



CITY COUNCIL AGENDA TRANSMITTAL

Council Meeting Date: October 12, 2022

Agenda Item Title: Ordinance O-22-13 – First Reading and Transmittal Hearing- Request for Comprehensive Plan **Future Land Use Map and Text Amendment** – Graves Brothers Company

Recommendation: Approve Ordinance O-22-13 on first reading and authorize transmittal to the Florida Department of Economic Opportunity (DEO).

Background: On May 25, 2022, the City Council approved at first reading the proposed annexation of 2044.318 gross acres, more or less, of property into the city in accordance with Florida Statute 171.044, Voluntary Annexation, and as petitioned by the property owners, Graves Brothers Company. The property is located South of County Road 510 ROW, West of lands adjacent to the 74th Ave ROW, North of 69th Street ROW, and East of 90th Ave ROW. The site is bisected in the north/south direction through its approximate center by 82nd Ave. The subject property is currently vacant agricultural land in unincorporated Indian River County (IRC), contiguous to the existing corporate limits and boundaries of the City of Sebastian.

Consecutively, the property owner has requested for consideration an amendment to the comprehensive plan future land use map (FLUM) and companion text change for the parcel of land containing 1913.593 acres from Indian River County Agricultural (AG-1) to City of Sebastian Mixed Use (MU) land use designation in order to achieve consistency with the city’s adopted Comprehensive Plan 2040. The land use change will constitute the “net acreage” which is approximately 130.725 acres less than the gross due to the road and canal right-of-ways. The property currently maintains an active agricultural use so the zoning will remain as Agriculture A-1 with the County until such time as the property owner petitions the City for a zoning amendment and development plans are made for the property or a portion of the property. The property owner does not have a proposed development plan for the subject property at this time. Additional information regarding the future use of the property will be presented during the zoning amendment and land development process. A Justification Statement and Public Facilities Statement have been submitted by the property owner.

After careful review and a public hearing of the Planning and Zoning Commission, sitting as the Local Planning Agency (LPA), a motion was made and seconded to find the proposed change to the Future Land Use Map and recommended conditions to be consistent with the Comprehensive Plan, and to forward a recommendation for the adoption of the requested change to the City Council. As part of the land use map amendment, the LPA recommended site specific policy text changes pertaining to the mixed use development which have been incorporated into the Ordinance and outlined within the draft meeting minutes from the September 15th P&Z Commission meeting. The draft language was presented as part of the Ordinance O-19-05 FLUM recommended conditions from the previous annexation and land use request in 2019. Modifications and additions have been made to the original recommended conditions and incorporated into this Ordinance O-22-13 in accordance with advice by legal and staff recommendations. These conditions shall be made part of the Comprehensive Plan 2040 Land Use Element Objective 1-1.7: Site Specific Policies.

A large scale land use amendment (over 50 acres) must be reviewed by the Department of Economic Opportunity (DEO). Upon receipt of comments from DEO relative to the comprehensive plan future land use map amendment, this ordinance will be scheduled for a second reading and final public hearing.

If Agenda Item Requires Expenditure of Funds:

Budgeted Amount: 0

Total Cost: 0

Funds to Be Utilized for Appropriation: NA

Attachments:

1. Ordinance O-22-13
2. P&Z Commission/LPA Staff Report
3. Previously Provided Applicant Justification Statement and Public Facilities Statement **Attachment "A"**.
4. Draft PZ Commission Minutes

Administrative Services Department Review: 
City Attorney Review: 
Procurement Division Review, if applicable: <u>N/A</u>

City Manager Authorization: 
Date: <u>10/6/22</u>

ORDINANCE NO. O-22-13

AN ORDINANCE OF THE CITY OF SEBASTIAN, FLORIDA, RELATING TO THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP BY ESTABLISHING A LAND USE CLASSIFICATION OF MU (MIXED USE) FOR ANNEXED LAND WITH A PRIOR COUNTY LAND USE DESIGNATION OF AG-1 (AGRICULTURAL) ON PROPERTY CONSISTING OF 1913.593 ACRES, MORE OR LESS, LOCATED SOUTH OF COUNTY ROAD 510, WEST OF LAND ADJACENT TO 74TH AVENUE, NORTH OF 69TH STREET, AND EAST OF 90TH AVENUE; AMENDING THE LAND USE ELEMENT WITH SITE SPECIFIC POLICIES; AUTHORIZING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY/INTERPRETATION; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING AN EFFECTIVE DATE AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, after careful review and a public hearing of the Planning and Zoning Commission, sitting as the Local Planning Agency, a motion was made and seconded to find the proposed change to the Future Land Use Map and recommended site specific policy conditions to be consistent with the Comprehensive Plan, and to forward a favorable recommendation for the adoption of the requested change to the City Council; and

WHEREAS, the City Council has considered the criteria identified in the Comprehensive Plan and Florida Statutes together with the findings and recommendations of its staff and the Planning and Zoning Commission; and

WHEREAS, as provided by Section 163.3177 (2), Florida Statutes, the City Council finds that the proposed Comprehensive Plan amendment is internally consistent and coordinated with the Comprehensive Plan; and

WHEREAS, the City Council has provided notice of the proposed Future Land Use Map Amendment and has conducted the required public hearings to receive citizen input; and

WHEREAS, the City Council has determined that the proposed changes in the City Comprehensive Future Land Use Map and site specific policy conditions, are consistent with the existing future development goals of the City of Sebastian; encourages the most appropriate use of land, water and other resources; promotes and protects the public health, safety, and general welfare; provides adequate and efficient infrastructure and resources; and protects the public interest within the City of Sebastian; and

WHEREAS, the City Manager transmitted a certified copy hereof to the authorities designated under Fla. Stat. 163.3184 (3) upon passage at first reading, and proceed herewith in accordance with the provisions of Fla. Stat. Chapter 163.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEBASTIAN, INDIAN RIVER COUNTY, FLORIDA, as follows:

SECTION 1. RECITALS INCORPORATED. Each and all of the aforementioned recitals (“WHEREAS” clauses) are hereby incorporated in this Ordinance. Exhibits 1a, 1b, and 2, referenced below are hereby incorporated into this Ordinance by reference.

SECTION 2. AFFECTED PROPERTY. The amendment to the Comprehensive Plan Future Land Use Map (FLUM) and site specific policy conditions adopted by this Ordinance shall affect the following described real property, now lying and being within the incorporated area of the City of Sebastian, Indian River County, Florida:

See attached Exhibit 1a and 1b Property Survey

(herein: the “Real Property”).

SECTION 3. DESIGNATION. The Comprehensive Plan Future Land Use Map shall be amended to include the affected Real Property, and the Real Property shall be designated as Mixed Use (MU) in accordance with the requirements of Florida law.

See attached Exhibit 2 Future Land Use Map

The City recognizes specific large scale annexation parcels with Mixed Use land use such as the specified property identified in Exhibit 1a and 1b require site specific conditions that will apply at the time of site planning and development. As part of the land use map amendment, site specific policy conditions pertaining to the mixed use development have been incorporated into Ordinance O-22-13 as follows:

Objective 1-1.7: Site Specific Policies. The following policies are adopted specific to individual areas within the City of Sebastian.

Policy 1-1.7.1: 1913.593 +/- Property located South of County Road 510, West of Land Adjacent to 74th Avenue, North of 69th Street, and East of 90th Avenue, more specifically described in City Ordinance No. 0-22-13 shall be developed subject to the following policies.

- a. **Rezoning of the property shall be done through a Planned Unit Development process as described in Article XX of the Land Development Code.**
- b. **Housing types shall be mixed to meet various income levels and lifestyle choices.**
- c. **Future dedication of ROW upon mutual consent of the land owner to the appropriate entity that promotes an interconnected, extended and improved grid road system, along with a well-planned transportation system of roads and streets throughout the development, in coordination with Indian River County, to specifically include 81st Street, 77th Street, and 73rd Street, as well as 74th Avenue.**
- d. **Provision for a mixed-use “Town Center” area.**
- e. **Future dedication and donation of institutional lands necessary for governmental services such as post offices, public safety, schools, etc. that may be needed for increases in necessary services, as identified by concurrency analysis in accordance with the City of Sebastian land development codes and ordinances at the time of development.**

f. Strategic assembly of commerce and industrial development consistent with the City's Comprehensive Plan Mixed Use Land Use.

g. Future dedication of conservation lands to appropriate entity at the time of development to include any natural areas of significant importance, and the provision of greenway trails to promote a system of connectivity and access consistent with the City's Comprehensive Plan and land development codes.

h. Dedication of City Park and recreational lands above what will be required in the individual residential subdivision developments. Allocation of parks and recreational lands consistent with the City's Comprehensive Plan and land development codes specifically: a minimum of 2 acres/1000 residents of publicly accessible recreation lands, and a minimum of 2 acres/1000 residents of other recreational lands.

i. Increased buffers adjacent to low density areas outside of the PUD area.

i. As a condition of future developments, sufficient land area shall be allocated for infrastructure required to support the development and mandate hook-up to central potable water and wastewater systems for all new developments prior to receiving development orders. Therefore, the proposed development, the Graves Brothers Sebastian South, must provide sewer and water service as a condition of development. These services may be provided by the County however no septic systems would be allowed in accordance with City policy and land development codes.

k. The property shall be master planned on a minimum of no less than 500 acre units as part of an overall Planned Development project using the PUD zoning district and process.

l. The property shall consist of a mix of uses of a minimum of 30 percent non-residential to 70 percent residential.

m. The property shall require a minimum aggregate total of 50% open space. Each of the following use shall qualify to meet the open space requirement: conservation area; greenways and trails; all public parks greater than one acre, whether passive or recreational; pervious portions of agricultural land; all common open space; upland preserves; undeveloped lands suitable for passive recreation, conservation, stormwater uses, wetlands preservation, preservation of habitat for protected species which is left un-developed, and any portions of the Real Property conveyed to the County or City for a wastewater treatment plant, fire station or police station. Golf courses shall not be considered to be Open Space.

SECTION 4. TRANSMITTAL. The City Manager is directed to transmit a certified copy hereof to the state land planning agency, the Department of Economic Opportunity, as provided by Fla. Stat. 163.3184 (3) (c) 2. within ten (10) working days of adoption.

SECTIONS. CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. SEVERABILITY/INTERPRETATION.

(a) In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected and it shall be presumed that the City Council did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

(b) That in interpreting this Ordinance, underlined words indicate additions to existing text, and ~~stricken through~~ words include deletions from existing text. Asterisks (* * *) indicate a deletion from the Ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance.

SECTION 7. SCRIVENER'S ERRORS. Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect upon the concurrence of the issuance of a Notice of Intent by the Florida Department of Economic Opportunity or other final action finding the amendment herein in compliance, including the adoption and recordation of the Annexation Agreement.

SECTION 9. ADOPTIVE SCHEDULE. That this Ordinance was passed on the first reading at a regular meeting of the City Council on the 12th day of October, 2022, and adopted on second/final reading at a regular meeting of the City Council on the _____, 2022.

PASSAGE UPON FIRST READING

The foregoing Ordinance was moved for passage upon first reading this 12th day of October, 2022, by Councilmember McPartlan. The motion was seconded by Councilmember Dodd and, upon being put to a vote, the vote was as follows:

Mayor Jim Hill	<u>aye</u>
Vice Mayor Fred Jones	<u>aye</u>
Council Member Ed Dodd	<u>aye</u>
Council Member Christopher Nunn	<u>aye</u>
Council Member Bob McPartlan	<u>aye</u>

ATTEST:

Jeanette Williams
Jeanette William, MMC
City Clerk

ADOPTION

The foregoing Ordinance was moved for adoption by Council Member _____. The motion was seconded by Council Member _____ and, upon being put to a vote, the vote was as follows:

Mayor Jim Hill _____
Vice Mayor Fred Jones _____
Council Member Ed Dodd _____
Council Member Christopher Nunn _____
Council Member Bob McPartlan _____

The Mayor thereupon declared this Ordinance duly passed and adopted this _____ day of _____, 2022.

CITY OF SEBASTIAN, FLORIDA

By: _____
Jim Hill, Mayor

ATTEST:

Jeanette Williams, MMC
City Clerk

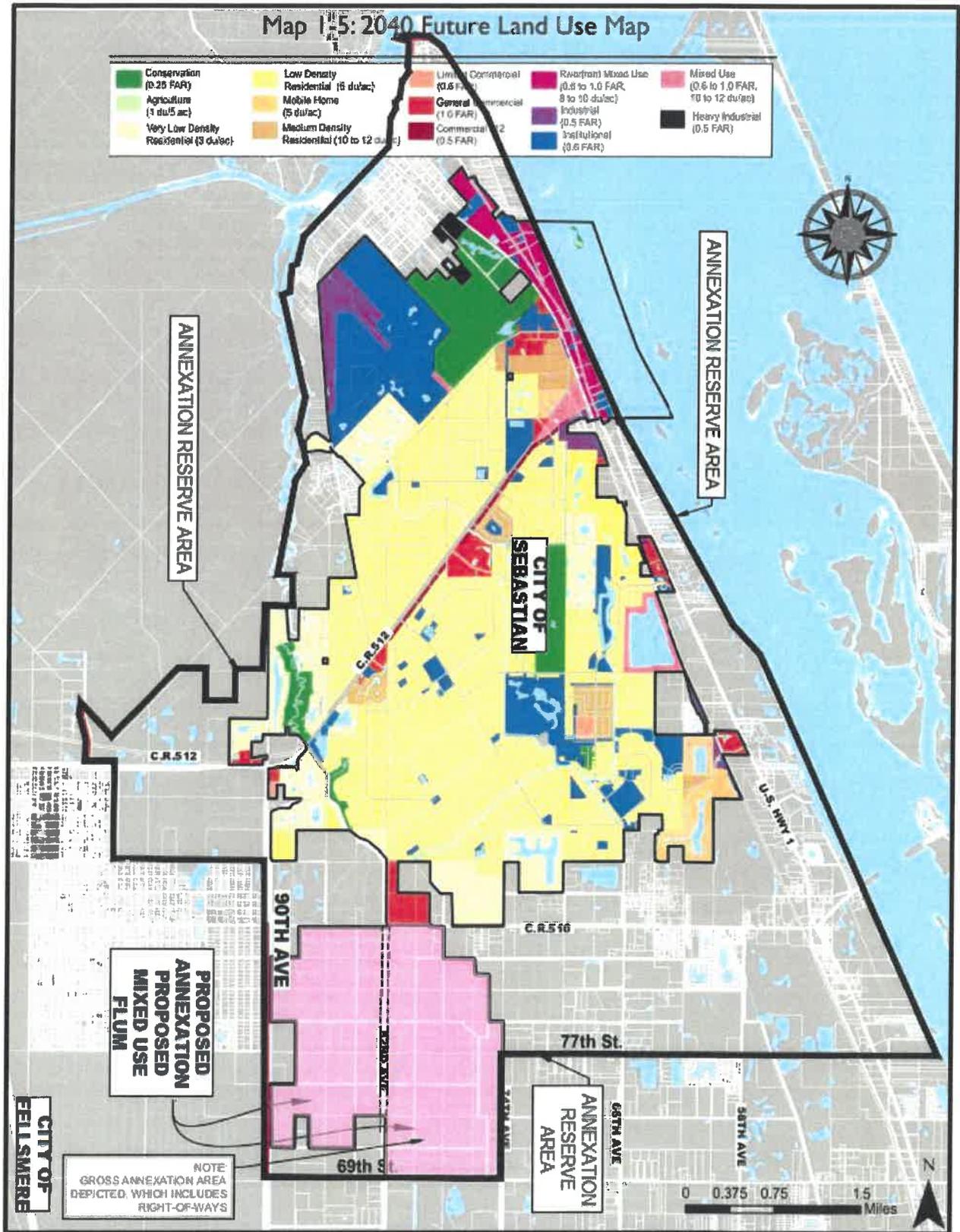
Approved as to form and legality for
Reliance by the City of Sebastian only:

Manny Anon, Jr., City Attorney

This ordinance is effective the _____ day of _____, 2022, concurrent with the issuance of the Notice of Intent finding the amendment in compliance by the Florida Department of Economic Opportunities.

EXHIBIT 2 - FUTURE LAND USE MAP

GRAVES BROTHERS SEBASTIAN SOUTH





Community Development Department
Comprehensive Plan Amendment
Land Planning Agency
September 15, 2022

ITEM 6.B. LPA Legislative Public Hearing – Recommendation to City Council
Comprehensive Plan Future Land Use Amendment
Graves Brothers Company

- 1. **Project Name:** Graves Brothers Company, 11355 Old Dixie Highway
- 2. **Project Applicant:** Graves Brothers Company
Jeff Bass, President
2770 Indian River Blvd, Suite 201
Vero Beach, FL 32960
- 3. **Requested Action:** Request is for a change from County AG-1 (Agricultural-1 unit/5 acres) to City Mixed Use (MU) **(Attachment A)**
- 3. **Project Location:** Property is in parts of sections:
1-32S-38E, 2-32S-38E, 35-31S-38E and 36-31S-38E
Subject Parcel is **1913.593 Acres**, More or Less
(net acreage, excluding right-of-way)
Legals: See Parcel list and Survey

4. Project Description

The property owner, Graves Brothers Company, have requested a voluntary annexation into the City of Sebastian. The subject property consist of 2044.318 gross acres, more or less, located south of County Road 510 ROW, west of lands adjacent to the 74th Ave ROW, north of 69th Street ROW, and east of 90th Ave ROW. The site is bisected in the north/south direction through its approximate center by 82nd Ave. The subject property is currently vacant agricultural land in unincorporated Indian River County (IRC), contiguous to the existing corporate limits and boundaries of the City of Sebastian.

The applicant has requested a Mixed Use (MU) future land use designation in order to achieve consistency with the city’s Future Land Use Element of the adopted Comprehensive Plan 2040. The proposed development lies adjacent to and contiguous with the service boundary for municipal services and has provided a Public Facilities Statement. The property currently maintains an active agricultural use so the zoning will remain Indian River County Agriculture A-1 until such time as the applicant petitions the City for a zoning amendment and site development plan for the property. The applicant has not indicated future plans for the property at this time. A Justification Statement and Public Facilities Statement have been submitted by the applicant as **Attachment “A”**. The land use change will constitute the “net acreage” which is approximately 130.725 acres less than the gross due to the road and canal right-of-ways.

5. Site Data

a. Site Characteristics

- 1) Total Acreage: 1913.593 acres
- (2) Current Land Use(s): County A-1 (Agricultural – 1 unit/5 acre)
- (3) Current Zoning: County A-1 (Agricultural – 1 unit/5 acre)

b. Adjacent Properties

	<u>Zoning</u>	<u>Future Land Use</u>
County:	A-1, RS-3, Con, PDTND	L-1, AG-1, C-1, R
Fellsmere:	IRC, A-1	LDMXN
City:	IRC, A-1	GC

6. Comprehensive Plan Consistency

- a. **Changed Conditions:** The proposed change of land use to a higher intensity of use is consistent with the current land uses along the CR 510 corridor. Along this corridor, which is funded for widening by the FDOT/IRCMPO in the near future, exists a mix of zoning and landuses that are consistent with growth patterns on any major thoroughfare. From US HWY 1 to CR 512 existing uses range from residential, multi-family, commercial, PUD, public and conservation. As the City of Sebastian continues to experience infill development, and eventual build out, the City must seek areas outside existing boundaries in order to provide services for the residents. An appropriate designation for the subject property should provide suitable uses for potential future developments that support the sustainability of the City. The proposed FLUM designation of "Mixed Use" is appropriate at this time because urban growth is contiguous and agricultural activities are no longer economically viable.

Through the Comprehensive Plan, it was established the need of the City to develop economic centers and provide commercial and public services in order to reduce impacts of residential growth on the existing City Center, as well as the environmental and transportation network that exists today. The City is seeking adequate commercial and industrial lands to accommodate its growth, support the tax base and economic development needs. An annexation reserve area was established for Sebastian that included lands south of CR 510 to 69th Street. Review and evaluation of Indian River County "Vision Plan" forecasts within the unincorporated urban area south of the City shows that continued low density single family residential, auto dependent developments that are not functionally related and require the extension of public facilities and services in an inefficient manner, have been proposed. This continues the urban sprawl south of the City and the use of septic systems as part of this growth. The resulting residential population will require services that can only be met by the City, resulting in increased impacts to the City's existing infrastructure, drainage, roads, parks, riverfront access, police and municipal staff, without relief from the resulting costs associated with these impacts.

Comprehensive Plan 2040 clearly establishes that current land uses in the City do not support adequate job growth or an economic base to support these impacts along with the predicted future residential growth within the City. The urban growth projected for the City over the next 20-year period shows an average growth rate of 8%, projected to be a little faster than the whole of Indian River County. Projected population growth is the driving force behind the City's future facility needs and land use requirements. At present, the City maintains a mixture of approximately 60% residential land use and only 10% non-residential. The remainder is made up of conservation or institutional lands. In order to achieve a sustainable economic and fiscally attainable budget, the City should be seeking a more supportable ratio of land use designations.

- b. **Land Use Compatibility:** The MU (Mixed Use) land use was established to implement policies and performance standards for a mix of uses which are compatible with the City of Sebastian current and future land use along this corridor.

Policy 1-1.3.6: Mixed Use (MU). The purpose of the Mixed Use designation is to provide a mixture of residential, office, commercial, recreational, limited industrial, and institutional uses and encourage town centers along major arterial corridors. This designation shall target areas outside of the Riverfront Mixed Use district to allow for greater flexibility and changing market types in identified areas of the City such as

the Sebastian Boulevard Triangle Area. These areas may also serve as TDR receiving areas allowing for the preservation of additional preservation and conservation lands within the City. Additional design and development standards including form based code principals shall be incorporated into the LDC. The maximum intensity is 0.6 FAR, and up to 1.0 FAR with incentives. The allowable residential uses include single family, duplexes, and multi-family up to ten (10) dwelling units per acre, and up to twelve (12) dwelling units per acre with the use of TDRs or incentives. Incentives shall be outlined in the LDC and may include but are not limited to projects that incorporate regional stormwater pond(s), shared parking structures(s), bike/pedestrian connectivity, and quality of public open space.

The Land Use Element of the Comprehensive Plan 2040 promotes livability, sustainability, and smart growth principles to guide the development of the City of Sebastian and shape how the City will grow in the next 20 years. Objectives of the proposed land use consistent with the Comp Plan include:

- -Encourage mixed use development
- -Promote affordability, accessibility, and healthy communities.
- -Encourage low-impact development, sustainable, and energy efficient building design and construction practices;
- -Follow growth management principles to prevent the proliferation of sprawl and ensure adequate infrastructure and public facilities are provided concurrent with development
- -Utilize the “Planned Unit Development” Process (PUD) to establish design standards and form-based code principles in order to enhance the design of any future development and recognize unique land characteristics.

PUD – Future development of the site is anticipated to follow the development concepts and procedures through the use of the “Planned Unit Development” (PUD).

Policy 1-1.6.1: Planned Unit Development Overlay Designation. The City’s LDC shall continue to allow a planned unit development overlay zoning designation in order to provide a voluntary management framework for coordinating objectives of developers with those of the City Council. The City Council shall reserve the authority to invoke new conditions in extending development rights based on: • Changes in conditions surrounding the impacted land uses in the vicinity; • Evolving issues surrounding infrastructure levels of service; • Impacts on natural resources; and/or • Other related issues impacting the nature of the proposed planned unit development.

Policy 1-1.6.2: Planned Unit Development Option. The planned unit development overlay designation shall be available as a voluntary approach for managing specific development characteristics and project amenities to be incorporated in residential, commercial, industrial, or mixed use development options. Developers who voluntarily participate in the process shall bind themselves as well as those who may be their successors in title to the subject land.

The “Mixed Use” FLUM designation and PUD development approval process provides the city with the tools and the regulatory authority to guide and direct the location, uses and intensities of residential and non-residential uses, while providing additional regulations to ensure Land use compatibility, buffering and open space provisions, prevention of urban sprawl, and protection and management of natural resources. These policies and guidelines include:

While the Mixed Use FLUM defines maximum intensities and densities, the Comp Plan and LDC also regulate and restrict future development to ensure development is low impact, including provisions for appropriate ecological preservation, adequate buffering and open space, and opportunities to designate residential and commercial needs of the city, as defined in the city’s comprehensive plan.

- c. Conformance with Ordinances: The proposal is in conformance with applicable substantive requirements of the Code of Ordinances and Land Development Code, and no changes to these ordinances are required at this time due to this request. The city’s primary tool to ensure all development is in

conformance with the 2040 Comprehensive Plan is the City's "Land Development Code" (LDC). Any new development must adhere to both the guiding Objectives and Policies of the Comp Plan, and as referenced within the Comp Plan, all development must conform to all development regulations within the city's land development code. The LDC is designed to:

- Regulate the subdivision of land, and regulate the uses on land and in water consistent with the comprehensive plan.
 - Ensure the compatibility of adjacent land uses, and provide for open space;
 - Protect the environmentally sensitive lands and aquifer recharge functions;
 - Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater Management;
 - Dedication, acquisition and development of future rights-of-way;
 - Provide that development orders and permits shall not be issued which result in a reduction of levels of services (LOS) for impacted public facilities
- d. Adequate Public Facilities: Public facilities requirements for this proposed land use change have been provided in **Attachment A**. The availability of sufficient public access and public facilities are within the current service boundary for water/sewer and public safety. Additional ROW may be required at time of site plan development to insure an interconnected, extended and improved grid road system.
- e. Natural Environment: An environmental assessment of the subject property will be required as part of site plan development application. All natural resource protection measures, including tree protection, wetlands, listed species and habitat protection, will be required as part of the permitting and development process.
- f. Economic Effect: The property contains active agricultural operations. Agriculture has become economically unfeasible in this area due to land conversion and continued growth pressure to move towards the coast of Florida. The CR 510 corridor continues to develop as a residential/commercial/industrial corridor due to its location on a regional thoroughfare between US Hwy 1 and I-95. These infrastructure improvements provide a higher value to future residential or commercial development, which support the tax base within the City. The proposed FLUM designation of "Mixed Use" is appropriate at this time because urban growth is contiguous and agricultural activities are no longer economically viable.
- g. Orderly Development: The proposed land use change is consistent with the Land Development Code and Code of Ordinances. Future development of the site will consider the adjacent land uses and provide compatible uses deemed necessary for the future sustainability of the City.
- Policy 1-2.1.1: Smart Growth Principles. The City shall promote smart growth principles that direct growth in an intentional, comprehensive way. These principles include but are not limited to promoting a mix of uses, compact building design, walkable communities, housing diversity, environmental preservation, and transportation choices.*
- h. Public Interest: The proposed change in land use does not appear to be in conflict with the public interest and is in harmony with the purpose and intent of the City of Sebastian Comprehensive Plan 2040 and Land Development Code.

7.Conclusion: The requested land use change from County A-1 to City MU is consistent with the Future Land Use Map and staff supports a recommendation of approval to the City Council from the Land Planning Agency.

Lisa L. Frazier, AICP
PREPARED BY

9/15/2022
DATE

ATTACHMENT A



COMMUNITY DEVELOPMENT DEPARTMENT
1225 MAIN STREET ■ SEBASTIAN, FLORIDA 32958
TELEPHONE (772) 589-5518 ■ www.cityofsebastian.org

DEVELOPMENT REVIEW APPLICATION

- | | |
|---|---|
| <input checked="" type="checkbox"/> Comp Plan Land Use Amendment
(Large Scale) | <input type="checkbox"/> Comp Plan Text Amendment |
| <input type="checkbox"/> Comp Plan Land Use Amendment
(Small Scale) | <input type="checkbox"/> Land Development Code Text Amendment |
| | <input type="checkbox"/> Rezoning |
| | <input checked="" type="checkbox"/> Annexation |

Project Name: **Graves Brothers Annexation** Total Site Area: 2044.318 (gross) / 1913.593 (net) Acres\SF

Parcel ID: **See attached list**

Existing Address of Site:

Proposed Address of Site:

Proposed Use: **N/A** Land Use: Existing IRC: **Ag-1** Proposed COS: **MU** Zoning: **A-1 (IRC)**

Contact Name: **Joseph W. Schulke, P.E., Schulke, Bittle & Stoddard, LLC**

Address: **1717 Indian River Blvd, Suite 201, Vero Beach, FL 32960**

Telephone: **772-770-9622** Email: **jschulke@sbsengineers.com**

Applicant (If not owner, written authorization (notarized) from owner is required)

Owner: **Graves Brothers Company Attn: Jeff Bass**

Address: **2770 Indian River Blvd, Suite 201, Vero Beach, FL 32960**

Telephone: **772-562-3886 ext. 109** Email: **jbass@gravesbrotherscompany.com**

Date Received: _____ Fee Paid: _____ Received by: _____

COMMUNITY DEVELOPMENT DEPARTMENT
1225 MAIN STREET ■ SEBASTIAN, FLORIDA 32958
TELEPHONE (772) 589-5518 ■ www.cityofsebastian.org

DEVELOPMENT REVIEW APPLICATION FEE SCHEDULE CHECKLIST

APPLICATION FEES:

\$2,000 Comp Plan Land Use Map ✓
Amendment (Large Scale)
\$1,500 Comp Plan Land Use Map
Amendment (Small Scale)
\$1,000 Annexation ✓

\$2,000 Comp Plan Text Amendment
\$1,500 Land Development Code Text
Amendment
\$1,250 Rezoning

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

DOCUMENTS SUBMITTED FOR APPLICATION REVIEW:

Summary Report: addressing review considerations in accordance with 54-1-2.7 Land Development Code and 54-1-2.9 Land Development Code where applicable; or, objective 1-2.4 of Comprehensive Plan 2040 of all annexations.

Location Map

Two (2) Boundary and Topographic Surveys

Warranty Deed for all owners and/or Notarized Letter of Authorization

Future Land Use Map: Current and Proposed

Zoning Map: Current and Proposed N/A

Traffic Impact Analysis Statement N/A

Electronic Copy - Complete Submittal

Stormwater Calculations N/A

ADDITIONAL FEES

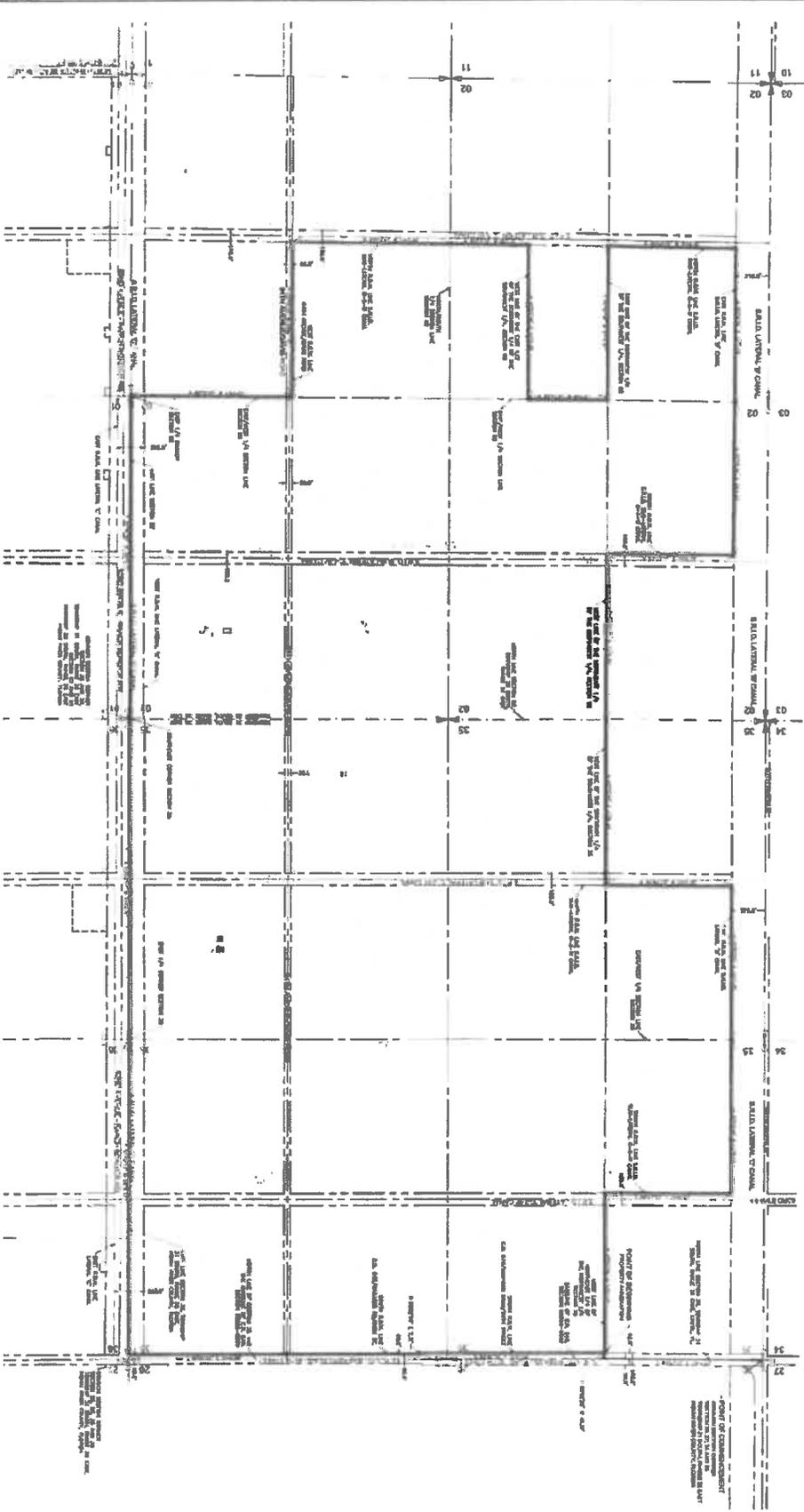
Should the review process be delayed by the applicant for longer than 6 months, re-submittal will be required consistent with current regulations and fees.

The applicant/owner shall have 1 year from the approval date to commence construction of all or any phase. If the site plan expires, the applicant/owner must re-apply for a new review with applicable fees. An extension may be requested for additional fees.

ParcelID

31383500000300000002.0
31383600000500000003.0
32380200000100000002.0
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**DESCRIPTION OF PROPOSED GRAVES BROTHERS COMPANY LAND ANNEXATION
 PARCELS WITHIN PART OF SECTION 35, TOWNSHIP 31 SOUTH, RANGE 38 EAST AND SECTION 2, TOWNSHIP 32 SOUTH,
 INDIAN RIVER COUNTY, FLORIDA**



THIS SKETCH IS NOT A BOUNDARY SURVEY
 THIS SKETCH IS NOT A BOUNDARY SURVEY

THIS SKETCH IS NOT A BOUNDARY SURVEY. THIS SKETCH ONLY INTENDS TO SHOW THE LIMITS OF THE PROPOSED GRAVES
 BROTHERS COMPANY LAND ANNEXATION WITHIN PART OF SECTION 35, TOWNSHIP 31 SOUTH, RANGE 38 EAST AND SECTION 2,
 TOWNSHIP 32 SOUTH, INDIAN RIVER COUNTY, FLORIDA.

GRAVES BROTHERS COMPANY
 2770 HOKAN POWER BLVD. #201
 VERO BEACH, FLORIDA 32909

CARTER ASSOCIATES, INC.
 CONSULTING ENGINEERS AND LAND SURVEYORS
 1700 21st STREET, VERO BEACH, FL 32909
 TEL: (772) 225-1101 FAX: (772) 225-1100

THIS SKETCH AND UNDERLYING CONVEYANCE OF RIGHTS
 ARE TO BE FILED WITH THE PUBLIC RECORDS OF INDIAN RIVER COUNTY,
 FLORIDA.

SKETCH & DESCRIPTION
 PORTION OF SECTION 35, TOWNSHIP 31 SOUTH, RANGE 38 EAST
 AND SECTION 2, TOWNSHIP 32 SOUTH, RANGE 38 EAST
 INDIAN RIVER COUNTY, FLORIDA
 PROPOSED PROPERTY ANNEXATION

SHEET
2 of 2

LEGEND
 --- BOUNDARY LINE
 --- PROPERTY LINE
 --- EASEMENT
 --- RIGHT-OF-WAY
 --- UNDEVELOPED LAND
 --- DEVELOPED LAND
 --- WATER

Graves Brothers Company

Indian River County, FL

Annexation and Comprehensive Plan Amendment

**Justification Statement
and
Public Facilities Statement**

Prepared by:

**Schulke, Bittie & Stoddard, L.L.C.
Joseph Schulke, P.E.
1717 Indian River Blvd, Suite 201
Vero Beach, FL 32960**

April 2022

**Revision: August 11, 2022
(Update Exhibits A, C, and E)**

**Revision: August 25, 2022
(Revise acreage of site)**

**Annexation into the City of Sebastian
 Comprehensive Plan Amendment
 Graves Brothers Company
 Portions of Sections 1-32S-38E, 2-32S-38E, 35-31S-38E and 36-31S-38E
 Indian River County, FL**

Prepared by:
 Schulke, Bittie & Stoddard, L.L.C.
 Joseph Schulke, P.E.
 1717 Indian River Blvd, Suite 201
 Vero Beach, FL 32960

JUSTIFICATION STATEMENT

This statement has been prepared to support a request to annex 2044.318 acres of property (including right-of-way) into the City of Sebastian and change the future land use map (FLUM) designation of the applicant's 1913.593 acre property (net acreage, excluding right-of-way) from Indian River County "AG-1" (Agricultural - 1 unit/5 acre) to City of Sebastian Future Land Use Map designation of "Mixed Use".

Introduction

The purpose of this request is to secure the approvals necessary for the annexation of the property within the City of Sebastian, with a Future Land Use designation consistent with the city's Future Land Use Map (FLUM) and with densities and intensities consistent with the city's adopted Future Land Use Element of the Comprehensive Plan (April 2040).

The landowner is: Graves Brothers Company
 Jeff Bass, President
 2770 Indian River Blvd, Suite 201
 Vero Beach, FL 32960

The property is in parts of sections 1-32S-38E, 2-32S-38E, 35-31S-38E and 36-31S-38E. The site is bounded by and lies south of C.R. 510, west of 74th Ave (extension), north of 69th St, and east of 90th Ave. The northern portion of the property (hereafter referred to as "the site") abuts the City of Sebastian city limits. The site is bisected in the north/ south direction through its approximate center by 82nd Ave.

The acreage of the site is:

	Gross	ROW	Net
82nd Ave, east:	1139.021	73.524	1065.497
82nd Ave, west:	905.297	57.201	848.096
Total:	2044.318	130.725	1913.593

The land is located entirely within the city's designated Annexation Reserve area, an area identified in the city's newly adopted 2040 Comprehensive Plan, (reference Exhibit A: "Map 1-14: Annexation Reserve Area" COS 2040 Comprehensive Plan". The site boundaries have been superimposed onto the map for reference.

Consistent with Objective 1-2.2 and its related policies, the City acknowledges a need to prevent urban sprawl and disjointed urban service delivery systems. The result of adjacent properties along the same corridor being governed by two different sets of development regulations is more likely to result in a lack of coordination leading to poor urban design and a corridor that does not function as well as it should. In addition, the City desires to develop a plan for managing annexation of unincorporated enclaves, the annexation reserve areas as well as fringe areas adjacent to the City, especially for potential economic centers within the incorporated area.

The proposed FLUM designation of "Mixed Use" is appropriate at this time because urban growth is contiguous and agricultural activities are no longer economically viable, (reference Objective 1-1-4)

Policy 1-1.4.1: Agriculture Land Use Designation. The Agriculture land use designation shall be used for the following uses: farming, crops, range and livestock activities; protecting industries that are a part of the state's traditional economic base such as citrus and aquaculture; agricultural research; agricultural related businesses; public facilities; institutional uses or recreational uses. The City shall also utilize the Agriculture land use designation for future annexations of existing agricultural lands until such a time that urban growth is contiguous and agricultural activities are no longer economically viable

Urban scale development that is contiguous to and adjacent to the site includes:

- The City of Fellsmere has annexed all the lands on the southern 2/3 of the land's west boundary.
- Vero Lake Estates (IRC) is fully developed along the sites northern 1/3 of the land's west boundary.
- Liberty Park PD TND (IRC) has been approved for significant urban development along the sites northern 1/4 of the east boundary. The developer has submitted construction drawings to IRC for approval and commencement of construction.
- Treasure Coast elementary school and Blue Water Bay PD (IRC) have developed along the sites northern boundary. Several other lands lying north of the site have received development approvals for urban development, including Sebastian Park and River Oaks, lying north of the land's north boundary. Recently the City has annexed lands north of the site, including Graves 66.87 acres (contiguous to this site), and Cross Creek Lake Estates Addition (25 acres) located North/ North East of the site, which both have expanded the city limits to the south.
- FDOT is currently under preliminary design to 4 lane/ widen CR510 along the land's north boundary. (Reference COS 2040 Comp Plan Future Transportation Map)
- FDOT is currently under preliminary design to construct a new 2 lane arterial roadway (82nd Ave) from Cr510 to 69th St, which bisects the land, starting at the site's north property line and ending at the site's south property line. Notably, this new corridor will traverse the entire length of the City's annexation reserve area, and this corridor will complete a new north/ south corridor from Cr510 to Sr 60. (Reference COS 2040 Comp Plan Future Transportation Map)

See Exhibit B - Location Map and Thoroughfare Plan Road Network

Agriculture has become economically unfeasible:

For many generations this area had been primarily dedicated to the production of citrus. Following the hurricanes in 2004 and 2005, Citrus Canker became endemic to the industry followed closely by the much more deadly Citrus Greening disease. Citrus production is now only economically viable in large acreage blocks where all growers can practice similar defensive cultural practices. Because of neighboring conversions to urban and non-citrus uses, this area is now like an island

where citrus production is no longer feasible. Land conversion costs make transitioning to other agricultural uses such as row and vegetable crops unfeasible as well. While livestock grazing is available, the economic returns will not support the long-term maintenance demands of the property.

Objectives for the future development of the Annexation Area

The applicant has met several times with city staff to discuss the applicant's plans for its land, and the annexation procedure and the necessary requirement that the annexation and all future potential development would be required to be consistent with the newly adopted 2040 comprehensive Plan.

Consequently, the applicant has agreed that the development of the land will adhere to the foundational element of the comprehensive plan (the Land Use Element). The Land Use Element promotes livability, sustainability, and smart growth principles to guide the development of the City of Sebastian and shape how the City will grow in the next 20 years. Objectives of the annexation consistent with the Comp Plan include:

- Encourage mixed use development*
- Promote affordability, accessibility, and healthy communities.*
- Encourage low-impact development, sustainable, and energy efficient building design and construction practices;*
- Follow growth management principles to prevent the proliferation of sprawl and ensure adequate infrastructure and public facilities are provided concurrent with development*
- Utilize the "Planned Unit Development" Process (PUD) to establish design standards and form-based code principles in order to enhance the design of any future development and recognize unique land characteristics.*

Tools and Governance

The city's newly adopted comp plan has established the tools and governance required to ensure these objectives are met, including:

1. FLUM -This application includes a request to designate the Future Land Use as "**Mixed Use**". The city adopted this new Future Land Use designation concurrent with the adoption of the 2040 Comprehensive Plan.

See Exhibit E - Proposed City FLUM Amendment

Policy 1-1.3.6: Mixed Use (MU). The purpose of the Mixed Use designation is to provide a mixture of residential, office, commercial, recreational, limited industrial, and institutional uses and encourage town centers along major arterial corridors. This designation shall target areas outside of the Riverfront Mixed Use district to allow for greater flexibility and changing market types in identified areas of the City such as the Sebastian Boulevard Triangle Area. These areas may also serve as TDR receiving areas allowing for the preservation of additional preservation and conservation lands within the City. Additional design and development standards including form based code principals shall be incorporated into the LDC. The maximum intensity is 0.6 FAR, and up to 1.0 FAR with incentives. The allowable residential uses include single family, duplexes, and multi-family up to ten (10) dwelling units per acre, and up to twelve (12) dwelling units per acre with the use of TDRs or incentives. Incentives shall be outlined in the LDC and may include but are not limited to projects that incorporate regional stormwater pond(s), shared parking structures (s), bike/pedestrian connectivity, and quality of public open space.

2. PUD - Future development of the site is anticipated to follow the development concepts and procedures through the use of the "Planned Unit Development" (PUD).

Policy 1-1.6.1: Planned Unit Development Overlay Designation. The City's LDC shall continue to allow a planned unit development overlay zoning designation in order to provide a voluntary management framework for coordinating objectives of developers with those of the City Council. The City Council shall reserve the authority to invoke new conditions in extending development rights based on: • Changes in conditions surrounding the impacted land uses in the vicinity; • Evolving issues surrounding infrastructure levels of service; • Impacts on natural resources; and/or • Other related issues impacting the nature of the proposed planned unit development. Policy 1-1.6.2: Planned Unit Development Option. The planned unit development overlay designation shall be available as a voluntary approach for managing specific development characteristics and project amenities to be incorporated in residential, commercial, industrial, or mixed use development options. Developers who voluntarily participate in the process shall bind themselves as well as those who may be their successors in title to the subject land.

3. LDC - The city's primary tool to ensure all development is in conformance with the 2040 comprehensive plan is the City's "Land Development Code" (LDC). Any new development must adhere to both the guiding Objectives and Policies of the Comp Plan, and as referenced within the Comp Plan, all development must conform to all development regulations within the city's land development code. The LDC is designed to:

Regulate the subdivision of land, and regulate the uses on land and in water consistent with this Element, ensure the compatibility of adjacent land uses, and provide for open space;

Protect the environmentally sensitive lands and aquifer recharge functions

Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.

Dedication, acquisition and development of future rights-of-way

Provide that development orders and permits shall not be issued which result in a reduction of levels of services (LOS) for impacted public facilities

Growth Management Principles

The aforementioned tools at the applicant and city's disposal ensure the future development of the site will follow the Growth management principles the city has envisioned in its comp plan. Guiding principles include:

1. Compatible Design: Future development of the site will consider the adjacent land uses and provide compatibility measures, recognizing the primary adjacent land uses are:

Urban areas to the west:

-City of Fellsmere city limits; future urban development area along the southern 2/3 of the land's boundary

-Vero Lake Estate; urban scale development area along the north 1/3 of the west boundary

Urban areas to the North:

-Treasure coast Elementary school, Blue Water Bay, and several other lands with development approvals (Sebastian Park, River Oak) lying north of the land's north boundary.

-Sebastian's southern limits and other urban development within the un-incorporated areas of the county.

Urban and Agricultural areas to the east:

- Liberty Park PD TND, a urban scale development approved for development within un-incorporated county areas along the north Vi of east boundary.

-agricultural areas (primarily 5 to 20 acre ranchettes) within un-incorporated county areas along the southern of the east boundary

Agricultural areas to the south

-agricultural areas (primarily 5 to 20 acre ranchettes) within un-incorporated county areas south of the site.

The Comp Plan clearly provides policies to ensure future development of the land will provide compatibility measures:

Policy 1-2.1.1: Smart Growth Principles. The City shall promote smart growth principles that direct growth in an intentional, comprehensive way. These principles include but are not limited to promoting a mix of uses, compact building design, walkable communities, housing diversity, environmental preservation, and transportation choices.

Policy 1-2.1.2: Protect Developments from Possible Adverse Effects of Neighboring Permitted Uses. The City's LDC shall incorporate standards and/or review criteria for mandating retention of open space, regulating building design, including setbacks, building placement on site, and building orientation. These provisions shall be directed toward supporting compatibility as well as to preserving light, atr, and open space. Other reasonable design principles, including buffering standards, shall be included in the LDC.

Policy 1-2.1.3: Minimize Impacts Between Urban and Rural Land Uses. The LDC shall incorporate performance standards, urban service availability standards, and other requirements which ensure buffering between urban and rural land uses. This is necessary in order to maintain responsive land management policies along the outer suburban fringe where urban development within the City could potentially impact unincorporated agricultural lands, and vice versa.

2. Reduce Urban sprawl: Any future development of the land will require that the location, scale, timing, and design of development will be coordinated with public facilities and services to prevent the proliferation of urban sprawl, maximize public infrastructure, and achieve cost effective land development patterns.

Policy 1-2.2.2: Resource Protection. The City shall seek to maintain and manage the City's natural and man-made resources by establishing a pattern of development that is harmonious with the City's natural environment and quality of life.

**Policy 1-2.2.4: Accommodate Growth. The City shall continue to seek fiscal resources to extend City service areas, improve City roadways, coordinate public infrastructure and make other improvements necessary to accommodate growth and maintain services and facilities at adopted level of service standards.*

**Policy 1-2.2.5: Development Orders and Permitting Process. Development orders and permits for all future development shall be timed and staged to assure that requisite infrastructure and services are available*

Policy 1-2.2.6: Concurrency Management. The maximum allowable density and intensity of land uses may be limited based on available public infrastructure. Land use shall be predicated on availability of man-made infrastructure and service systems required to support respective land use activities. The City shall continue enforcing their concurrency

management program, pursuant to Ch. 163, F.S., to ensure that future development is provided essential services and facilities at acceptable standards.

**Policy 1-2.2.7: Design of Public Facilities and Utilities. Public facilities and utilities shall be located and designed to maximize the efficiency of services provided and minimize adverse effects on natural systems and conservation lands.*

**Policy 1-2.2.9: Accommodating Requisite Infrastructure. During the subdivision review, site plan review, and permitting processes the City shall insure that respective future developments allocate sufficient land area for infrastructure required to support the proposed development.*

**Policy 4-1.2.5: Conditions Governing Development Orders or Permits. Consistent with Policy 4- 1.1.7, the LDC shall include performance criteria regulating the location, timing, and scale of development in order to ensure that new development is effectively served by wastewater services. The performance criteria shall utilize recognized best management practices, discourage the proliferation of permanent package treatment plants and the extensive use of septic tanks and wastewater drain fields on areas with characteristics or conditions unsuited for their adaptation, and comply with all applicable permitting procedures.*

3. Utilize concepts for managing land and water resources, including joint use stormwater features, low impact development and other best management practices.

Policy 1-2.3.1: Low-Impact Development (LID). The City shall encourage LID principles for development and redevelopment including those within newly annexed areas. The City shall require new developments to address future nutrient loading and water conservation through principles including but not limited to: • LID design practices and technologies that address energy, water, and nutrient conservation.

Policy 1-2.3.2: Incorporate Innovative Techniques in the Land Development Code. The City's LDC shall continue to incorporate land and water resource best management practices such as reduced impervious areas, increased buffers, LID, surface/storm water management including water quality, soil erosion and sedimentation control, and conservation of water

Future Planning

The development of the site will adhere to the Mixed Use FLUM designation.

The planning of future development of the site will be completed under the policies and guidelines of the Mixed Use FLUM designation, and regulations and approval procedures outlined in the city's P.U.D. development review and approval process.

Policy 1-1.3.6: Mixed Use (MU). "The purpose of the Mixed Use designation is to provide a mixture of residential, office, commercial, recreational, limited industrial, and institutional uses and encourage town centers along major arterial corridors "

The "Mixed Use" FLUM designation and PUD development approval process provides the city with the tools and the regulatory authority to guide and direct the location, uses and intensities of residential and non-residential uses, while providing additional regulations to ensure Land use compatibility, buffering and open space provisions, prevention of urban sprawl, and protection and management of natural resources. These policies and guidelines include:

Policy 1-3.1.1: Urban Design and Community Appearance. Good principles of urban design shall be applied through site plan review procedures in order to enhance general community appearance as well as to preserve and enhance open space and landscape. This program shall assist in protecting major natural and man-made resources within the City

Policy 2-1.1.5: Greenway Plan. Consistent with the North Indian River County Greenways Master Plan (2008), the City shall seek funding for and prepare and maintain a Greenways Plan for bicycle and pedestrian access.

Policy 1-3.2.1: Development Impacts. The City shall require applicants to demonstrate measures to mitigate the adverse impacts of the proposed development on historic or archaeological site or structure

Policy 1-3.4.1: Healthy Communities. The City shall ensure equitably distributed and accessible active transportation facilities (i.e. sidewalks, bike lanes) and recreational opportunities (i.e. parks, greenways) to support healthy lifestyles and physical activity

Policy 2-1.1.9: Sidewalks and Multi-use Paths. The City shall conduct a sidewalk assessment and walking study. Sidewalks or multi-use paths shall be mandatory on all new development and on all new roadway construction.

Policy 4-1.4.1: Protect Natural Drainage Features. The City shall protect natural drainage features and ensure future development utilizes stormwater management systems consistent with criteria of all appropriate local, state, and federal agencies

Policy 4-1.4.3: Ensure that Urban Lands Provide Adequate Drainage and Protection from Flooding and Manage the Retention of Ground and Surface Water at Levels that Enhance Natural Storage Capacity of Watersheds and Promote Aquifer Recharge

Policy 4-1.4.7: Buffer Zone Requirements. The LDC shall include performance criteria which shall require that new development provide buffer zones adjacent to natural drainageways and retention areas

Policy 5-1.1.1: Protection of Natural Resources, Wildlife, and Habitats. The City's land development code (LDC) shall include: a. Performance criteria that protects the City's natural resources, wildlife, and habitats of endangered or threatened species from the adverse impacts of development by regulating the location, density, and intensity of those activities which cause the adverse impact.

Policy 5-1.1.6: Open Space Corridor System. Through the LDC and land development review process, the City shall continue to identify opportunities to: a. Provide an interconnected open space corridor system that links existing open spaces, greenways, public right of ways, and trails including new open space corridors b. Provide connections from adjacent development to existing or planned open space corridors c. Connect parks and civic resources (i.e., Community Center) d. Provide low-impact natural activities such as walking trails, benches, picnic areas, and canoe/kayak launches e. Connect the City and County's open space corridors f. Require that open space corridors minimize the fragmentation of significant wildlife habitat. Corridor widths shall be defined based on the natural range of targeted habitat/species; however, are generally considered to be a minimum of 25 feet in width

While the Mixed Use FLUM defines maximum intensities and densities, the Comp Plan and LDC also regulate and restrict future development to ensure development is low impact, including provisions for appropriate ecological preservation, adequate buffering and open space, and opportunities to designate residential and commercial needs of the city, as defined in the city's comprehensive plan.

Site Intensity and Density

The comp plan provides guidance on both the location and intensity of residential densities and non-residential intensities.

1. Residential uses and intensities:

The site location and size provide the city the opportunity to create new residential use areas which can help address the city's current and future housing needs. The proposed Mix Use FLUM designation permits residential uses include single family, duplexes, and multi-family **up to ten (10) dwelling units per acre**, and up to twelve (12) dwelling units per acre with the use of TDRs or incentives.

"According to BEBR, the official population estimate of permanent residents in the City of Sebastian as of April 1, 2020 is 25,658 residents. Sebastian's future population growth is projected to be 34,567 residents by the year 2040 with an average growth rate of 8%. The City's projected growth will continue to provide development and redevelopment opportunities for the City." (2040 FLUM, Land Use Element)

The City's Housing Element indicates that the city has a need for a more diverse housing market and more affordable housing:

Goal 3-1: Provision of Housing. Ensure the provision of a sufficient supply of decent, safe, and sanitary housing options, including affordable housing, that is responsive to the diverse housing needs of the City's existing and future population, while encouraging the preservation and enhancement of the City's existing housing stock and historic structures.

-Affordable housing is determined by comparing the cost of housing to household income. Florida Statutes defines affordable housing as monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of the median adjusted gross annual income for households.

-Cost-burdened households pay more than 30 percent of income for rent or mortgage costs. The data indicates that 1090 households within the City (38%) paid more than 30% of income for housing.

According to Census data the highest percentage of renters in Sebastian are paying 35 percent or more of their income for housing. This makes affordability an issue for renters in the City".

According to the Florida Housing Data Clearinghouse, 4,310 households in Sebastian (41.1%) were headed by a person age 65 or older. In Sebastian, 3,924 of elderly households (91%) own their homes, while 1,392 elderly households (32.2%) pay more than 30 percent of income for rent or mortgage costs.

The Mixed Use FLUM designation will permit a mix of Residential Uses, and the other Comp Plan Policies (cited herein) require compact, sustainable, low impact design, which affords opportunities to develop a variety of residential household types, and promotes the development of affordable housing options.

The mix use FLUM, the "allowable residential uses include single family, duplexes, and multi-family up to ten (10) dwelling units per acre, and up to twelve (12) dwelling units per acre with the use of TDRs or incentives. Incentives shall be outlined in the LDC and may include but are not limited to projects that incorporate regional stormwater pond(s), shared parking structures(s), bike/pedestrian connectivity, and quality of public open space.

Policy 3-1.1.1: Adequate Housing. The City's Future Land Use Map shall include adequate amounts of lands to accommodate the projected housing growth through a variety of housing types and housing values). The City shall continue to provide land use designations and zoning districts on the Future Land Use and the Official Zoning Maps, respectively, to ensure that single family, duplex, and multi-family housing units are allowed within the City to provide a diverse range of housing options (owner ship/r ent) and meet a range of income options.

Policy 3-1.1.3: Housing Options. The City shall, through its Land Development Code (LDC), encourage the development/r edevelopment of housing that will integrate housing options, including housing type and ownership status (own/rent), across all neighborhoods.

Policy 3-1.1.7: Mixed Use. The City shall promote mixed use developments that include provisions for a wide variety of housing types and prices in close proximity to support facilities.

Policy 3-1.2.1: Affordable Housing. The City shall review methods for addressing the affordable and "missing middle" housing shortage in the City. The City shall continue to provide technical assistance, information, and housing data to the private sector to advance the development of fair and affordable housing.

Policy 9-1.4.2. Work to provide affordable housing opportunities in the City for the City's workforce, as well as to provide choice in housing types and styles to appeal to diverse demographic groups needed to drive economic development in Sebastian.

Policy 9-1.4.4. Continue the development of greenways as extensions of the City's park system to increase open space and recreational opportunities throughout the City.

2. Non-residential uses and intensities (Commercial and light Industrial Uses)

Policy 1-1.3.6: Mixed Use (MU). The maximum intensity is 0.6 FAR, and up to 1.0 FAR with incentives

In addition to other elements cited herein from the 2040 plan, the Economic Development Element and Land Use element of the 2040 Comprehensive Plan provides the impetus to support this annexation and further, to designate commercial and light industrial development areas for this site.

The Comp Plan's projections within it's Economic Analysis "suggest a need to add approximately 59 acres of commercial land and an additional 68 acres of industrial land. However ... the City may benefit from significantly more employment that could make work trips shorter, as well as bring fiscal benefits. Further, while much of the City's industrial capacity is at the Airport, that location is not well-suited for all industries the City may wish to attract, and the lack of a quality industrial park or similar facility has been cited as a barrier to increased competitiveness in attracting targeted industries. Thus, the City may need to allocate additional industrial lands, including

potentially in areas that are annexed in the future, as part of economic development efforts. Similarly, additional commercial capacity may be necessary for the purpose of creating more efficient land use patterns, with commercial uses nearby, and physically and functionally integrated with residential uses in order to create areas suited for pedestrian and transit activity and dynamic activity."

Policy 9-1.3.2. The City shall periodically review the inventory of available industrial land and the regulations governing them to ensure that appropriate sites will remain available for the industries targeted in Policy 9-1.1.1.

The Inventory and Analysis evaluation concludes that annexing this property would provide opportunities to improve the residents' quality of life. This site's size and location provides the best opportunity the city may have to develop a sustainable industrial park and provide supporting commercial opportunities, which has the potential for attraction of more sustainable industries. Benefits cited in the Comp Plan include:

**Increase manufacturing employment opportunities - "In terms of manufacturing employment — which is often prized in economic development because it typically offers relatively high wages but many times without advanced education.. "*

**Decrease employment dependent automobile trips and trip length: "The data also suggest that Sebastian residents are increasingly traveling further to work which goes against the trend in the State of Florida. The data show that Sebastian has become more auto-dependent for work-related trips. This is potentially relevant for a number of reasons. One is that if this is caused by a lack of accessibility from Sebastian neighborhoods to jobs by means other than private automobile, it will very difficult for those unable to drive to support themselves economically. It is also relevant as Sebastian attempts to become a more "green" City and attract sustainable industries. A reversal of this trend would signal progress in the effort to become more green, and would also be a selling point when trying to attract sustainable industries about the City's seriousness in striving to create a more sustainable future.*

Further support of annexation of this site and designation of commercial and light industrial areas, the city's stated objectives and policies include:

Objective 9-1.1. In cooperation with partner organizations, strategically target industry clusters for startup, relocation and expansion in the City, offer appropriate incentives and effectively market the City as a location for those industries

Objective 9-1.3. Take steps to ensure that appropriate sites are available in the City for desired commercial/industrial development that supports the City's economic strategy, and to ensure that information about available sites and buildings is readily available to prospective users.

Policy 9-1.3.1. Consider annexation of areas outside the City that could provide future areas for commercial or industrial development.

Policy 9-1.3.3. The need for future lands for economic development shall be a primary factor in planning for growth in areas surrounding the City that could be annexed in the future. In particular, the CR-510 corridor south of the City should be considered for future industrial growth, including the possibility of an industrial park.

The Land Use Element policies also provide guidelines for the allocation of non-residential areas along major arterials which will minimize the impact on residential quality. The site lies at a very

advantageous location which supports urban development. The site is the benefactor of existing and planned thoroughfare roads, existing water and sewer utilities, and existing SRID drainage facilities, which can support the future urban development of the site.

The site is strategically located where several existing and proposed thoroughfare plan roads will provide a favorable grid network of streets, providing multiple means of access from all directions, including improvements and / or extensions of Cr510, 82nd Ave, 81 st St and 74th Ave. The road network will ensure that traffic generated by the site development will not overburden one or two thoroughfares, that residents and employees of the site can conveniently access or depart the area with little risk of delays or hindrances, and most importantly, both city and Indian River County emergency services will have multiple alternative routes to serve the site.

In support of these statements, Comp Plan Policies include:

Policy 1-1.3.9: Pattern of Non-Residential Land Use. In order to promote efficient flow of traffic along major arterials cited in the Transportation & Mobility Element, achieve orderly development, and minimize adverse impact on residential quality, non-residential development shall be concentrated in strategically located (targeted) areas. These areas include those having location characteristics which best accommodate specific land, site, public facilities and market location requirements of their respective non-residential uses.

Policy 1-1.3.10: Allocating Non-Residential Land Use. The approval of non-residential uses shall recognize that respective non-residential activities frequently have different site, spatial, and market area characteristics and generate significantly different impacts.

Justification Statement - Conclusion

The applicant, Graves Brothers Company, has submitted a request to voluntarily annex 2044.3 18 acres of property (including right-of-way) into the City of Sebastian. The site is appropriately located for consideration of annexation. The property lies within the city's designated annexation reserve area, and is contiguous with the city's southern boundary, and it's east, west and north boundaries are adjacent to various degrees of existing or proposed urban scale development. The proposal also includes designating the applicant's 1913.593 acre property (net acreage, excluding right-of-way) with the city's newly created "Mixed Use" FLUM designation; and the city's policies and regulations provide a future path for development of the site with appropriate residential densities and intensities through the implementation of the Planned Unit Development (PUD) Overlay Designation and PUD development process. The annexation of this site has been proven to be consistent with the city's newly adopted 2040 Comprehensive Plan, and the applicant has provided evidence that the annexation will assist the city's goals, objectives and policies that will improve the quality of life of its existing and future residents by providing diverse housing opportunities, and new and advantageous social, economic and employment opportunities. Consequently, the applicant requests that the City Planning and Zoning Board and City Council approve the request to annex the site and designate the site "Mixed Use" on its Future Land Use Map.

Public Facilities Statement:

Generally, the site lies at a very advantageous location which supports urban development. The site is the benefactor of existing and planned thoroughfare roads, existing water and sewer utilities, and existing SRID drainage facilities, which can support the future urban development of the site.

The site is strategically located where several existing and proposed thoroughfare plan roads will provide a favorable grid network of streets, providing multiple means of access from all directions. The road network will ensure that traffic generated by the site development will not overburden one or two thoroughfares, that residents and employees of the site can conveniently access or depart the area with little risk of delays or hindrances, and most importantly, both city and Indian River County emergency services will have multiple alternative routes to serve the site.

The site will have thoroughfare roads on its entire perimeter:

The FDOT is preparing for the extension of 82nd Ave which bisects the property and will complete the extension from SR60 to CR510; and the FDOT is preparing plans to widen CR510 to 4 lanes from US 1 to Cr512, which pass along and is adjacent to the site's north boundary. The initial extension of 74th Ave along the sites east boundary from CR510, 1/2 mile south, and the extension of 81st street from 66th Ave to 74th Ave will be completed as a condition of approval by the IRC approved Liberty Park PD TND. This project would ultimately complete the 74th Ave extension along the southern 1/4 of its east boundary to 69th St. Once the 81st St extension is completed, 69th St on the sites south boundary will connect 82nd Ave to US 1 to the east.

See Exhibit B – Location Map and Thoroughfare Plan Road Network

The site will have several thoroughfare roads extending into and creating thoroughfare intersections internal to the site:

78th, 80th, 82nd, and 84th Ave(s) in the north / south direction, and 73rd, 77th, and 81st streets in the east west direction.

Exhibit C – Site Thoroughfare Plan Network and SRID Canals

The site is located adjacent to the county Urban Services Area

The site is located adjacent to the county Urban Services Area on its north, east and west sides. The official boundary in this vicinity is CR510 (north of and contiguous to the site along CR510), and 90th Ave (west and contiguous to the site / City of Fellsmere / Vero Lake Estates), and 66th Ave (east of 66th Ave). While the east boundary of the site (74th Ave) is not officially contiguous to the mapped urban services area, the county has already effectively moved the boundary from 66th Ave to 74th Ave (and contiguous to the site) with the approval of the Liberty Park PD TND, a mixed use development with over 900 units and 200,000 sf of commercial use. Consequently, the effective county urban service line is at the sites North, West AND East boundaries. However, irrespective of the COUNTY'S urban service line location, Article 6 "Operating, Maintenance and Expansion of the Sebastian Utility System" of the "Interlocal Agreement Providing for the Transfer of the City of Sebastian Water and Wastewater System" adopted Sept 20, 1995 between IRC and the City of Sebastian provides that IRC has an affirmative duty to expand the system inside and outside of the city, and to provide service by the county's water and wastewater systems concurrent with the

demands of new growth or the expansion or extension of water or wastewater transmission, distribution, or collection facilities by either the city or the county.

Currently, IRC has existing water distribution mains along the sites west boundary in Vero Lake Estates, water and sewer transmission mains on CR510 on the sites north boundary and will have utilities at the sites' east boundary concurrent with the development of Liberty Park PD TND. Liberty Park PD TND will be connecting and extending utilities south and west from CR510 and 66th Ave, through 81st St, 70th and 74th Ave, ultimately bringing utility services to the site's east property line.

See Exhibit D - Utility Infrastructure

The site lies entirely within the Sebastian River Improvement district (SRID), a chapter 189 and 289 Improvement district which is responsible for the implementation, operation and maintenance of a water control plan and stormwater drainage by gravity within the district boundaries. Consequently, adequate facilities are in place to ensure the site has adequate and legal drainage capabilities.

The site is bisected in the north south direction by both Laterals C and L canals, and adjacent to lateral D on its west boundary. Lateral L canal runs along and through the natural slough and headwaters of the South Prong of the St. Sebastian River. Several sub-laterals bisect the site in the east to west direction, draining a majority of the site east and west to Lateral C. These include sub-laterals C2E&W through C5E&W plus C6&7W.

Exhibit C - Site Thoroughfare Plan Network and SRID Canals

Adequate traffic, utilities, drainage, and other facilities either exist or are planned in the vicinity of the site. The Comprehensive Plan, Infrastructure Element establishes standards for Concurrency management and specifically, standards for **Transportation, Potable Water, Wastewater, Drainage, and Recreation**. Chapter IX of the City's Land Development Code, "Concurrency Management", defines the level of service standards for these facilities, and specifies that adequate provisions for these services are necessary to support new development. Upon submittal of any new development proposals, the city's Comp Plan and its LDC require a complete evaluation of existing infrastructure capacity and need for new facilities concurrent with development.

List of Exhibits

Exhibit A: "Map 1-14: Annexation Reserve Area" COS 2040 Comprehensive Plan".

Exhibit B - Location Map and Thoroughfare Plan Road Network

Exhibit C - Site Thoroughfare Plan Network and SRID Canals

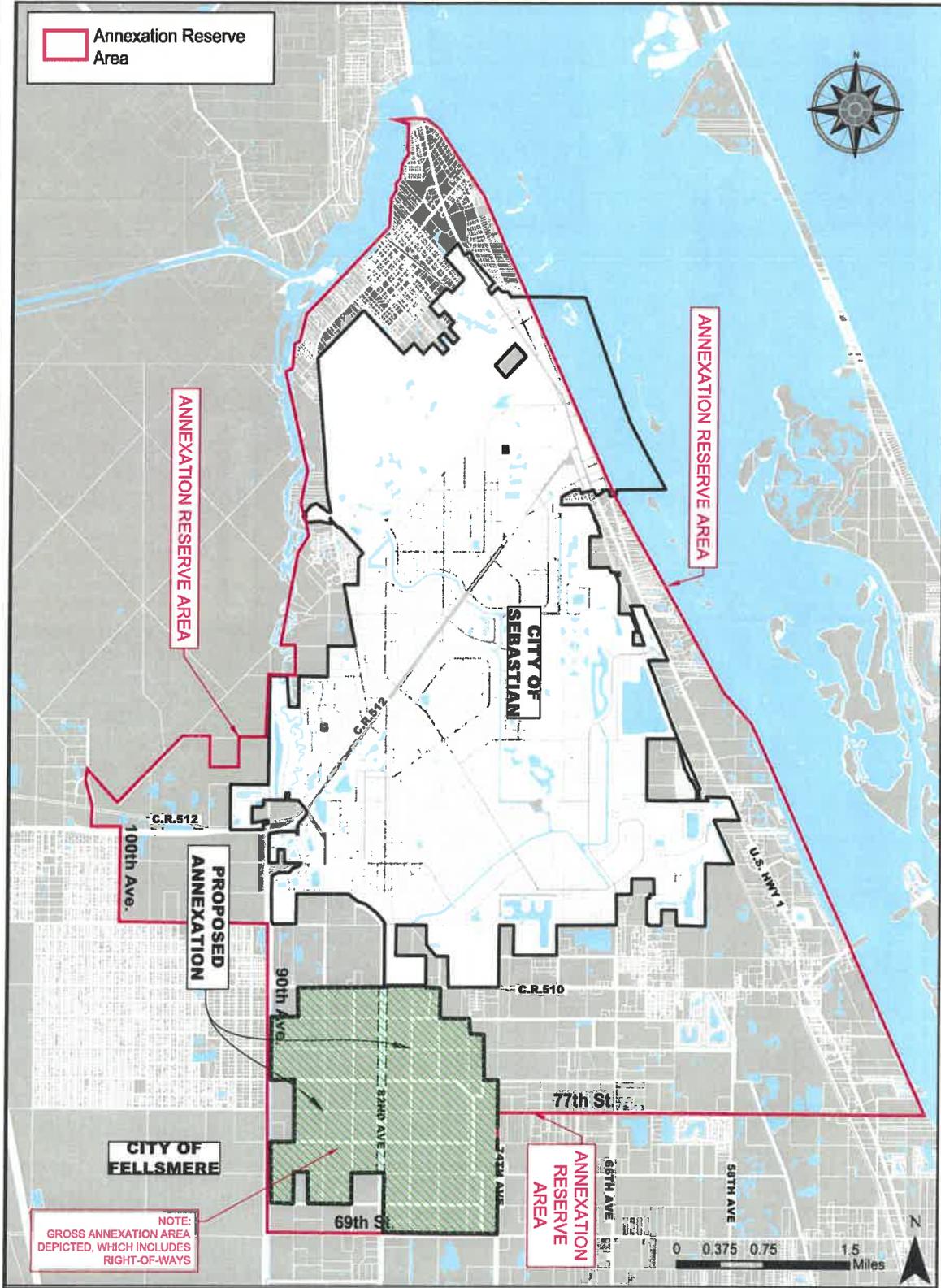
Exhibit D - Utility Infrastructure

Exhibit E - Proposed City FLUM Amendment

Attachments

- **Warranty Deed**
- **Title Policy/Certification**
- **Survey of Land**

Map I-14: Annexation Reserve Area



CITY OF SEBASTIAN ANNEXATION RESERVE AREA

June 2021

Source: City of Sebastian

Kimley **Horn**

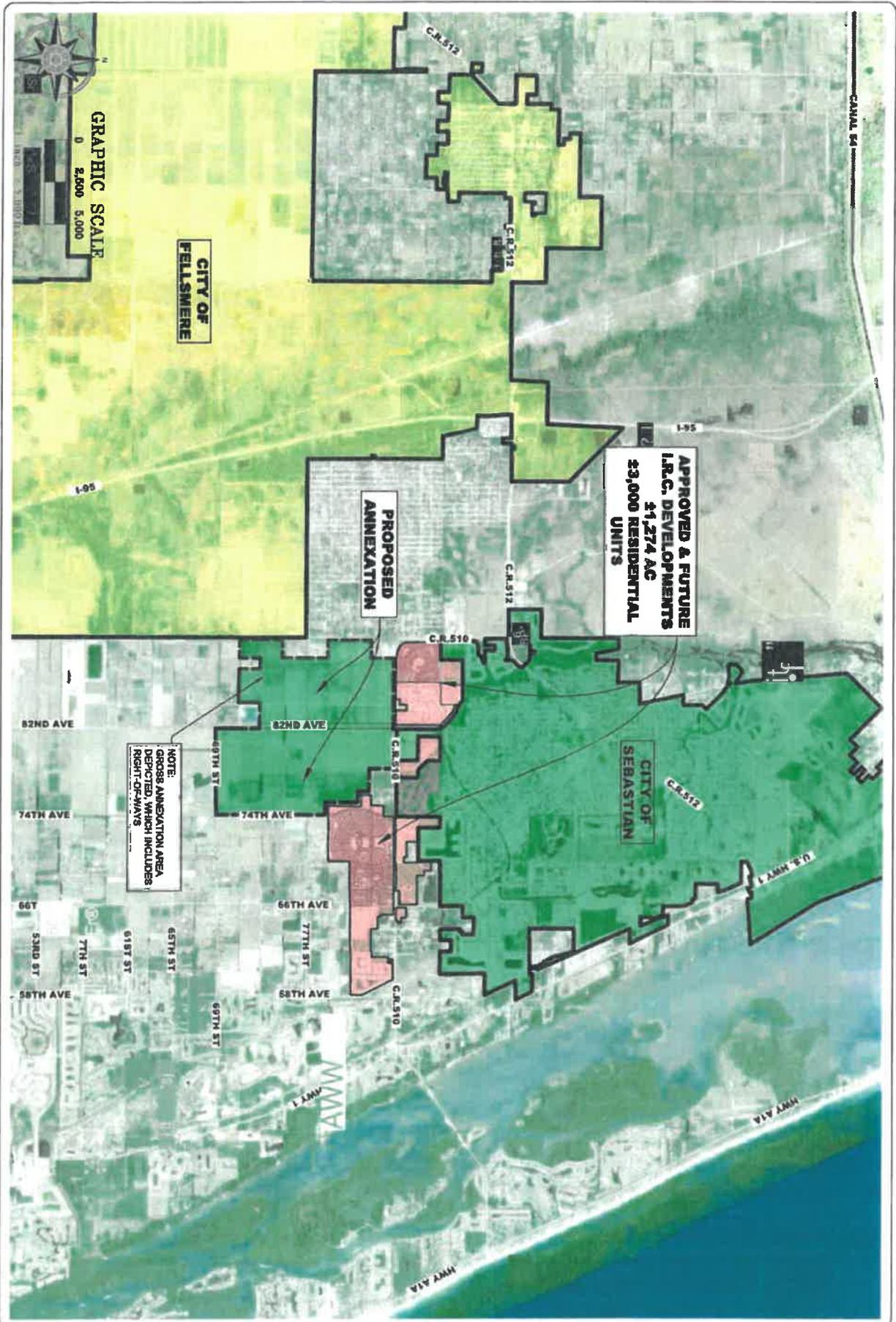
DATE	BY	DESCRIPTION
06/01/21	AK	FINAL

GRAVES BROTHERS
CITY OF SEBASTIAN
ANNEXATION

EXHIBIT A
"MAP I-14: ANNEXATION
RESERVE AREA"
COS 2040
COMPREHENSIVE PLAN

SCHULKE, BITTLE & STODDARD, L.L.C.
CIVIL & STRUCTURAL ENGINEERING - LAND PLANNING - ENVIRONMENTAL PERMITTING
CERTIFICATION OF AUTHORIZATION NO. 00008868
1717 INDIAN RIVER BLVD., SUITE 201 VERO BEACH, FLORIDA 32960
TEL: 772 / 770-8622 FAX: 772 / 770-8456 EMAIL: info@sbse.com

NO.	DATE	REVISION
1	06/01/21	ISSUED LOCATION OF RESERVE AREA



**CITY OF
FELLSMERE**

**PROPOSED
ANNEXATION**

**APPROVED & FUTURE
I.R.C. DEVELOPMENTS
21,274 AC
23,000 RESIDENTIAL
UNITS**

**CITY OF
SEBASTIAN**

**NOTE:
GROSS ANNEXATION AREA
DEPICTED, WHICH INCLUDES
RIGHT-OF-WAYS**

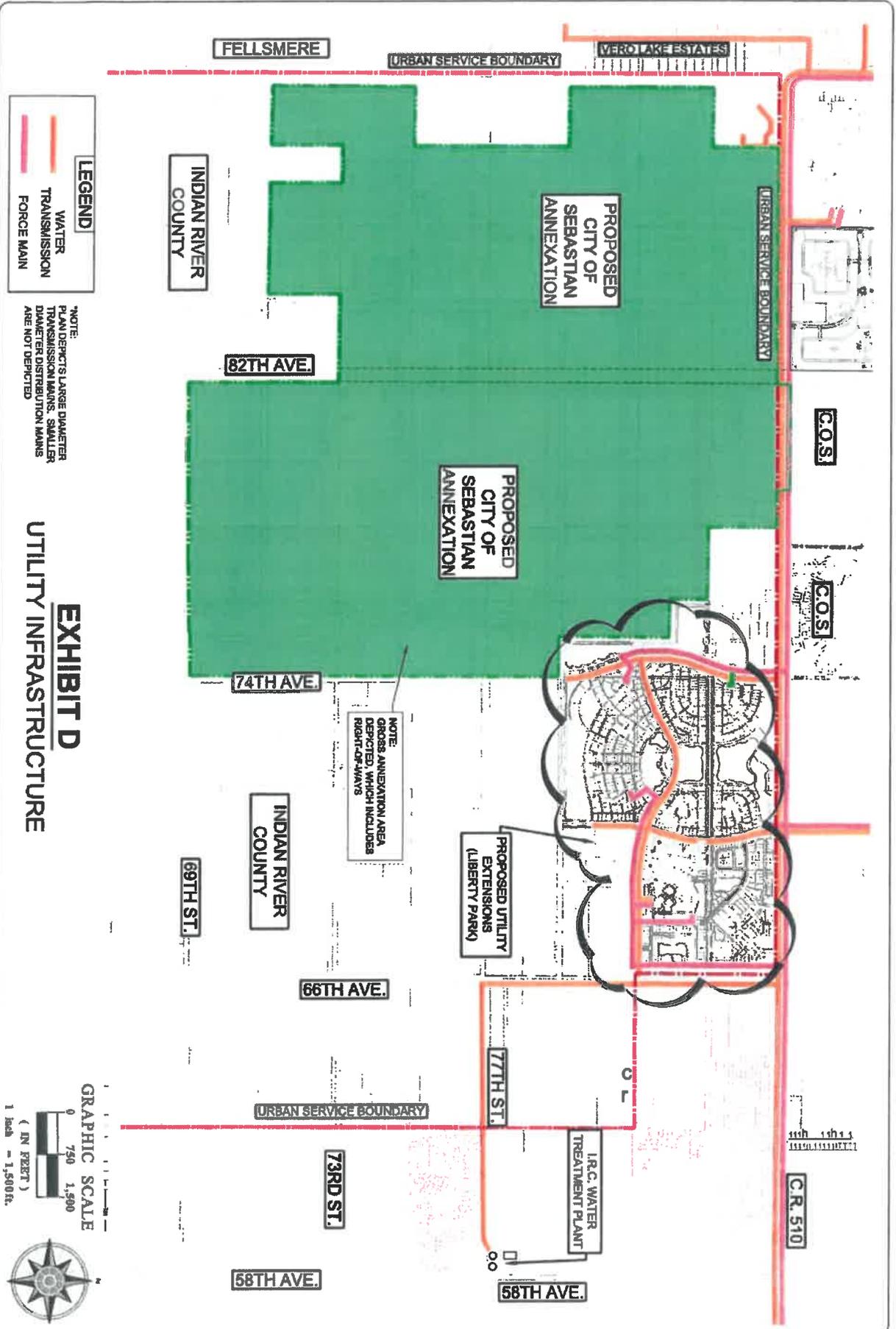
DATE	DESCRIPTION
EX-3	REVISED
1/1/20	ISSUED

**GRAVES BROTHERS
CITY OF SEBASTIAN
ANNEXATION**

**EXHIBIT B
LOCATION MAP AND
THOROUGHFARE PLAN
ROAD NETWORK**

Schulke Bittle & Stoddard, LLC
 CIVIL & STRUCTURAL ENGINEERING • LAND PLANNING • ENVIRONMENTAL SCIENTISTS
 1717 INDIAN RIVER BLVD., SUITE 201 VERO BEACH, FLORIDA 32909
 TEL 772.772-9070 FAX 772.772-9488 E-Mail: info@schulkebittle.com

DATE	DESCRIPTION
1/1/20	ISSUED
1/1/20	REVISED



LEGEND

WATER TRANSMISSION FORCE MAIN

NOTE:
PLAN DEPICTS LARGE DIAMETER TRANSMISSION MAINS - SMALLER DIAMETER DISTRIBUTION MAINS ARE NOT DEPICTED

EXHIBIT D
UTILITY INFRASTRUCTURE



EX-D
11-2018

GRAVER BROTHERS
CITY OF SEBASTIAN
ANNEXATION
INDIAN RIVER COUNTY

EXHIBIT D
UTILITY
INFRASTRUCTURE

Schulke, Bittle & Stoddard, I.L.C.
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NO.	DATE	DESCRIPTION	BY	CHKD.

Roll Call

Ms. Battles -- Yes
Mr. Lucier -- Yes
Ms. Jordan -- Yes
Ms. Simmons -- Yes

Mr. Carter -- Yes
Ms. Kinchen -- Yes
Ms. Kautenburg --Yes

Vote was 7-0 in favor. Motion passes.

- B. Public Hearing – Recommendation to City Council -- **Large Scale Comprehensive Plan Future Land Use Map Amendment – Graves Brothers Company, Applicant (Proposed Annexation)** -- an amendment to the Comprehensive Plan Future Land Use Map for Property consisting of 1913.593 acres, more or less, located south of County Road 510, west of lands adjacent to 74th Avenue, north of 59th Street, and east of 90th Avenue. Current County future land use is AG-1 (agricultural, 1 unit per 5 acres). The requested City land use is MU (mixed-use).

Mr. Anon read the item into the record. Ms. Kautenburg asked for input from the applicant. Ms. Frazier said Mr. Joseph Schulke, with Schulke, Bittle & Stoddard is here to answer questions.

Ms. Frazier made a Power Point presentation (SEE ATTACHED). She went through the Power Point and explained the slides which showed several maps, talked about the boundaries, and discussed that the property would remain A-1 (agricultural) zoning at this time. She then called questions/comments .

Ms. Kautenburg called on anyone in Chambers or on Zoom who wishes to speak in opposition to this project.

George Glenn, Jr., Sebastian, FL. Mr. Glenn identified himself as an attorney in Indian River, and he is also on the Board of the Pelican Island Audubon Society, a legal advisor to the Clean Water Coalition, and he works with some other environmental groups. His group proposed some time ago that the City of Sebastian engage with a consultant to come up with a new plan that is site specific that would bring groups together -- concerned citizens, organizations, local governments, etc. -- and it would then make a proposal based on those inputs. It was rejected. He stated that Martin County did it, and Alachua County is doing it currently for 4,000 acres. He stated that, in reading the staff report, it seems to rely heavily on the notion that it is likely going to

come in through a PUD, and he discussed what is involved with a PUD. He also addressed the agriculture land use category that is in the City's comp plan, which reads in part that, "The City shall also utilize the agriculture land use designation for future annexations of existing agricultural land." "It is supposed to receive an agriculture land use designation until such time that urban growth is contiguous, and agricultural activities are no longer economically viable." He stated that those are two findings that the City needs to make. He mentioned some of the other concerns his group has such as the open spaces, etc. He asked if anyone knows how many units will be contained in this project. He also called for a traffic impact study to be done. He made several suggestions as to what should be included in the project. He said his group wants Sebastian to grow, but the growth should be done correctly.

Richard Baker identified himself as President of the Pelican Island Audubon Society. He spoke on the needs of the environment. He suggested that his group is neither for nor against the project; they just want it done correctly. He reviewed several actions that should be taken regarding the environment when developments are planned and constructed.

Tim Glover, President of the Friends of St. Sebastian River. He reviewed that his group was a party to a letter that was sent to Sebastian City Council a few months ago. They recommended to City Council that they engage a consultant for planning and development for this project. He is asking that the Commission would also consider that as a recommendation to City Council.

Diana Bolton, Sebastian. She reviewed that she has lived in Sebastian many years. She has been in partnership with developers. She stated that she is in favor of development if it is done correctly. She is also involved with several conservation groups. She called attention to some of the maps that were included in the Power Point presentation and had questions regarding what those maps show. She reviewed numbers that show what the number of residents would be when the development is completed, and she is against that many new residents. Some of her other concerns are the headwaters of St. Sebastian River and wildlife corridors, which are not mentioned at all.

Dr. Graham Cox (on Zoom), Sebastian. He wanted to underline some of the things that were said by prior speakers. He stated this is a very big, complex issue that needs some real expertise to steer it through to fruition. He thinks that this project should not be rushed. He also recommended having an annexation agreement developed. There is a plan needed, and having mixed use in general terms is not a plan. No one knows how many people will be living in this area, and the County needs to know that.

Ms. Kautenburg called on anyone in chambers or on Zoom who wishes to speak in favor of this development.

Joseph Schulke of Schulke, Bittle & Stoddard. He stated that he prepared the application. He stated that the annexation is not being considered tonight. He is not asking for any services tonight. He stated that they will be doing an annexation agreement and working that out with City staff and City Council. That is the appropriate time when any limitations or what the City needs should be addressed. It is a little premature to be talking about some of those things right now. He spoke about water and sewer and how that will be addressed when the time comes. He is a resident of Sebastian, and he thinks this project is a great idea. There being no one else from the public who wished to speak, Ms. Kautenburg called for staff summary.

Ms. Frazier thanked all of the public who gave their input for the project. She assured the Commission that staff and consultants are taking their time to think about this, and there are many meetings being held in regard to this project. She also said staff is considering putting in an annexation agreement-items that will benefit the City, and that will be brought forward. She added that the Commission may put forth their own recommendations tonight. She called for questions/comments from the Commission members. There being no further questions/comments to the staff from the Commissioners, Ms. Kautenburg closed Public Input and called for deliberations from the Commissioners.

Mr. Christino spoke regarding the 43 acres that were originally put aside to protect the south slough. He feels that is an ecologically sensitive area. He would like to have that put back in when proceeding with the plans for this project. Mr. Carlisle, City Manager, stated that all those things will be discussed. He stated that buffers, wetlands, etc. are all addressed as part of the ordinance, whether it is in an annexation or not-it is in the enacting ordinance. Ms. Frazier added that everyone needs to understand mixed use. When you have someone stating that there are going to be 10,000 residential units that is not mixed use. Staff and consultants are going to make sure that in any agreement it will be pertaining to a mixed-use, town-center type of development.

Mr. Christino stated that there seems to be some confusion over control of storm water in the area of the Sebastian River Improvement District. He asked if it will continue to operate, or will the City of Sebastian be responsible for maintaining canals and swales in that area. Mr. Carlisle said that Vero Beach has an underlying water management district within it. Those water management districts are established by the State-either by sections 198 or 298. Those do not go away.

When we get into roadways, infrastructure and swales, that is if it is a private community, they would manage it; if it were a public community, the City would manage it. The major infrastructure, canals, drains, and conveyances currently today would be managed by the Sebastian River Improvement District. That is why the stormwater fee, currently, for this land is only the administrative portion, because the City is not providing any services.

Mr. Christino asked, when this is done on land that is controlled by the Sebastian River Improvement District, will the City of Sebastian be paying for those improvements down the road. Mr. Carlisle said no one knows what the drainage plan is going to look like, and we do not know how each individual pod will be developed. That will be addressed during the zoning process and the development process.

Ms. Battles addressed the magnitude of the increase in density, and she asked if there was a comparison done to quantify the amount of utility demand increase, and has that been communicated with County utility staff, and what communications have happened between the applicant and County staff. Ms. Frazier stated that it shows on Attachment A that there is enough capacity for any type of development that might be present. The concern by the County is that when a development order is put in, that is when the capacity license comes into play, and you set it aside for that wastewater, etc. Their concern is what is the density going to be at this property and what is the usage. That is not in play at this point because there is no development design. They have enough capacity today, and it is not allocated to any particular development. No one else has claimed this usage. Ms. Battles asked if anyone has compared what the maximum would be given the densities that are approved. Ms. Frazier stated there is no definite number. Some of these concerns will not be addressed until later.

Ms. Battles addressed the land-use changes of the property and the mixed use and asked if there have been any community outreach meetings. Ms. Frazier stated that there have been two workshops, and multiple public hearings were held before the land use and annexation. Ms. Battles asked what is generating the reason behind not having the applicant come forward with a conceptual plan at this point. Ms. Frazier said it was done prior, and it was not successful. So the applicant has not presented us with a plan. When the applicant wants to move forward with the rezoning or development plan that is when we get the master plan. The examples being given of the County's master plan-they already have the land use in place. The master plans and development entitlements are happening at the zoning and development-plan stage, which is what the City requires also.

She suggested that before we can do a master plan that is always market driven.

Mr. Carlisle stated that when you get to a point where you start putting land uses and zoning in an annexation agreement, you could run afoul with contract zoning, which is completely forbidden in the State of Florida. So you have to be careful where you cross that line between regulation and contract zoning. There are ways that we have to word this annexation agreement and the land use. A lot of those are covered in our ordinance.

Ms. Battles inquired as to what safeguards are there in place if the City moves forward with the land-use change. She asked Mr. Carlisle to elaborate on that. Mr. Carlisle explained that this is an enacting ordinance. It is for mixed use. This is something that we can use. It has all of those layouts that Ms. Frazier explained.

Ms. Battles asked if the impact to the school district has been looked at. Ms. Frazier stated that would come during zoning. Mr. Carlisle added that with any development the school board is autonomous, and they determine when a school is needed.

Ms. Kinchen emphasized that the only thing that is being discussed this evening is agricultural to mixed use being recommended to City Council. She added that there were some concerns that she heard from some of the audience that some items are not being looked at. Part of those concerns related to water, etc. She would like to know what other concerns there are. Mr. Carlisle explained some of the history of the water on this property. St. John's River Water Management District would not concede that, once they flooded it they would not guarantee that they would not then call it a wetland. So they did not want to go forward with the project and then be penalized for cleaning up the water and then have the land designated as a wetland.

Mr. Simmons said that it seems that only affordable housing will be allowed in the 12- units-per-acre. He asked if that is the only use. Ms. Frazier explained that it will be 10 units per acre is what is being permitted in the multi-family areas. However, with incentives that can go up to 12. She further explained that typically for attainable housing the unit size seems to be denser, and the unit area itself needs to be smaller. She emphasized that it can be used for more than attainable housing.

Mr. Simmons asked regarding the other acreage that had been annexed for Graves Brothers a couple of years ago, would they go through the same process if they changed that to mixed use. Ms. Frazier said that property is general commercial as the land use.

Ms. Battles asked if staff plans to have more community outreach meetings as you work through this process and is there community involvement in that process. Ms. Frazier suggested that there has already been community input through the workshops and the public meetings that pretty much the annexation agreement will be between the Council and the landowner. Mr. Carlisle stated that it would be a Council decision if they wanted to add more workshops.

Ms. Kautenburg assured the public that this is not the first time these matters have been processed. The new comp plan is something that took more than a year to do. She stated that this comes very close to everything that the comp plan calls for. She also assured the public that each chunk of the land that gets developed comes before Planning and Zoning and the City staff, and every part of the development must go through the water run-off, buffers, permission from St. John's, making sure that it meets all of the ordinances. Each one of those meetings is also open to the public. She always wishes that there were more people who were coming to those meetings and asking their questions and having them answered directly as opposed to hearsay. There being no further discussion, Ms. Kautenburg called for a motion.

A motion recommending to City Council approval of the land use change from County A- 1 to City MU based on the fact that it meets the requirements of the City of Sebastian Comprehensive Plan 2040 was made by Ms. Kinchen, seconded by Ms. Battles with the condition that the applicant come forward with a conceptual plan. Ms. Frazier presented conditions that the Commission put on the last Grave's Brothers future land-use amendment, and recommended that the conditions be added to the Commission's recommendation for approval.

Ms. Kinchen did not agree to the addition of the conceptual plan being added to the motion. Discussion was held regarding the previous conditions, and Ms. Battles withdrew her addition.

The following wording is to be added to the motion:

- Rezoning of the property shall be done through a Planned Unit Development process as described in Article XX of the Land Development Code.
- Housing types shall be mixed to meet various income levels and lifestyle choices.
- Future dedication of ROW for an interconnected, extended and improvement of the grid road system, along with a well-planned transportation system of roads and streets throughout the development, in coordination with Indian River County, to specifically include 81st Street, 77th Street, and 73rd Street, as well as 74th Avenue .

- Provision for a mixed-use "Town Center" area.
- Future dedication and donation of institutional lands necessary for governmental services such as post offices, public safety, schools, etc. that may be needed for increases in necessary services.
- Strategic assembly of commerce and industrial development at major intersections.
- Future dedication of conservation lands to include any wetlands of significant importance, and the provision of greenway trails and public access to those areas.
- Dedication of City park and recreational lands above what will be required in the individual residential subdivision developments.
- Increased buffers adjacent to low density areas outside of the PUD area.
- As a condition of future developments, sufficient land area shall be allocated for infrastructure required to support the development and mandate hook-up to central potable water and wastewater systems for all new developments prior to receiving development orders. Therefore, the proposed development must provide sewer and water service as a condition of development. These services may be provided by the County however no septic systems would be allowed in accordance with City policy and land development codes.

Roll Call

Ms. Jordan -- Yes
Mr. Lucier -- Yes
Ms. Battles -- Yes
Mr. Simmons -- Yes

Ms. Kinchen --Yes
Mr. Carter -- Yes
Ms. Kautenburg -- Yes

Vote was 7-0 in favor . Motion passes.

- A. **P&Z Quasi-Judicial Hearing -- Recommendation to City Council -- Land Development Code Rezoning Amendment for a specific site - Man Caves @Sebastian, Applicant (Proposed Annexation)**
-- An amendment to the Zoning Map for property containing 4.56 acres located south and east of Spirit of Sebastian PUD, west of Old Dixie Highway and FEC right-of-way, and north of multiple family residential development, the existing County zoning is RM-6 (multiple-family residential district, 6 units/acre), and the requested Sebastian zoning is CG (Commercial General)