: 2329 DEPOSIT-AREA: C

PERSON ACCEPTING-FEE: KDD DATE: 2004/11/17

BLDG INSPECTIONS: 633-2187 ENV. HEALTH: 633-2100, PUB. WORKS: 633-2079

BREVARD COUNTY FEE COLLECTION
DEVELOPMENT RECEIPT

TYPE II FEES		TYPE I FEES	
ROADS:	0.00	CS ENVIRON:	0.00
FIRE RESCUE:	0.00	CS LAND USE:	0.00
CORRECTIONAL:	0.00	CURRENCY:	0.00
SW DISPOSAL:	0.00	DRIVEWAY:	500.00
EMS:	0.00	DRIVEWAY BOND:	0.00
LIBRARY:	0.00	BUILDING PERMIT:	0.00
SCHOOL:	0.00	FLOOD ZONE:	0.00
CREDIT:	0.00	RADON/BCAL:	0.00
TOTAL IMPACT FEES:	0.00	REPOSITORY:	0.00
SEWER CONNECTION:	0.00	LANDSCAPE:	0.00
NINE WATER:	0.00	UTIL RESERVE:	0.00
SERVICE FEES:	0.00	ADD BEDROOM:	0.00
BLDG REINSP FEE:	0.00	ADDRESS:	0.00
SOIL REINSP DUE:	0.00	SEPTIC FEES:	0.00
TYPE II FIRE:	0.00	TYPE I FIRE:	0.00
UTIL REINSP FEE:	0.00	LOT DRAINAGE:	0.00
UTIL REINSP DUE:	0.00	TOTAL TYPE I FEE:	500.00
DRIVEWAY REINSP:	0.00	TYPE I BAL DUE:	0.00
DRWAY REINSP DUE:	0.00		
SEPTIC REINSP FEE:	0.00		
SEPTIC REINSP DUE:	0.00		
DRAINAGE REINSP:	0.00		
DRAIN REINSP DUE:	0.00		
EST. TYPE II FEES:	0.00		
TYPE II DUE:	0.00		

* NOTE TYPE II DUE AMOUNT MAY VARY DUE TO ADDITIONAL FEES OR FEE REDUCTION

CREDIT REASON:

TOTAL FEES: 500.00
TOTAL PAYMENTS TYPE 1: 500.00 TOTAL PAYMENTS TYPE 2: 0.00

ADDRESS: 9150 BABCOCK ST PALM BAY

CONTROL NUMBER: P0237020 PERMIT NUMBER: P0180177

LEGAL DESC: 30 3704

APPROVED BY: BC CHECK NUMBER: 2351 DEPOSIT-AREA: C

PERSON ACCEPTING-FEE: NJA DATE: 2005/01/18

BLDG INSPECTIONS: 633-2187 ENV. HEALTH: 633-2100 PUB. WORKS: 633-2079



BREVARD COUNTY

BOARD OF COUNTY COMMISSIONERS

INTER-OFFICE MEMORANDUM

TO: Billy Osborne, Roadways & Landscaping Director
George Clark, Roadways & Landscaping Department

FROM: John P. Denninghoff, P.E., Transportation Engineering Director

SUBJECT: Waterstone PUD Driveway Connections

DATE: February 15, 2005

Transportation Engineering has completed a review of two proposed driveway connections to Babcock Street for the above referenced development. Based on recently received site data including a traffic study as submitted by the applicant (letter dated February 3, 2005) and the subsequent positive concurrency determination by the Transportation Planning office as well as a letter regarding this developments approval status from the City of Palm Bay, we recommend the following prior to issuance of the requested permit:

1. Final approval of the engineering plans (see attached memo from Traffic Engineering dated February 2, 2005) is required. The required revisions appear to be minor.
2. The traffic study shall be revised to reflect the trips anticipated from the school and other minor study revisions that are required in accordance with the comments provided by the Transportation Planning office (see attached memo dated February 8, 2005). The revisions are not considered to be major and are not anticipated to affect concurrency.
3. The intersection of Babcock Street and the southerly entrance may require signalization (the final traffic analysis should address this possibility). The permit shall stipulate that in the event a traffic signal becomes warranted the development (either the HOA or the developer) shall modify the permit and complete the installation of the signal.
4. The permit shall stipulate that the land use shall not be altered from the 900 unit PUD including an elementary school. Changes in use or traffic circulation (including connections outside the PUD) shall require a review of the concurrency determination and the engineering details to confirm that the approval can stand.
5. The other typical conditions including time frame for expiration shall apply.

Attachments

CC: Dick Thompson, P.E., Traffic Engineering Director
Bob Kamm, MPO Director
Ed Washburn, P.E., Interim Assistant County Manager
Peggy Busacca, Interim County Manager
Randy Oller, Planning & Zoning
Ben Jeffries, Applicant
Sue Hann, Deputy City Manager, Palm Bay

Post-It® Fax Note		7571	Call 215127	Pages 6
To	Den 3	From	John Denninghoff	
Co Dept		CC		
Phone #		Phone #	610 9202	
Fax #	952 0921	Fax #	632 2022	



February 11, 2005

John Denninghoff, P.E.,
Director of Transportation Engineering
Brevard County
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: Waterstone PUD

Dear John:

In confirmation of our meeting with City staff and Mr. Jeffries earlier this week, the Waterstone PUD is currently a self-contained project and does not interconnect with any other projects that would add trips to Babcock Street. In the event that connections to other projects are contemplated, City staff will advise Brevard County staff and work with County staff to evaluate any impacts to Babcock Street. This will likely include traffic impact analyses and concurrency determinations. In addition, the City is working with the developers in this area to facilitate the construction of a southern leg of the Palm Bay Parkway, ultimately connecting to Interstate 95. I would ask that the County staff cooperate in pursuing this opportunity such that we can collectively deliver the necessary transportation infrastructure in this area of South Brevard County.

Please note that the Waterstone site plan does show a connection to the south east of Tract 13 (school site); however, there is no development plan for this property at this time.

Please let me know if additional information is required.

Sincerely,



Susan Hann, P.E.,
Deputy City Manager

cc: Lee R. Feldman, City Manager
Dave Watkins, Growth Management Director
Ben Jeffries

Office of the City Manager

120 Malabar Road, SE • Palm Bay, FL 32907
Phone: 321.952.3413 • Fax: 321.952.3412 • www.palmbayflorida.org

MEMORANDUM

TO: Ed Washburn, Interim Assistant County Manager

FROM: Bob Kamm, Director, Office of Transportation Planning
Kama Dobbs, Transportation Planner, Office of Transportation Planning

DATE: February 8, 2005

RE: Waterstone Subdivision Preliminary Traffic Analysis

Transportation Planning staff has reviewed the Waterstone Subdivision Preliminary Traffic Analysis and has the following comments:

1. Based on the method the County uses for determining concurrency and the segmentation of Babcock Street (Indian River Co. to Valkaria Rd.), this project meets concurrency requirements. However, when the links that make up the IRC to Valkaria segment are examined, the project causes the northernmost link from Grant Rd. to Valkaria Rd. to fail on a daily traffic basis.
2. The site plan shows no connections to the adjacent city street system or to potential future developments to the west and south. In the interest of providing safe and convenient access to the site and to destinations within the City, we strongly encourage the City and applicant consider providing site access via existing or future City streets, in addition to the Babcock St. access. Alternate access will, first, - reduce traffic loadings on Babcock. Second, trip lengths for residents to reach commercial sites in Palm Bay, especially those in the far western section of the project, will be shorter. Third, the project contains a school site that will likely draw on elementary students inside the City. Providing a connection will enable students and parents to safely access the school on foot and bicycle, eliminate the need for all parents to use Babcock Street and create more of a "neighborhood school" that parents now consistently expect.
3. We agree with the general assumption on page 4, regarding the likelihood of 90% of site traffic being to/from the north.
4. Please show the calculations used in Table 2. Our calculations, using average trip generation rates for daily traffic (9.57 trips per day per unit) yield 8,613 daily trips, not 7,548.
5. Please recalculate directional distribution based on corridor-specific data, rather than using the FDOT K and D that are for the entire County. Raw count data can be provided by the MPO for calculations. A direction value of 53.08% seems inconsistent with the 90% trip distribution to the north.
6. In order to maintain travel speeds and enhance safety at the driveways, NB left turn lanes should be provided at the project entrances. There is potential for serious rear-end collisions on this segment due to the 55 mph speed limit.
7. Please show calculations used to determine the data shown in Table 3. It is unclear how the consultant arrived at the existing peak hour volumes that are shown. These differ significantly from the MPO's raw data.
8. What is the spacing between driveways? The plat on page 3 is difficult to read. We can't determine the scale, nor can we locate the 2nd driveway onto Babcock.
9. Please show sources/calculations for Table 4. Add background traffic growth from 2004 - 2010. Although traffic counts "spiked" in 1996 and 1997, and the TRENDS analysis programmed showed negative growth, professional judgment should be used to determine the growth trend from 1999 - 2004. If the consultant believes that growth is negative, a substantial amount of justification should be provided.

10. The project reserves land for an elementary school site. School traffic is not included in the trip generation calculations. The only use considered was residential. Given that schools can be a significant trip generator, the trip generation calculations should show values with and without a school. The level of service calculation based on daily traffic should also be amended to show with and without school scenarios.



BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE
MEMORANDUM**

TO: George Clark, Special Projects Coordinator III, Roadways Permitting

FROM: R.W. Thompson, P.E., Traffic Engineering Director *R.W. Thompson*

DATE: February 2, 2005

SUBJECT: Babcock Street/Waterstone Subdivision and School Access Drives
Permit No. P0175908

We have completed our review of subject plans and have listed our comments below.

- 1) Please provide additional right-of-way for future 4-laning of Babcock Street. Current design standards for an urban arterial street requires a minimum of 114' right-of-way, plus an additional 12' on each side for right turn lanes. It appears that Babcock Street right-of-way is 100' wide. If so, we will need 7' on the west side for the entire length of the parent property and an additional 12' where ever a right turn lane could be required.
- 2) Show northbound left turn lanes for each access drive intersecting Babcock Street. Design speed shall be 55mph. Queue distance shall be determined by traffic engineering study. Widening transitions shall meet FDOT Standard Index No. 526, sheet 2 of 8 for a 55mph design speed.
- 3) Provide a traffic impact analysis, performed by a licensed professional engineer, that routinely performs traffic engineering reports.
- 4) Please provide more detailed plans, so as to clearly spell out what these two access roads will be serving, so that we can make sound engineering design decisions on concurrency and roadway/intersection design and spacing of access drives, in regard to final approval of your permit request.
- 5) Show pavement/roadbed design proposed for all work to be completed within the Babcock Street right-of-way.
- 6) Show 50' radii on all drive radii.
- 7) Show actual cross sections, with elevations and slopes, on Babcock @ 100' intervals, plus sections at centerline of each drive, at north ends of proposed right turn lanes and cross sections @ 100' intervals from the beginning of the widening for the northbound left turn lanes to the north end of the transition areas. If the 3-lane widened areas are less than 500' apart, the roadway shall become a 36' 3-lane roadway continuous.
- 8) Show the right turn lanes to be squared off at the north end of the tapers and stripe out the excess asphalt, behind the taper, with thermoplastic material.

- 9) Show 4' paved shoulder with 6' turf shoulder @ 6% slope along all new construction of turn lanes and along the left turn lane widening areas. Shoulder slopes shall be 6:1 and back slopes shall be 4:1.
- 10) Show 6' wide x 6" thick fiber reinforced concrete sidewalk along all public road frontage
- 11) Provide corner cuts for future traffic signal poles.
- 12) Show all applicable signs and pavement markings. All signs shall have high intensity faces. All signs shall be per FDOT and Brevard County Standards. All pavement markings shall be per FDOT Std. Index Nos. 17346 and 17352.
- 13) Provide a plan view of all right-of-way improvements on Babcock, from 1000' south of the south access drive, to 1000' north of the north access drive. This includes both sides of Babcock Street.
- 14) Show the hard median noses extended east with striping and RPM's, to the point where the nb left turning radius and the eb left turning radius intersect.
- 15) The south driveway shall have a 2nd 30" stop sign in the median, with an R4-7 median nose sign & Type I Object Marker on the back side (facing Babcock Street).
- 16) Please size your site's storm water ponds to be capable of future runoff of a 6-laned Babcock Street, for the entire length of this parent property.

If you have any questions concerning the above comments, please call me at 321 633-2077.

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

3. RESUME OF ROCHELLE W. LAWANDALES, FAICP

ROCHELLE W. LAWANDALES, FAICP

EDUCATION

- Graduate Degree:** MASTER OF CITY AND REGIONAL PLANNING
CLEMSON UNIVERSITY, CLEMSON, S.C. 1979
- Bachelor of Arts:** SOCIOLOGY/PSYCHOLOGY
CLEMSON UNIVERSITY, CLEMSON, S.C. 1977
- Other Studies:** ALLIANCE FRANÇAISE, PARIS, FRANCE (1976)
- Certifications:** American Institute of Certified Planners
- Honors:** Inducted into the College of Fellows by the American Planning Association/American Institute of Certified Planners, 2018

EXPERIENCE

Private Consultation Service: Lawandales Planning Affiliates, Inc.,(LPA), owned by Rochelle W. Lawandales, AICP, has been serving communities and individuals with planning services since 1989, including, but not limited to:

- Local governments including, Palm Bay, Palm Shores, Melbourne Beach, Malabar, Melbourne, Fellsmere, Cocoa Beach, Satellite Beach, New Smyrna Beach, Tampa, Savannah, Georgia, South Daytona, Rockledge, Cocoa, Port Orange
- National and Local developers, including, but not limited to: American Tower Systems, a subsidiary of CBS, Inc.(site selection for telecommunication towers across Florida), Lennar Homes(zoning, land development), Mercedes Homes(zoning/land development approvals), Heritage Properties, St. Mary's Catholic Community Church(zoning/conditional use), Mattress Barn(comp plan and zoning), Boozler Properties, Plymel Realty, Charlie Boyd (zoning), FBC of Brevard(zoning), Richard Stottler d/b/a Cape Kennedy Shores, Inc., Ben Jefferies d/b/a Bayside Lakes Development Corporation, Waterstone Development Company, LLC; Mike Erdman, d/b/a as KEW, Inc., Roy Pence, Coy Clark, Centex Homes (zoning/land development), among others.
- Many noted Land Use/Real Estate Lawyers, individuals or developers who have needed expert planning services for development reviews and approvals, eminent domain, or expert witness testimony for quasi-judicial or legislative hearings. Ms. Lawandales has been certified as an expert witness in local government hearings, Circuit and District Courts in Florida, and Chapter 120 Administrative hearings.

Comprehensive and Neighborhood Planning experience includes:

- West Melbourne, Malabar, and Cocoa Comprehensive Plans
- Amendments for Melbourne Beach, Brevard County, Fellsmere, Palm Shores, South Daytona, Indian Harbor Beach, Cocoa, Palm Bay
- South Daytona Evaluation and Appraisal Report
- Neighborhood Strategic Plan for the City of Melbourne's North CDBG Target Area "Booker T. Washington Neighborhood
- Former City of Fellsmere Consulting Planner, Comprehensive Plan 2003 completion and several large scale Updates

Redevelopment, Urban Design and Historic Preservation experience includes:

- City of Titusville: Land Development Codes and Urban Design Manual with Kimley-Horn and Associates
- City of Port Orange: TDM/TSM Strategic Plan with Kimley-Horn and Associates

ROCHELLE W. LAWANDALES, FAICP

- City of Rockledge: Community Redevelopment Area consulting Director, 2003-2010; CRA Plan Update 2009; Redevelopment Mixed Use District-Comprehensive Plan amendment, Land Development Code amendment, and Design Manual; Barton Boulevard Streetscape design;
- City of Fellsmere: Mixed-Use District Code and Urban Design/Streetscape Concepts; Findings of Necessity and established district with the Community Redevelopment Area Plan, 2005; City Hall Master Plan; Preparing Design Manual and Streetscape Plan for downtown;
- City of Palm Bay: Bayfront Redevelopment Area projects; Waterstreet Development Master Plan, Waterstreet Strategic Funding Plan, with Brad Smith Associates; Award winning Powell Subdivision Visioning, streetscape design; Palm Bay Road streetscape; Indian River Scenic By-ways establishment and Corridor Management Plan; Design Manual/Pattern Book for urban design in CRA district
- City of Cocoa: Redevelopment Area Streetscape/Urban Design Project; Heart of Cocoa, Delannoy Avenue, and Whitley Bay; in association with Baskerville-Donovan, Inc.
- City of Melbourne: Booker T. Washington Neighborhood Strategic Plan. Redevelopment, Urban Design and Streetscape concepts; *Eau Gallie Urban Infill and Community Redevelopment Plan, Streetscape, and Urban Design Concepts; CRA Expansion-Blight Study. This project won the 2003 National APA Community Initiative Award*; Blight Study for Downtown Melbourne Area Expansion; Downtown Blight Study and Evaluation/Audit of the CRA Redevelopment Plan; Babcock Street Blight Study and first Community Redevelopment Plan, with HDR, Inc and Brad Smith Associates.
- Town of Melbourne Beach: Ocean Avenue Redevelopment, Streetscape and Design Guidelines; Ocean Avenue Traffic Light, Pavers, Colors, and Lighting Design; TEA-21 Enhancement Project Design/Streetscape Elements; Melbourne Beach Municipal Complex with Rood and Zwick, Architects in Association and Brad Smith Associates;
- City of South Daytona: Assisted in creation of redevelopment district, Redevelopment Plan and Urban Design Concepts
- City of Indian Harbor Beach: Mixed Use District Code and Urban Design/Streetscape Concepts
- City of Satellite Beach: Blight Study, creation of redevelopment district, Community Redevelopment Plan and Urban design recommendation
- Town of Palm Shores: Community Redevelopment Blight Study and Urban Design recommendations
- Harris Corporation Master Plan-a micro-"urban design" project, with Brad Smith Associates
- Cocoa Beach Redevelopment Area-SR 520 Urban Design/Beautification Project, with Brad Smith Associates
- Blight Study, Redevelopment Plan, Comprehensive Plan amendment and Land Development Code amendments for the Merritt Island Redevelopment Agency area expansion
- Conceptual redevelopment plan for the Max Brewer Causeway, part of the Titusville Redevelopment Area
- Conceptual Master Plan, Sandpoint Park, Honeycutt and Associates, part of Titusville Redevelopment Area

Historic Preservation and Main Street

- Eau Gallie Arts District (EGAD) Economic Restructuring Plan, 2012
- Henegar Center for the Arts, Building Feasibility Study for use of 1920's High School, 2008
- Melbourne Main Street Strategic Plan
- Hamilton County Main Street Historic District Survey and Recommendations, Hamilton County, Florida
- Established an Historic District for the downtown area in Cocoa (Cocoa Village) and wrote Preservation and Development Guidelines
- Secured funding, assisted in the planning and supervised the \$500,000 rehabilitation of the E.P. Porcher House, a National Register Property in Cocoa
- Drafted a Model Historic Preservation Ordinance for graduate school

Public Participation Workshop Facilitation and Visioning Processes

South Daytona, Melbourne, Melbourne Beach, Fellsmere, Zion Christian Church, Florida Air Academy, Eau Gallie, Satellite Beach, Cocoa, Palm Shores, Indian River Scenic Highway Coalition, Cocoa Beach, Rockledge,

ROCHELLE W. LAWANDALES, FAICP

Palm Bay, Melbourne Main Street, Interstate Business Park, Le Centre, Savannah, Tampa Downtown Development Authority; New Smyrna Beach Redevelopment Agency

Land Development Regulations include:

Complete Land Development Regulations for West Melbourne, Malabar, South Daytona, Fellsmere and Cocoa; and updates or changes to LDR's for Titusville(Form Based Code), Rockledge, Palm Shores, Fellsmere, Melbourne, Cocoa, Melbourne Beach, Indian Harbor Beach, and Satellite Beach. Performance Standards Zoning Code for Cocoa Redevelopment Agency, with Frielich-Leitner, Esq. Architectural and Site Design Guidelines; Recreation Impact Fee Ordinances; Performance Standards Zoning Codes; Historic Preservation Districts and Historic Preservation Land Development Code; Downtown Redevelopment Codes; Mixed-Use District Codes

Grants experience:

Successes have included Historic Preservation, Florida Communities Trust, FRDAP, FIND, FCMP, Brownfields, Enterprise Zones/Foreign Trade zone designations, for a variety of programs, services and facilities; and overall obtaining over \$5M for a variety of local or county public improvements.

Recreation projects:

Recreation master planning services have included Wabasso Causeway Park and Round Island Park with Brad Smith Associates for Indian River County; Melbourne Community Park Location and Design Study, Front Street Park, Sherwood Park and Carver Park for the City of Melbourne; City of Fellsmere Senior League, Little League Community Parks, and Grant Ave. Neighborhood Park; Waterstreet Redevelopment Plan with several Park Components for the City of Palm Bay; Westbrook Community Park for Lennar Homes; Indian River Lagoon Scenic Highway Program; Ryckman and Loggerhead Parks for the Town of Melbourne Beach; Palm Shores Shoreside Park; Sandpoint Park and Max Brewer Causeway, (Brevard County) with Honeycutt and Associates, Inc.

Public Service:

Ms. Lawandales' first 10 years of practice were spent serving the public sector:

- West Melbourne, Florida: Planning Director, 1979-1980
- Melbourne, Florida: Special Projects and Grants Administrator, 1980-1983
- Cocoa, Florida: Redevelopment Director 1986; Community Improvement Administrator, 1986-1989.

Other Employment

Since 2011, Ms. Lawandales has continued to serve as a sole proprietor planning consultant to the public and private sectors to provide expert testimony, planning consultation, code changes, and sustainability programs for various clients. In 2014, she was hired as the Professional Planner for Waterstone Development Company, LLC in Melbourne, FL.

Miscellaneous talents and experience:

- Designing, Implementing, and Directing the We Care Program for the Brevard County Medical Society, Brevard County Health Unit, and area Hospitals, which brought private medical care to the indigent of Brevard County
- Counseling for troubled youth and their families as a caseworker for Devereux Outpatient Services
- Principal for religious schools for 4 years/teacher for 13
- Adjunct Professor, Planning and Urban Design, University of Central Florida, Fall, 2004
- Coldwater Creek, Retail Sales Associate, Part time, 2005-present

Prior Affiliations:

- Florida Redevelopment Association, President, 2009-2010; Legislative Policy Committee; Board member 2006-2011; Treasurer, 2007-2008
- Florida Chapter American Planning Association: Legislative Policy Committee (almost 20 years and currently)
- American Institute of Certified Planners/American Planning Association (current)
- Florida League of Cities: Legislative Policy Committee

ROCHELLE W. LAWANDALES, FAICP

- Florida Chambers, Six Pillars Committee
- Florida League of Cities: Keys to the Cities Task Force, 2010
- Brevard Tomorrow

Previous Community Service:

- Past Chair(13 years) and Member (16 years), Satellite Beach Planning and Zoning Board
- Past Chair (4 years), Satellite Beach Community Redevelopment Agency Advisory Board,
- Past service on Melbourne's Planning and Zoning Board and Architectural Review Board
- Junior League of South Brevard, Various Executive Board, Board positions and member 19 years
- Former Chair, State Public Affairs Committee for the Junior Leagues of Florida; established the Growth Management Task Force
- Former Committee Member, Land Use and Growth Management Subcommittee, Brevard Tomorrow, Tourist Development Council Signage Committee; Landscape and Tree Preservation Ordinance, Brevard County
- Leadership Brevard 1994 Graduate

WATERSTONE FARMS, LLC
AMENDMENT TO APPROVED MASTER DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

4. OCTOBER, 2019 LETTER FROM LARRY BRADLEY REGARDING ZONING AND PUD

October 1, 2019

Mr. Benjamin E. Jefferies, Managing Member
Waterstone Farms, LLC/Waterstone Holdings, LLC
235 West Drive
Melbourne, FL 32904

RE: The Gardens of Waterstone at Palm Bay

Dear Mr. Jefferies:

On January 18, 2018, the City of Palm Bay City Council approved a preliminary development plan (Preliminary PUD) for the Waterstone Development (PUD-51-2017). On June 6, 2018, the City of Palm Bay City Council approved a final development plan for the Gardens of Waterstone at Palm Bay.

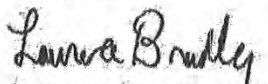
The Code of Ordinances for the City of Palm Bay requires a final development plan to be adopted within one year from the approval of a Preliminary PUD. Further, a final development plan must be adopted by ordinance.

The final development plan was adopted by motion. Consequently, the final development plan is deficient because it was not adopted by ordinance. Further, the Preliminary PUD is also deficient because the final development plan was not properly adopted within the required 1-year timeframe.

Therefore, it is the conclusion of the Growth Management Department that neither the Preliminary PUD adopted January 18, 2019, nor the final development plan approved on June 6, 2018 are valid for the reasons described herein. Further you have submitted new applications, which if approved properly and timely, would allow development on the PUD zoned property.

Please feel free to contact me or the Land Development staff in Growth Management if you have any questions or wish to discuss this matter further.

Sincerely,



Laurence Bradley, AICP
Director of Growth Management

Page 2
Letter to Benjamin Jeffaries
October 1, 2019

Cc: Lisa Morelli, City Manager
Patricia Smith, City Attorney
Terese Jones, City Clerk
Patrick Murphy, Assistant Director of Growth Management

TAB D
ENVIRONMENTAL ASSESSMENT BY JON SHEPHARD ATLANTIC
ENVIRONMENTAL SERVICES