



AGENDA

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Special Meeting 2019-09
July 10, 2019 – 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ADOPTION OF MINUTES:

1. Regular Meeting 2019-07; June 5, 2019

ANNOUNCEMENTS:

NEW BUSINESS:

1. ♣V-13-2019 – MICHAEL AND DEANA ROULEAU

A variance to allow a below-grade spread footer for a proposed carport to encroach 3-feet into the 10-foot rear yard accessory structure setback as established by Section 185.118(A)(4) of the Palm Bay Code of Ordinances.

Lot 7, Block 2115, 1st Replat of Port Malabar Unit 21, Section 19, Township 28, Range 37, Brevard County, Florida, containing .36 acres, more or less. (Located at the southeast corner of Bedrock Avenue NE and Lisa Road NE)

2. CP-8-2019 – KALEEL T. BAKSH

A small scale Comprehensive Plan Future Land Use Map amendment from Recreation and Open Space Use to Single Family Residential Use.

Tract H, Port Malabar Unit 6, Section 34, Township 28, Range 37, Brevard County, Florida, containing 1.98 acres, more or less. (Located west of and adjacent to Dunbar Avenue NE, in the vicinity between Greyfield Street NE and Kent Street NE)

3. ♠V-14-2019 – JAKE WISE, PE

A variance to allow a proposed gymnasium at Odyssey Charter School to exceed the 25-foot maximum height requirement by 9 feet as established by Section 185.042(F)(6) of the Palm Bay Code of Ordinances.

Tract E, Port Malabar Unit 18, Section 21, Township 29, Range 37, Brevard County, Florida, containing 24.37 acres, more or less. (Located south of and adjacent to Wyoming Drive SE, in the vicinity west of Thorman Avenue SE, specifically at 1350 Wyoming Drive SE)

4. CP-10-2019 – JAKE WISE, PE

A large scale Comprehensive Plan Future Land Use Map amendment from Industrial Use and Commercial Use to Bayfront Mixed Use.

Tax Parcels 10, 22, and 1, Section 14, Township 28, Range 37 along with Lot 1 of Block C and Lot 1 of Block A, Huntington Terrace Subdivision, Section 11, Township 28, Range 37, Brevard County, Florida, containing 21.83 acres, more or less. (Located in the vicinity east of the Florida East Coast Railway, north of Robert J. Conlan Boulevard NE, and south of Kingswood Drive NE)

5. ♠CPZ-10-2019 – JAKE WISE, PE

A zoning amendment from an HC, Highway Commercial District and an HI, Heavy Industrial District to a BMU, Bayfront Mixed Use District.

Tax Parcels 10, 22, and 1, Section 14, Township 28, Range 37 along with Lot 1 of Block C and Lot 1 of Block A, Huntington Terrace Subdivision, Section 11, Township 28, Range 37, Brevard County, Florida, containing 21.83 acres, more or less. (Located in the vicinity east of the Florida East Coast Railway, north of Robert J. Conlan Boulevard NE, and south of Kingswood Drive NE)

6. ♠FS-2-2019 – BILDA EXECUTIVE PARK (BRUCE MOIA, REP.)

Final Plat approval of a proposed 10.00-acre commercial development called Bilda Executive Park.

Tract K, Port Malabar Unit 60, Section 20, Township 28, Range 37, Brevard County, Florida, containing 10.00 acres, more or less. (Located west of and adjacent to Bass Pro Drive NE and bordered by Sportsman Lane NE)

7. ♣FD-16-2019 – SCOTT M. GLAUBITZ

A Final Development Plan approval for a proposed Parkway Mixed Use District (PMU) to allow for a 620-unit mixed-use development called St. Johns Preserve.

Tax Parcels 1, 254, 253, and 751 in Section 32, Township 28, Range 36, Brevard County, Florida, containing 193 acres, more or less. (Located north of and adjacent to Malabar Road NW, in the vicinity west of St. Johns Heritage Parkway and south of the C-1 Canal)

OTHER BUSINESS:

ADJOURNMENT:

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Any aggrieved or adversely affected person desiring to become a party in the quasi-judicial proceeding shall provide written notice to the city clerk which notice shall, at a minimum, set forth the aggrieved or affected person's name, address, and telephone number, indicate how the aggrieved or affected person qualifies as an aggrieved or affected person and indicate whether the aggrieved or affected person is in favor of or opposed to the requested quasi-judicial action. The required notice must be received by the clerk no later than five (5) business days at the close of business, which is 5 p.m., before the hearing. (§ 59.03, Palm Bay Code of Ordinances)

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Land Development Division at (321) 733-3042 or Florida Relay System at 711.

♣ Quasi-Judicial Proceeding.

CITY OF PALM BAY, FLORIDA

PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY REGULAR MEETING 2019-07

Held on Wednesday, June 5, 2019, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Mr. Rainer Warner led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Philip Weinberg	Present
VICE CHAIRPERSON:	Leeta Jordan	Present
MEMBER:	Nancy Domonousky	Present
MEMBER:	Donny Felix	Present
MEMBER:	Khalilah Maragh	Present
MEMBER:	Kevin Reed	Absent
MEMBER:	Rainer Warner	Present
NON-VOTING MEMBER:	Vacant (School Board Appointee)	

CITY STAFF: Present were Mr. Patrick Murphy, Assistant Growth Management Director; Mr. Christopher Balter, Planner II; Ms. Chandra Powell, Recording Secretary; Mr. James Stokes, Board Attorney.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting No. 2019-06; May 1, 2019. Motion by Mr. Warner, seconded by Ms. Maragh to approve the minutes as presented. The motion carried with members voting unanimously.

ANNOUNCEMENTS:

1. Mr. Weinberg addressed the audience on the meeting procedures and explained that the Planning and Zoning Board/Local Planning Agency consists of volunteers who act as an advisory board to City Council.

OLD BUSINESS:

1. ♣CU-10-2019 – RAYMOND FISCHER

Mr. Balter presented the staff report for Case CU-10-2019. The applicant had requested a conditional use to allow for a proposed event hall, as established by Section 185.08. Staff recommended Case CU-10-2019 for approval subject to compliance with all City codes and other governmental regulations.

Ms. Domonousky questioned whether the proposed event hall would be enclosed, and she wanted to know the types of events planned for the venue. Mr. Robert Robb with Robb and Taylor Engineering (representative for the applicant) explained that there were two structures on the property. The applicant wanted to enclose the eastern portion of the open pole barn to provide bathrooms and a warming kitchen, and the rest of the facility would remain open with wind screening for inclement weather. The facility could be used for various types of events.

Mr. Warner inquired whether additional buildings were proposed for the site. Mr. Robb stated that there would be no other structures on the property besides the two existing buildings. However, there were plans for building, parking, landscape, and signage improvements.

The floor was opened and closed for public comments; there were no comments from the audience, and there was no correspondence in the file.

Motion by Ms. Maragh, seconded by Mr. Warner to submit Case CU-10-2019 to City Council for approval of a conditional use to allow for a proposed event hall, as established by Section 185.08, and subject to staff conditions. The motion carried with members voting unanimously.

NEW BUSINESS:

1. CP-7-2019 – STEVEN CIANCIO

Mr. Murphy presented the staff report for Case CP-7-2019. The applicant had requested a small scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Multiple-Family Residential Use. Staff recommended Case CP-7-2019 for approval, pursuant to Chapter 163, Florida Statutes.

Ms. Maragh asked if the land use change was needed to expand the assisted living facility (ALF) located on the property. Mr. Murphy clarified that the land use change was to allow the accessory use of a parking lot for the adjacent ALF to the east, and that no vertical development was proposed.

Mr. Steven Ciano (applicant) stated that he was the owner and developer of the site. He confirmed that there would be no vertical construction on the property. The land was purchased in June of 2018 to accommodate the future employee and visitor parking needs of a second phase of the ALF.

Mr. Murphy noted that there was a petition in the file with 39 area residents in opposition to the request.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) spoke in favor of the request. He was pleased that there would be additional parking in the area; however, he was concerned about possible modifications to the stormwater system being funded with City stormwater fees. Mr. Murphy assured the board that tax dollars would not be used for any improvements on the site, and that the drainage outfall from the proposed parking lot would flow into the existing drainage system along the north edge of the ALF property.

Mr. Barry Hansen (resident at Venetian Bay Condo) spoke against the request. Gran Avenue NE was not a wide street. There was an existing problem with speeding vehicles from the direction of the ALF, and the road could not accommodate additional traffic. He was concerned that the multiple-family designation would permit a building to locate on the site in the future. He wanted speed bumps installed on Gran Avenue for safety.

Ms. Jean Hudson (resident at Venetian Bay Condo) spoke against the request. She stated that there had been a traffic fatality in the area. She did not want to lose the bald eagles and other wildlife at the subject site and suggested placing the parking lot on the opposite side of Dixie Highway NE.

Mr. Doug Taylor (resident at Rhum Cove Condominium) was concerned about the drainage flowing south into the marina where there were manatees, a protected species. He wanted to make sure that enough safeguards would be in place to protect the manatees, neighbors, and the marina.

In response to comments from the audience, Mr. Ciancio described how his ALF site was currently used by the Brevard County Zoological Society as the first oyster restoration reef within the Indian River. Residents of the ALF enjoyed monthly fishing extravaganzas and barbecues, and he had allotted five parking spaces for general public use for access to the dock. He emphasized the importance of water retention and filtration protections.

The floor was closed for public comments.

Ms. Domonousky questioned whether there were stop signs on Gran Avenue and the likelihood of a stop light on Dixie Highway. Mr. Murphy noted that stop signs were at the intersection of Gran Avenue and Dixie Highway and at Gran Avenue and Pearl Court NE. The Florida Department of Transportation would require signal warrants to be met before a stop light could be considered at Dixie Highway.

Motion by Ms. Maragh, seconded by Ms. Jordan to submit Case CP-7-2019 to City Council for approval of a small scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Multiple-Family Residential Use, pursuant to Chapter 163, Florida Statutes and subject to staff conditions.

Ms. Domonousky inquired whether the Public Works Department could install speed bumps on Gran Avenue. Mr. Murphy explained that residents typically worked with the Public Works Department and privately funded the speed bump installations. He would inform the Public Works Department about the discussion. Mr. Stokes added that Fire Rescue generally did not support speed bumps on public streets, and because of the ALF, Fire Prevention should be included in the discussion.

A vote was called on the motion by Ms. Maragh, seconded by Ms. Jordan to submit Case CP-7-2019 to City Council for approval of a small scale Comprehensive Plan Future Land Use Map amendment from Single-Family Residential Use to Multiple-Family Residential Use, pursuant to Chapter 163, Florida Statutes, and subject to staff conditions. The motion carried with members voting unanimously.

2. ♣CPZ-7-2019 – STEVEN CIANCIO

Mr. Murphy presented the staff report for Case CPZ-7-2019. The applicant had requested a zoning amendment from an RS-3, Single-Family Residential District to an RM-20, Multiple-Family Residential District. Staff recommended Case CPZ-7-2019 for approval to be consistent and compatible with the Future Land Use designation of Case CP-7-2019.

Mr. Steven Ciano (applicant) stated that the proposed zoning change would allow a parking lot to be built to accommodate employees and visitors for the future phase two development of his assisted living facility (ALF).

Ms. Domonousky remarked on how the additional parking lot and retention pond were for servicing phase two of the ALF. Mr. Ciano stated that this was correct.

The floor was opened for public comments.

Mr. Barry Hansen (resident at Venetian Bay Condo) stated that he had the same objections to the request as stated during Case CP-7-2019.

The floor was closed for public comments, and there was a petition in the file of 39 residents in opposition to the request.

Mr. Warner believed that the applicant was proceeding in good faith by listening to the concerns of area residents and by supporting conservation. The parking lot was needed to support the ALF.

Motion by Mr. Warner, seconded by Ms. Maragh to submit Case CPZ-7-2019 to City Council for approval of a zoning amendment from an RS-3, Single-Family Residential District to an RM-20, Multiple-Family Residential District, based on staff comments. The motion carried with members voting unanimously.

OTHER BUSINESS:

Staff informed the board that the July 3, 2019 Planning and Zoning Board meeting was rescheduled to July 10, 2019 to avoid a lack of a quorum.

ADJOURNMENT:

The meeting was adjourned at approximately 7:47 p.m.

Philip Weinberg, CHAIRPERSON

Attest:

Chandra Powell, SECRETARY

♣Quasi-Judicial Proceeding.



LAND DEVELOPMENT DIVISION
120 MALABAR ROAD SE
PALM BAY, FL 32907
TELEPHONE: 321-733-3042

STAFF REPORT
PREPARED BY:
Christopher Balter
Planner II

CASE NUMBER

V-13-2019

PLANNING & ZONING BOARD HEARING DATE

July 10, 2019

APPLICANT/PROPERTY OWNER

Michael and Deana Rouleau

PROPERTY LOCATION/ADDRESS

1299 Bedrock Avenue NE Palm Bay, FL 32907

SUMMARY OF REQUEST

A variance request to allow a proposed carport to encroach 3-feet into the 10-foot rear setback, as established by Section 185.118 (A)(4) of the Palm Bay Code of Ordinances.

EXISTING ZONING	EXISTING LAND USE	SITE IMPROVEMENTS	SITE ACREAGE
SRE, Suburban Residential Estate	Single Family Residential	Single-Family Home	0.36 +/-

SURROUNDING ZONING & LAND USE

NORTH: SRE, Suburban Residential Estate; Single-Family Home

EAST: SRE, Suburban Residential Estate; Single-Family Home

SOUTH: SRE, Suburban Residential Estate; Single-Family Home

WEST: SRE, Suburban Residential Estate; Single-Family Home

COMPATIBILITY with the COMPREHENSIVE PLAN

No effect on adopted Comprehensive Plan

BACKGROUND:

The applicant has also applied for a vacate of easement for the proposed 3-foot encroachment.

ANALYSIS:

Variances from the terms of the Land Development Code may be granted when special conditions exist that would result in unnecessary hardship if the provisions of the Land Development Code were enforced. However, a variance may not be granted when the public health and safety would be compromised as a result of the variance. An application must demonstrate that items 1 through 7 of Section 169.009 of the Code of Ordinances have been met. A review of these items is as follows.

Item 1 - "Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, buildings or structures in the same land use category, zoning district or situation."

The applicant is requesting relief from the rear accessory structure setback for a proposed carport on the southeast side of the property. The owner plans on installing a solar photovoltaic system on the roof of the carport and the proposed location is the only location suitable, due to the size of the structure and existing site conditions.

Item 2 - "The special conditions and circumstances identified in Item 1 above are not the result of the actions of the applicant."

The special conditions and circumstances identified in item 1 do appear to be a direct result of the actions of the applicant.

Item 3 - "Literal interpretation and enforcement of the Land Development Code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same land use category, zoning district or situation under the terms of the Land Development Code, and would work unnecessary and undue hardship on the applicant."

Literal interpretation and enforcement of the Land Development Code would require the applicant to build within the setbacks allowed for the carport. An 18 foot wide carport could be built and meet the setback requirements.

Item 4 - "The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure."

A maximum of 3' of the relief from the 10' rear setback would be needed to meet the applicant's request.

Item 5 - "Granting of the variance request will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings or structures in the same land use category, zoning district or situation."

It appears that the granting of the variance would confer upon the applicant a special privilege for the setback relief, as the same development standards apply to other properties in this community, and the property is not irregularly shaped or considered a sub-standard lot (with regards to area and lot dimensions).

Item 6 - "The granting of the variance will be in harmony with the general intent and purpose of this code and will not be injurious to the surrounding properties or detrimental to the public welfare."

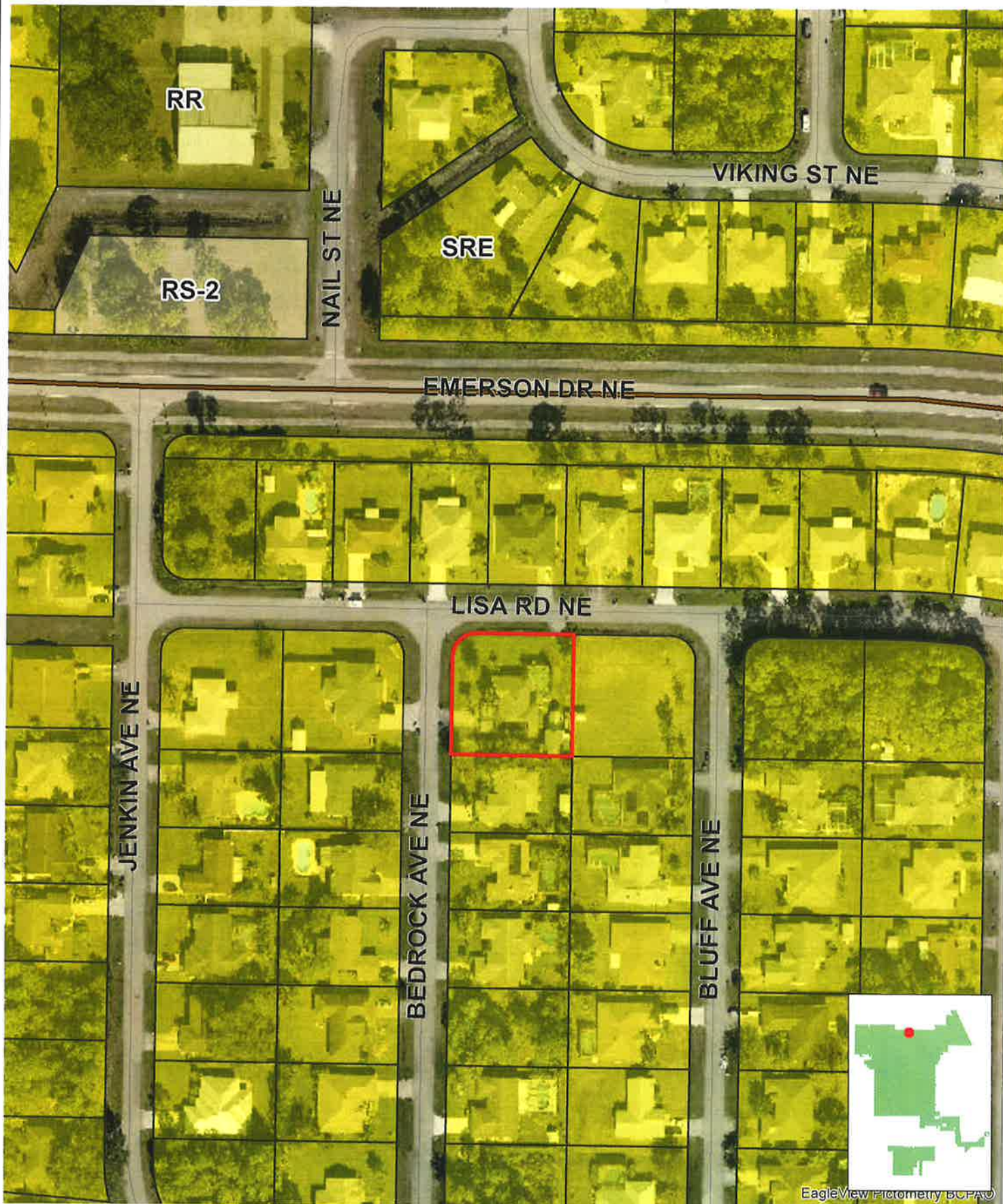
Staff has not identified any detrimental effect to public welfare.

Item 7 - "The variance represents a reasonable disposition of a claim brought under the Bert J. Harris Private Property Rights Protection Act, chapter 95-181, Laws of Florida, that a development order of the city has reasonably burdened the applicant's property, based on the recommendations of the special master appointed in accordance with the act, or the order of a court as described in the act."

Staff has not received a claim made upon this property, with respect to the "Bert J. Harris Act," or any development order, as indicated above. Therefore, Item 7 is not applicable to the variance request.

STAFF CONCLUSION:

The Planning and Zoning Board must determine, based on the facts presented, to what degree, if any, of minimal relief, is required to meet the needs of the variance being requested, as required under Section 169.009 of the City of Palm Bay Code of Ordinances and make recommendations to City Council for a final review. Under 59.05(A)(14) City of Palm Bay Code of Ordinances, "The quasi-judicial body shall direct the clerk or [city] attorney acting as the body's legal counsel to prepare the necessary and appropriate written order in accordance with the purpose of the hearing and findings of the quasi-judicial body. Pursuant to Florida Statutes, in the event relief is denied to the applicant, the specific provision of statute or code that was deficient shall be stated for record."



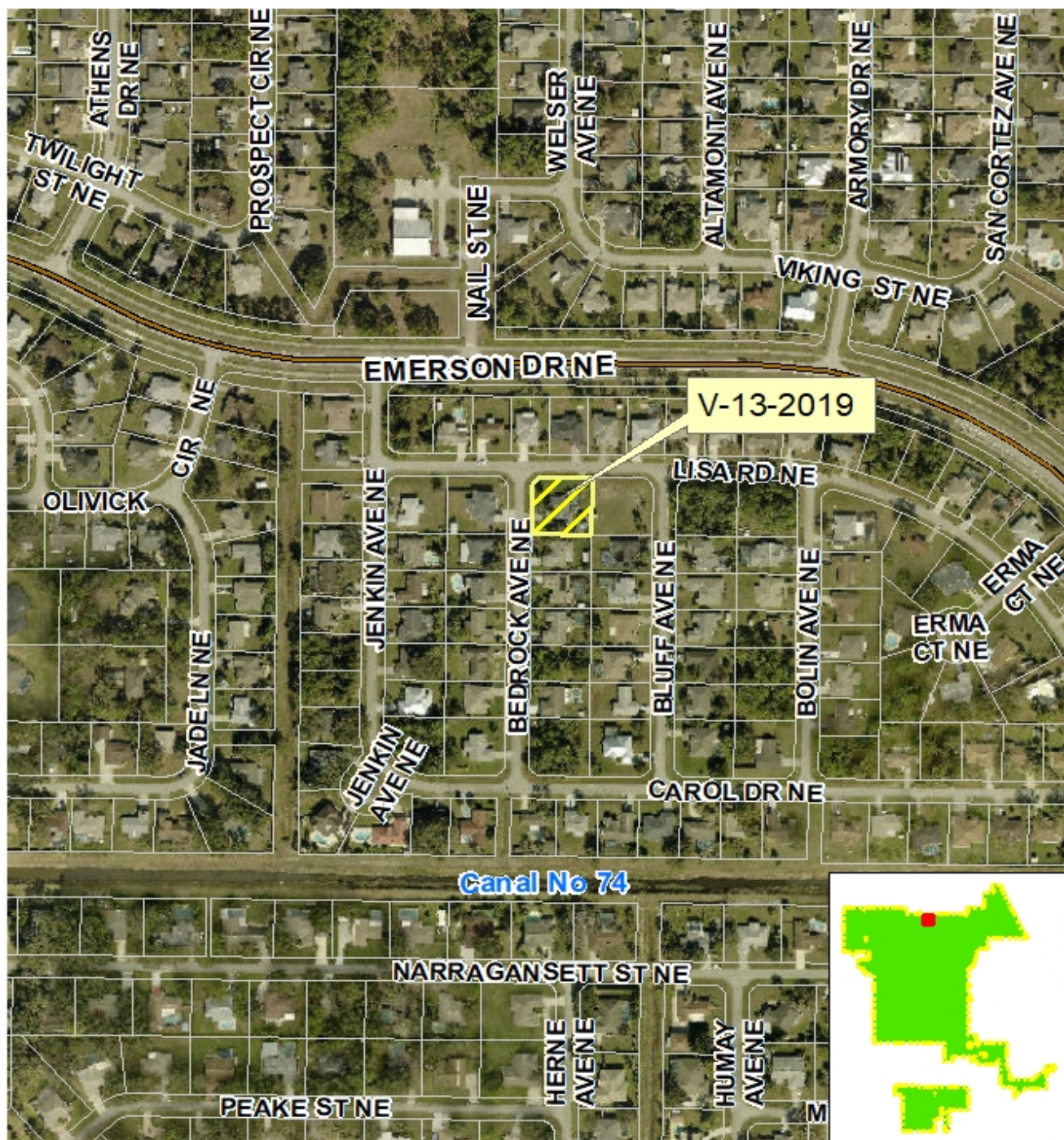
EagleView Photography BCFAU

Map for illustrative purposes only. Not to be construed
as binding or as a survey.

Map created by the Land Development Division



1299 Bedrock Avenue NE



AERIAL LOCATION MAP CASE V-13-2019

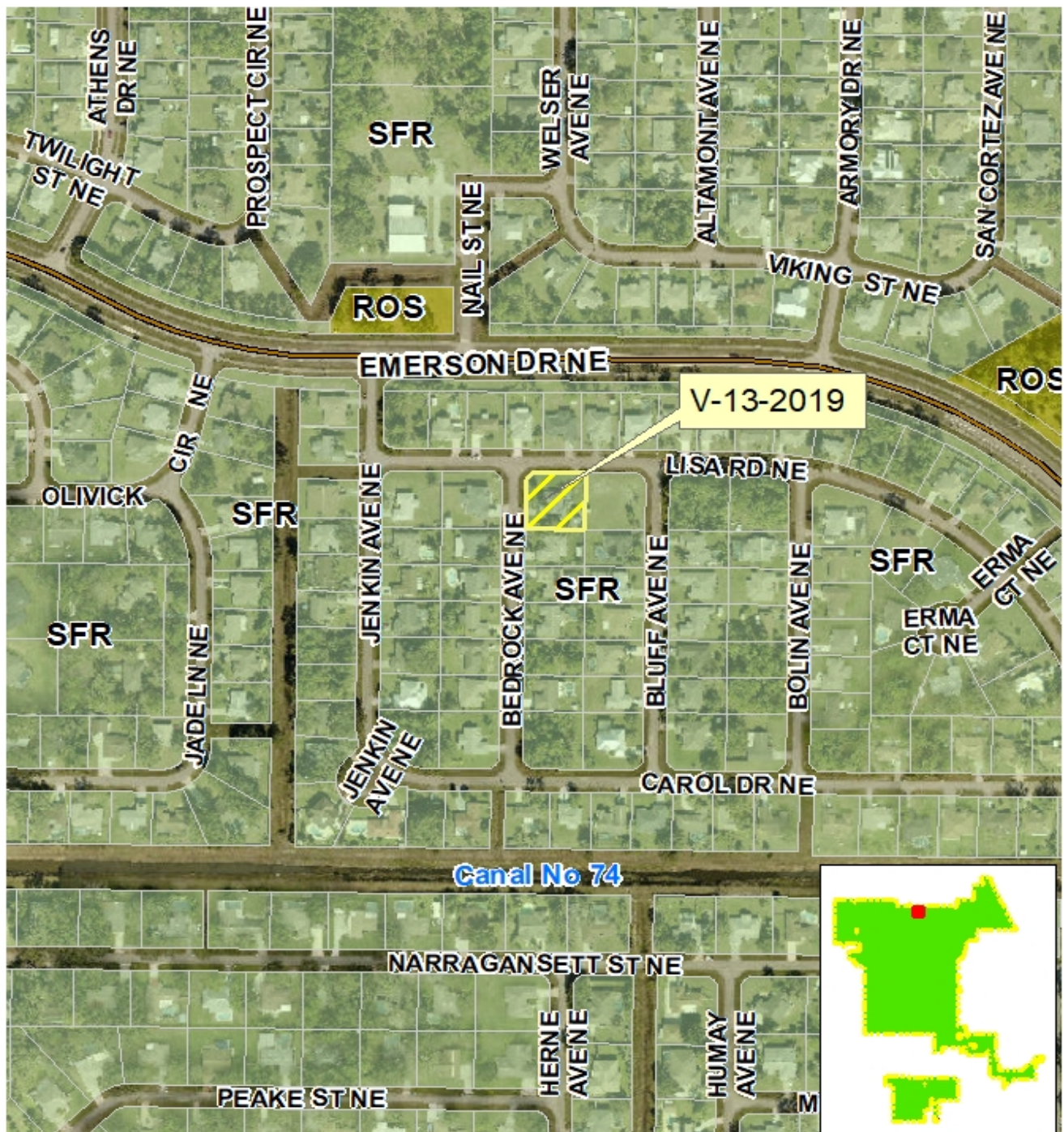
Subject Property

Located at the southeast corner of Bedrock Avenue NE and Lisa Road NE



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



FUTURE LAND USE MAP CASE V-13-2019

Subject Property

Located at the southeast corner of Bedrock Avenue NE and Lisa Road NE

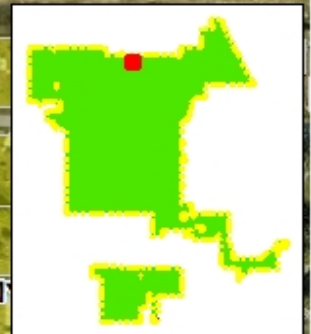
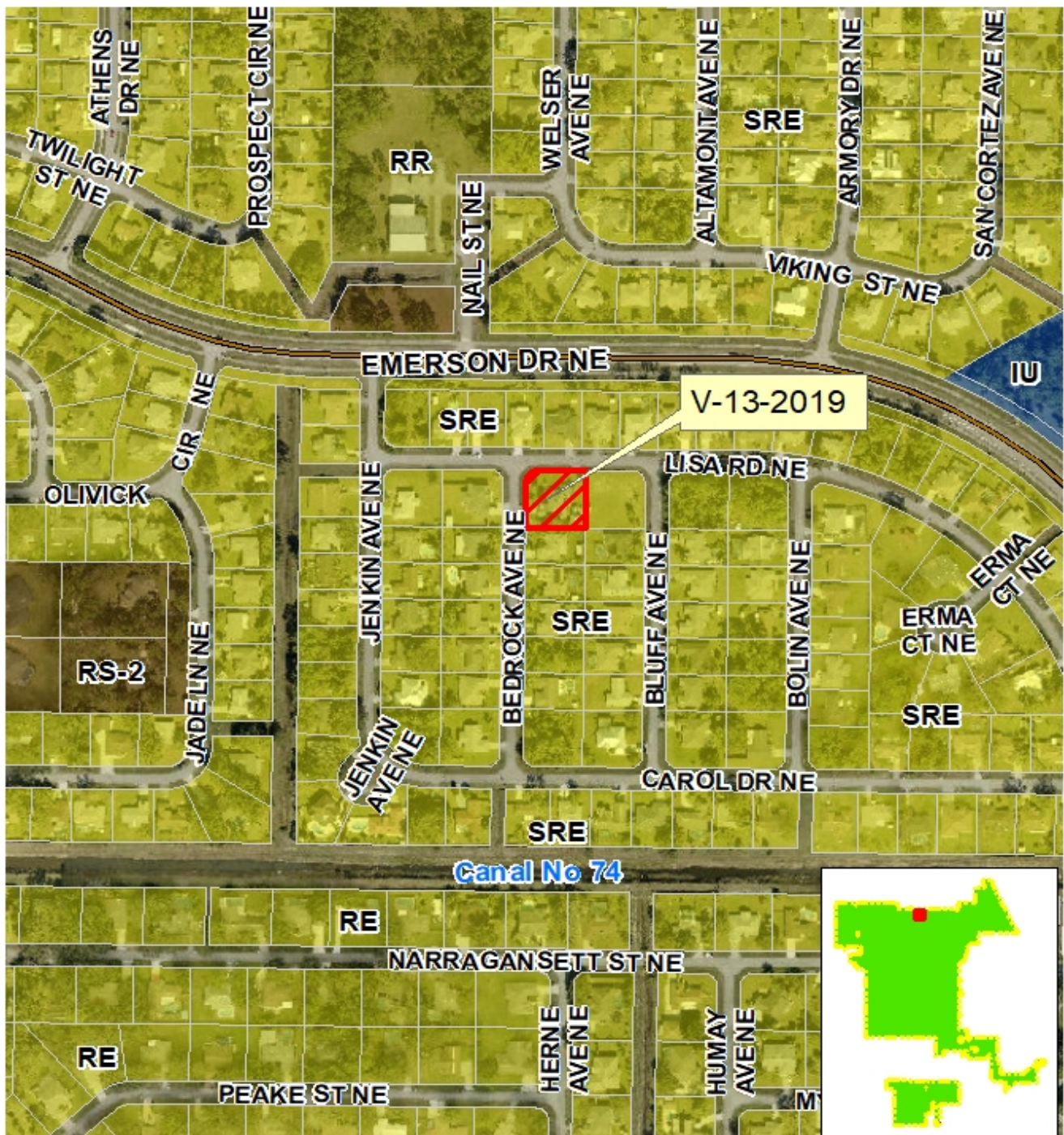
Future Land Use Classification

SFR – Single Family Residential Use



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



ZONING MAP CASE V-13-2019

Subject Property

Located at the southeast corner of Bedrock Avenue NE and Lisa Road NE

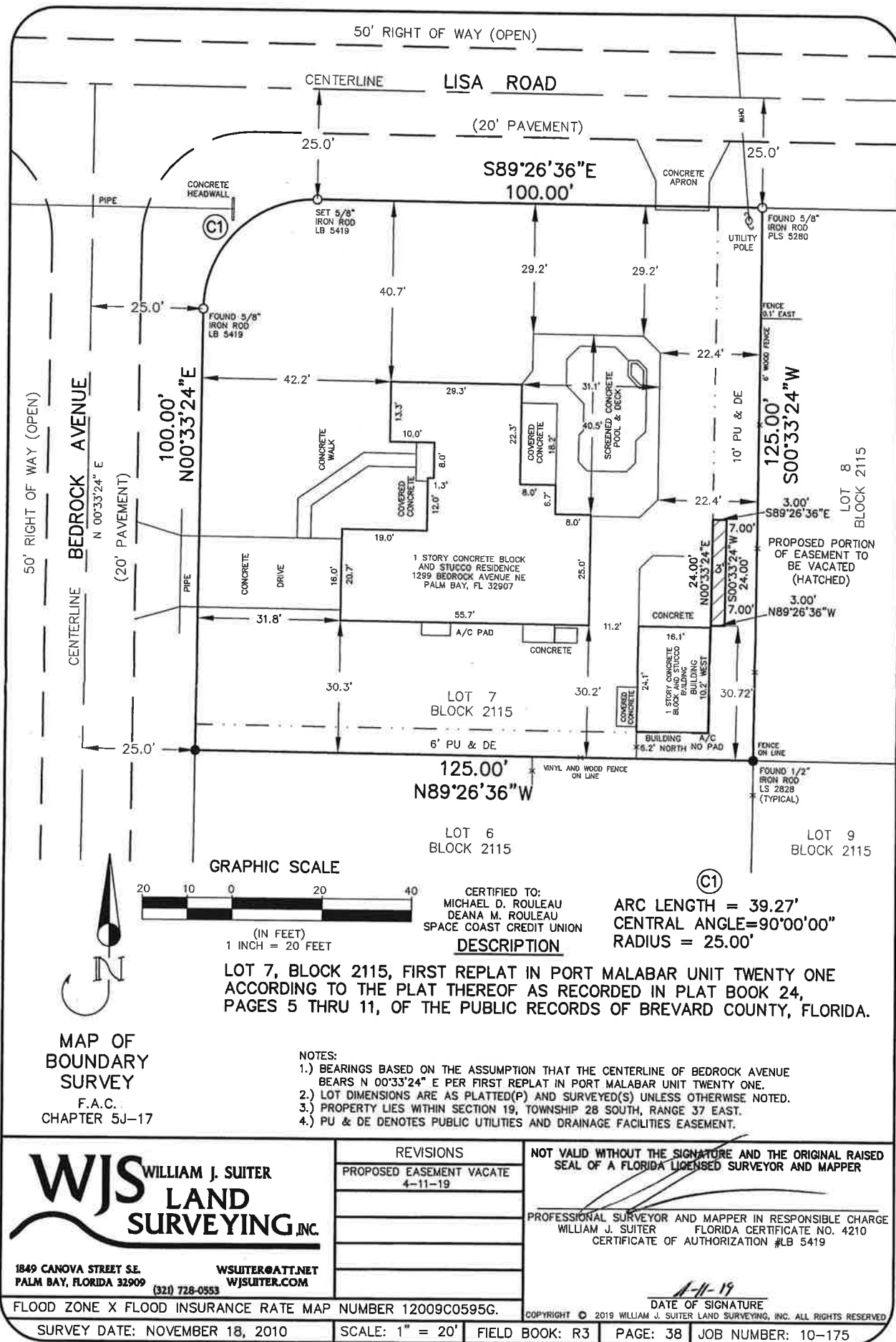
Current Zoning Classification

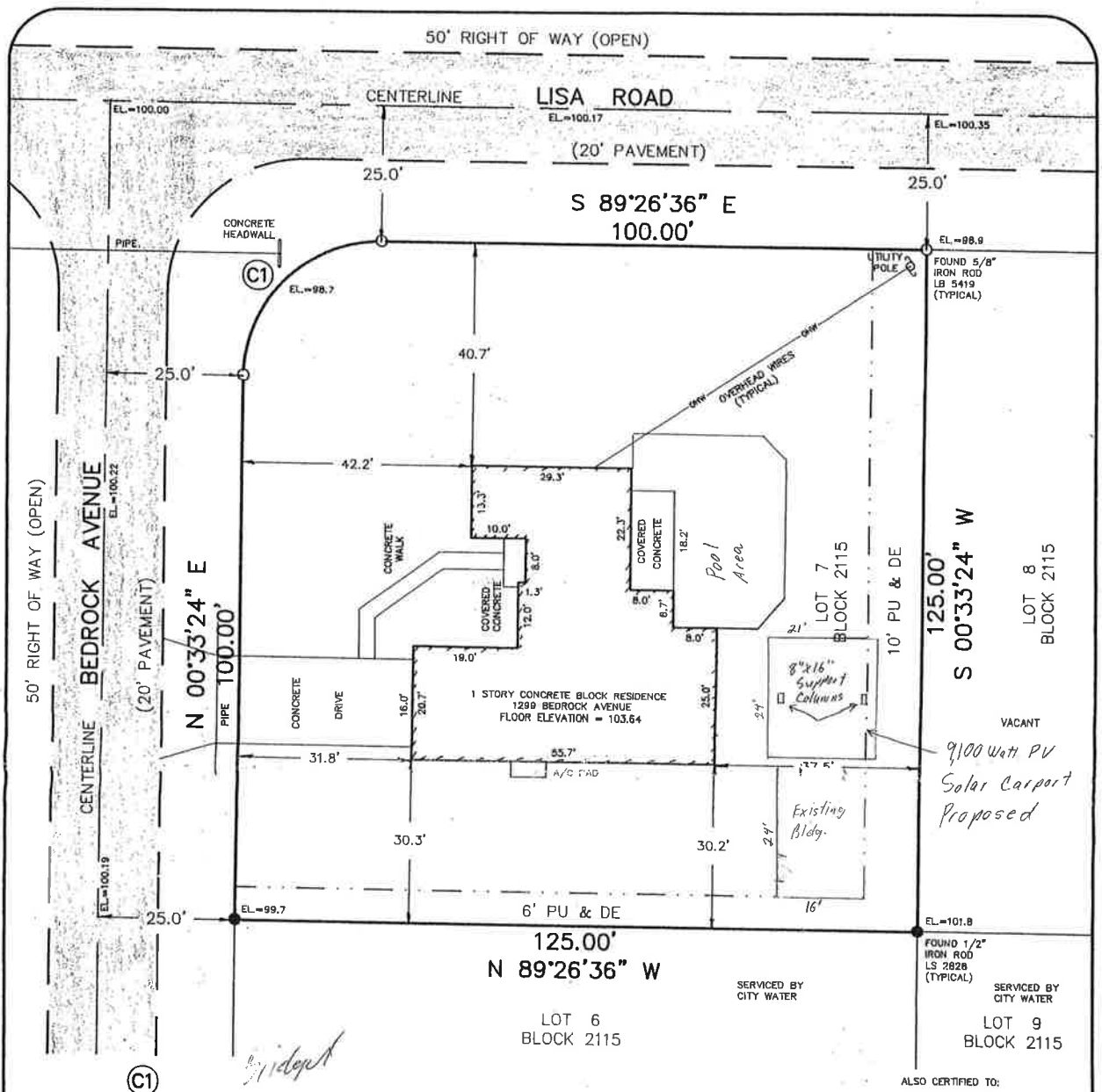
SRE – Suburban Residential Estate District



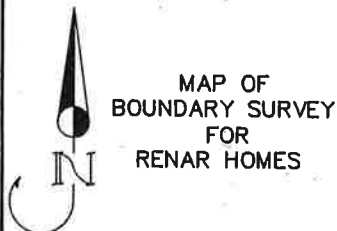
Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey





ARC LENGTH = 39.27'
CENTRAL ANGLE=90°00'00"
RADIUS = 25.00'



28-37-19-MH-2115-7 .36 acreage

DESCRIPTION
LOT 7, BLOCK 2115, FIRST REPLAT IN PORT MALABAR UNIT TWENTY ONE
ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24,
PAGES 5 THRU 11, OF THE PUBLIC RECORDS OF BREVARD COUNTY,
FLORIDA.

NOTES:

- 1.) BEARINGS BASED ON THE ASSUMPTION THAT THE CENTERLINE OF BEDROCK AVENUE BEARS N 00°33'24" E PER FIRST REPLAT IN PORT MALABAR UNIT TWENTY ONE.
- 2.) ELEVATIONS "EL=100.00" BASED ON ASSUMED DATUM.
- 3.) LOT DIMENSIONS ARE AS PLATTED(P) AND SURVEYED(S) UNLESS OTHERWISE NOTED.
- 4.) PROPERTY LIES WITHIN SECTION 19, TOWNSHIP 28 SOUTH, RANGE 37 EAST.
- 5.) PU & DE DENOTES PUBLIC UTILITIES AND DRAINAGE FACILITIES EASEMENT.

ALSO CERTIFIED TO:
MICHAEL D. ROULEAU
CHICAGO TITLE INSURANCE COMPANY
PRECISE TITLE, INC.
RENAR DEVELOPMENT COMPANY
BARNETT BANK, N.A.
ATTORNEYS TITLE INSURANCE FUND, INC.
WARNER, FOX, SEELEY, DUNGEY & SWEET, L.L.P.
RENOVA AND ASSOCIATES

WJS WILLIAM J. SUITER
LAND SURVEYING, INC.

1712 CANOVA STREET S.E.
PALM BAY, FLORIDA 32909

(407) 728-0933
FAX (407) 729-6773

FLOOD ZONE X FLOOD INSURANCE RATE MAP NUMBER 12009C0520E

REVISIONS	
PLOT PLAN	5-21-97
FORM BOARDS	7-22-97
FINAL SURVEY	10-30-97
CERTIFICATIONS	11-3-97

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE
WILLIAM J. SUITER FLORIDA CERTIFICATE NO. 4210
CERTIFICATE OF AUTHORIZATION #LB 5419

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

VARIANCE APPLICATION

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

PARCEL ID 28-37-19-MH-2115-7

TAX ACCOUNT NO. 2829399

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

Lot 7, Block 2115. First replat in Port Malabar Init 21 According to the plat thereof as recorded in plat book 24, pages 5 thru 11, of the Public Records of Brevard County, Florida

STREET ADDRESS OF PROPERTY COVERED BY APPLICATION:

1299 Bedrock Ave NE Palm Bay, Florida 32907

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): .36

EXISTING ZONING CLASSIFICATION OF PROPERTY (ex.: RS-2, CC, etc.): SRE

ARE THERE ANY STRUCTURES ON THE PROPERTY NOW? x YES NO

HAS A VARIANCE APPLICATION PREVIOUSLY BEEN FILED FOR THIS PROPERTY? YES x NO

IF SO, STATE THE NATURE OF THE PREVIOUS APPLICATION, WHETHER THE REQUEST WAS APPROVED OR DENIED, AND DATE OF ACTION:

DESCRIBE THE EXTENT OF THE VARIANCE REQUESTED AND THE INTENDED USE OF THE PROPERTY IF THE VARIANCE IS GRANTED (SPECIFY NUMBER OF INCHES/FEET ENCROACHING INTO SPECIFIC REQUIRED YARD SETBACK OR REQUIRED HEIGHT RESTRICTIONS):

A below grade 3 foot encroachment into the back 10 foot Easment.

CITE THE APPLICABLE SECTION(S) OF THE ZONING ORDINANCE AND ITS REQUIREMENT FROM WHICH VARIANCE IS REQUESTED (ex.: 185.034(f)(7)):

185.118(A)(4)

GIVE WRITTEN EXPLANATION(S) DEMONSTRATING HOW THE VARIANCE MEETS THE FOLLOWING CONDITIONS PER [SECTION 169.009](#):

- (a) That special conditions and circumstances exist which are peculiar to the land, structures or buildings involved and which are not applicable to other lands, structures or buildings in the same land use category, zoning district, or situation.
- (b) That special conditions and circumstances referred to above do not result from the actions of the applicant.
- (c) That literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same land use category, zoning district, or situation under the terms of the development code, and would work unnecessary and undue hardship on the applicant.
- (d) That if granted, the variance is the minimum variance necessary to make possible the reasonable use of the land, building or structure.
- (e) That granting the variance requested will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings, or structures in the same land use category, zoning district, or situation.
- (f) That granting the requested variance will be in harmony with the general intent and purpose of this code and will not be injurious to the surrounding properties or detrimental to the public welfare.

The variance that I seek is 3 feet of a below grade spread footer required by 140 mph wind raiting imposed on a 20' x 24' Solar Carport.

I have been trying to construct a Photovoltaic system for almost a year. The first attempt, we had someone come out to quote a system and two problems arose: the 6 year old roof was defective and the shading from the neighbor's tree would restrict the power production tremendously outside of a few summer months. We have had discussions with our neighbor about cutting back the tree because of the pool solar heater being ineffective when needed most. Our request to have the tree trimmed was met with some reservations and never agreed upon. After a storm damaged a low hanging branch it fell in our yard the topic was revisited with even more resistance. Then came the Solar company visit and I asked again about just topping the tree with an outright refusal and a loud "I don't ever want to discuss it again!" quoted by the neighbor. I have sought legal advise and to require the neighbor to trim the tree I would have to install the solar system to show the adverse affects of the shading for the courts.

EVIDENCE MUST BE PROVIDED TO CONSIDER VARIANCES BASED ON THE FOLLOWING CLAIMS:

N/A BERT J. HARRIS PRIVATE PROPERTY RIGHTS PROTECTION ACT, Chapter 95-181, Laws of Florida.
Provide a copy of one of the following:

☐ Special master appointed in accordance with the act. ☐ Court order as described in the act.

N/A AMERICANS WITH DISABILITIES ACT. Cite the section of the act from which the variance request will provide relief: _____

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

✓ *\$350.00 Application Fee. Make check payable to "City of Palm Bay."

✓ A listing of legal descriptions of all properties within a 500 foot radius of the boundaries of the property property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)

✓ A site plan drawn to scale which shows all property and yard dimensions, its structures (if any) and the variance desired, including abutting highway or road boundaries. The site plan shall also be provided on Memory Drive.

✓ Site plan data may be shown on a copy of the survey and must also be provide on Memory Drive.

✓ A survey prepared by a registered surveyor showing all property lines and structures. The survey shall also be provided on Memory Drive.

N/A Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guidelines.

N/A Where property is not owned by the applicant, a [letter](#) must be attached giving the notarized consent of the owner for the applicant to request the variance.

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

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

Signature of Applicant

 Date

May 31, 2019

Printed Name of Applicant Michael Rouleau and Deana Rouleau

Full Address 1299 Bedrock Ave. NE Palm Bay, Florida 32907

Telephone

Cel: 321-759-5181 H: 723-2700

Email

mrrouleau@fau.edu

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



LAND DEVELOPMENT DIVISION
120 MALABAR ROAD SE
PALM BAY, FL 32907
TELEPHONE: 321-733-3042

STAFF REPORT
PREPARED BY:
Patrick J. Murphy
Assistant Growth Management Director

CASE NUMBER

CP-8-2019

PLANNING & ZONING BOARD HEARING DATE

July 10, 2019

APPLICANT/PROPERTY OWNER

Kaleel T. Baksh

PROPERTY LOCATION/ADDRESS

456 Dunbar Avenue NE (Tract H, Port Malabar Unit 6)

SUMMARY OF REQUEST

The applicant is requesting a small-scale Comprehensive Plan Future Land Use (FLU) Map amendment to change 1.98 acres from Recreation and Open Space Use to Single Family Residential Use.

EXISTING ZONING	EXISTING LAND USE	SITE IMPROVEMENTS	SITE ACREAGE
RS-2, Single-Family Residential	Recreation and Open Space Use	Undeveloped	1.98 +/-

SURROUNDING ZONING & LAND USE

NORTH: RS-2, Single-Family Residential; Single-Family Homes

EAST: RS-2, Single-Family Residential; Single-Family Homes

SOUTH: RS-2, Single-Family Residential; Single-Family Homes

WEST: RS-2, Single-Family Residential; Single-Family Homes

COMPATIBILITY with the COMPREHENSIVE PLAN

The information contained in this report should provide the Planning and Zoning Board and City Council with information to determine the need and justification for the change, the effect of the change on the subject and surrounding properties, and the relationship of the proposed amendment to furthering the purposes of the Comprehensive Plan.

BACKGROUND:

1. Located west of and adjacent to Dunbar Avenue NE, south of Fallon Boulevard NE. Specifically, the subject property is 456 Gran Avenue NE 32905 (Tract H, Port Malabar Unit 6), Section 34, Township 28, Range 37, Brevard County, Florida.
2. The adjacent zoning and land uses are as follows:

North: RS-2, Single-Family Residential; Single-Family Homes
East: RS-2, Single-Family Residential; Single-Family Homes
South: RS-2, Single-Family Residential; Single-Family Homes
West: RS-2, Single-Family Residential; Single-Family Homes
3. The subject property is presently vacant and undeveloped. There are two (2) vacant lots that abut the parcel, and the remainder of the lots adjacent to the site contain single family dwellings. The applicant is in the process of purchasing the property. An affidavit from the current property allowing the applicant to submit this request has been submitted and made part of the case file.
4. The applicant is requesting a small-scale Comprehensive Plan Future Land Use (FLU) Map amendment to change 1.98 acres from Recreation and Open Space Use to Single Family Residential Use. The applicant is Kaleel Baksh.

ANALYSIS:

Per Chapter 183: Comprehensive Plan Regulations, Section 183.01(B), the purpose and intent of the Comprehensive Plan is to encourage the most appropriate use of land and resources to promote the health, safety, and welfare of the community.

1. FUTURE LAND USE ELEMENT

The Single Family Residential (SFR) Use FLU category allows for a maximum residential density of 5 units per acre, with a range of 0-5 units per acre. Typical uses permitted include single family homes, recreational uses, and institutional uses such as schools, churches and utilities.

The subject property is bordered by single family residential land uses on all sides. The applicant intends to construct one (1) single-family home. It shall be noted that the parcel may only be split one time (to create 2 properties) without having the follow to the City's subdivision ordinance. Any further splits will require compliance and legislative review.

2. COASTAL MANAGEMENT ELEMENT

The subject property is not located within the Coastal Management Area.

3. CONSERVATION ELEMENT

The parcel is not located within any of the Florida scrub jay polygons identified on the City's Habitat Conservation Plan (HCP). No additional listed species are known to inhabit the subject property. Any listed species identified on the subject parcel would need to be mitigated for as required by State and Federal regulations, and per Comprehensive Plan Policy CON-1.7B.

Recreation: Single-Family Residential Use does have more of a demand upon the parks & recreation level of service (LOS) standards than Recreation and Open Space Use. However, the number of homes that could be constructed upon the property would have a De minimis effect on the recreation LOS. It shall be noted that the Recreation and Open Space Element of the City's Comprehensive Plan sets a LOS Standard of 2 acres per 1,000 residents. The city maintains public ownership of park-designated lands that far exceeds this requirement. Furthermore, privately-owned land with a Recreation and Open Space Land Use designation may not be used to meet this LOS.

4. HOUSING ELEMENT

The proposed FLU amendment does not adversely impact the supply and variety of safe, decent, attractive and affordable housing within the City. The amendment will allow the site to be used for additional housing.

5. INFRASTRUCTURE/CAPITAL IMPROVEMENTS ELEMENTS

The City evaluates present and future water, sewer, drainage, and solid waste, and assesses the ability of infrastructure to support development.

Utilities: The FLU change will not cause LOS to fall below the standards adopted in the Comprehensive Plan for these services for the current planning period. A 4" water distribution line is located along the east side of the property. Any development will require a permit issued by the Health Department for an on-site sewerage collection and treatment system (septic tank/drain field).

Drainage: The property contains no active drainage facilities, as it is undeveloped. The applicant proposes to construct a single-family home. The stormwater design, and its outfall/connection to Dunbar, will be evaluated at the time of building permit submittal.

6. INTERGOVERNMENTAL COORDINATION ELEMENT

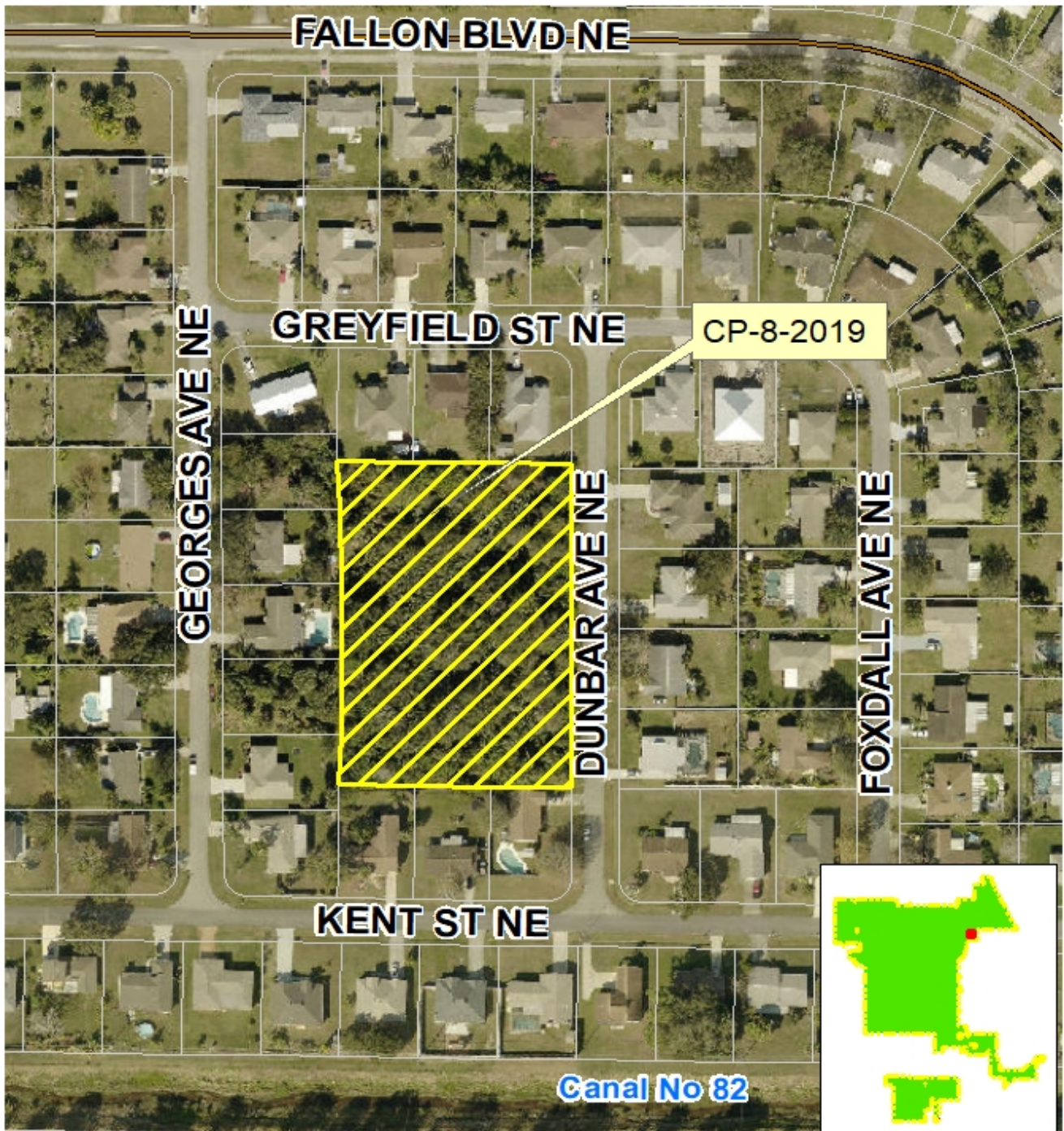
Public Schools: The proposed FLU amendment is requested to allow the site to be used for a single-family home. The property use will have no adverse impacts to the public-school system.

7. TRANSPORTATION ELEMENT

The objectives of the Transportation Element are to provide a safe, balanced, efficient transportation system that maintains roadway LOS and adequately serves the needs of the community. The proposed development of the property will not create a burden on the transportation network, even at a maximum build-out scenario. However, should an applicant submit subdivision plans to increase development of the site, a further review of the potential traffic impact will be conducted.

STAFF RECOMMENDATION:

Motion to approve Case CP-8-2019, pursuant to Chapter 163, Florida Statutes.



AERIAL LOCATION MAP

CASE CP-8-2019

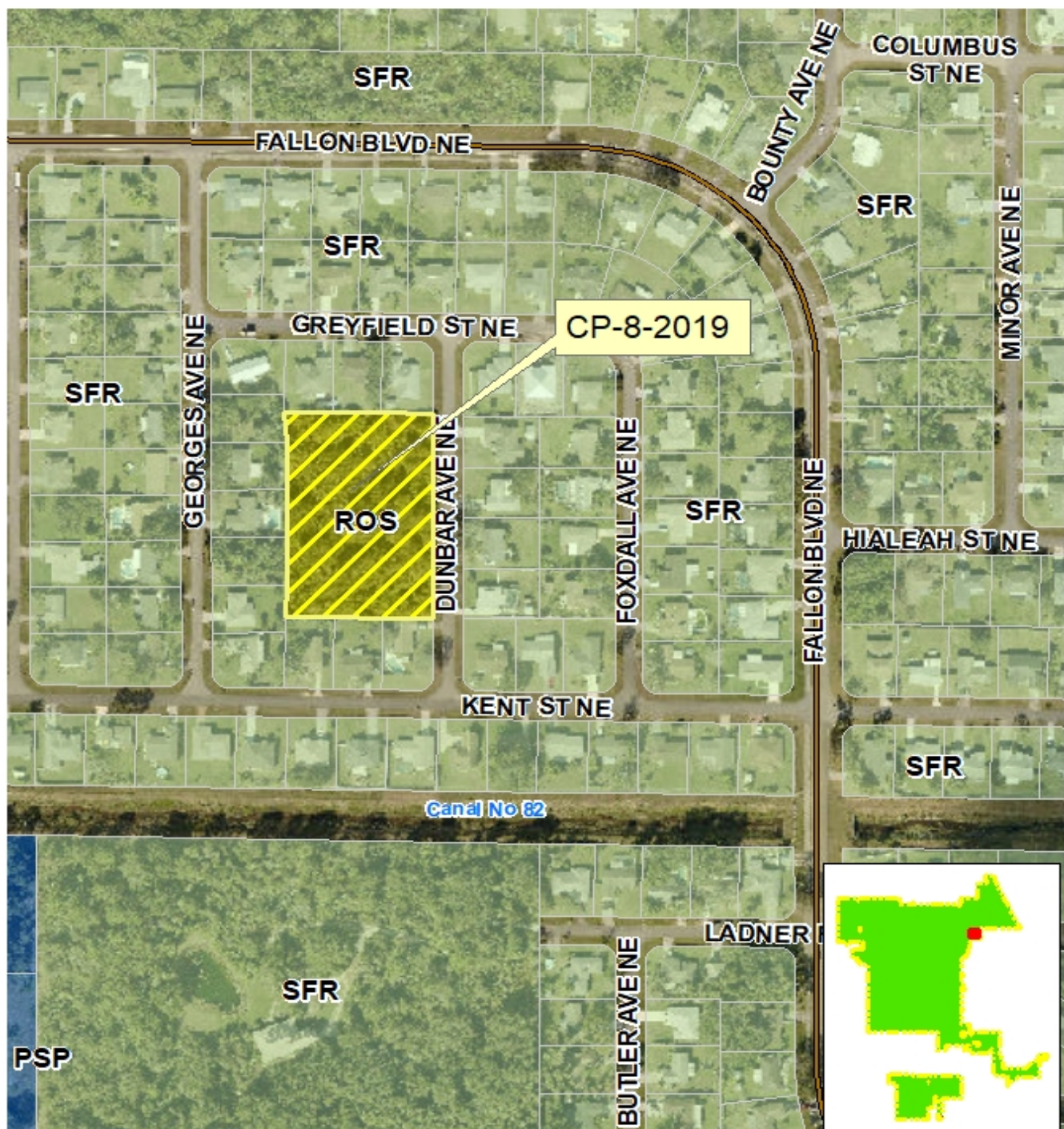
Subject Property

Located west of and adjacent to Dunbar Avenue NE, in the vicinity between Greyfield Street NE and Kent Street NE



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



FUTURE LAND USE MAP CASE CP-8-2019

Subject Property

Located west of and adjacent to Dunbar Avenue NE, in the vicinity between Greyfield Street NE and Kent Street NE

Future Land Use Classification

ROS – Recreation Open Space Use



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



ZONING MAP CASE CP-8-2019

Subject Property

Located west of and adjacent to Dunbar Avenue NE, in the vicinity between Greyfield Street NE and Kent Street NE

Current Zoning Classification

RS-2 –Single-Family Residential District



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as survey



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

COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION

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

APPLICATION AMENDMENT TYPE:

☒ **Small Scale** (Less than 10 acres) ☐ **Large Scale** (10 acres or more) ☐ **Text Amendment** (Comp. Plan)

PARCEL ID 28-37-34-FT-H

TAX ACCOUNT NO. 2844742

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

PORT MALABAR UNIT 6 TRACT H

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): 1.98

LAND USE CLASSIFICATION AT PRESENT OR PLAN SECTION AFFECTED (ex.: Commercial, Single Family, Policy CIE-1.1B, etc.):

ROS

LAND USE CLASSIFICATION DESIRED OR PROPOSED TEXT CHANGE (attach additional sheets if necessary):

SFR

PRESENT USE OF THE PROPERTY: VACANT LAND

STRUCTURES NOW LOCATED ON THE PROPERTY: NONE

HAS A REZONING APPLICATION BEEN FILED IN CONJUNCTION WITH THIS APPLICATION:

NO

(Impacts to transportation facilities, water and sewer facilities, drainage, recreation facilities, and solid waste must be examined and justified before acceptance by the Florida Department of Economic Opportunity and the City of Palm Bay.)

CITY OF PALM BAY, FLORIDA
COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION
PAGE 2 OF 3

JUSTIFICATION FOR CHANGE (attach additional sheets containing supporting documents and evidence if necessary):

TO BUILD A HOUSE.

SPECIFIC USE INTENDED FOR PROPERTY:

TO BUILD SINGLE FAMILY HOME.

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP:

*Application Fee. Make check payable to "City of Palm Bay."

☒ **Small Scale Map** \$1,200.00
(Less than 10 acres)

☐ **Large Scale Map** \$2,000.00
(10 acres or more)

☐ **Text Amendment** \$2,000.00
(Comp. Plan)

N/A

Property map showing adjacent properties and clearly outlining the subject parcel (for land use amendment(s)).

List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)

N/A

School Board of Brevard County School Impact Analysis Application (if applicable).

N/A

Sign(s) posted on the subject property. Refer to Section 51.07(C) of the Legislative Code for guidelines.

✓

Where property is not owned by the applicant, a letter must be attached giving the notarized consent of the owner to the applicant to request the comprehensive plan or future land use map amendment.

CITY OF PALM BAY, FLORIDA
COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION
PAGE 3 OF 3

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

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant



Date

05/31/2019

Printed Name of Applicant

KALEEL T. BAKSH

Full Address

1980 OHIO ST. NE PALM BAY FL 32907

Telephone

786-294-4764

Email

kaleelbaksh@hotmail.com

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

May 29

2019

Re: Letter of Authorization

As the property owner of the site legally described as:

Port Malabar Unit 6 Tract H

I, Owner Name: M. David Moallem

Address: 1663 Georgia St. NE #200 Palm Bay, FL 32907

Telephone: 321-626-3590 321-724-2424

Email: david@palmbayland.com

hereby authorize:

Rep. Name: Kalcel T. Baksh / Stacey Balkissen

Address: 1280 0410 St. NE Palm Bay, FL 32907

Telephone: 786-838-2227

Email: kalcelbaksh@hotmail.com

to represent the request(s) for:

Land Use Change / Zoning if needed

M. David Moallem

(Property Owner Signature)

STATE OF

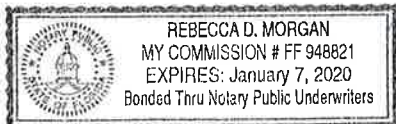
Florida

COUNTY OF

Brevard

The foregoing instrument was acknowledged before me this 29 day of May, 2019 by M. David Moallem

(SEAL)



Rebecca Morgan

, Notary Public

Personally Known or

Produced Identification

Type of Identification Produced:



LAND DEVELOPMENT DIVISION
120 MALABAR ROAD SE
PALM BAY, FL 32907
T: 321-733-3042 • F: 321-953-8920

STAFF REPORT
PREPARED BY:
Patrick J. Murphy
Assistant Growth Management Director

CASE NUMBER

V-14-2019

PLANNING & ZONING BOARD HEARING DATE

July 10, 2019

APPLICANT/PROPERTY OWNER

Odyssey Charter School, Inc.

PROPERTY LOCATION/ADDRESS

1350 Wyoming Drive SE

SUMMARY OF REQUEST

Variance from Section 185.042(F)(6) to increase the 25' height limitation by 9', to construct a gymnasium with a maximum height of 34.

EXISTING ZONING	EXISTING LAND USE	SITE IMPROVEMENTS	SITE ACREAGE
NC, Neighborhood Commercial	Commercial Use	Odyssey Charter School	24.37 +/-

SURROUNDING ZONING & LAND USE

N: RS-2, Single-Family Residential; Wyoming Drive SE

E: RS-2, Single-Family Residential; Vacant Land and a few Single-Family Dwellings

S: RS-2, Single-Family Residential; Vacant Land and a few Single-Family Dwellings

W: RS-2, Single-Family Residential; Single-Family Dwellings and a 4-acre City Recreation Tract

COMPATIBILITY with the COMPREHENSIVE PLAN

Not affected by the Comprehensive Plan

BACKGROUND:

The subject property contains the Odyssey Junior/Senior High School campus with a 2-story learning facility of approximately 89,894 square feet. The structure was built in 2006 through a private/public partnership, as the Patriot Charter School. Odyssey Charter purchased the property in April of 2017, and soon opened the current school.

The property is zoned NC, Neighborhood Commercial and is surrounded by RS-2 zoning. Wyoming Drive SE abuts the site to the north. Vacant land and single-family dwellings are found to the south, east, and west. A 4.64-acre City-owned recreation tract exists to the west.

Odyssey Charter Schools is requesting a variance from Section 185.042(F)(6) to increase the 25' height limitation by 9', to construct a gymnasium with a maximum height of 34. The applicant is represented by their Civil Engineer, Mr. Jake Wise.

ANALYSIS:

Variances from the terms of the land development code may be granted when special conditions exist that would result in unnecessary hardship if the provisions of the Land Development Code were enforced. However, a variance may not be granted when the public health and safety would be compromised as a result of the variance. An application must demonstrate that items 1 through 7 of Section 169.009 of the Code of Ordinances have been met. A review of these items is as follows.

Item 1 - "Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, buildings or structures in the same land use category, zoning district or situation."

The Applicant contends that the "special conditions" are that the request involves a high school gymnasium, which requires high ceilings. Gymnasium heights are driven by basketball and volleyball, which are very popular high school sports. A regulation high school gymnasium requires a minimum 25' of clear space above the court(s). The proposed lighting, retractable basketball assemblies, and required air-conditioned space necessitates a higher roof for both interior aesthetics and overall function.

Item 2 - "The special conditions and circumstances identified in Item 1 above are not the result of the actions of the applicant."

Analysis of this item was discussed above.

Item 3 - "Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same land use category, zoning district or situation under the terms of the land development code, and would work unnecessary and undue hardship on the applicant."

Literal enforcement of the land development code would require the applicant to meet the maximum building height of 25'. It appears that to build a regulation high school gym, meeting current design standards, that this would not be possible.

Item 4 - "The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure."

The Variance requested in this application is the minimum variance needed to accommodate the proposed development.

Item 5 - "Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same land use category, zoning district or situation."

The intent of this item is that of equity. That is, standards in the Zoning Code are intended to be administered fairly. Variances from such codes are issued to provide relief to a property which is unfairly burdened. A gymnasium is a customary, accessory use on a typical high school campus. Denial of the variance may confer a hardship upon the applicant via the inability to construct an amenity enjoyed by other facilities of like use and of a similar situation.

Item 6 - "The granting of the variance will be in harmony with the general intent and purpose of this code and will not be injurious to the surrounding properties or detrimental to the public welfare."

The Planning and Zoning Board and City Council shall determine if the variance requested in this Application is in keeping with the general intent of the applicable sections of the Land Development Code.

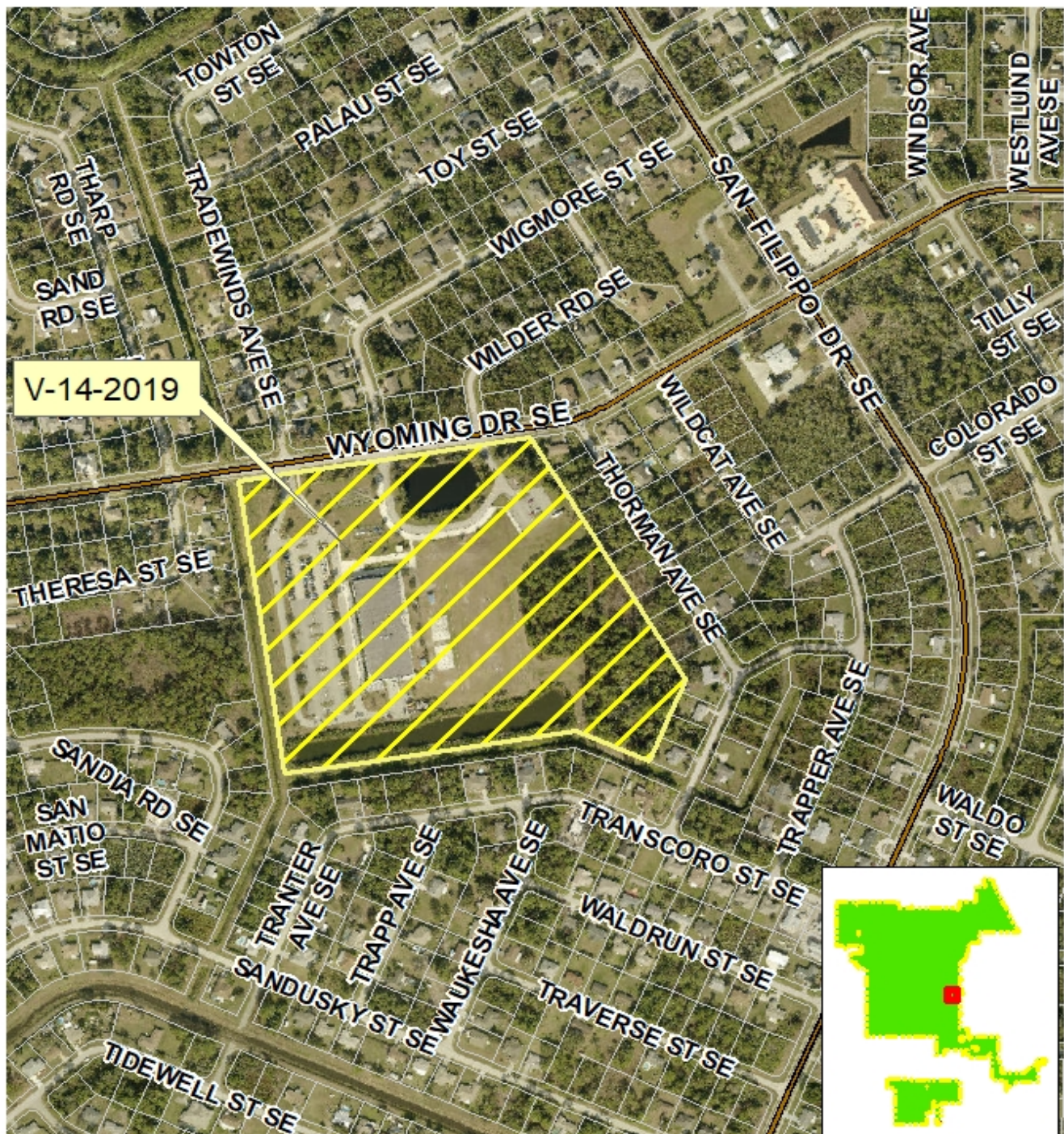
Item 7 - "The variance represents a reasonable disposition of a claim brought under the Bert J. Harris Private Property Rights Protection Act, chapter 95-181, Laws of Florida, that a development order of the city has reasonably burdened the applicant's property, based on the recommendations of the special master appointed in accordance with the act, or the order of a court as described in the act."

Staff has not received a claim made upon this property, with respect to the "Bert J. Harris Act," or any development order, as indicated above. Therefore, Item 7 is not applicable to the variance request.

STAFF CONCLUSION:

The Planning and Zoning Board must determine, based on the facts presented, to what degree, if any, of minimal relief is required to meet the needs of the variance being requested, as required under Section 169.009 of the City of Palm Bay Code of Ordinances and make recommendations to City Council for a final review. Under 59.05(A)(14) City of Palm Bay Code of Ordinances, "The quasi-judicial body shall direct the clerk or [city] attorney acting as the body's legal counsel to prepare the necessary

and appropriate written order in accordance with the purpose of the hearing and findings of the quasi-judicial body. Pursuant to Florida Statutes, in the event relief is denied to the applicant, the specific provision of statute or code that was deficient shall be stated for record."



AERIAL LOCATION MAP CASE V-14-2019

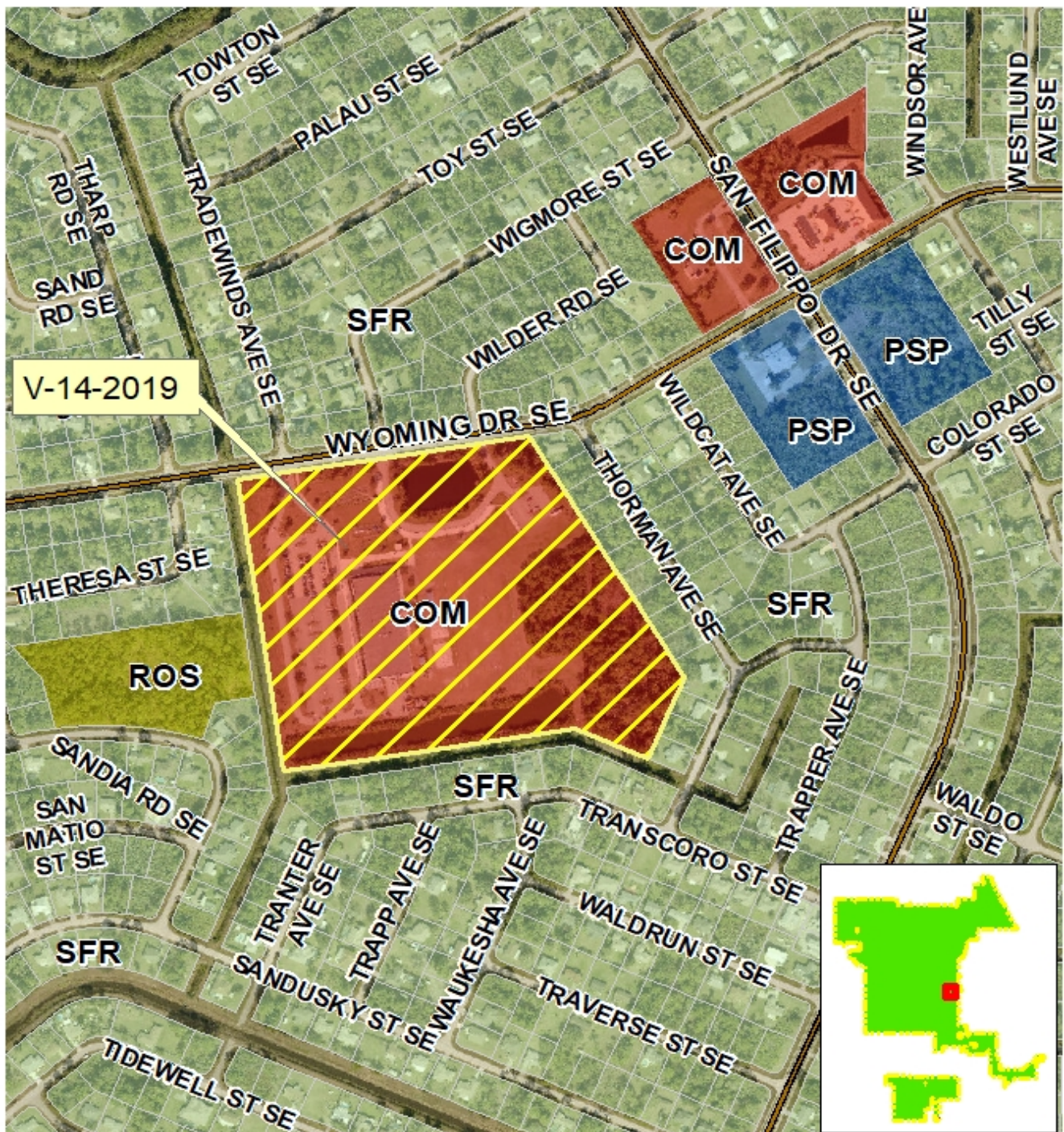
Subject Property

Located south of and adjacent to Wyoming Drive SE, in the vicinity west of Thorman Avenue SE, specifically at 1350 Wyoming Drive SE



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



FUTURE LAND USE MAP CASE V-14-2019

Subject Property

Located south of and adjacent to Wyoming Drive SE, in the vicinity west of Thorman Avenue SE, specifically at 1350 Wyoming Drive SE

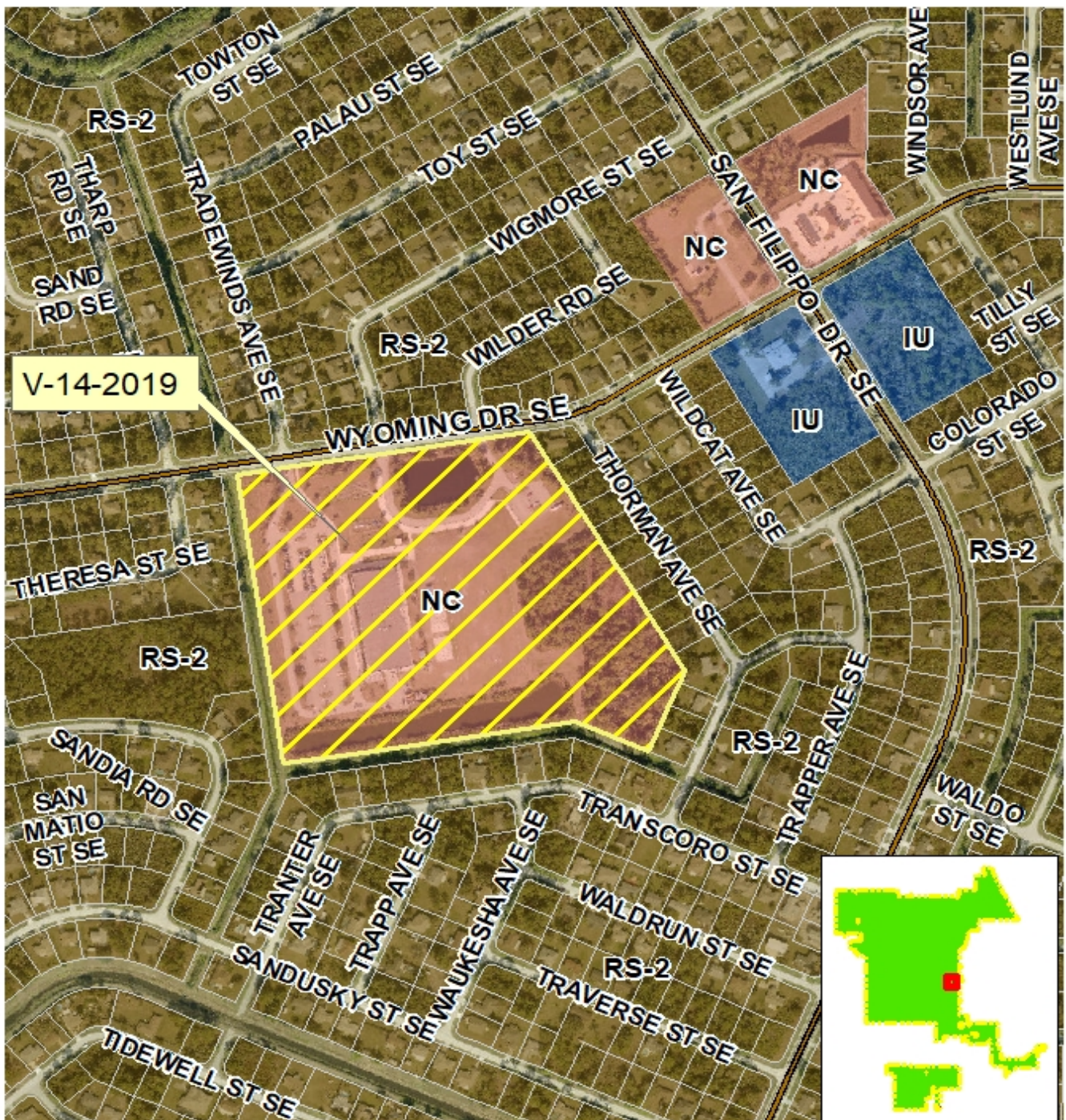
Future Land Use Classification

COM – Commercial Use



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



ZONING MAP CASE V-14-2019

Subject Property

Located south of and adjacent to Wyoming Drive SE, in the vicinity west of Thorman Avenue SE, specifically at 1350 Wyoming Drive SE

Current Zoning Classification

NC – Neighborhood Commercial District



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



LOCATION MAP 
NTS

LEGAL DESCRIPTION:

TRACT E, PORT MALABAR UNIT EIGHTEEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGES 109 – 119, IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA



**CONSTRUCTION
ENGINEERING
GROUP**
Consulting Engineers

2651 East Galloway Blvd., Suite A
Melbourne, FL 32935
Tel 321.253.1221
www.ceengineering.com
COA #0008097

**ODYSSEY CHARTER SCHOOL
WYOMING DRIVE GYMNASIUM ADDITION**
1350 WYOMING DRIVE SE, PALM BAY, FL 32909
LOCATION MAP AND LEGAL DESCRIPTION

DATE 05/08/2019	
COUNTY BREVARD	APPROVED BY JTW
SCALE NTS	THIS SHEET FIG. 1

SHEET 1 OF 3

SHEET 2 OF 3



A P S M
ALL POINTS SURVEYING & MAPPING, LLC
 1873 ACADEMY ST NE
 PALM BAY, FL 32909
 (321) 210-0845 Fax: (321) 989-0277
 Dave@AllPointsSM.com
 L.P. 2002

SIGNATURE & DATE

REVISIONS

-					WOOD FENCE
-	X	X	X	X	CHAIN LINK OR BARBED WIRE FENCE
-	○	○	○	○	PVC OR VINYL FENCE

T.O.B. = TOP OF BANK
T.V. = TELECOM VAULT
U.E. = UTILITY EASEMENT
U.P. = UTILITY POLE
U.R. = UTILITY RISER
W.M. = WATER METER
W.P.P. = WOOD POWER POLE
W.V. = WATER VALVE
R = RADIUS
L = ARC LENGTH
Δ = CENTRAL ANGLE
— = CENTERLINE
● = CORNER MONUMENT
○ = CALCULATED CORNER
◻ = COLUMN

P.B. = PLAN BOOK
P.C. = POINT OF CURVATURE
P.C.C. = POINT OF COMPOUND CURVATURE
P.G. = PAGE
P.I. = POINT OF INTERSECTION
P.L. = PROPERTY LINE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.R.C. = POINT OF REVERSE CURVATURE
P.T. = POINT OF TANGENCY
P.U. = PUBLIC UTILITIES
R. = FROM THE RECORD
R.C.P. = REINFORCED CONCRETE PIPE
RW = RIGHT OF WAY
S.I.R. = SET IRON ROD WITH CAP LB7780

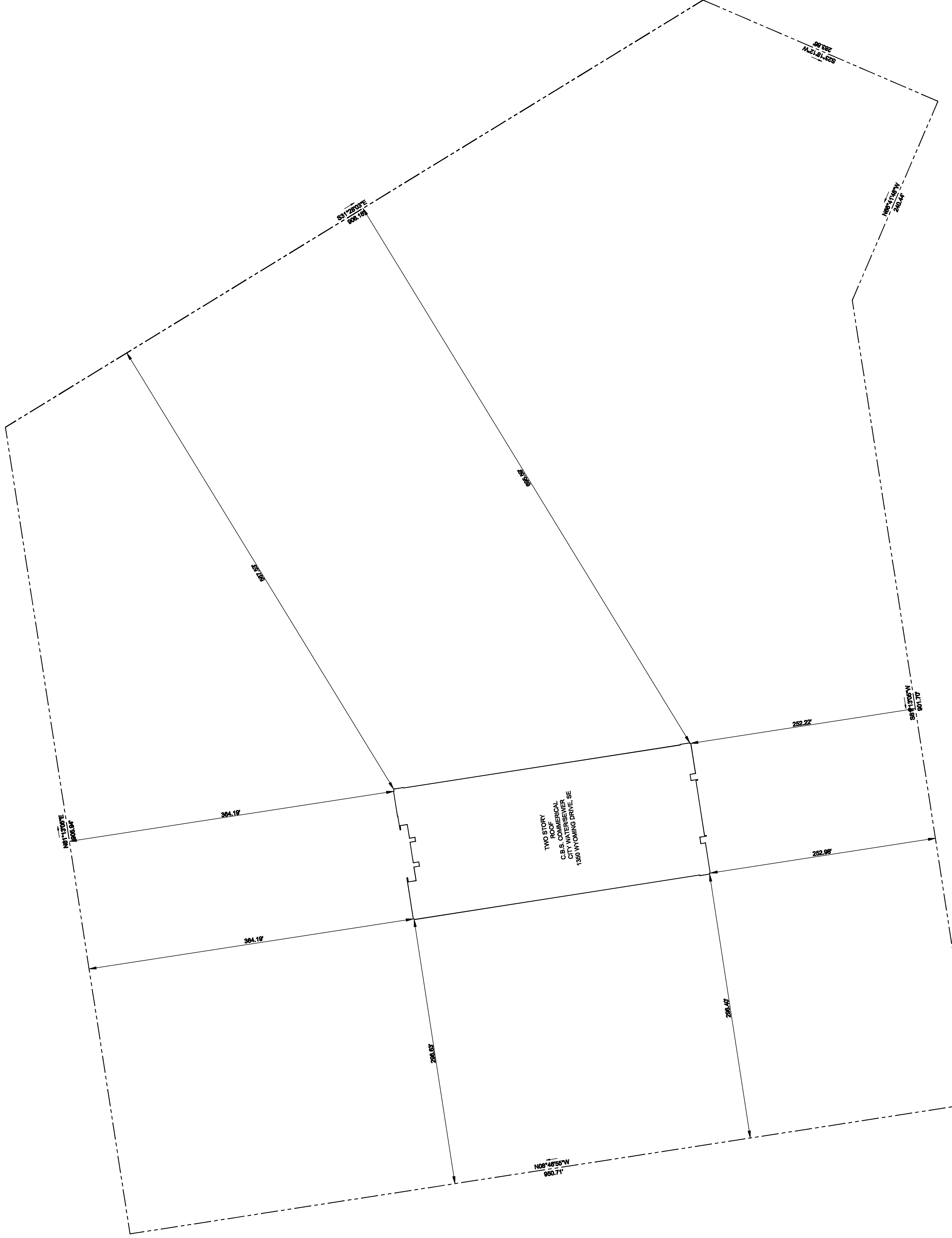
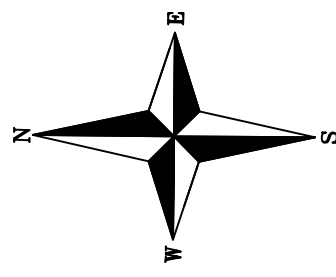
A.C. = CONCRETE AIR CONDITIONER PAD
 A.B. = BASIS OF BEARINGS
 B.S.L. = BUILDING SETBACK LINE
 C.B. = CATCH BASIN
 C.C. = CONCRETE CURB OR CURBMENT
 C.C.P. = CORRUGATED METAL PIPE
 C.O. = CLEAN OUT
 CONC. = CONCRETE
 COV. = COVERED
 C.P. = CONCRETE PAVED PLASTIC PIPE
 D. = FROM DEED DESCRIPTION
 D.E. = DRAINAGE EASEMENT
 E.L. = ELEVATION
 E.P. = EDGE OF PAVEMENT
 F. = FIELD OBSERVATION
 F.H. = FIRE HYDRANT
 F.I.P. = FOUND IRON PIPE
 C.B. = CATCH BASIN
 F.L. = FOUND IRON ROD
 F.M. = FOUND METAL
 F.P. = FOUND ELECTRICAL PAD
 G.V. = GATE VALVE
 I.C. = IRON ROD WITH CAP
 I.R. = IRRIGATION
 M. = MEASUREMENT
 M.D. = MEASUREMENT DISK
 O.H.W. = OVERHEAD WIRE
 O.R.B. = OFFICIAL RECORD BOOK
 P. = FROM PLAT

LEGEND & ABBREVIATIONS
A.C. = CONCRETE AIR CONDITIONER PAD
B.B. = BASIS OF BEARINGS
B.S.L. = BUILDING SETBACK LINE
C.B. = CATCH BASIN
C.M. = CONCRETE MONUMENT
C.M.P. = CORRUGATED METAL PIPE
C.O. = CLEAN OUT
C.O.C. = CONCRETE
C.O.V. = COVERED
C.P.P. = CORRUGATED PLASTIC PIPE
D. = FROM DEED DESCRIPTION
D.E. = DRAINAGE EASEMENT
E.L. = ELEVATION
E.P. = EDGE OF PAVEMENT

MAP OF BOUNDARY SURVEY
SHEET 3 OF 3: BUILDING TIES ONLY

**PROPERTY ADDRESS: 1350 WYOMING DRIVE SE
PALM BAY, FL 32909**

**SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION,
SURVEYOR'S NOTES AND CERTIFICATIONS**



SURVEY DATE: 02/06/2017		JOB #: 17-002	
SCALE: 1"=60'		JOB #: 17-002	
ALL POINTS SURVEYING & MAPPING, LLC 1873 ACADEMY ST NE PALM BAY, FL 32909 (321) 210-0868 Fax: (321) 988-0277 Dave@allpsm.com		Dave@allpsm.com L87780	
I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS UNDER THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES IN CHAPTER 6J-17.063 F.A.C., PURSUANT TO SECTION 472.027 FLORIDA STATUTES.			
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED PROFESSIONAL SURVEYOR/ AND MAPPER IN RESPONSIBLE CHARGE:			
DAVID T FLAHERTY FLORIDA CERTIFICATE NO. L83864			
SIGNATURE & DATE		SIGNATURE & DATE	



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

VARIANCE APPLICATION

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

PARCEL ID 29-37-21-GR-E

TAX ACCOUNT NO. 2939471

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

BLK E PB 15 PG 109 PORT MALABAR UNIT 18 S 21 T 29 R 37 SUBID GR
TRACT

STREET ADDRESS OF PROPERTY COVERED BY APPLICATION:

1350 Wyoming Drive SE; Palm Bay, FL 32909

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): +/- 2.0 project acreage

EXISTING ZONING CLASSIFICATION OF PROPERTY (ex.: RS-2, CC, etc.): NC- Neighbor Commercial

ARE THERE ANY STRUCTURES ON THE PROPERTY NOW? X YES NO

HAS A VARIANCE APPLICATION PREVIOUSLY BEEN FILED FOR THIS PROPERTY? YES X NO

IF SO, STATE THE NATURE OF THE PREVIOUS APPLICATION, WHETHER THE REQUEST WAS APPROVED OR DENIED, AND DATE OF ACTION:

N/A

DESCRIBE THE EXTENT OF THE VARIANCE REQUESTED AND THE INTENDED USE OF THE PROPERTY IF THE VARIANCE IS GRANTED (SPECIFY NUMBER OF INCHES/FEET ENCROACHING INTO SPECIFIC REQUIRED YARD SETBACK OR REQUIRED HEIGHT RESTRICTIONS):

See attached

CITE THE APPLICABLE SECTION(S) OF THE ZONING ORDINANCE AND ITS REQUIREMENT FROM WHICH VARIANCE IS REQUESTED (ex.: 185.034(f)(7)):

See attached

GIVE WRITTEN EXPLANATION(S) DEMONSTRATING HOW THE VARIANCE MEETS THE FOLLOWING CONDITIONS PER [SECTION 169.009](#):

- (a) That special conditions and circumstances exist which are peculiar to the land, structures or buildings involved and which are not applicable to other lands, structures or buildings in the same land use category, zoning district, or situation.
- (b) That special conditions and circumstances referred to above do not result from the actions of the applicant.
- (c) That literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same land use category, zoning district, or situation under the terms of the development code, and would work unnecessary and undue hardship on the applicant.
- (d) That if granted, the variance is the minimum variance necessary to make possible the reasonable use of the land, building or structure.
- (e) That granting the variance requested will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings, or structures in the same land use category, zoning district, or situation.
- (f) That granting the requested variance will be in harmony with the general intent and purpose of this code and will not be injurious to the surrounding properties or detrimental to the public welfare.

See attached

EVIDENCE MUST BE PROVIDED TO CONSIDER VARIANCES BASED ON THE FOLLOWING CLAIMS:

_____ BERT J. HARRIS PRIVATE PROPERTY RIGHTS PROTECTION ACT, Chapter 95-181, Laws of Florida.
Provide a copy of one of the following:

☐ Special master appointed in accordance with the act. ☐ Court order as described in the act.

_____ AMERICANS WITH DISABILITIES ACT. Cite the section of the act from which the variance request will provide relief: _____

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

- X *\$350.00 Application Fee. Make check payable to "City of Palm Bay."
- X A listing of legal descriptions of all properties within a 500 foot radius of the boundaries of the property property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)
- X A site plan drawn to scale which shows all property and yard dimensions, its structures (if any) and the variance desired, including abutting highway or road boundaries. The site plan shall also be provided on Memory Drive.
- X Site plan data may be shown on a copy of the survey and must also be provide on Memory Drive.
- X A survey prepared by a registered surveyor showing all property lines and structures. The survey shall also be provided on Memory Drive.
- X Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guidelines.
- X **Where property is not owned by the applicant, a [letter](#) must be attached giving the notarized consent of the owner for the applicant to request the variance.**

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

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

Signature of Applicant _____ Date 5-20-19

Printed Name of Applicant Jake Wise, PE- Construction Engineering Group, LLC

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

Telephone 321-610-1760 Email jwise@cegengineering.com

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

May 3, 20 19

Re: Letter of Authorization

As the property owner of the site legally described as:

29-37-21-GR-E

I, Leslie Maloney of- Odyssey Charter School Inc., hereby authorize to represent my
Variance _____ request(s): _____

Rep. Name: Jake Wise, PE- Construction Engineering Group, LLC

Address: 2651 W Eau Gallie Blvd; Suite A; Melbourne, FL 32935

Telephone: 321-610-1760

Email: jwise@cegengineering.com


(Property Owner Signature)

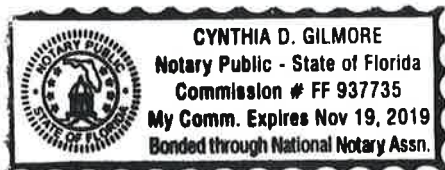
STATE OF

COUNTY OF

Florida
Brevard

The foregoing instrument was acknowledged before me this 3rd day of
May, 20 19 by Leslie Maloney

(SEAL)




, Notary Public

☒ Personally Known or
☐ Produced Identification

Type of Identification Produced: _____



Odyssey Charter School Wyoming Drive Gymnasium Addition

Variance Justification Attachment

This project seeks a variance to increase the code maximum building height from 25 feet to 34 feet only at an existing, very successful charter

169.009) (a) Special conditions and circumstances exist which are peculiar to this proposed building in that it is a high school gymnasium which requires high ceilings. The original charter school master plan was a city project that included the school, a future gymnasium that had shared stormwater treatment, utilities including a lift station, all other infrastructure and attractive landscaping features. The existing property is in a Neighborhood Commercial zoning which includes schools as a permitted use and allows for a gymnasium. The proposed gymnasium includes facilities for numerous sporting events, and proposes a courtyard area and amphitheater that are to be decoratively landscaped and provide a communal area for the students and faculty to gather during school hours or various sporting events to be held in the gymnasium. Gymnasium heights are driven by basketball and volleyball which are extremely popular sports. Sports teams bring schools together and typically increase school pride. Home games are critical to the success of sports teams and the ceiling height drives the building height.

(b) The special conditions and circumstances referred to above do not result from actions of the applicant. A regulation high school gymnasium requires a minimum of 25 ft of clear space above the court. The proposed interior lighting and fixtures such as basketball nets require additional building height for both aesthetic and function. The gymnasium height needs to be 34 ft in order to provide functionality and flexibility for numerous sports and athletic use by the school.

(c) The literal interpretation and enforcement of the development code regulations would deprive the applicant of having a gymnasium facility with appropriate lighting and equipment that they want to provide to their students on a daily basis.

(d) We believe if this variance is granted, it is the minimum variance necessary for the successful operation and development of the gymnasium for the Odyssey Charter School. The school desperately needs gym and locker room facilities for the physical education of their students and recreational sports activities.

(e) Due to the size requirements of the high school regulation gym, granting the increase in maximum building height will not confer the applicant to any special privilege that is denied by the development code to other lands, buildings, or structures in the same category, zoning district, or situation.

(f) Granting of this requested variance will not be injurious to the surrounding properties, detrimental to the public welfare, and is in harmony with the general intent and purpose of the code. Allowing the gymnasium is consistent with the previously approved master plan. We believe the addition of the gymnasium to be an asset to the Odyssey Charter School to be able to hold sporting events and provide better facilities for physical education for their students.





LAND DEVELOPMENT DIVISION
120 MALABAR ROAD SE
PALM BAY, FL 32907
TELEPHONE: 321-733-3042

STAFF REPORT
PREPARED BY:
Christopher Balter
Planner II

CASE NUMBER

CP-10-2019

PLANNING & ZONING BOARD HEARING DATE

July 10, 2019

APPLICANT/PROPERTY OWNER

MLEF2-1, LLC
Jake Wise, P.E. (Representing)

PROPERTY LOCATION/ADDRESS

Parcels 28-37-14-00-10, 28-37-14-00-22, 28-37-14-00-1,
28-37-11-78-C-1, 28-37-11-78-A-1
North of and adjacent to Robert J. Conlan Boulevard NE,
in the vicinity east of the Florida East Coast Railroad

SUMMARY OF REQUEST

The applicant is requesting a large-scale Comprehensive Plan Future Land Use (FLU) Map Amendment to change 21.83 acres of Industrial Use (IND) and Commercial Use (COM) to Bayfront Mixed Use (BMU).

EXISTING ZONING	EXISTING LAND USE	SITE IMPROVEMENTS	SITE ACREAGE
HC, Highway Commercial; HI, Heavy Industrial	Commercial Use and Industrial Use	Abandoned Cement Plant and Hotel	21.83 +/-

SURROUNDING ZONING & LAND USE

NORTH: HC, Highway Commercial and HI, Heavy Industrial; Restaurant, Single-Family Homes, and Manufacturing Businesses

EAST: HC, Highway Commercial; U.S.1, and the Indian River Lagoon

SOUTH: HC, Highway Commercial and HI, Heavy Industrial; (Across R.J. Conlan) Raytheon Technologies

WEST: HI, Heavy Industrial; Florida East Coast Railroad

COMPATIBILITY with the COMPREHENSIVE PLAN

The current nature of the future land use designations surrounding the subject parcel is Commercial and Industrial. The proposed land use amendment would be considered compatible with the surrounding land uses by providing a transition between the Commercial and Industrial land uses by providing a mix of land uses.

ANALYSIS:

Per Chapter 183: Comprehensive Plan Regulations, Section 183.01(B), the purpose and intent of the Comprehensive Plan is to encourage the most appropriate use of land and resources to promote the health, safety, and welfare of the community.

1. FUTURE LAND USE ELEMENT

The Comprehensive Plan (Plan) FLU Element Goal FLU-1 is to ensure a high quality, diversified living environment through the efficient distribution of compatible land uses.

The Comprehensive Plan (Plan) FLU Element Goal FLU-2 is to provide for and maintain viable neighborhoods and residential development to meet the existing and future needs of the residents of Palm Bay.

The Comprehensive Plan (Plan) FLU Element Goal FLU-3 is to provide for economically viable commercial areas which promote a sound and diversified local economy and serve the retail and service needs of the City's residents

The Comprehensive Plan (Plan) FLU Element Goal FLU-8 is to provide for a diverse and self-sustaining pattern of land uses which support the present and future population of the City of Palm Bay.

The Comprehensive Plan (Plan) FLU Element Goal FLU-9 is to create large scale, sustainable mixed-use communities.

The subject parcels are located within an existing industrial and commercial area. The intended use for the 21.83-acre parcels is a mix of a Multi-Family Residential development and commercial uses. The proposed land use amendment would be considered compatible with the surrounding land uses by providing a transition between the Commercial and Industrial land uses by, providing a high-quality diversified living environment. The development will further these goals by providing a mix of allowable uses, on a property that has been unused and blighted for many years.

2. COASTAL MANAGEMENT ELEMENT

The subject property is not located within the Coastal Management Area.

3. CONSERVATION ELEMENT

The environmental character of the City is maintained through conservation, appropriate use, and protection of natural resources.

The subject property is not located within any of the Florida scrub jay polygons identified in the City's Habitat Conservation Plan (HCP). No other protected species are known to inhabit the subject property. Any protected species that would be found on the subject property would need to be mitigated for as required by State and Federal regulations, and per Comprehensive Plan Policy CON-1.7B.

Recreation: The proposed FLU amendment would not exceed the existing park land or recreational level of service standards for the planning area.

4. HOUSING ELEMENT

The proposed FLU amendment does not adversely impact the supply and variety of safe, decent, attractive and affordable housing within the City. Instead, it will serve to create additional multifamily housing opportunities needed in Palm Bay.

5. INFRASTRUCTURE/CAPITAL IMPROVEMENTS ELEMENTS

The City evaluates present and future water, sewer, drainage, and solid waste and assesses the ability of infrastructure to support development.

Utilities: The FLU change will not cause level of service to fall below the standards adopted in the Comprehensive Plan for these services for the current planning period. Public water and sewerage facilities are available at the site. If developed, the owner/developer will be responsible for extending service to the site in accordance with current City regulations.

Drainage: If developed, a drainage plan must be prepared in accordance with current regulations and approved by the City, along with appropriate outside agencies including the St. Johns River Water Management District. Any proposed stormwater management system will be reviewed and approved by the City during the site plan review process.

Any development of the subject property will alter the present natural site conditions as the property is partially undeveloped and therefore, would have some impact. The property is located within Flood Zone X, which is an area of minimal flood hazard outside the Special Flood Hazard Area (100-year flood) and the 500-year flood zone.

6. INTERGOVERNMENTAL COORDINATION ELEMENT

Public Schools: The proposed FLU amendment to Bayfront Mixed Use for a large parcel (21.83 acres) will add housing units. Some impacts to the public-school system area are anticipated and will require concurrency from the Brevard County School Board.

7. TRANSPORTATION ELEMENT

The objectives of the Comprehensive Plan's Transportation Element are to provide a safe, balanced, efficient transportation system that maintains roadway level of service and adequately serves the needs of the community. If developed, a traffic impact analysis will be required to determine any negative impacts on the existing transportation system along with any suggested improvements, which will be taken under consideration during the Site Plan review/approval process.

CONDITIONS:

1. Future development will be restricted to a right-in right-out driveway connection to R.J. Conlan.
2. A Traffic Study will be required and will be reviewed during the administrative staff approval process to determine any impacts to the adjacent road network and any improvements necessary to mitigate such impacts with emphasis on access management.
3. A Phase One environmental study will be required at the time of any development proposal.
4. No residential structures shall be placed within 100 feet of the existing businesses that front Rowena Drive.

STAFF RECOMMENDATION:

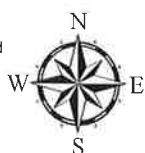
Case CP-10-2019 is recommended for approval subject to the staff comments contained in this report.



EagleView Pictometry, LLC

Map for illustrative purposes only. Not to be construed as binding or as a survey.

Map created by the Land Development Division



CASE NO. CP-10-2019



AERIAL LOCATION MAP CASE CP-10-2019 & CPZ-10-2019

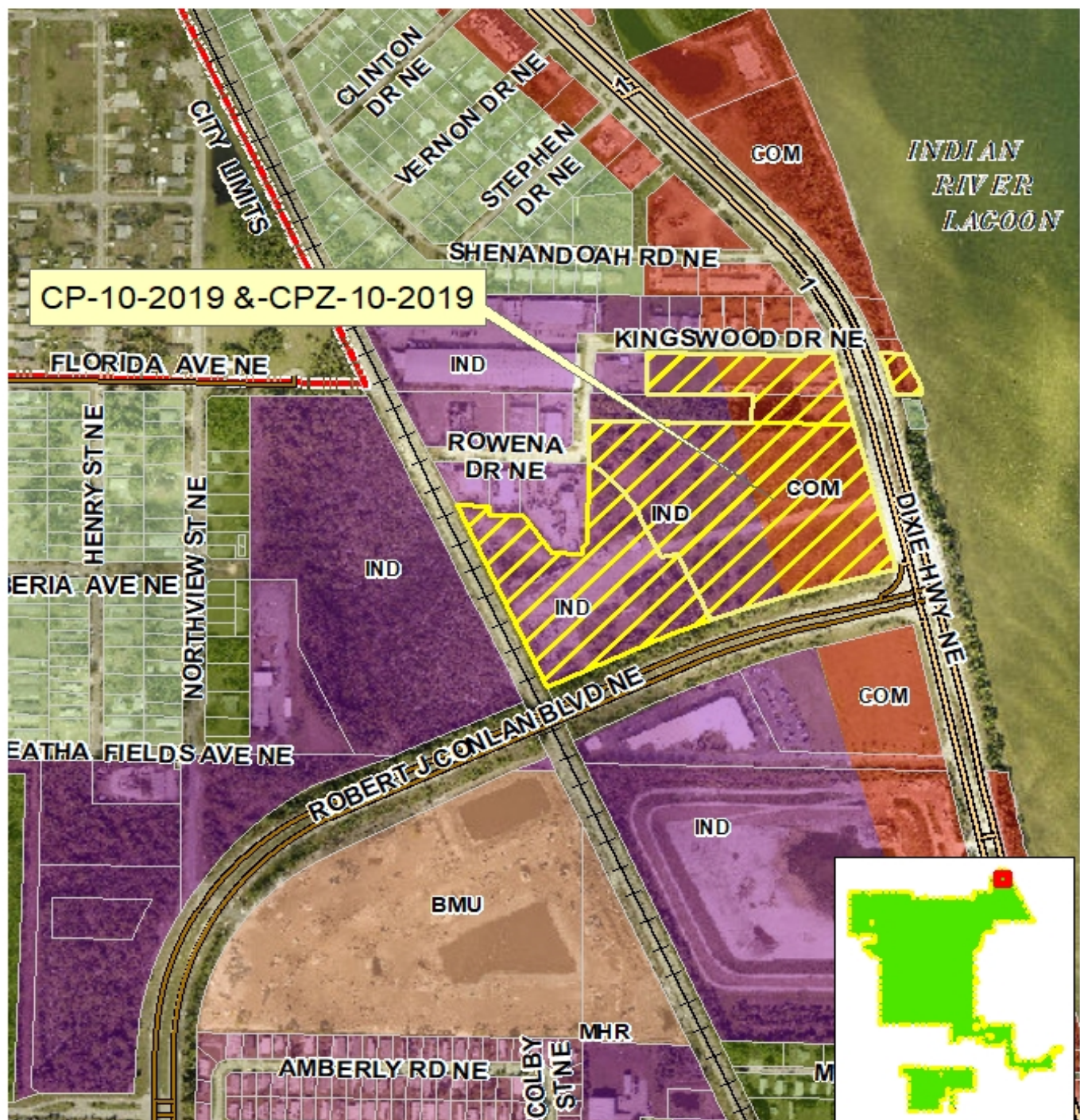
Subject Property

Located in the vicinity east of the Florida East Coast Railway, north of Robert J. Conlan Boulevard NE, and south of Kingswood Drive NE



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



FUTURE LAND USE MAP CASE CP-10-2019 & CPZ-10-2019

Subject Property

Located in the vicinity east of the Florida East Coast Railway, north of Robert J. Conlan Boulevard NE, and south of Kingswood Drive NE

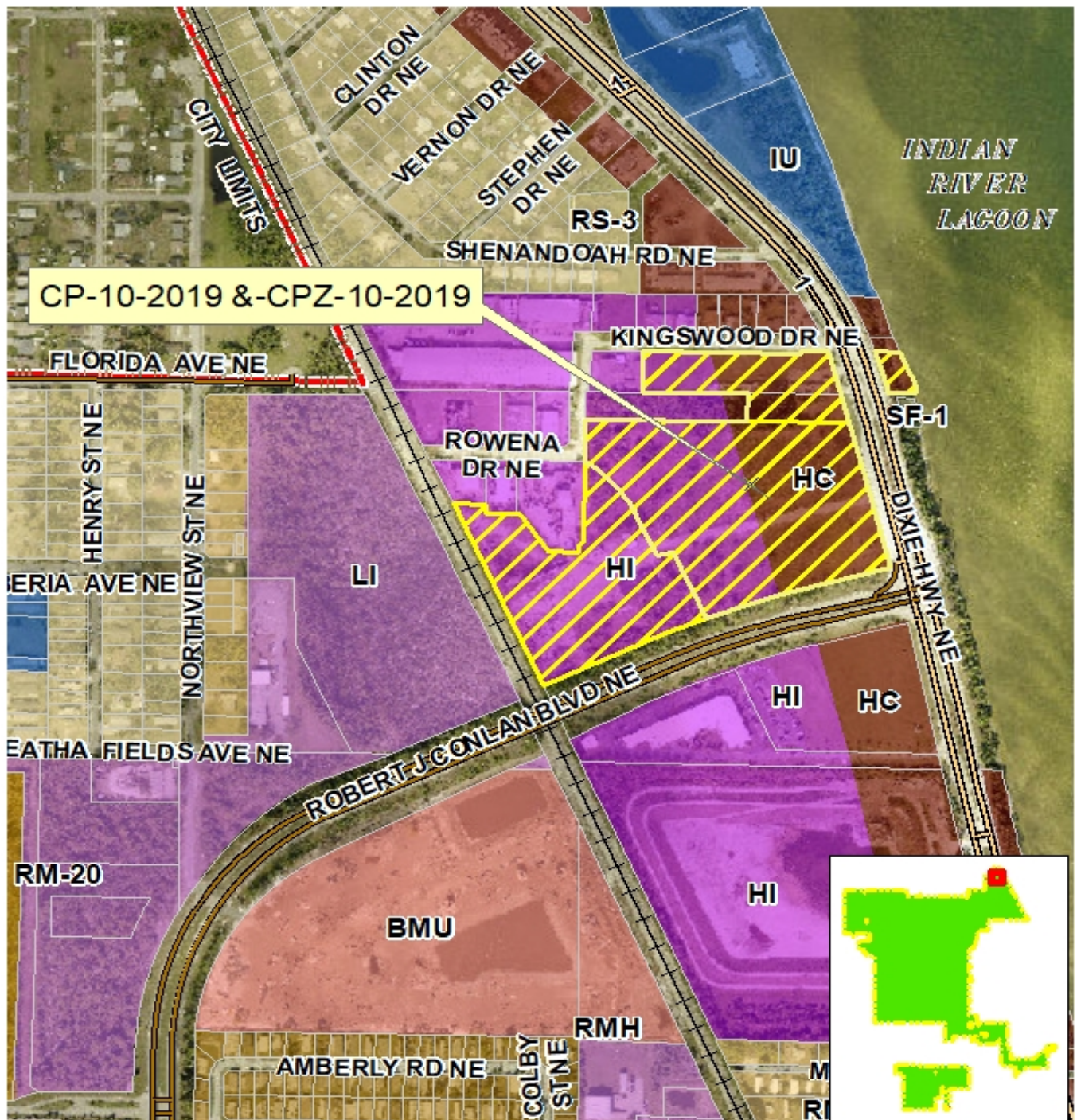
Future Land Use Classification

IND – Industrial Use and
COM – Commercial Use



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



ZONING MAP

CASE CP-10-2019 & CPZ-10-2019

Subject Property

Located in the vicinity east of the Florida East Coast Railway, north of Robert J. Conlan Boulevard NE, and south of Kingswood Drive NE

Current Zoning Classification

HC – Highway Commercial District and
HI – Heavy Industrial District



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



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

COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION

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

APPLICATION AMENDMENT TYPE:

☐ **Small Scale** (Less than 10 acres) ☒ **Large Scale** (10 acres or more) ☐ **Text Amendment** (Comp. Plan)

PARCEL ID 28-37-14-00-10 / 28-37-14-00-22 / 28-37-14-00-1 / 28-37-11-78-C-1 / 28-37-11-78-A-1

TAX ACCOUNT NO. 2826097/ 2861830/ 2826089/ 2825825/ 2825813

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

Multiple parcels. See additional sheets for property information

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): 21.83 acres

LAND USE CLASSIFICATION AT PRESENT OR PLAN SECTION AFFECTED (ex.: Commercial, Single Family, Policy CIE-1.1B, etc.):

Industrial and Commercial

LAND USE CLASSIFICATION DESIRED OR PROPOSED TEXT CHANGE (attach additional sheets if necessary):

BMU

PRESENT USE OF THE PROPERTY: Hotel and former cement plant

STRUCTURES NOW LOCATED ON THE PROPERTY: Hotel and former cement plant

HAS A REZONING APPLICATION BEEN FILED IN CONJUNCTION WITH THIS APPLICATION:
Yes

(Impacts to transportation facilities, water and sewer facilities, drainage, recreation facilities, and solid waste must be examined and justified before acceptance by the Florida Department of Economic Opportunity and the City of Palm Bay.)

CITY OF PALM BAY, FLORIDA
COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION
PAGE 2 OF 3

JUSTIFICATION FOR CHANGE (attach additional sheets containing supporting documents and evidence if necessary):

The current land uses on the property is split between industrial and commercial uses. This site is located at the far north reaches of the City with commercial and residential use to the north, existing industrial to the west, recently approved Bayfront mixed use property to the south and a developed, tech center to the southeast (industrial/ commercial split land use). The proposed BMU land use allows for commercial uses on the subject property as currently allowed, but also provides a transitional land use between the residential, commercial, and BMU adjacent to the site. The site is large enough to provide significant buffering to the industrial uses and railroad tracks to the west. Granting the FLU change to BMU will provide the framework to develop this highly visible property into a more aesthetically pleasing development with greater potential for increased revenue and tax base for the City of Palm Bay.

SPECIFIC USE INTENDED FOR PROPERTY:

The intended use for the property is predominantly multifamily residential use as required by City Code, with the remainder of the site developed as potential commercial use as allowed by the City Code. No uses are proposed at this time that would require a conditional use or any of those uses specifically forbidden as listed in the City of Palm Bay Code of Ordinances.

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP:

- ☒ *Application Fee. Make check payable to "City of Palm Bay."
- ☐ **Small Scale Map** \$1,200.00
(Less than 10 acres)
- ☒ **Large Scale Map** \$2,000.00
(10 acres or more)
- ☐ **Text Amendment** \$2,000.00
(Comp. Plan)
- ☒ Property map showing adjacent properties and clearly outlining the subject parcel (for land use amendment(s)).
- ☒ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)
- ☒ School Board of Brevard County [School Impact Analysis Application](#) (if applicable).
- ☒ Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guidelines.
- ☒ **Where property is not owned by the applicant, a [letter](#) must be attached giving the notarized consent of the owner to the applicant to request the comprehensive plan or future land use map amendment.**

CITY OF PALM BAY, FLORIDA
COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION
PAGE 3 OF 3

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

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant



Date

5-29-19

Printed Name of Applicant

Jake Wise, PE- Construction Engineering Group, LLC

Full Address

2651 W Eau Gallie Blvd, Suite A; Melbourne, FL 32935

Telephone

321-610-1760

Email

Jwise@cegengineering.com

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

LEGAL DESCRIPTION:

TRACT "A"
A PARCEL OF LAND LYING IN GOVERNMENT LOT 1 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1 OF SECTION 14, AND RUN S. 00 DEGREES 45'58" W., ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1, A DISTANCE OF 100.00 FEET; THENCE S. 88 DEGREES 24'42" E., PARALLEL WITH AND 100.00 FEET DISTANT SOUTH, BY RIGHT ANGLE MEASUREMENT, FROM THE NORTH LINE OF SAID SECTION 14, A DISTANCE OF 885.35 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE S. 14 DEGREES 01'40" E., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 332.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S. 14 DEGREES 01'40" E., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 205.32 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ROBERT J. CONLAN BOULEVARD (A 200 FOOT WIDE RIGHT OF WAY); THENCE S. 75 DEGREES 57'10" W., ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 317.20 FEET TO THE POINT OF CURVATURE OF A 2964.79 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 06 DEGREES 14'56" A DISTANCE OF 323.35 FEET; THENCE DEPARTING SAID CURVE AND RIGHT OF WAY LINE, RUN N. 25 DEGREES 19'03" W., A DISTANCE OF 261.57 FEET; THENCE N. 76 DEGREES 41'26" E., A DISTANCE OF 666.47 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 89 DEGREES 16'54" A DISTANCE OF 38.96 FEET TO THE POINT OF BEGINNING.


TRACT "B"
A PARCEL OF LAND LYING IN GOVERNMENT LOT 1 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1 OF SECTION 14, AND RUN S. 00 DEGREES 45'58" W., ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST LINE, RUN S. 88 DEGREES 24'42" E., PARALLEL WITH AND 100 FEET DISTANT SOUTH, BY RIGHT ANGLE MEASUREMENT, FROM THE NORTH LINE OF SAID SECTION 14, A DISTANCE OF 885.35 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE S. 14 DEGREES 01'40" E., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 202.60 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 90 DEGREES 43'06" A DISTANCE OF 39.58 FEET TO A POINT OF TANGENCY; THENCE S. 76 DEGREES 41'26" W., A DISTANCE OF 645.53 FEET TO THE POINT OF CURVATURE OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 83 DEGREES 20'01" A DISTANCE OF 87.27 FEET TO A POINT OF REVERSE CURVATURE OF A 490.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 36 DEGREES 40'31" A DISTANCE OF 313.65 FEET TO A POINT OF REVERSE CURVATURE OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 57 DEGREES 25'02" A DISTANCE OF 60.13 FEET TO A POINT OF TANGENCY ON THE AFORESAID WEST LINE OF GOVERNMENT LOT 1; THENCE N. 00 DEGREES 45'58" E., ALONG SAID WEST LINE, A DISTANCE OF 69.36 FEET TO THE POINT OF BEGINNING.

TRACT "C"
A PARCEL OF LAND LYING IN GOVERNMENT LOT 1 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1 OF SECTION 14, AND RUN S. 00 DEGREES 45'58" W., ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1, A DISTANCE OF 69.36 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S. 00 DEGREES 45'58" W. ALONG SAID WEST LINE, A DISTANCE OF 83.07 FEET TO A POINT ON A 60.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A TANGENT BEARING OF S. 17 DEGREES 53'18" W.; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 16 DEGREES 57'18" A DISTANCE OF 17.76 FEET TO A POINT OF COMPOUND CURVATURE OF A 450.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 33 DEGREES 16'41" A DISTANCE OF 261.41 FEET TO A POINT OF TANGENCY; THENCE S. 25 DEGREES 19'03" E., A DISTANCE OF 146.41 FEET; THENCE N. 76 DEGREES 41'26" E., A DISTANCE OF 718.00 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 89 DEGREES 16'54" A DISTANCE OF 38.96 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE N. 14 DEGREES 01'40" W., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 130.01 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A RADIAL BEARING OF S. 75 DEGREES 58'20" W.; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 90 DEGREES 43'06" A DISTANCE OF 38.58 FEET TO A POINT OF TANGENCY; THENCE S. 76 DEGREES 41'26" W., A DISTANCE OF 645.53 FEET TO THE POINT OF CURVATURE OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 83 DEGREES 20'01" A DISTANCE OF 87.27 FEET TO A POINT OF REVERSE CURVATURE OF A 490.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 36 DEGREES 40'31" A DISTANCE OF 313.65 FEET TO A POINT OF REVERSE CURVATURE OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 57 DEGREES 25'02" A DISTANCE OF 60.13 FEET TO THE POINT OF BEGINNING.

TRACT "D"
A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, AND RUN S. 00 DEGREES 45'48" W., ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 252.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S. 00 DEGREES 45'48" W., ALONG SAID EAST LINE, A DISTANCE OF 292.20 FEET; THENCE S. 65 DEGREES 26'11" W., A DISTANCE OF 16.59 FEET TO A POINT ON THE WEST LINE OF A 15 FOOT WIDE RIGHT OF WAY RECORDED IN DEED BOX 191, PAGE 315 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S. 00 DEGREES 45'48" W., A DISTANCE OF 27.67 FEET; THENCE N. 89 DEGREES 14'02" W., A DISTANCE OF 104.04 FEET; THENCE N. 34 DEGREES 10'56" W., A DISTANCE OF 47.76 FEET; THENCE N. 36 DEGREES 11'36" W., A DISTANCE OF 117.79 FEET; THENCE N. 88 DEGREES 23'32" W., A DISTANCE OF 112.66 FEET; THENCE N. 00 DEGREES 45'48" E., A DISTANCE OF 32.46 FEET; THENCE N. 88 DEGREES 23'32" W. A DISTANCE OF 110.52 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY (A 100 FOOT WIDE RIGHT OF WAY); THENCE S. 24 DEGREES 38'41" E., ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 718.87 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ROBERT J. CONLAN BOULEVARD (A 200 FOOT WIDE RIGHT OF WAY); THENCE N. 65 DEGREES 23'47" E., ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 371.41 FEET TO THE POINT OF CURVATURE OF A 2964.79 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 04 DEGREES 18'27" A DISTANCE OF 222.90 FEET; THENCE N. 25 DEGREES 19'03" W., A DISTANCE OF 261.57 FEET; THENCE S. 76 DEGREES 41'26" W., A DISTANCE OF 51.53 FEET; THENCE N. 25 DEGREES 19'03" W., A DISTANCE OF 146.41 FEET TO THE POINT OF CURVATURE OF A 450.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 33 DEGREES 16'41" A DISTANCE OF 261.41 FEET TO A POINT OF COMPOUND CURVATURE OF A 60.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 16 DEGREES 57'18" A DISTANCE OF 17.76 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF THE SUBJECT PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1434, PAGE 733, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF THE SUBJECT PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1921, PAGE 988, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.



CONSTRUCTION
ENGINEERING
GROUP

Consulting Engineers

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

Tel. 321.253.1221
www.cegroupinc.com
COA #0000077

HARBOR POINTE

PALM BAY, FL

LOCATION MAP AND LEGAL DESCRIPTION

DATE
05/28/2019

COUNTY
BREVARD

SCALE
NTS

APPROVED BY
JTW

THIS SHEET
FIG. 1

_____, May 20, 2019

Re: Letter of Authorization

As the property owner of the site legally described as:

28-37-14-00-10 / 28-37-14-00-22 / 28-37-14-00-1 / 28-37-11-78-C-1 / 28-37-11-78-A-1

I, Alan Benenson - MLEF2-1, LLC, hereby authorize to represent my
Rezoning request(s):

Rep. Name: Jake Wise, PE- Construction Engineering Group, LLC
Address: 2651 W Eau Gallie Blvd; Suite A; Melbourne, FL 32935
Telephone: 321-610-1760
Email: Jwise@cegengineering.com


(Property Owner Signature)

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 20 day of
May, 20 19 by ALAN BENENSON

(SEAL)



Alexandra Nussenbaum
Commission # GG181887
Expires: February 1, 2022
Bonded thru Aaron Notary


Alexandra Nussenbaum, Notary Public

☒ Personally Known or
☐ Produced Identification
Type of Identification Produced: _____



LAND DEVELOPMENT DIVISION
120 MALABAR ROAD SE
PALM BAY, FL 32907
TELEPHONE: 321-733-3042

STAFF REPORT
PREPARED BY:
Christopher Balter
Planner II

CASE NUMBER

CPZ-10-2019

PLANNING & ZONING BOARD HEARING DATE

July 10, 2019

APPLICANT/PROPERTY OWNER

MLEF2-1, LLC
Jake Wise, P.E. (Representing)

PROPERTY LOCATION/ADDRESS

Parcels 28-37-14-00-10, 28-37-14-00-22, 28-37-14-00-1,
28-37-11-78-C-1, 28-37-11-78-A-1
North of and adjacent to Robert J. Conlan Boulevard NE,
in the vicinity east of the Florida East Coast Railroad

SUMMARY OF REQUEST

The applicant is requesting a rezoning of the subject parcels from HC, Highway Commercial District and Heavy Industrial District, to the BMU, Bayfront Mixed Use District.

EXISTING ZONING	EXISTING LAND USE	SITE IMPROVEMENTS	SITE ACREAGE
HC, Highway Commercial; HI, Heavy Industrial	Commercial Use and Industrial Use	Abandoned Cement Plant and Hotel	21.83 +/-

SURROUNDING ZONING & LAND USE

NORTH: HC, Highway Commercial and HI, Heavy Industrial; Restaurant, Single-Family Homes, and Manufacturing Businesses

EAST: HC, Highway Commercial; U.S.1, and the Indian River Lagoon

SOUTH: HC, Highway Commercial and HI, Heavy Industrial; (Across R.J. Conlan) Raytheon Technologies

WEST: HI, Heavy Industrial; Florida East Coast Railroad [Click or tap here to enter text.](#)

COMPATIBILITY with the COMPREHENSIVE PLAN

The applicant has applied for an amendment of the City's Comprehensive Plan Future Land Use Map to Bayfront Mixed Use, simultaneously with this request. If approved the Bayfront Mixed Use zoning designation will be consistent with the City's Comprehensive Plan.

ANALYSIS:

The following analysis is per Chapter 185: Zoning Code, Section 185.201(C) which states that all proposed amendments shall be submitted to the Planning and Zoning Board, which shall study such proposals in accordance with items 1 through 4 of Section 185.201(C).

Item 1 - *The need and justification for the change.*

The applicant states the justification for change is “to change the zoning district to allow for a true Bayfront development on U.S.1 overlooking the Indian River.” The Bayfront Mixed Zoning District will allow for a mix of commercial and multifamily uses. The change in zoning will allow for a transition between the existing single-family homes and the existing businesses and help to revitalize the Bayfront Community Redevelopment District.

Item 2 - *When pertaining to the rezoning of land, the effect of the change, if any, on the particular property and on surrounding properties.*

The designation of BMU zoning district for the subject properties is compatible with the surrounding area, and is consistent with the City’s desire and plan for redevelopment in the Riverview District.

Item 3 - *When pertaining to the rezoning of land, the amount of undeveloped land in the general area and in the city having the same classification as that requested.*

Approximately 24.13 acres of BMU, Bayfront Mixed Use zoned land is within the City limits. Which is the Northshore project currently under construction.

Item 4 - *The relationship of the proposed amendment to the purpose of the city plan for development, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and the Comprehensive Plan (Plan).*

The proposed amendment will further the purposes of Chapter 185, the Comprehensive Plan and the Bayfront Community Redevelopment Agency’s plan for the Riverview District. The plan is to become a beautiful and multi-functional riverfront boulevard lined with pedestrian/bicycle facilities supported by higher intensity residential and mixed land uses.

STAFF RECOMMENDATION:

Case CPZ-10-2019 is recommended for approval subject to the staff comments contained in this report.



AERIAL LOCATION MAP CASE CP-10-2019 & CPZ-10-2019

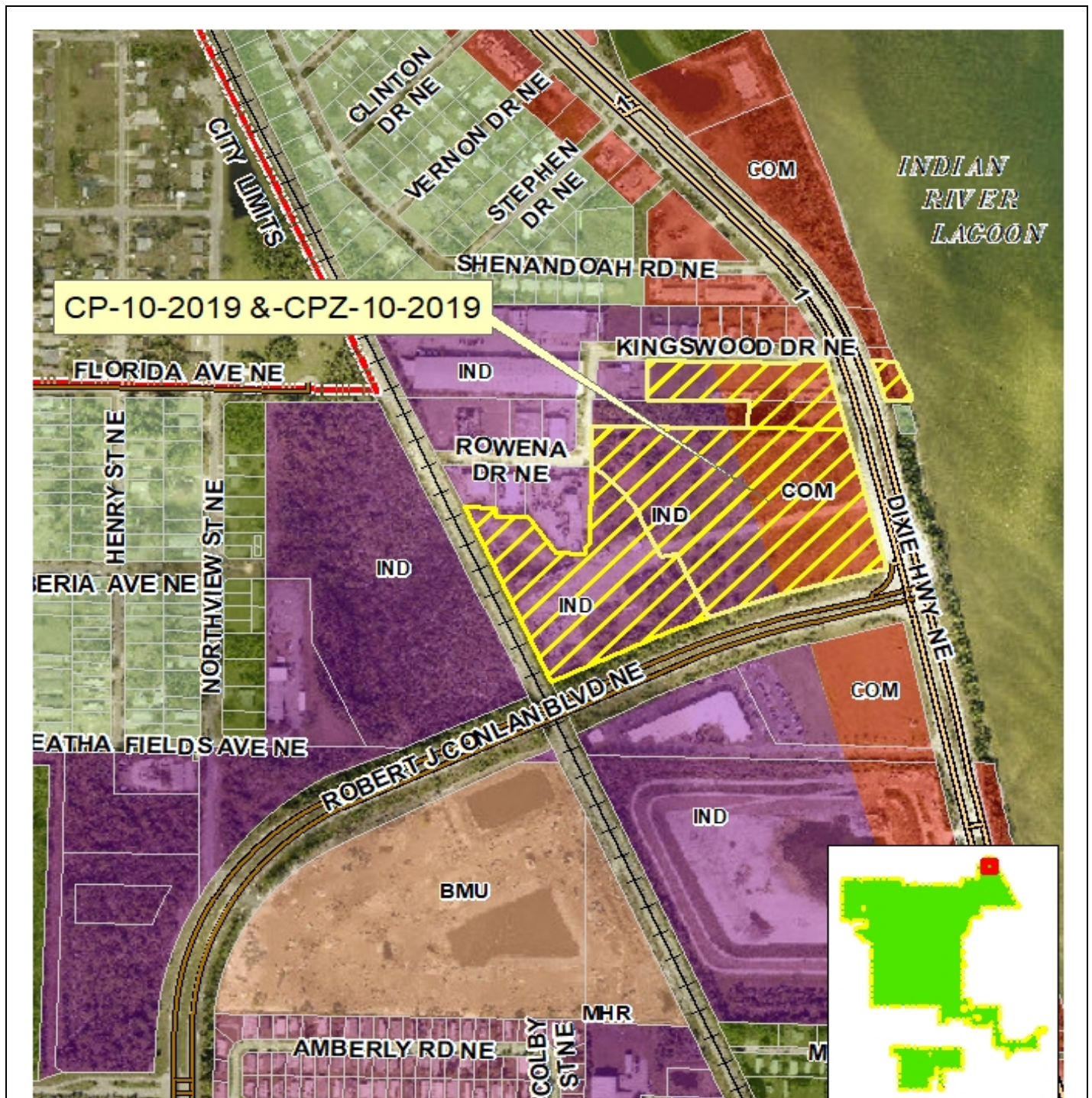
Subject Property

Located in the vicinity east of the Florida East Coast Railway, north of Robert J. Conlan Boulevard NE, and south of Kingswood Drive NE



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



FUTURE LAND USE MAP CASE CP-10-2019 & CPZ-10-2019

Subject Property

Located in the vicinity east of the Florida East Coast Railway, north of Robert J. Conlan Boulevard NE, and south of Kingswood Drive NE

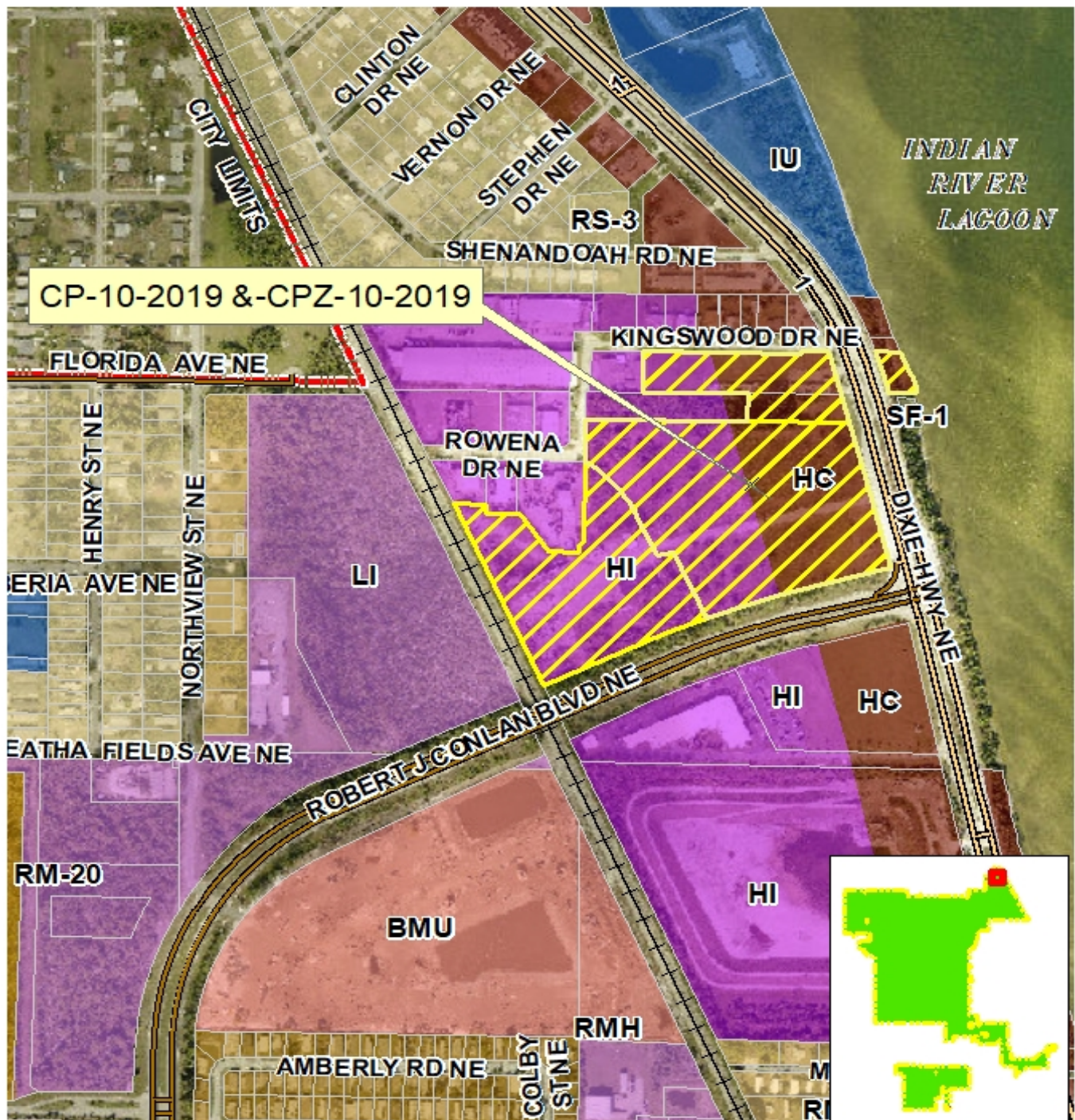
Future Land Use Classification

IND – Industrial Use and
COM – Commercial Use



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



ZONING MAP

CASE CP-10-2019 & CPZ-10-2019

Subject Property

Located in the vicinity east of the Florida East Coast Railway, north of Robert J. Conlan Boulevard NE, and south of Kingswood Drive NE

Current Zoning Classification

HC – Highway Commercial District and
HI – Heavy Industrial District



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



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

REZONING APPLICATION

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

PARCEL ID 28-37-14-00-10 / 28-37-14-00-22 / 28-37-14-00-1 / 28-37-11-78-C-1 / 28-37-11-78-A-1

TAX ACCOUNT NO. 2826097/ 2861830/ 2826089/ 2825825/ 2825813

GENERAL LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

Multiple parcels. See additional sheets for property information

SECTION 14, 11 TOWNSHIP 28 RANGE 37

PROPERTY ADDRESS (If assigned): Approx 3370 Dixie Hwy NE + adjoining parcels, Palm Bay, FL 32905

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): 21.83 acres

ZONE CLASSIFICATION AT PRESENT (ex.: RS-2, CC, etc.): HC - Highway Commercial and HI - Heavy Industrial

ZONE CLASSIFICATION DESIRED (ex.: IU, LI, etc.): BMU - Bayfront Mixed Use

STRUCTURES NOW LOCATED ON THE PROPERTY: Hotel and former cement plant

REZONING REQUIREMENTS FOR SUBMITTAL PER SECTION 185.201(C) (attach additional sheet if necessary):

THE NEED AND JUSTIFICATION FOR THE CHANGE:

We are requesting a zoning change for the assemblage of the 21.83 acres to BMU-Bayfront Mixed Use to allow a true bayfront development on US 1 overlooking the Indian River to include a multifamily component, as well as the potential to add commercial uses as allowed by City Code for BMU zoning as well as the current zoning on the site. The proposed BMU zoning also provides a transitional land use between the residential, commercial, and BMU adjacent to the site. The site is large enough to provide significant buffering to the industrial uses and railroad tracks to the west.

EFFECT OF THE ZONING CHANGE, IF ANY, ON THE PROPOSED PROPERTY AND SURROUNDING PROPERTIES:

The effect of this zoning change is that it will allow the property (abandoned hotel & abandoned former cement plant) to be revitalized into an aesthetically pleasing development, and benefit the City's plan and the Bayfront Community Redevelopment Agency's plans of making this the new downtown-style corridor of Palm Bay. It will create short-term and long-term jobs and increase the City's tax base. It will bring market rate units and new residents that will shop and dine in Palm Bay.

AMOUNT OF UNDEVELOPED LAND WITH THE SAME REQUESTED CLASSIFICATION:

0 in the general area

 in the City

The only property in the general area with the BMU zoning is the Aqua Apartments site which also successfully changed to BMU, and is currently under construction.

CITY OF PALM BAY, FLORIDA
REZONING APPLICATION
PAGE 2 OF 2

EXPLAIN THE RELATIONSHIP OF THE PROPOSED REQUEST WITH THE PURPOSE OF THE CITY PLAN FOR DEVELOPMENT, WITH CONSIDERATION AS TO WHETHER THE CHANGE WILL FURTHER THE PURPOSES OF CHAPTER 185.201(C) AND THE CITY PLAN:

This assemblage of properties falls within the city's BCRA (Bayfront Community Redevelopment Agency) boundaries. Currently, this area has a lot of industrial buildings, as well as many vacant and undeveloped land or buildings that pose for dumping, trespassing, and all the harmful things that come with that. At this moment, there is a project called Aqua that also changed their zoning from Heavy/Light Industrial to BMU, and the project is currently under construction. The BCRA and the City of Palm Bay are striving to make the Robert J. Conlan Blvd corridor and Dixie Hwy (US-1) corridor a more developed and active area of the city to generate more modern living options. Our desire would be to bring multifamily as well as the potential for commercial uses to support the City's and the BCRA's vision and desires for this area.

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

- ☒ **X** \$650.00 Application Fee. Make check payable to "City of Palm Bay."
- ☒ **X** List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This can be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)
- ☒ **X** School Board of Brevard County [School Impact Analysis Application](#) (if applicable).
- ☒ **X** Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guidelines.
- ☒ **X** **Where property is not owned by the applicant, a [letter](#) must be attached giving the notarized consent of the owner to the applicant to request the rezoning.**

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

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

Signature of Applicant  Date 5-29-19

Printed Name of Applicant Jake Wise, PE- Construction Engineering Group, LLC

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

Telephone 321-610-1760 Email Jwise@cegengineering.com

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

LEGAL DESCRIPTION:

TRACT "A"
A PARCEL OF LAND LYING IN GOVERNMENT LOT 1 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1 OF SECTION 14, AND RUN S. 00 DEGREES 45'58" W., ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1, A DISTANCE OF 100.00 FEET; THENCE S. 88 DEGREES 24'42" E., PARALLEL WITH AND 100.00 FEET DISTANT SOUTH, BY RIGHT ANGLE MEASUREMENT, FROM THE NORTH LINE OF SAID SECTION 14, A DISTANCE OF 885.35 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE S. 14 DEGREES 01'40" E., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 332.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S. 14 DEGREES 01'40" E., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 205.32 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ROBERT J. CONLAN BOULEVARD (A 200 FOOT WIDE RIGHT OF WAY); THENCE S. 75 DEGREES 57'10" W., ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 317.20 FEET TO THE POINT OF CURVATURE OF A 2964.79 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 06 DEGREES 14'56" A DISTANCE OF 323.35 FEET; THENCE DEPARTING SAID CURVE AND RIGHT OF WAY LINE, RUN N. 25 DEGREES 19'03" W., A DISTANCE OF 261.57 FEET; THENCE N. 76 DEGREES 41'26" E., A DISTANCE OF 666.47 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 89 DEGREES 16'54" A DISTANCE OF 38.96 FEET TO THE POINT OF BEGINNING.


TRACT "B"
A PARCEL OF LAND LYING IN GOVERNMENT LOT 1 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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TRACT "C"
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TRACT "D"
A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, AND RUN S. 00 DEGREES 45'48" W., ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 252.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S. 00 DEGREES 45'48" W., ALONG SAID EAST LINE, A DISTANCE OF 292.20 FEET; THENCE S. 65 DEGREES 26'11" W., A DISTANCE OF 16.59 FEET TO A POINT ON THE WEST LINE OF A 15 FOOT WIDE RIGHT OF WAY RECORDED IN DEED BOX 191, PAGE 315 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S. 00 DEGREES 45'48" W., A DISTANCE OF 27.67 FEET; THENCE N. 89 DEGREES 14'02" W., A DISTANCE OF 104.04 FEET; THENCE N. 34 DEGREES 10'56" W., A DISTANCE OF 47.76 FEET; THENCE N. 36 DEGREES 11'36" W., A DISTANCE OF 117.79 FEET; THENCE N. 88 DEGREES 23'32" W., A DISTANCE OF 112.66 FEET; THENCE N. 00 DEGREES 45'48" E., A DISTANCE OF 32.46 FEET; THENCE N. 88 DEGREES 23'32" W. A DISTANCE OF 110.52 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY (A 100 FOOT WIDE RIGHT OF WAY); THENCE S. 24 DEGREES 38'41" E., ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 718.87 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ROBERT J. CONLAN BOULEVARD (A 200 FOOT WIDE RIGHT OF WAY); THENCE N. 65 DEGREES 23'47" E., ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 371.41 FEET TO THE POINT OF CURVATURE OF A 2964.79 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 04 DEGREES 18'27" A DISTANCE OF 222.90 FEET; THENCE N. 25 DEGREES 19'03" W., A DISTANCE OF 261.57 FEET; THENCE S. 76 DEGREES 41'26" W., A DISTANCE OF 51.53 FEET; THENCE N. 25 DEGREES 19'03" W., A DISTANCE OF 146.41 FEET TO THE POINT OF CURVATURE OF A 450.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 33 DEGREES 16'41" A DISTANCE OF 261.41 FEET TO A POINT OF COMPOUND CURVATURE OF A 60.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 16 DEGREES 57'18" A DISTANCE OF 17.76 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF THE SUBJECT PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1434, PAGE 733, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF THE SUBJECT PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1921, PAGE 988, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.



CONSTRUCTION
ENGINEERING
GROUP

Consulting Engineers

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

Tel. 321.253.1221
www.cegroupengineering.com
COA #0000077

HARBOR POINTE

PALM BAY, FL

LOCATION MAP AND LEGAL DESCRIPTION

DATE
05/28/2019

COUNTY
BREVARD

SCALE
NTS

APPROVED BY
JTW

THIS SHEET
FIG. 1

_____, May 20, 2019

Re: Letter of Authorization

As the property owner of the site legally described as:

28-37-14-00-10 / 28-37-14-00-22 / 28-37-14-00-1 / 28-37-11-78-C-1 / 28-37-11-78-A-1

I, Alan Benenson - MLEF2-1, LLC, hereby authorize to represent my
Rezoning request(s):

Rep. Name: Jake Wise, PE- Construction Engineering Group, LLC

Address: 2651 W Eau Gallie Blvd; Suite A; Melbourne, FL 32935

Telephone: 321-610-1760

Email: Jwise@cegengineering.com


(Property Owner Signature)

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 20 day of
May, 20 19 by ALAN BENENSON

(SEAL)



Alexandra Nussenbaum
Commission # GG181887
Expires: February 1, 2022
Bonded thru Aaron Notary


Alexandra Nussenbaum, Notary Public

☒ Personally Known or
☐ Produced Identification
Type of Identification Produced: _____



LAND DEVELOPMENT DIVISION
120 MALABAR ROAD SE
PALM BAY, FL 32907
T: 321-733-3042 • F: 321-953-8920

STAFF REPORT
PREPARED BY:
Patrick J. Murphy
Assistant Growth Management Director

CASE NUMBER

FS-2-2019

PLANNING & ZONING BOARD HEARING DATE

July 10, 2019

APPLICANT/PROPERTY OWNER

AD1 Urban Strategy Palm Bay, LLC.

PROPERTY LOCATION/ADDRESS

1415 Sportsman Lane NE, located west of and adjacent to Bass Pro Drive NE, in the vicinity SE of the intersection of Interstate 95 and Palm Bay Road

SUMMARY OF REQUEST

Final Subdivision Approval for a 3-lot commercial subdivision called Bilda Executive Park.

EXISTING ZONING	EXISTING LAND USE	SITE IMPROVEMENTS	SITE ACREAGE
CC, Community Commercial	Commercial Use	Under Construction	10.0 +/-

SURROUNDING ZONING & LAND USE

NORTH: CC, Community Commercial; Bass Pro

EAST: CC, Community Commercial; Palm Bay Village Shopping Plaza

SOUTH: RM-20, Multiple Family Residential; Lifepoint Church

WEST: CC, Community Commercial; Space Coast Harley Davidson

COMPATIBILITY with the COMPREHENSIVE PLAN

The commercial uses proposed for this site are consistent with the allowable uses of the Commercial Use FLU designation, and compatible with the commercial uses of the surrounding area.

BACKGROUND:

The subject property is located at 1415 Sportsman Lane NE, which is west of and adjacent to Bass Pro Drive NE, in the vicinity SE of the intersection of Interstate 95 and Palm Bay Road. Specifically, the property is Tract K of Port Malabar Unit (PMU) 60, located in Section 20, Township 28, Range 37, Brevard County, Florida.

Tract K was previously subdivided into four (4) commercial lots and recorded in Plat Book 57, Page 63, of the Brevard County Public Records (on October 29, 2007), as the Executive Park subdivision. The land was not developed. On June 15, 2017 Palm Bay City Council approved Resolution No. 2017-24, which vacated the Executive Park subdivision plat. The land reverted back to Tract K, PMU 60.

ANALYSIS:

The current proposal is to subdivide the 10-acre tract into three (3) commercial lots. On May 1, 2018 administrative site plan approval was granted to construct two, 4-story hotels, and four (4) commercial buildings in a phased approach. Approval of the site plan was based on the overall development remaining under one (1) ownership. The site is currently under construction and making great progress.

The purpose of the proposed subdivision is to sell-off the two hotels sites (Lots 1 & 2). The remainder of the land (Lot 3) will be owned and maintained by the applicant. By doing so, the applicant is required by law to subdivide the tract of land to legally create the lots for conveyance.

In working with City Staff, the proposed lot lines have been placed within the middle of the parking lot drive aisles, and around the existing and future structures (buildings), so that the land can be easily divided and managed. All three lots will have direct access to the adjacent public roadways, via four (4) shared driveway connections. Municipal water & sewer is required and already provided to the site.

CODE REQUIREMENTS:

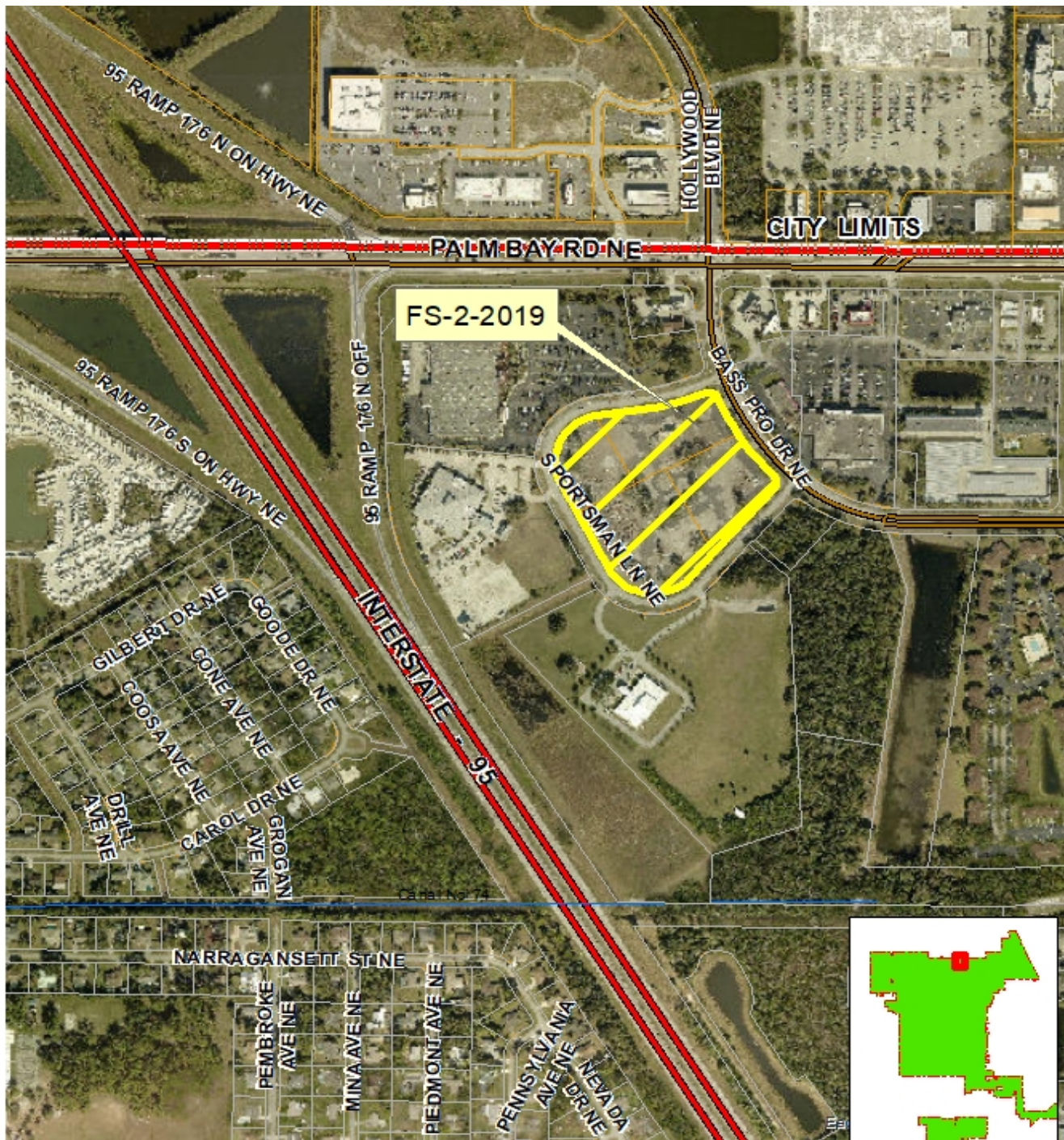
In order to receive Final Subdivision approval, the proposal must meet the requirements of Chapter 184 of the City of Palm Bay's Code of Ordinances. A condition of final subdivision approval is the submission of construction drawings showing the provision of services and physical development of the infrastructure needed to support future development of the lots. Attached to this staff report are the approved site plan drawings, which serve as the construction drawings.

Upon review of Chapter 184, it appears this final subdivision request is in conformance with applicable requirements of said chapter, subject to the following being addressed prior to City Staff signing the Mylar:

- a. The boundary and title opinion shall be approved by the City Surveyor.
- b. Shared access and drainage easements will be needed, as will shared parking and solid waste agreements. These documents must be submitted to, and approved by, City Staff.
- c. If any of the property has been already been sold, the property owner(s) must sign as Joinders to the subdivision plat.

STAFF RECOMMENDATION:

Staff recommends approval of Case No. FS-2-2019, subject to the staff comments contained in this report



AERIAL LOCATION MAP CASE FS-2-2019

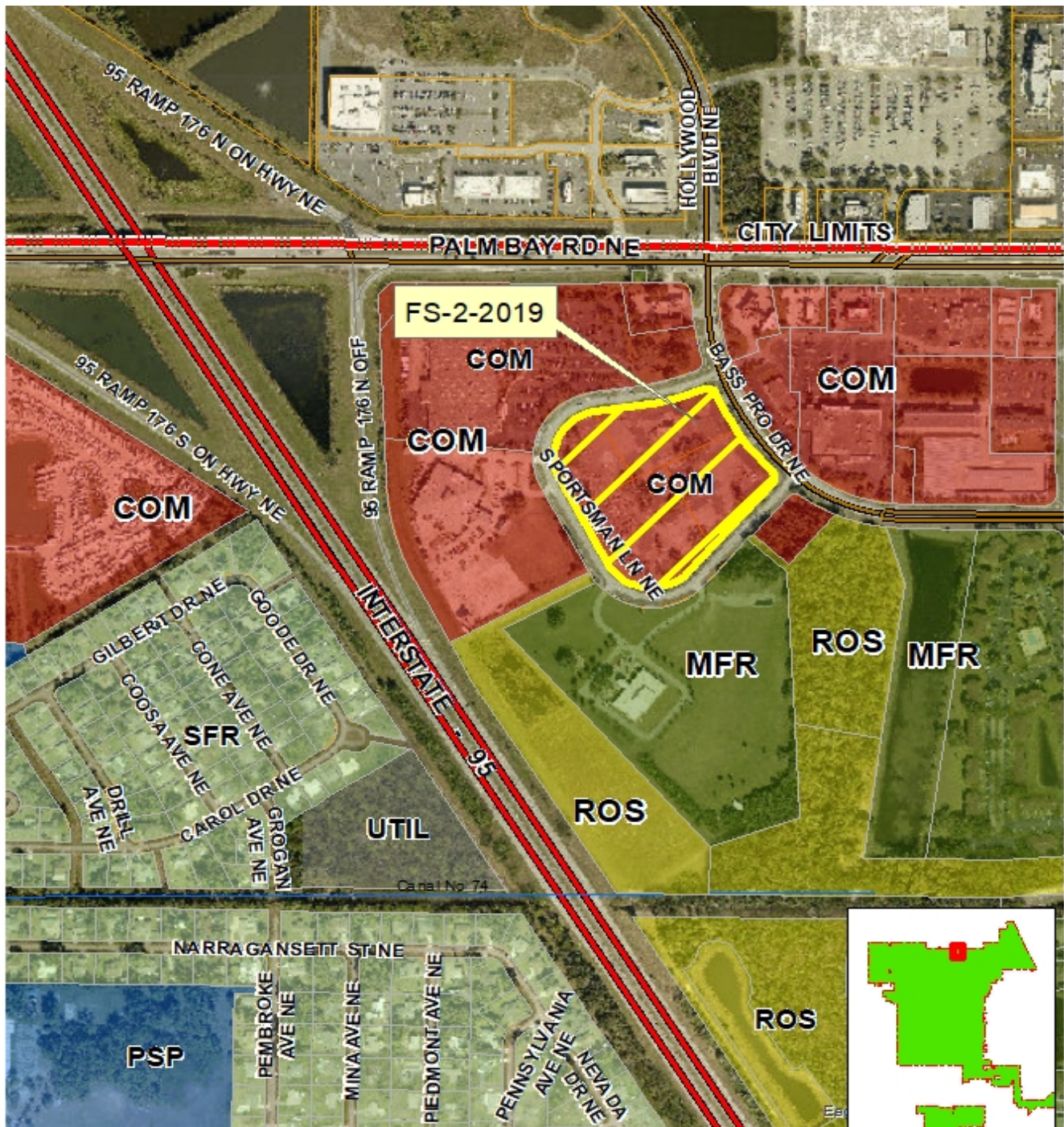
Subject Property

Located west of and adjacent to Bass Pro Drive NE and bordered by Sportsman Lane NE.



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



FUTURE LAND USE MAP CASE FS-2-2019

Subject Property

Located west of and adjacent to Bass Pro Drive NE and bordered by Sportsman Lane NE.

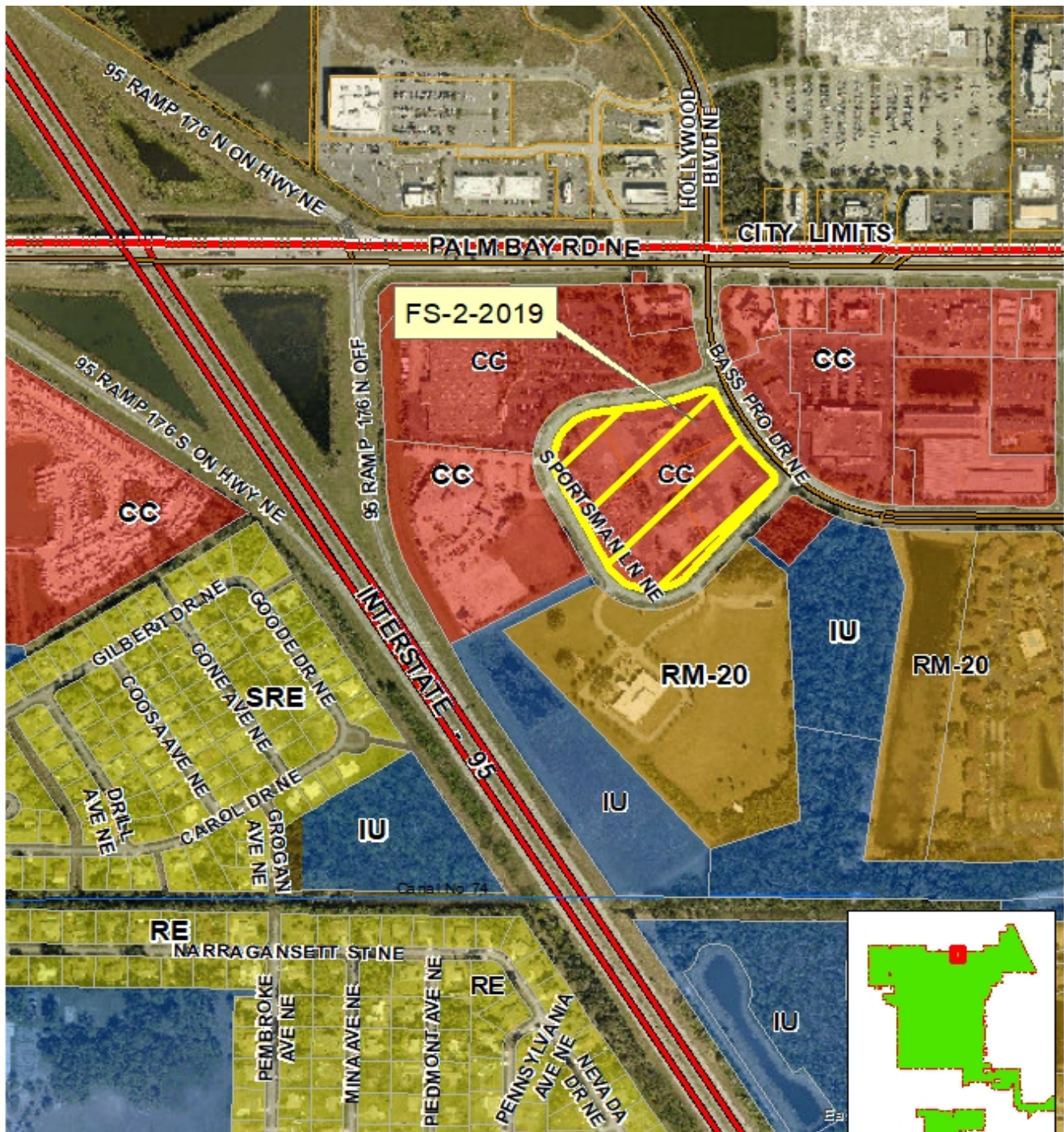
Future Land Use Classification

COM – Commercial Use



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



ZONING MAP CASE FS-2-2019

Subject Property

Located west of and adjacent to Bass Pro Drive NE and bordered by Sportsman Lane NE.

Current Zoning Classification

CC – Community Commercial District

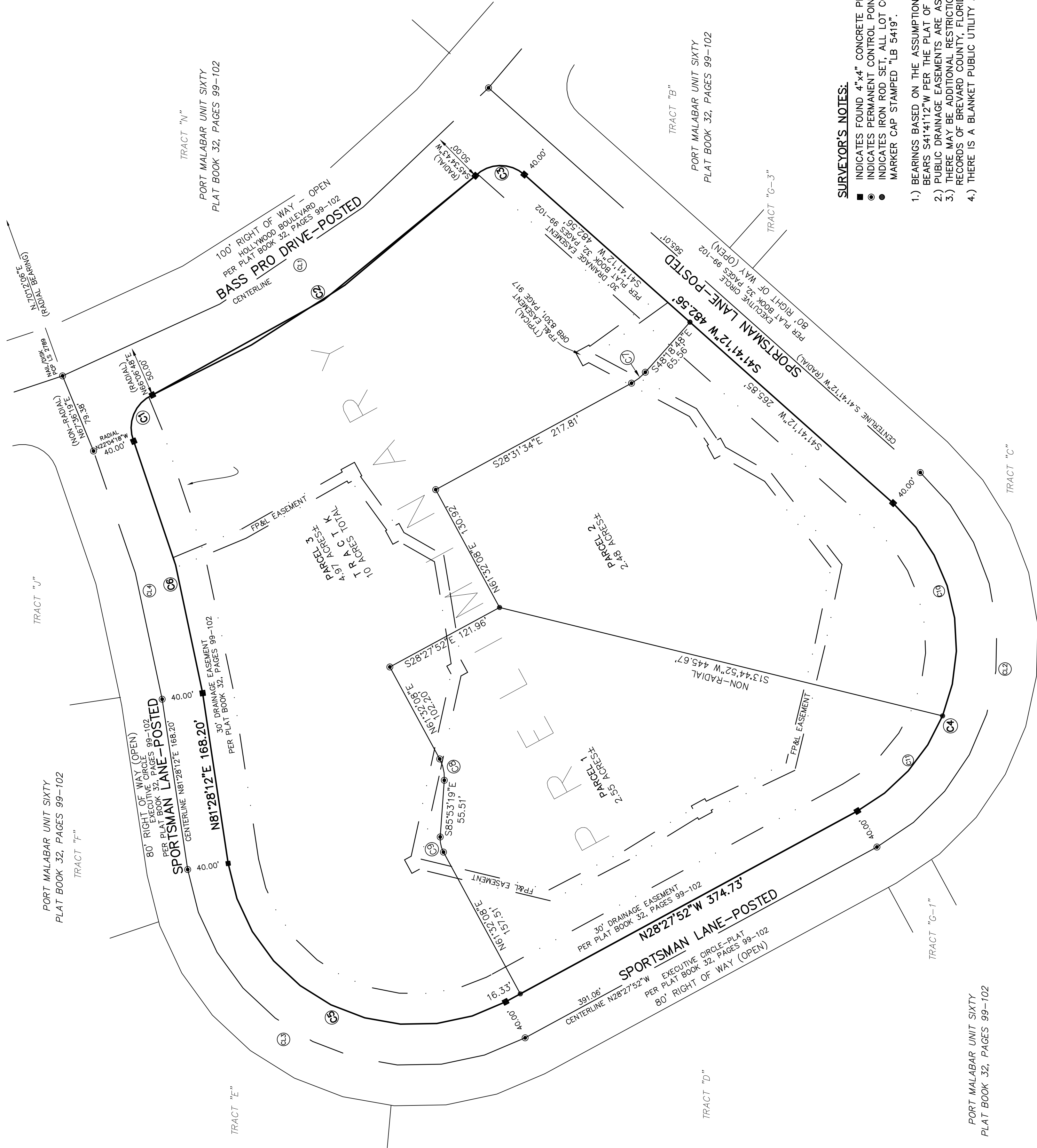


Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey

AD1 TOWN CENTER
A REPLAT
A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 28 SOUTH, RANGE 37 EAST, CITY OF PALM BAY, BREVARD COUNTY, FLORIDA; BEING A "REPLAT" OF TRACT K, PORT MALABAR UNIT SIXTY AS RECORDED IN PLAT BOOK 32, PAGES 99 THRU 102.

LEGAL DESCRIPTION
TRACT K, PORT MALABAR UNIT SIXTY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT
BOOK 32, PAGES 99 THRU 102 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.



NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLIED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

WJS
WILLIAM J. SUITER
LAND
SURVEYING, INC.
8949 CANOVA STREET SE.
PALM BAY, FLORIDA 32909
WSUITER@ATT.NET
WJSUITAL.COM
(321) 728-0683

PLAT BOOK _____ PAGE _____
SHEET 1 OF 1

SECTION 20, TOWNSHIP 28 SOUTH, RANGE 37 EAST

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNER IN FEE SIMPLE OF THE LANDS DESCRIBED IN:

ADI TOWN CENTER

HEREBY DEDICATES SAID LANDS AND PLAT FOR THE USES AND PURPOSES SHOWN EXPRESSED AND DRAINAGE EASEMENTS SHOWN HEREON TO THE PERPETUAL USE OF THE PUBLIC.

ON _____ DATE _____
BY: _____

SIGNED AND SEALED IN THE PRESENCE OF:

STATE OF FLORIDA, COUNTY OF BREVARD

THIS IS TO CERTIFY THAT ON _____
BEFORE ME, AN OFFICER DULY AUTHORIZED TO TAKE
ACKNOWLEDGEMENTS IN THE STATE AND COUNTY AFORESAID,
PERSONALLY APPEARED:

TO ME KNOWN TO BE THE INDIVIDUALS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF, I SET MY HAND AND SEAL ON THE ABOVE DATE.

NOTARY PUBLIC:

MY COMMISSION EXPIRES:

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A LICENSED AND REGISTERED SURVEYOR AND MAPPER, DOES HEREBY CERTIFY THAT ON MARCH 7, 2019, HE COMPLETED THE SURVEY OF THE LANDS AS SHOWN ON THE FOREGOING PLAT; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS IN ACCORDANCE WITH PRELIMINARY SURVEYING AND SCOUTING TECHNIQUES, BEST MANAGEMENT PRACTICES, BELIEF, THAT PERMANENT PREFERENCE MONUMENTS HAVE BEEN PLACED AS REQUIRED BY LAW, AND THAT PERMANENT CONTROL POINTS AND MONUMENTS ACCORDING TO SECTION 177.091(9), F.S. HAVE BEEN SET UNDER THE GUARANTEES POSTED WITH THE CITY OF PALM BEACH, FLORIDA FOR THE REQUIRED IMPROVEMENTS; AND FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART I, FLORIDA STATUTES, AS AMENDED.

DATED: _____

WILLIAM J. SUITER, P.S.M.
REGISTERED FLORIDA SURVEYOR AND MAPPER #4210
FOR: WILLIAM J. SUITER LAND SURVEYING, INC.

TELEPHONE: (321) 728-0553
FLORIDA LICENSED BUSINESS M

CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, THAT ON _____
THE CITY COUNCIL OF THE CITY OF PALM BAY, FLORIDA,
APPROVED THE FOREGOING PLAT.

AYOR:

TTEST:

ITY CLERK:

CERTIFICATE OF REVIEWING SURVEYOR
FOR THE CITY OF PALM BAY, FLORIDA

REBY CERTIFY, THAT I HAVE REVIEWED THE FOREGOING
T AND FIND THAT IT IS IN CONFORMITY WITH CHAPTER
PART 1, FLORIDA STATUTES.

JOSEPH N. HALE PSM NO. 6366

JOSEPH N. HALE PSM NO. 6366
REVIEWING SURVEYOR FOR THE CITY OF PALM BAY, FLORIDA

CERTIFICATE OF CLERK

HEREBY CERTIFY, THAT I HAVE EXAMINED THE FOREGOING
AT AND FIND THAT IT COMPLIES, IN FORM, WITH ALL
E REQUIREMENTS OF CHAPTER #177, FLORIDA STATUTES
D WAS FILED FOR RECORD ON,

AT _____ FILE# _____

CLERK OF CIRCUIT COURT IN AND FOR
BREVARD COUNTY, FLORIDA

PALM BAY NO.

72 HOURS BEFORE DIGGING
CALL TOLL FREE



Know what's below.
Call before you dig.

72 HOURS BEFORE DIGGING
CALL TOLL FREE



Know what's below.
Call before you dig.

GRAPHIC SCALE



1 inch = 50 ft.

CONSTRUCTION SET

17-1034



Point #	Nothing	Existing
1	5386.0072	4645.2515
2	4578.0545	4624.2364
3	4604.6568	4594.3647
4	4639.5188	4293.5720
5	4983.3047	4107.1876
6	5254.4318	4242.3830
7	5279.3804	4408.7224
8	5346.7163	4654.8505
9	5328.4558	4700.0048
10	5012.8024	4914.1528
11	4965.0278	4915.2932
12	5189.2940	4834.1312
13	4776.5876	4801.0401
14	4949.8806	4079.8082
15	5312.3317	4358.7438
16	5237.1724	4370.0167
17	5263.4571	4513.9914
18	5141.0299	4762.9514
19	4827.1319	4744.2838
20	4652.2805	4409.9850
21	4986.1032	4146.6208
22	5044.1279	4311.1098
23	5057.3433	4382.1873
24	5096.4362	4434.2940
25	4989.2215	4492.4207
26	5051.6196	4607.5138
27	5060.5550	4623.9952
28	4920.0256	4679.0412
29	4887.0561	4618.3849
30	4811.5820	4448.9596
31	4934.6338	4471.7256

DATE	REVISIONS
02/22/2018	1 MUNICIPALITY COMMENTS
03/28/2018	2 MUNICIPALITY COMMENTS
04/16/2018	3 MUNICIPALITY COMMENTS
05/11/2018	4 ENGINEER REVISIONS
08/09/2018	5 CONTRACTOR REQUESTED REVISION
10/09/2018	6 BUILDING COORDINATION (OWNER)
06/04/2019	7 HOTEL MOD & FINAL PLAT LINES
17-1034	9
JOB NO.	DWB
DESIGNED	SSF
DRAWN	SSF
DATE	08-28-2017
CHECKED	BAM
DATE ISSUED	6/11/2019



MOJA BOWLES VILLAMIZAR & ASSOCIATES
ENGINEERING, INC.

321.253.1510 • FAX: 321.253.0911

12301 Lake Glendale Blvd., Unit 100
Melbourne, Florida 32935

www.mbveng.com

PHASE 1 SITE PLAN SHEET 1

BILDA EXECUTIVE PARK

CITY OF PALM BAY
FLORIDA

PROFESSIONAL
ENGINEER

STATE OF
FLORIDA

NO. 47529

BRUCE A. MOJA

LICENSE

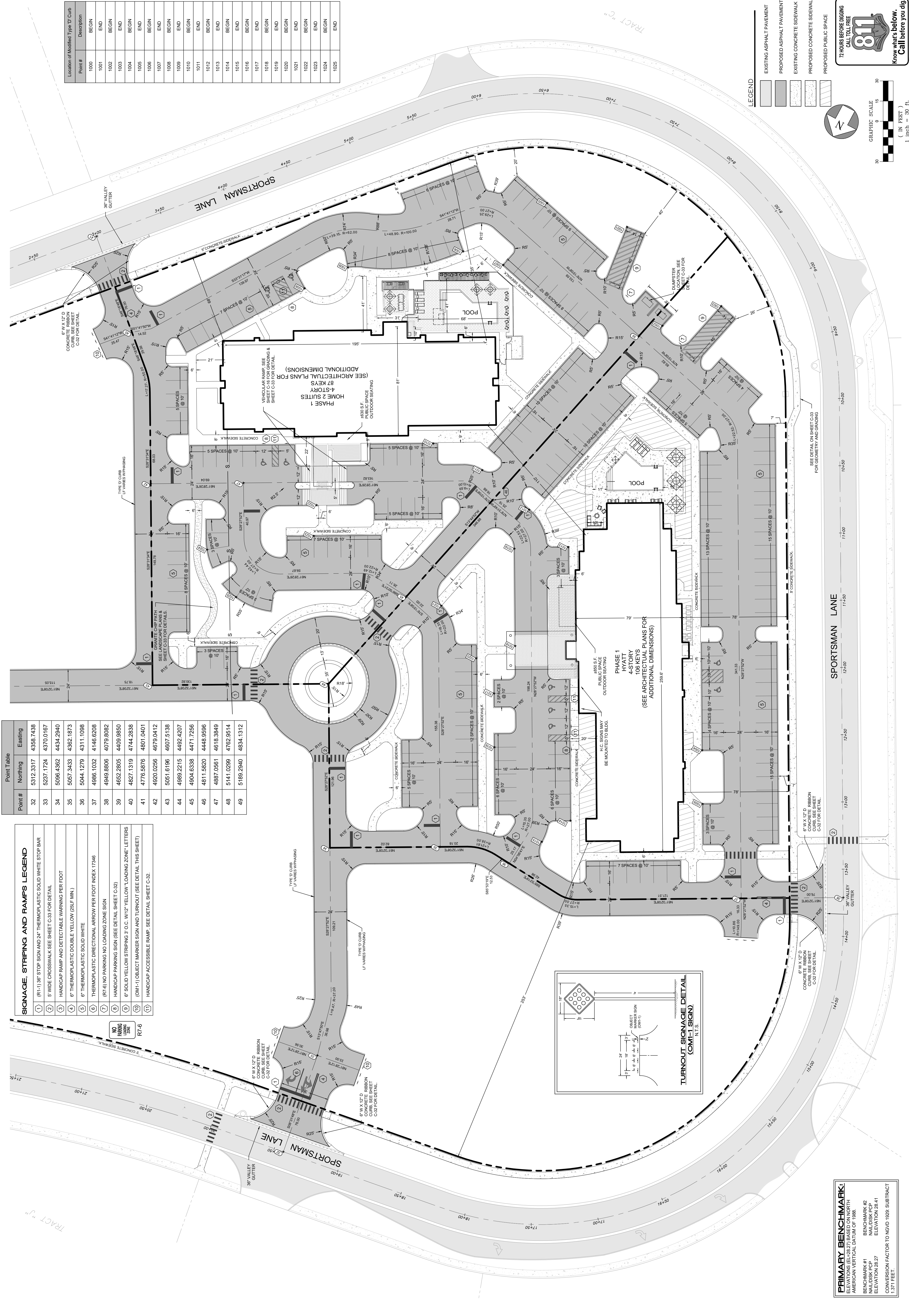
DATE: 6/11/2019

FL P.E. #47529

SHEET

C-8

CONSTRUCTION SET
17-1034



811

72 HOURS BEFORE DIGGING
CALL TOLL FREE

Know what's below.
Call before you dig.

GRAPHIC SCALE

(IN FEET)

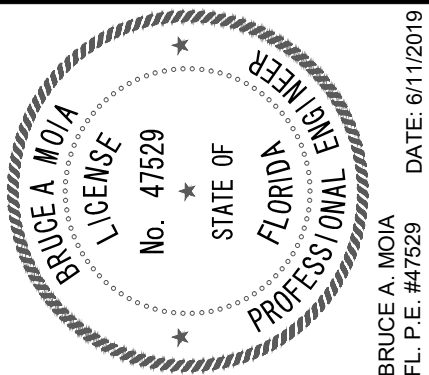
1 inch = 30 ft.

Point #	Description
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1004	BEGIN
1005	END
1006	BEGIN
1007	END
1008	BEGIN
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1012	BEGIN
1013	END
1014	BEGIN
1015	END
1016	BEGIN
1017	END
1018	BEGIN
1019	END
1020	BEGIN
1021	END
1022	BEGIN
1023	END
1024	BEGIN
1025	END

MBV
ENGINEERING, INC.
MOJA BOWLES VILLAMIZAR & ASSOCIATES
1202 W. Eau Gallie Blvd., Unit L
Melbourne, Florida 32935
321.253.1510 • Fax: 321.253.0911
www.mbveng.com
CARTER

BILDA EXECUTIVE PARK

FLORIDA



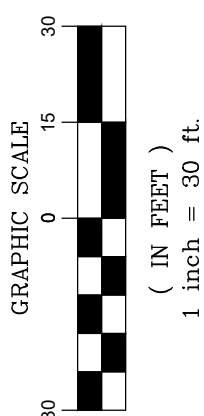
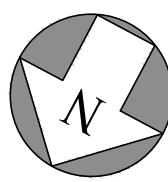
90

17-1034
CONSTRUCTION SET

72 HOURS BEFORE DIGGING
CALL TOLL FREE




Know what's below.
Call before you dig.




SIGNAGE, STRIPING AND RAMPS LEGEND	
1	(R1-1) 36" STOP SIGN AND 24" THERMOPLASTIC SOLID WHITE STOP BAR
2	5' WIDE CROSSWALK SEE SHEET C-33 FOR DETAIL
3	HANDICAP RAMP AND DETECTABLE WARNING PER FOOT
4	6" THERMOPLASTIC DOUBLE YELLOW (2xLF MIN.)
5	6" THERMOPLASTIC SOLID WHITE
6	THERMOPLASTIC DIRECTIONAL ARROW PER FOOT INDEX 17546
7	(R7-6) NO PARKING NO LOADING ZONE SIGN
8	HANDICAP PARKING SIGN (SEE DETAIL SHEET C-32)
9	6" SOLID YELLOW STRIPING 3" O.C. W/ 2" YELLOW "LOADING ZONE" LETTERS
10	(OM1-1) OBJECT MARKER SIGN AND TURNOUT (SEE DETAIL THIS SHEET)


LEGEND




EXISTING ASPHALT PAVEMENT




PROPOSED ASPHALT PAVEMENT



EXISTING CONCRETE SIDEWALK



PROPOSED CONCRETE SIDEWALK

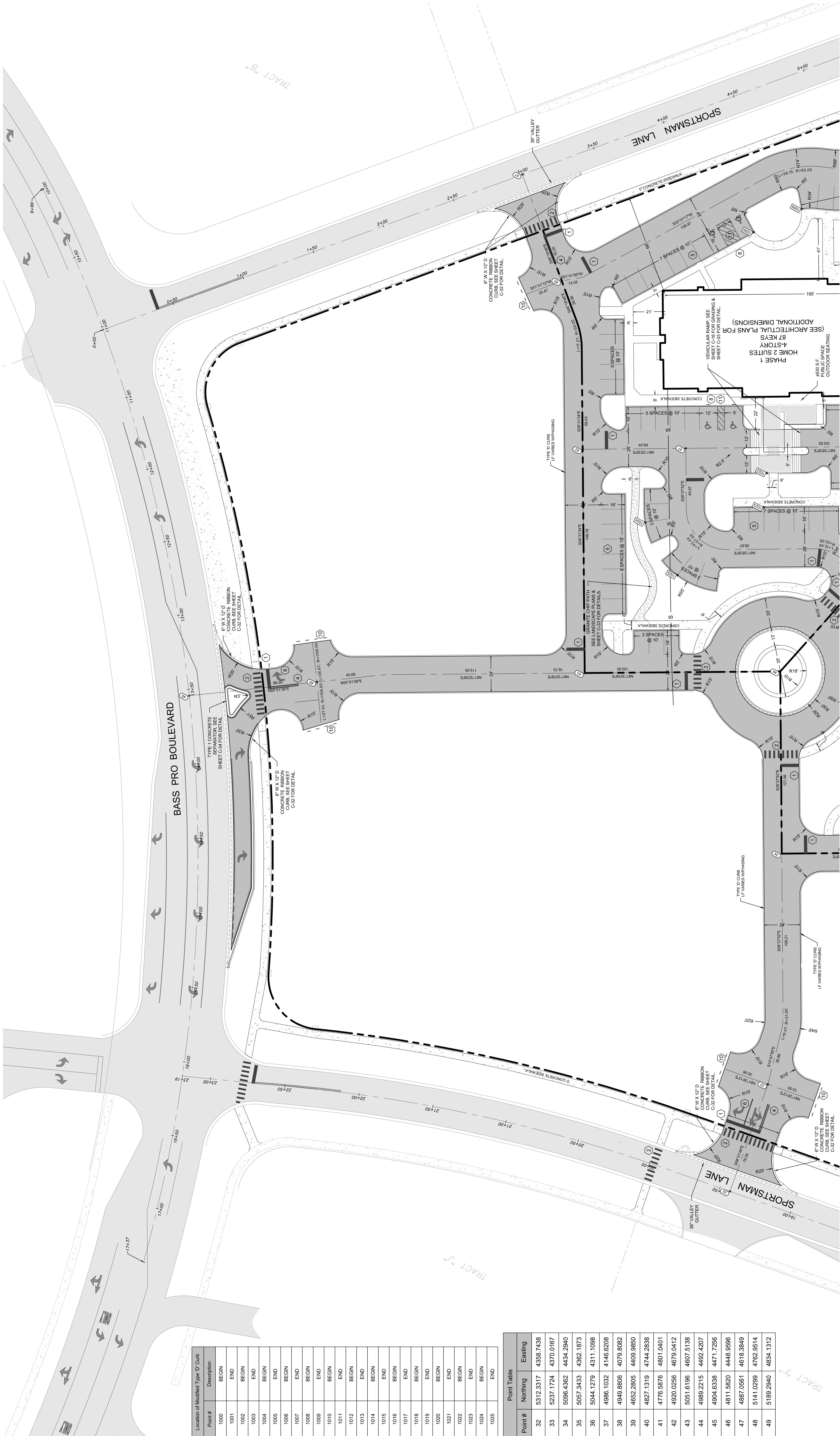
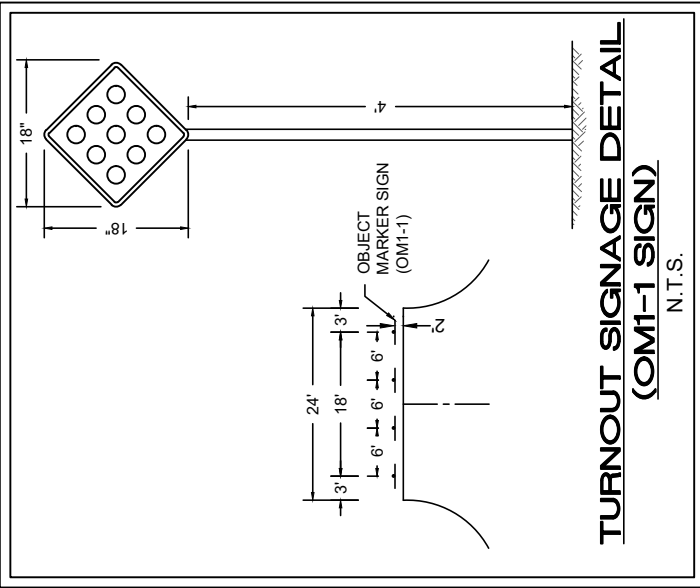


PROPOSED PUBLIC SPACE

PRIMARY BENCHMARK:
ELEVATIONS (EL)=28.27 BASED ON NORTH
AMERICAN VERTICAL DATUM OF 1988.

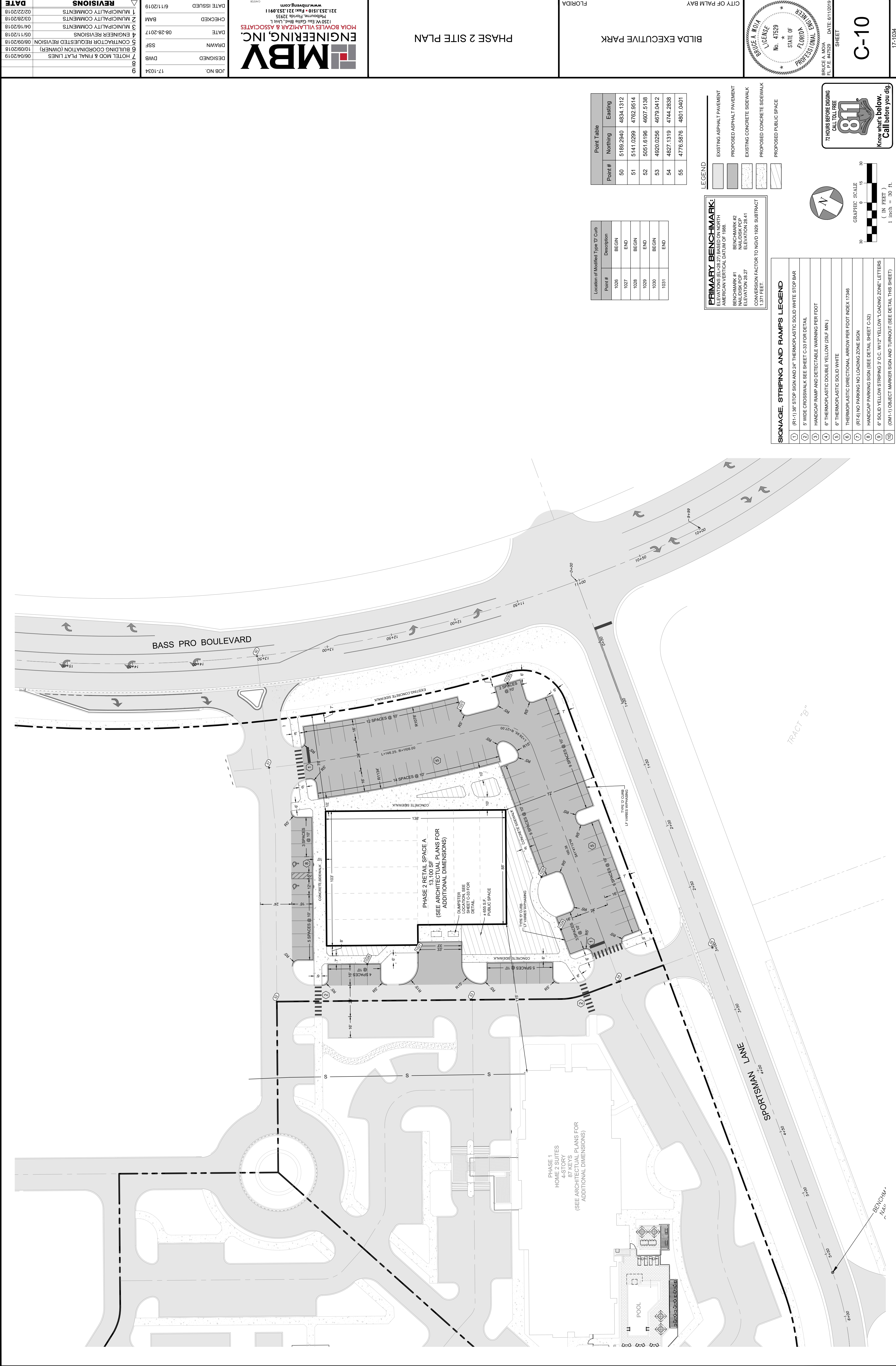
BENCHMARK #1	BENCHMARK #2
NAIL/DISK PCP	NAIL/DISK PCP
ELEVATION 28.27	ELEVATION 28.41

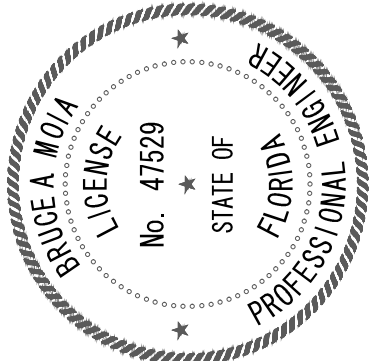
CONVERSION FACTOR TO NGVD 1929: SUBTRACT
1.371 FEET.



Point #	Description
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1003	END
1004	BEGIN
1005	END
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1014	BEGIN
1015	END
1016	BEGIN
1017	END
1018	BEGIN
1019	END
1020	BEGIN
1021	END
1022	BEGIN
1023	END
1024	BEGIN
1025	END

Point #	Point Table	
	Northing	Easting
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33	5327.1274	4370.0167
34	5096.4362	4334.2840
35	5057.3433	4362.1873
36	5044.1279	4311.1088
37	4986.1032	4146.6208
38	4949.8806	4079.8082
39	4652.2005	4049.9850
40	4272.1319	4744.2838
41	4875.5876	4801.0041
42	4920.0256	4679.0412
43	5051.6106	4607.5158
44	4989.2215	4492.4207
45	4904.6338	4471.7256
46	4811.5820	4448.9586
47	4887.0561	4618.3849
48	5141.0299	4762.9514
49	5189.2940	4834.1312





M BAY

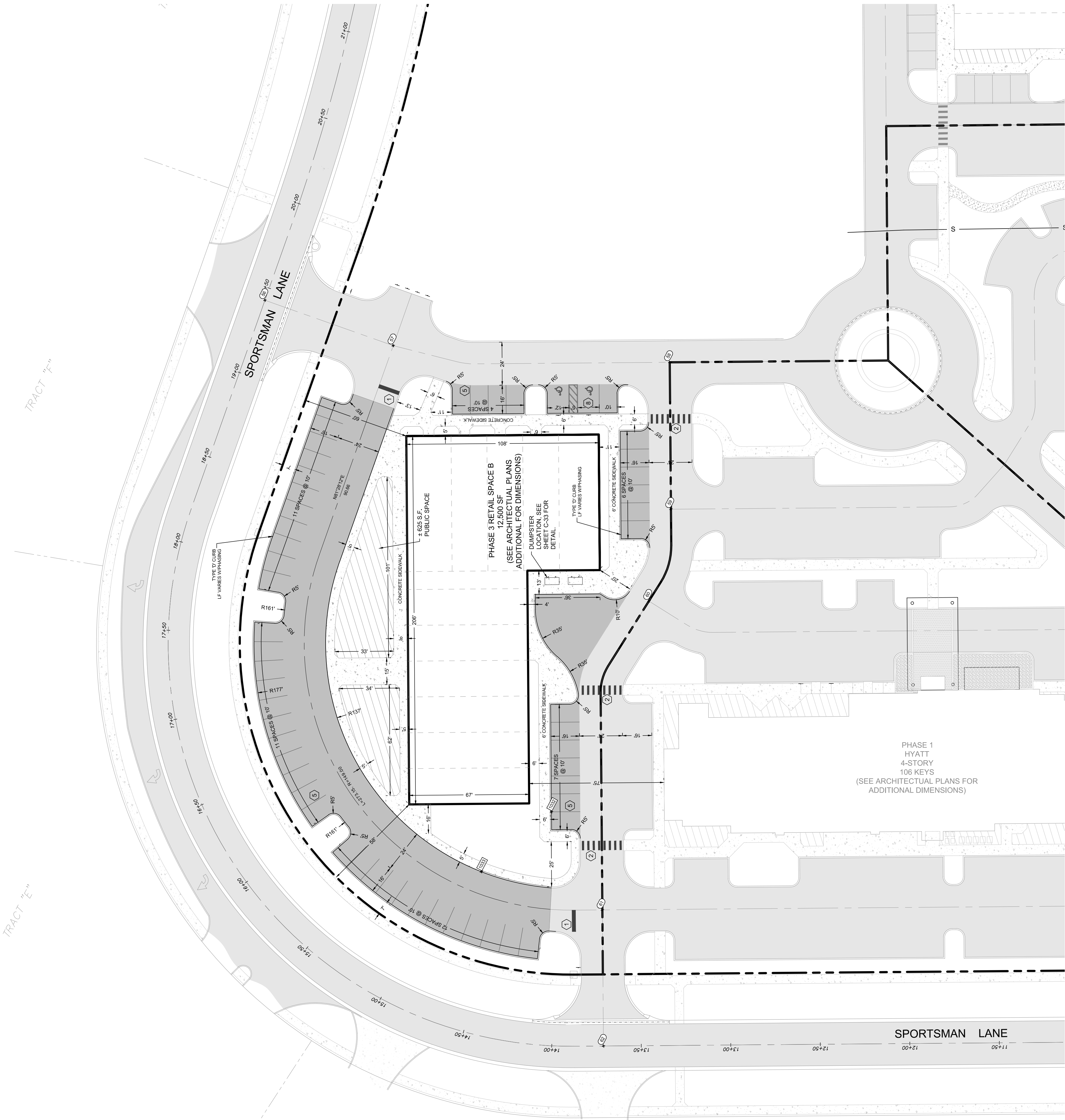
BILDA EXECUTIVE PARK

FLORIDA

PHASE 3 SITE PLAN

MBV ENGINEERING, INC.
MOJA BOWLES VILLAMIZAR & ASSOCIATES
1250 W. Eads Gallie Blvd., Unit L
Melbourne, Florida 32935
321.253.1510 • Fax: 321.253.0911
www.mbveng.com
CARTEZ

DATE	REVISIONS	
6/11/2019	DATE ISSUED	
	1 MUNICIPALITY COMMENTS	
03/28/2018	2 MUNICIPALITY COMMENTS	BAM
04/16/2018	3 MUNICIPALITY COMMENTS	CHECKED
08/28-2017	4 MUNICIPALITY REVISIONS	DATE
05/11/2018	5 ENGINEER REVISIONS	
08/09/2018	6 CONTRACTOR REQUESTED REVISION	
10/09/2018	6 BUILDING COORDINATION (OWNER)	SSF
06/04/2019	7 HOTEL MOD & FINAL PLAT LINES	DRAWN
	8	DWB
	9	17-1034
		JOB NO.



SIGNAGE, STRIPING AND RAMPS' LEGEND	
(1)	(R1-1) 30" STOP SIGN AND 24" THERMOPLASTIC SOLID WHITE STOP BAR
(2)	5' WIDE CROSSWALK (SEE SHEET C-33 FOR DETAIL)
(3)	HANDICAP RAMP AND DETECTABLE WARNING PER FOOT
(4)	6" THERMOPLASTIC DOUBLE YELLOW (26" F. MIN.)
(5)	6" THERMOPLASTIC SOLID WHITE
(6)	THERMOPLASTIC DIRECTIONAL ARROW PER FOOT INDEX 1746
(7)	(R7-6) NO PARKING NO LOADING ZONE SIGN
(8)	HANDICAP PARKING SIGN (SEE DETAIL SHEET C-32)
(9)	6" SOLID YELLOW STRIPING 3" O.C. W/12" YELLOW "LOADING ZONE" LETTERS
(10)	(OM1-1) OBJECT MARKER SIGN AND TURNOUT (SEE DETAIL THIS SHEET)

PRIMARY BENCHMARK:
ELEVATIONS (EL=28.27) BASED ON NORTH
AMERICAN VERTICAL DATUM OF 1988.


BENCHMARK #1	BENCHMARK #2
NAU/DISK PCP	NAU/DISK PCP
ELEVATION 28.27	ELEVATION 28.41

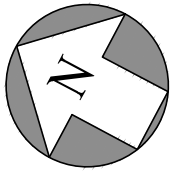
CONVERSION FACTOR TO NGVD 1929: SUBTRACT
1.371 FEET.

Point Table		
Point #	Northing	Easting
56	5312.3317	4358.7438
57	5237.1724	4370.0167
58	5096.4362	4434.2940
59	5057.3433	4362.1873
60	5044.1279	4311.1098
61	4986.1032	4146.6208
62	4949.8806	4079.8082

Location of Modified Type 'D' Curb	
Point #	Description
1032	BEGIN
1033	END

LEGEND

- | | |
|---|----------------------------|
|  | EXISTING ASPHALT PAVEMENT |
|  | PROPOSED ASPHALT PAVEMENT |
|  | EXISTING CONCRETE SIDEWALK |
|  | PROPOSED CONCRETE SIDEWALK |
|  | PROPOSED PUBLIC SPACE |



GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.



Call before you dig.

DATE	REVISIONS
02/22/2018	1 MUNICIPALITY COMMENTS
03/28/2018	2 MUNICIPALITY COMMENTS
04/16/2018	3 MUNICIPALITY COMMENTS
05/11/2018	4 ENGINEER REVISIONS
08/09/2018	5 CONTRACTOR REQUESTED REVISION
10/09/2018	6 BUILDING COORDINATION (OWNER)
06/04/2019	7 HOTEL MOD & FINAL PLAT LINES
8	
9	

JOB NO.	17-1034
DESIGNED	DWB
DRAWN	SSF
DATE	08-28-2017
CHECKED	BAM
DATE ISSUED	6/11/2019



MOJA BOWLES VILLAMIZAR & ASSOCIATES
ENGINEERING, INC.

321.253.1510 • Fax: 321.253.0911

1230V Eau Gallie Blvd, Unit L
Melbourne, Florida 32935

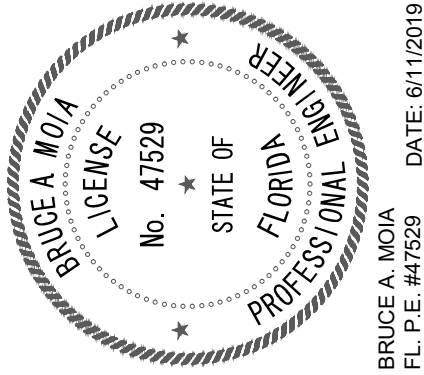
www.mbveng.com

PHASE 4 SITE PLAN

BILDA EXECUTIVE PARK

FLORIDA

CITY OF PALM BAY



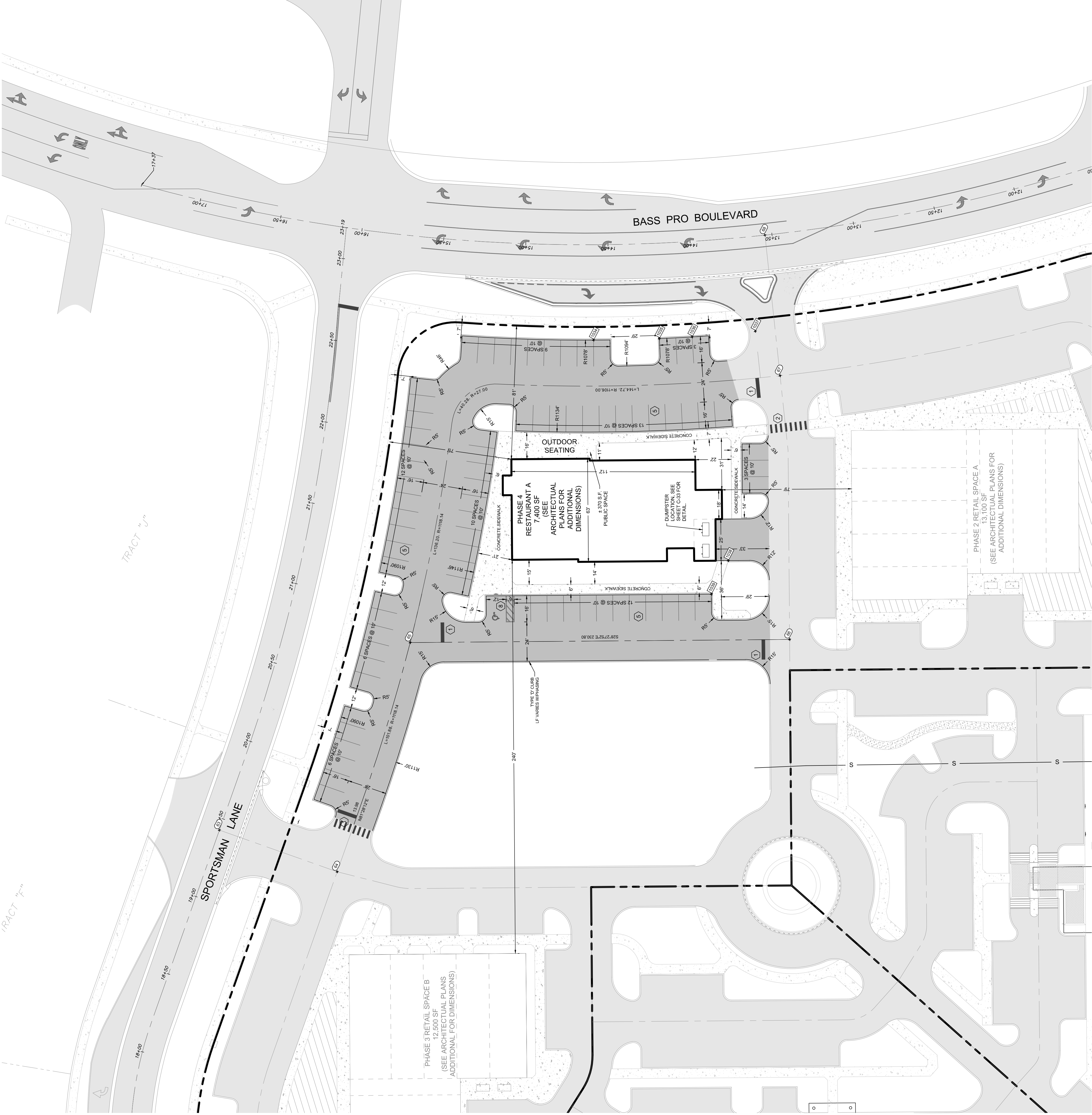
BRUCE A. MOLA
LICENSE
No. 47529
STATE OF
FLORIDA
PROFESSIONAL
ENGINEER

BRUCE A. MOLA
FL P.E. #47529

DATE: 6/11/2019

C-12

CONSTRUCTION SET
17-1034



Location of Modified Type "D" Curb		
Point #	Description	
1034	BEGIN	
1035	END	
1036	BEGIN	
1037	END	
1038	BEGIN	
1039	END	

Point Table		
Point #	Northing	Easting
63	5312.3317	4556.7438
64	5237.1724	4370.0167
65	5263.4571	4513.9914
66	5060.5550	4623.9652
67	5141.0299	4762.9514
68	5189.2940	4634.1312

PRIMARY BENCHMARK:
ELEVATIONS (EL+28.27) BASED ON NORTH
AMERICAN VERTICAL DATUM OF 1988.
BENCHMARK #1 BENCHMARK #2
NAIL/DISK PCP NAIL/DISK PCP
ELEVATION 28.27 ELEVATION 28.41
CONVERSION FACTOR TO NGVD 1928: SUBTRACT
1.371 FEET.

EXISTING ASPHALT PAVEMENT

PROPOSED ASPHALT PAVEMENT

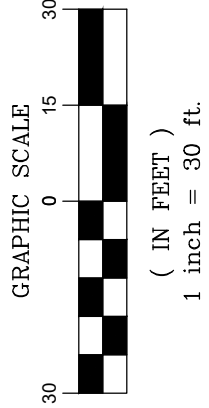
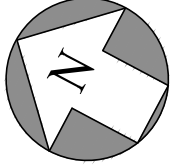
EXISTING CONCRETE SIDEWALK

PROPOSED CONCRETE SIDEWALK


PROPOSED PUBLIC SPACE

SIGNAGE, STRIPING AND RAMPS LEGEND

- 1 (R1-1) 36" STOP SIGN AND 24" THERMOPLASTIC SOLID WHITE STOP BAR
- 2 5' WIDE CROSSWALK SEE SHEET C-33 FOR DETAIL
- 3 HANDICAP RAMP AND DETECTABLE WARNING PER FOOT
- 4 6" THERMOPLASTIC DOUBLE YELLOW (24" MIN.)
- 5 6" THERMOPLASTIC DIRECTIONAL ARROW PER FOOT INDEX 17346
- 6 (R7-6) NO PARKING NO LOADING ZONE SIGN
- 7 HANDICAP PARKING SIGN (SEE DETAIL SHEET C-32)
- 8 6" SOLID YELLOW STRIPING 3' O.C. W/12" YELLOW "LOADING ZONE" LETTERS
- 9 (OM1-1) OBJECT MARKER SIGN AND TURNOUT (SEE DETAIL THIS SHEET)



72 HOURS BEFORE DIGGING
CALL TOLL FREE



Know what's below.
Call before you dig.

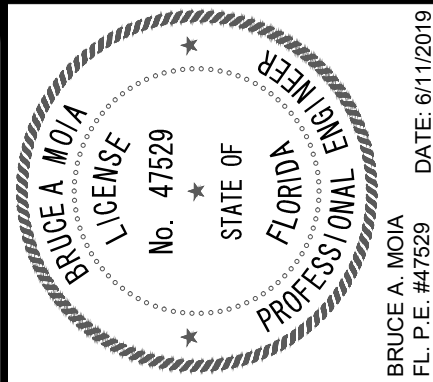
JOB NO.	17-1034
DESIGNED	DWB
DRAWN	SSF
DATE	08-28-2017
CHECKED	BAM
DATE ISSUED	6/11/2019

BV
NG, INC.
R & ASSOCIATES
Unit L
1935
253.0911
CARPENTERS

OVERALL PAVING, GRADING, & DRAINAGE

FLORIDA

BILDA EXECUTIVE PARK



C-15

17-1034
CONSTRUCTION SET

Structure Table			
STRUCTURE NAME	DESCRIPTION	STRUCTURE DATA	STRUCTURE DATA
SD-01A	TYPE 1 MANHOLE	RM 29.00	
	W/16" ROUND BOTTOM	SD-P-41 INV. OUT = 24.45	
	FOOT INEX-201	SD-P-44 INV. OUT = 24.45	
	E 434-17	SD-P-44A INV. OUT = 24.55	
SD-02	TYPE C'D B.I.	RM 27.00	
	FOOT INEX-232	SD-P-02 INV. OUT = 24.64	
	W/16" ROUND BOTTOM	SD-P-01 INV. OUT = 24.64	
	E 436B-29	Pipe (58) INV. OUT = 24.64	
SD-03	TYPE 7 MANHOLE	RM 26.81	
	W/2" TYPE 7 BOTTOM	SD-S-02 INV. IN = 24.80	
	N 4892-37	SD-P-03 INV. OUT = 24.80	
	E 435B-49	SD-P-03 INV. OUT = 24.80	
SD-04	TYPE C'D B.I.	RM 28.38	
	FOOT INEX-233	SD-P-04 INV. OUT = 24.64	
	W/16" ROUND BOTTOM	SD-P-04 INV. OUT = 24.64	
	E 436B-18	Pipe (56) INV. IN = 26.67	
SD-05	TYPE C'D B.I.	RM 28.46	
	FOOT INEX-233	SD-P-05 INV. IN = 24.69	
	W/16" ROUND BOTTOM	SD-S-11 INV. IN = 24.69	
	E 436B-96	SD-P-05 INV. OUT = 24.69	
SD-06	TYPE 7 MANHOLE	RM 28.94	
	FOOT INEX-232	SD-P-06 INV. IN = 24.78	
	N 4893-98	SD-P-06 INV. OUT = 24.78	
	E 435B-14	SD-P-06 INV. OUT = 24.78	
SD-07	TYPE 7 MANHOLE	RM 29.43	
	W/16" TYPE 7 BOTTOM	SD-S-06 INV. IN = 24.78	
	N 4897-47	SD-P-07 INV. IN = 24.78	
	E 436B-73	SD-P-07 INV. OUT = 24.78	
SD-08	TYPE C'D B.I.	RM 27.92	
	FOOT INEX-232	SD-P-08 INV. IN = 24.69	
	W/16" ROUND BOTTOM	SD-P-15 INV. IN = 24.88	
	E 474-28	SD-P-15 INV. OUT = 24.88	
SD-09	TYPE C'D B.I.	RM 28.09	
	FOOT INEX-232	SD-P-09 INV. IN = 24.65	
	N 5016-53	SD-P-09 INV. OUT = 25.05	
	E 462B-38	SD-P-09 INV. OUT = 25.05	
SD-10	TYPE C'D B.I.	RM 28.08	
	FOOT INEX-232	SD-S-10 INV. IN = 24.68	
	W/2" ROUND BOTTOM	SD-P-09 INV. OUT = 25.08	
	E 462A-00	SD-P-09 INV. OUT = 25.08	
SD-11	TYPE C'D B.I.	RM 28.41	
	FOOT INEX-233	SD-P-10 INV. IN = 25.19	
	N 5141-03	SD-P-10 INV. OUT = 25.19	
	E 4762-05	SD-P-10 INV. OUT = 25.19	
SD-12	TYPE C'D B.I.	RM 27.91	
	FOOT INEX-232	SD-S-12 INV. IN = 24.71	
	N 5037-17	SD-P-12 INV. IN = 24.71	
	E 4410-70	SD-P-12 INV. OUT = 24.71	
SD-13	TYPE 7 MANHOLE	RM 29.85	
	FOOT INEX-201	SD-P-12 INV. OUT = 24.89	
	N 5060-01	SD-P-12 INV. OUT = 24.89	
	E 4471-44	SD-P-12 INV. OUT = 24.89	
SD-14	TYPE C'D B.I.	RM 27.72	
	FOOT INEX-232	SD-S-14 INV. IN = 25.07	
	N 5207-17	SD-P-13 INV. OUT = 25.07	
	E 4370-02	SD-P-13 INV. OUT = 25.07	
SD-EX-HDWL	TRIPLE 24" HEADWALL	RM 29.41	
	N 5250-00	SD-P-14 INV. IN = 24.80	
	E 436B-13	SD-E-01 INV. OUT = 24.85	
		SD-E-01 INV. OUT = 24.85	

INTERED END STRUCTURE TABLE		
STRUCTURE ID	DESCRIPTION	STRUCTURE DATA
SD-01	M.E.S. [2-1] FOOT Index 272	NE INV. 24.65
SD-15	M.E.S. [4-1] FOOT Index 272 (TEMPORARY STRUCTURE)	SW INV. 25.50
SD-16	M.E.S. [4-1] FOOT Index 272 (TEMPORARY STRUCTURE)	SW INV. 26.00
SD-17	M.E.S. [4-1] FOOT Index 272 (TEMPORARY STRUCTURE)	SE INV. 26.00

[illegible]

ELLIPTICAL PIPE TABLE			
PIPE NAME	PIPE HEIGHT	PIPE WIDTH	LENGTH
SD-P-04	29"	45"	96.47'
			SLOPE
			0.04%

PRIMARY BENCHMARK:
ELEVATIONS (EL)=28.27 BASED ON NORTH
AMERICAN VERTICAL DATUM OF 1988.

BENCHMARK #1	BENCHMARK #2
NAIL/DISK PCP	NAIL/DISK PCP
ELEVATION 28.27	ELEVATION 28.41

CONVERSION FACTOR TO NGVD - 1929: SUBTRACT
1.371 FEET.

DRAINAGE GENERAL NOTES:

1. ALL STORMWATER PIPE MATERIAL SHALL BE HIGH DENSITY POLYETHYLENE (HDPE) WITH THE EXCEPTION OF SD-P-04A AND SD-P-04, WHICH SHALL BE RCP AND ERCP RESPECTIVELY.

LEGEND

EXISTING ASPHALT PAVEMENT

PROPOSED ASPHALT PAVEMENT

SECTION IDENTIFICATION

SECTION SHEET NUMBER
U-239

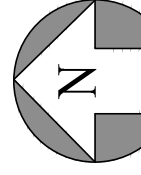
↓ STORMWATER FLOW DIRECTION

☐ FDOT TYPE 'C' D.B.I.

FDOT TYPE 'C' D.B.I. W/ ROUND BOTTOM

● FDOT TYPE 7 MANHOLE

PROPOSED DRAINAGE PIPE




GRAPHIC SCALE

20 0 25 50

(IN FEET)
1 inch = 50 ft.

72 HOURS BEFORE DIGGING
CALL TOLL FREE



Know what's below.
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Site plan showing fire hydrant locations and flow calculations. The plan includes a road intersection with hydrants labeled 17+00, 16+50, 23+19, 22+00, 21+50, and 20+00. A benchmark is noted as BENCHMARK #1, NAL/DOZ FSD, ELEVATION 2627. The plan also shows existing fire hydrant coverage areas and tracts 7 and 7A.

The site plan illustrates a proposed water main project. A thick black line indicates the new water main alignment, running parallel to Sportsman Lane. Key features include:

- Sportsman Lane**: A road with a centerline offset of 19'-00" from the water main.
- Existing Infrastructure**: Includes an "EXISTING 10' WATERMAIN", "EXISTING FIRE HYD.", and "EXISTING FIVE HYD. COVERAGE".
- Proposed Features**: A new "WATER MAIN" and "FORCE MAINS RECLAIMED WATER PIPES AND ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS".
- Dimensions**: Various offsets and distances are noted, such as 17'-50", 18'-00", 18'-50", 19'-50", 20'-00", 20'-50", 21'-00", and 21'-50".
- Tracts**: The plan shows "TRACT 'N'" and "TRACT 'E'", separated by a dashed line labeled "TRACT 'N'".
- Other Labels**: "BAOS" and "FIRE HYD." are also present near the intersection area.

(B) OR PIPELINE CONVEYING RECLAIMED WATER REGULATED UNDER PART III OF CHAPTER 62-010 F.A.C. AND ANY OTHER EXISTING SANITARY SEWER MAINS SHALL BE LAD SO THAT THE MINIMUM HORIZONTAL SEPARATION DISTANCE OF AT LEAST THREE FEET, AND PREFERABLY TEN FEET, BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED VACUUM-TYPE SANITARY SEWER.

(C) NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST SIX FEET, AND PREFERABLY TEN FEET, BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED GRAVITY OR VACUUM-TYPE SANITARY SEWER.

(D) NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST TEN FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND ANY EXISTING OR PROPOSED "ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEM" AS DEFINED IN SECTION 981.00(2)(9), F.S., AND RULE 6C-01.02, F.A.C.

(2) VERTICAL SEPARATION BETWEEN UNDERGROUND WATER MAINS AND SANITARY OR STORM SEWERS, WASTEWATER OR STORM WATER MAINS, OR RELOCATED UNDERGROUND WATER MAINS CROSSING ANY EXISTING GRAVITY OR VACUUM-TYPE SANITARY SEWER OR STORM SEWER SHALL BE LAID SO THE OUTSIDE OF THE WATER MAIN IS AT LEAST SIX INCHES, AND PREFERABLY 12 INCHES, ABOVE OR AT LEAST SIX INCHES BELOW THE OUTSIDE OF THE OTHER PIPELINE. HOWEVER, IT IS PREFERABLE TO LAY THE WATER MAIN ABOVE THE OTHER PIPELINE.

(A) NEW OR RELOCATED UNDERGROUND WATER MAINS CROSSING ANY EXISTING PRESSURE-TYPE SANITARY SEWER, WASTEWATER OR STORM WATER MAIN, OR PIPELINE CONVEYING RECLAIMED WATER SHALL BE LAID SO THE OUTSIDE OF THE WATER MAIN IS AT LEAST SIX INCHES ABOVE OR BELOW THE OUTSIDE OF THE OTHER PIPELINE.

(B) NEW OR RELOCATED UNDERGROUND WATER MAINS CROSSING ANY EXISTING PRESSURE-TYPE SANITARY SEWER, WASTEWATER OR STORM WATER MAIN, OR PIPELINE CONVEYING RECLAIMED WATER SHALL BE LAID SO THE OUTSIDE OF THE WATER MAIN IS AT LEAST SIX INCHES ABOVE OR BELOW THE OUTSIDE OF THE OTHER PIPELINE. HOWEVER, IT IS PREFERABLE TO LAY THE WATER MAIN ABOVE THE UTILITY CROSSINGS DESCRIBED IN PARAGRAPHS (A) AND (B). ABOVE ONE FULL LENGTH OF WATER MAIN PIPE SHALL BE CENTERED AT THE UTILITY CROSSING.

(C) NEW OR RELOCATED UNDERGROUND WATER MAINS CROSSING ANY EXISTING GRAVITY OR VACUUM-TYPE SANITARY SEWER OR STORM SEWER SHALL BE LAID SO THE OUTSIDE OF THE WATER MAIN IS AT LEAST SIX INCHES ABOVE OR AT LEAST SIX INCHES BELOW THE OUTSIDE OF THE OTHER PIPELINE. HOWEVER, IT IS PREFERABLE TO LAY THE WATER MAIN ABOVE THE OTHER PIPELINE.

[illegible]

The drawing shows a cross-section of a sewer pipe with a profile of the ground surface and the sewer invert. The invert elevations are marked at 10-foot intervals from 6+50 to 9+50. The ground surface is shown with a dashed line and a profile of the sewer invert with a solid line. The sewer pipe is labeled "SEWER" and "12\"/>

PRIMARY BENCHMARK:	
BENCHMARK #1	BENCHMARK #2
NAJDISK PCP	NAJDISK PCP
ELEVATION 28.27	ELEVATION 28.41
CONVERSION FACTOR TO NGVD 1928: SUBTRACT 1.371 FEET.	

WATER AND SEWER DEDICATION NOTE:

- SEWER: ALL 12" GRAVITY SEWER MAINS AND MANHOLES ARE PROPOSED TO BE DEDICATED TO THE CITY OF PALM BEACH.
- ALL SERVICES (6" OR SMALLER) SHALL BE PRIVATELY MAINTAINED.

UTILITY NOTES:

- REFER TO SHEETS C-30 FOR SEWER PROFILES, CONFLICTS, AND ADDITIONAL INFORMATION.

GRAPHIC SCALE:

1" = 50' ft

CONVERSION FACTOR TO NGVD 1928: SUBTRACT 1.371 FEET.

SEWER PROFILE:

SEWER INVERT ELEVATION 28.41

SEWER INVERT ELEVATION 28.27

SEWER INVERT ELEVATION 28.17

SEWER INVERT ELEVATION 28.07

SEWER INVERT ELEVATION 27.97

SEWER INVERT ELEVATION 27.87

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SEWER INVERT ELEVATION 10.07

SEWER INVERT ELEVATION 9.97

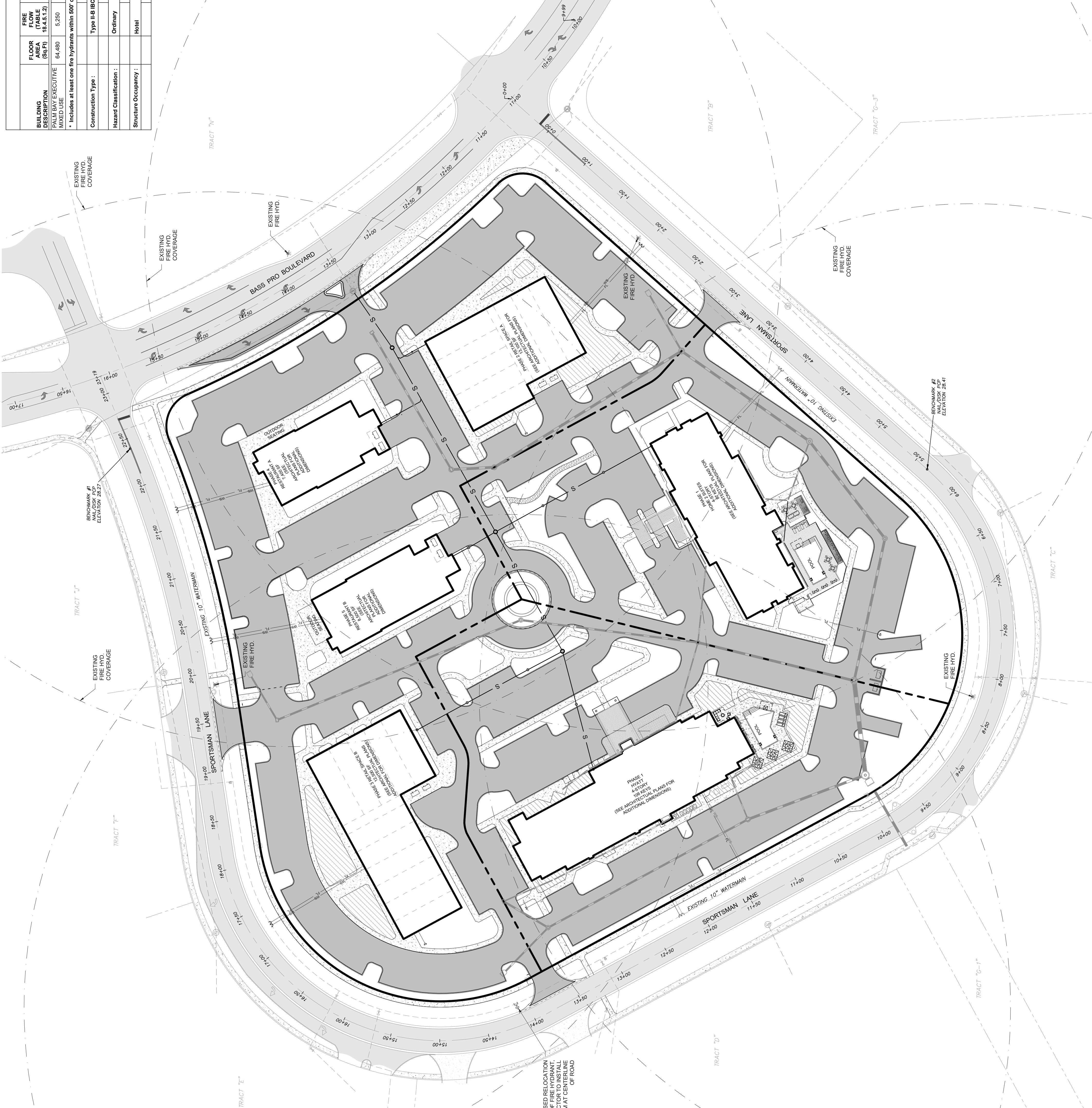
SEWER INVERT ELEVATION 9.87

SEWER INVERT ELEVATION 9.77

SEWER INVERT ELEVATION 9.67

SEWER INVERT ELEVATION 9.57

SEWER INVERT ELEVATION 9.47





FINAL PLAT APPLICATION

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

PROPOSED SUBDIVISION NAME Bilda Executive Park

PARCEL ID 28-37-20-50-K

TAX ACCOUNT NO. 2829548

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

Lots 1 thru 4 of the vacated Executive Park Plat. In Plat Book 57, Page 63 of the Brevard County Public Records.

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): 10.00 ac

TOTAL LOTS PROPOSED (list by use): 3 - Commercial

HIGHWAY, STREET BOUNDARIES, AND NEAREST CROSSROADS:

Bass Pro Blvd. and Sportsman Lane

INTENDED USE OF PROPERTY: Commercial

ZONE CLASSIFICATION AT PRESENT (ex.: LI, CC, etc.): CC

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

- ☒ X *\$800.00 Application Fee. Make check payable to "City of Palm Bay."
- ☒ X Two (2) copies of the final plat and construction plans as required by [Chapter 184.28](#), Palm Bay Code of Ordinances. The final plat and construction plans shall also be provided on Memory Drive.
- ☒ X List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)
- ☒ X Citizen Participation Plan. Required when a preliminary subdivision plan application was not submitted. Refer to [Section 169.005](#) of the Land Development Code for guidelines.

CITY OF PALM BAY, FLORIDA
FINAL PLAT APPLICATION
PAGE 2 OF 2

N/A School Board of Brevard County [School Impact Analysis Application](#) (if applicable).

X Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guidelines.

N/A **Where property is not owned by the applicant**, a [letter](#) must be attached giving the notarized consent of the owner to the applicant to request the final plat approval.

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

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

Signature of Applicant  Date 04/23/19

Printed Name of Applicant Sam Cohen - Managing Partner

Full Address 1955 Harrison Street, #200 Hollywood, FL 33020

Telephone 954-434-5001 Email scohen@ad1global.com

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

June 6, 2019

Re: Letter of Authorization

As the property owner of the site legally described as:

Executive Park a replat of Tract K Port Malabar Unit 60 as recorded in PB 32 pgs 99 through 102, Lots 1-4

I, Owner Name: AD1Urban Strategy Palm Bay LLC
Address: 1955 Harrison Street, Suite 200 Hollywood Florida 33020
Telephone: 954-434-5001
Email: scohen@ad1global.com

hereby authorize:

Rep. Name: Bruce A Moia, P.E. - MBV Engineering, Inc.
Address: 1250 W Eau Gallie Blvd, Unit L, Melbourne, FL 32935
Telephone: 321-253-1510
Email: brucem@mbveng.com

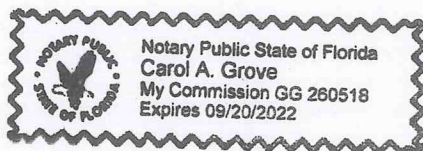
to represent the request(s) for:
Final Plat


(Property Owner Signature)

STATE OF Florida
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 6th day of June, 2019 by Sam Cohen,

(SEAL)




, Notary Public

☒ Personally Known or
☐ Produced Identification
Type of Identification Produced: _____



LAND DEVELOPMENT DIVISION
120 MALABAR ROAD SE
PALM BAY, FL 32907
TELEPHONE: 321-733-3042

STAFF REPORT
PREPARED BY:
Christopher Balter
Planner II

CASE NUMBER

FD-16-2019

PLANNING & ZONING BOARD HEARING DATE

July 10, 2019

APPLICANT/PROPERTY OWNER

Forte Macaulay Development
Consultants/Scott M. Glaubitz, P.E., P.L.S.

PROPERTY LOCATION/ADDRESS

Parcels 28-36-32-00-1, 28-36-32-00-751, 28-36-32-00-254
and 28-36-32-00-253
Northwest of the intersection of Malabar Road and the St.
Johns Heritage Parkway

SUMMARY OF REQUEST

The applicant is seeking Final Development approval for a single-family residential development within the PMU, Parkway Mixed Use District, to be known as St. Johns Preserve, containing 620 single-family residential lots for an approximate density of 3.26 units per acre, and a 15 acre commercial parcel. The development will be constructed in phases.

EXISTING ZONING	EXISTING LAND USE	SITE IMPROVEMENTS	SITE ACREAGE
PMU, Parkway Mixed Use	PFU, Parkway Flex Use	Single Family Home and Farm Ditches	193 +/-

SURROUNDING ZONING & LAND USE

NORTH: PUD, Planned Unit Development; Melbourne-Tillman Canal No 1

EAST: GU, General Use Holding District; St. Johns Heritage Parkway

SOUTH: AU, Agricultural Residential (Brevard County); Vacant

WEST: GU, General Use Holding District; Heritage High School

COMPATIBILITY with the COMPREHENSIVE PLAN

The Future Land Use designation of Parkway Flex Use, created in unison with the PMU, Parkway Mixed Use zoning district will allow for multiple land uses (single family, multiple family and commercial) to co-exist within the proposed subdivision. The Land Development Code permits future revisions of this site, affording the applicant with the flexibility to respond to a changing market and consumer demand, limited by the maximum densities of the Parkway Flex Use category

BACKGROUND:

The project was originally approved via Case FS-4-2018 on July 5, 2018. However, the applicant changed the layout and it was determined by the Growth Management Department to be a substantial deviation from that approval. This change necessitates approval by the Planning and Zoning Board and City Council.

ANALYSIS:

1. The City Council approved the requested FLUMA on November 1, 2017 (Case CP-26-2017), subject to the following three staff recommendations. Staff has reviewed the current submittal for compliance and offers the following observations, which shall apply to this request:

Condition No. 1 - *The project shall pay a Proportionate Fair Share of all identified traffic improvements.*

Condition No. 2 - *The development shall be consistent with the maximum densities established by the Conceptual Plan.*

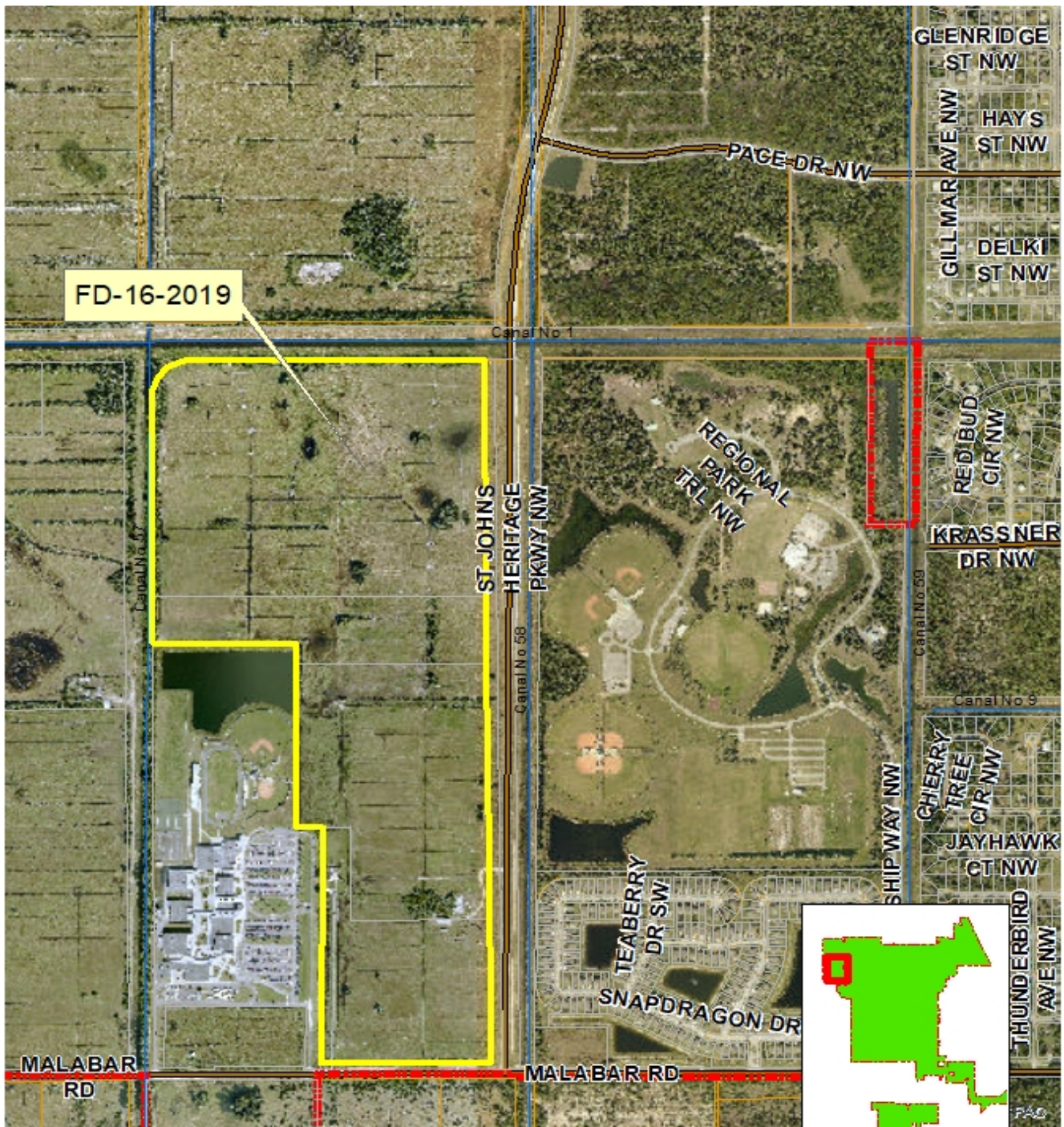
Condition No. 3 - *An emergency access easement shall be provided for Heritage High School, through the project, connecting to the St. Johns Heritage Parkway.*

2. The development shall be consistent with the maximum densities established by the Parkway Flex Use Category. The Flex category permits both single and multiple family residential uses, with a maximum density of ten (10) residential units per acre. Within these two residential uses exists the ability to construct detached single-family homes; attached single-family housing (up to 8 units per structure); and more traditional multi-family housing, such as apartments and condominiums. The Flex category allows commercial development for retail; personal service establishments, daycare centers, church/religious uses, restaurants, financial institutions, office uses, service stations with fuel sales, food service, theaters, professional office uses, and medical and/or veterinary clinics. A minimum of 40 square feet of commercial space shall be provided for each residential unit. Based on the number of residential units proposed, a minimum of 24,800 square feet of commercial use(s) shall be constructed. The Board and Council should determine at what stage of residential development that this commercial development is submitted for site plan review/ approval.
3. A school impact analysis was performed which projected sufficient capacity at the high school, elementary, and middle school level.
4. The entire site is in Floodzone AE and will require a FEMA CLOMR / LOMR-F or floodplain permits for each structure.

5. A City of Palm Bay "Utility Agreement" shall be executed between the Property Owner and the City. All Utility impact/connection charges noted in the "Utility Agreement" must be paid per, the City ordinance and as outlined in the terms and conditions of the Utility Agreement [§ 171.50 – Water and Wastewater Impact Fees]. The Property Owner shall submit a certified copy of the property deed as verification of ownership during review of the Utility Agreement.
6. A traffic study identifying all off-site impacts and off-site intersection impacts has been provided. All traffic impacts shall be mitigated as part of the development.
7. In order to receive Final Development approval, the proposal must meet the requirements of Chapter 185.057 of the City of Palm Bay's Code of Ordinances. Upon review, it appears that the request is in conformance with the applicable requirements of this chapter, subject to the following being addressed prior to City Staff signing the Mylar:
 - a. Any proposed landscaping in the public right-of-way shall require an agreement which states that the maintenance in perpetuity shall be the responsibility of the owner and the subsequent Home Owners Association.
 - b. A signal warrant study for the intersection of the St. Johns Heritage Parkway at Malabar Road is required.
 - c. Prior to the issuance of any building permits, the Construction Plans must be granted administrative staff approval.

STAFF RECOMMENDATION:

Case FD-16-2019 is recommended for approval subject to the staff comments contained in this report.



AERIAL LOCATION MAP CASE FD-16-2019

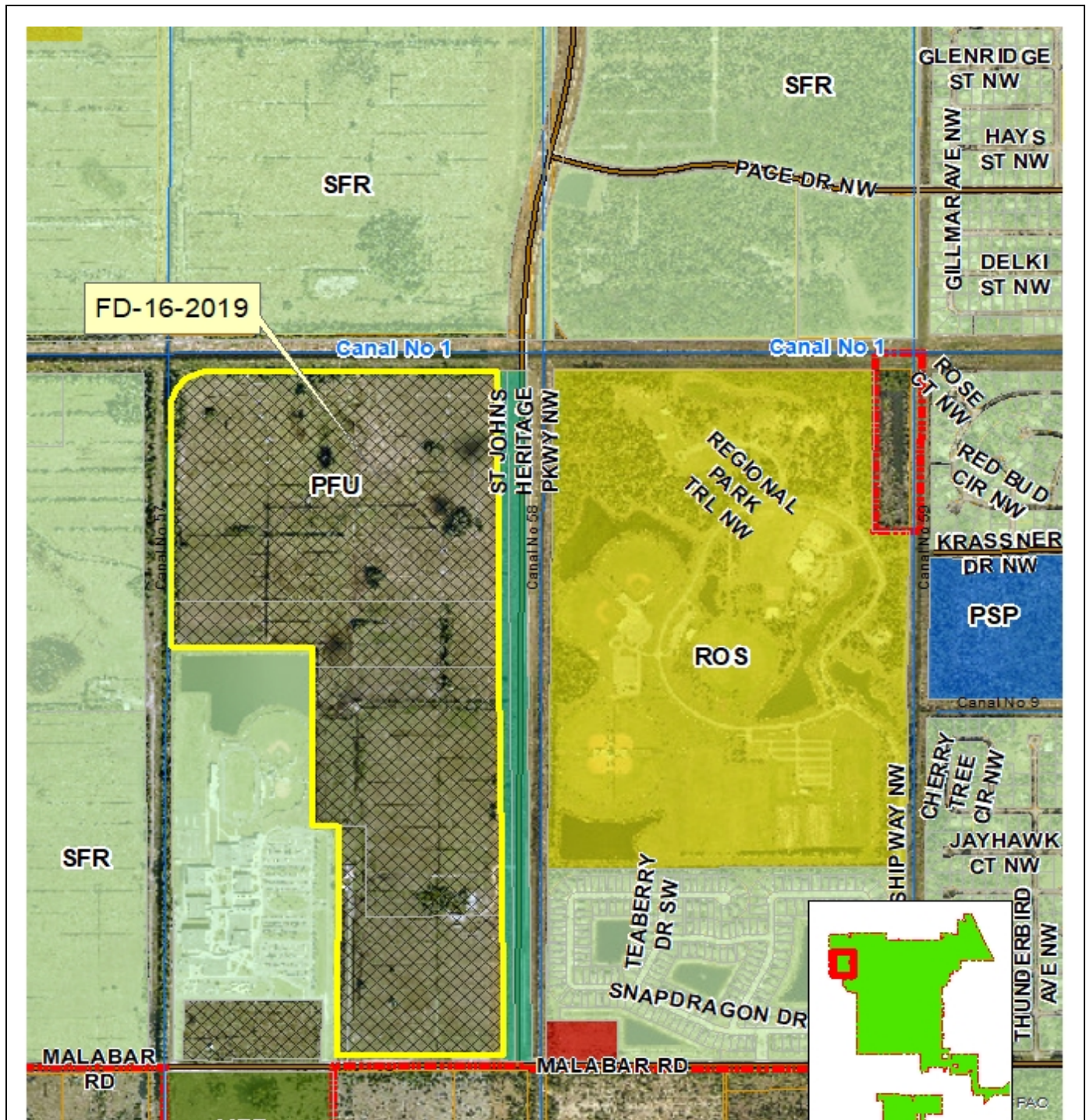
Subject Property

Located north of and adjacent to Malabar Road NW, in the vicinity west of the St. Johns Heritage Parkway and south of the C-1 Canal



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



FUTURE LAND USE MAP CASE FD-16-2019

Subject Property

Located north of and adjacent to Malabar Road NW, in the vicinity west of the St. Johns Heritage Parkway and south of the C-1 Canal

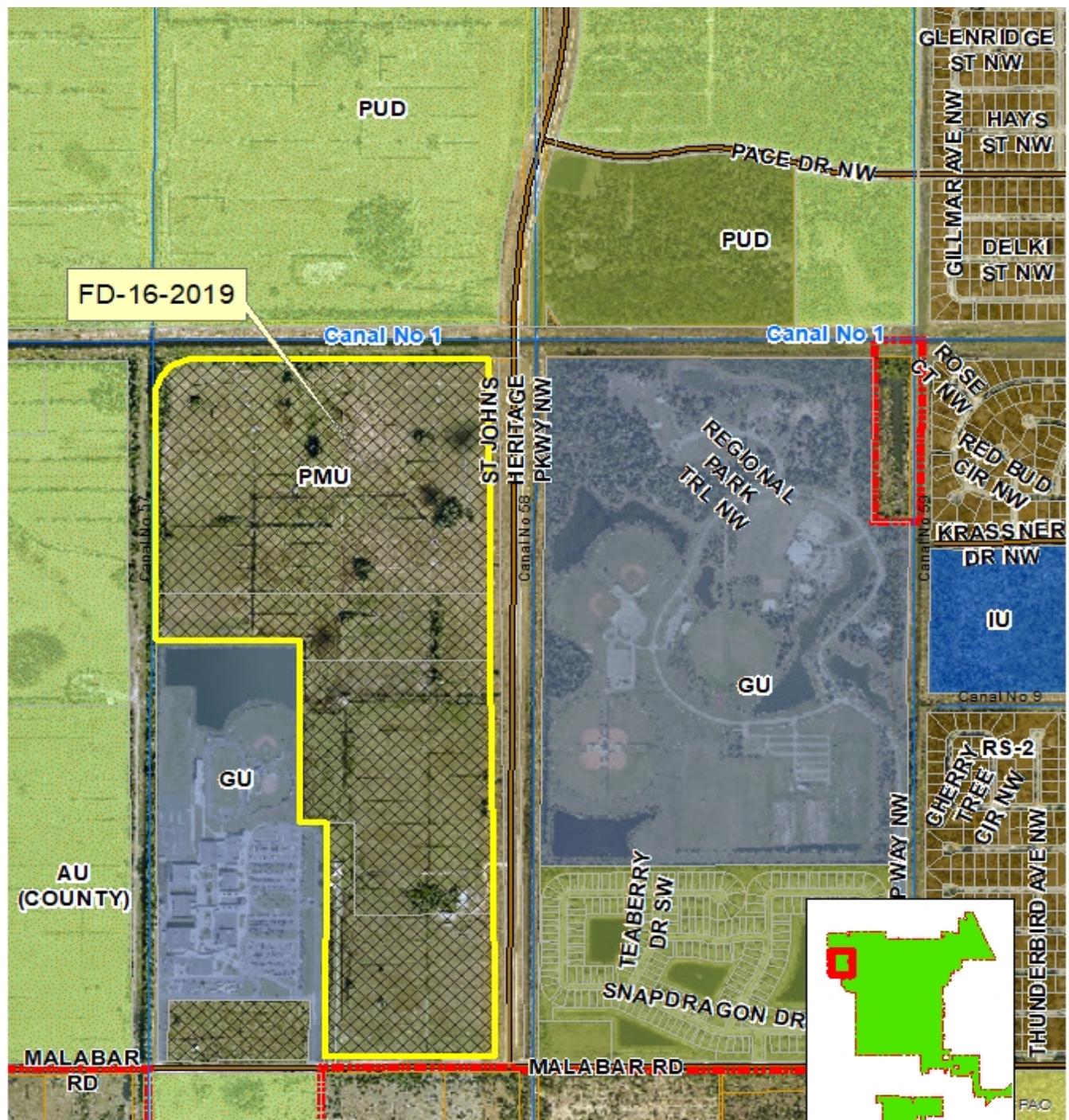
Future Land Use Classification

PFU – Parkway Flex Use



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



ZONING MAP CASE FD-16-2019

Subject Property

Located north of and adjacent to Malabar Road NW, in the vicinity west of the St. Johns Heritage Parkway and south of the C-1 Canal

Current Zoning Classification

PMU – Parkway Mixed Use District



Not to Scale

Map for illustrative purposes only; not to be construed as binding or as a survey



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

FINAL DEVELOPMENT PLAN APPLICATION

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

APPLICATION TYPE:

☐ PUD

Planned Unit Development
(Section 185.067)

☒ PMU

Parkway Mixed Use District
(Final Design Plan)
(Section 185.057(C))

☐ PCRD

Planned Community
Redevelopment District
(Section 185.055(L))

☐ RAC

Regional Activity Center District
(Section 185.056(C))

PROPOSED DEVELOPMENT NAME St. Johns Preserve

PARCEL ID 28-36-32-00-1, 28-36-32-00-254, 28-36-32-00-253, and 28-36-32-00-751

TAX ACCOUNT NO. 2811424, 2865740, 2865739, and 2865741

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

Please see attached Exhibit A.

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): +/- 193 (=178 + 15 commercial)

TOTAL LOTS PROPOSED (list by use): +/- 620 single-family residential lots

DEVELOPER Forte Macaulay Development Consultants

Full Address 1698 W. Hibiscus Blvd. Suite A, Melbourne, FL 32901

Telephone 321-953-3300 Email mike.fmdc@gmail.com

ENGINEER B.S.E. Consultants, Inc. (Scott M. Glaubitz, P.E., P.L.S.)

Full Address 312 S. Harbor City Blvd., Suite 4, Melbourne, FL 32901

Telephone 321-725-3674 Email sglaubitz@bseconsult.com

SURVEYOR B.S.E. Consultants, Inc. (Scott M. Glaubitz, P.E., P.L.S. and/or Leslie Howard, P.S.M)

Full Address 312 S. Harbor City Blvd., Suite 4, Melbourne, FL 32901

Telephone 321-725-3674 Email sglaubitz@bseconsult.com

CITY OF PALM BAY, FLORIDA
FINAL DEVELOPMENT PLAN APPLICATION
PAGE 2 OF 2

FINAL DEVELOPMENT PLAN CRITERIA FOR SUBMITTAL:

- 1) TWO (2) COPIES OF THE FINAL DEVELOPMENT PLAN AND SUPPORTING DOCUMENTATION SHALL BE ATTACHED TO THE APPLICATION. THE FINAL PLAN AND SUPPORTING DOCUMENTATION MUST ALSO BE PROVIDED ON MEMORY DRIVE.
- 2) LAYOUT OF THE DEVELOPMENT PLAN SHALL BE IN PLAT FORM THAT MEETS THE REQUIREMENTS OF FLORIDA STATUTE CHAPTER 177.
- 3) THE FINAL DEVELOPMENT PLAN SHALL CONTAIN THE INFORMATION REQUIRED PER THE CITY OF PALM BAY LAND DEVELOPMENT CODE SECTION FOR A PUD, PMU, PCRD, OR RAC. **ADDITIONAL CONDITIONS MUST BE MET AND INCORPORATED INTO THE SITE PLAN FOR THE SPECIFIC TYPE OF DEVELOPMENT REQUESTED (PUD, PMU, PCRD, RAC).** THE ADDITIONAL CRITERIA IS LISTED IN THE CODE OF ORDINANCES AND AVAILABLE FROM STAFF.

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

- ☒ *A \$1,500.00 application fee shall accompany the Final Development Plan application for the purposes of administration. Make check payable to "City of Palm Bay."
- ☒ Final Development Plan (see above Final Development Plan Criteria for Submittal).
- ☒ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)
- ☐ N/A Citizen Participation Plan. Required when a preliminary development plan application was not submitted. Refer to [Section 169.005](#) of the Land Development Code for guidelines.
- ☒ School Board of Brevard County [School Impact Analysis Application](#) (if applicable).
- ☒ Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guidelines.
- ☒ **Where property is not owned by the applicant, a [letter](#) must be attached giving the notarized consent of the owner to the applicant to apply for the final development plan.**

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

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

Signature of Applicant  Date 6/6/19

Printed Name of Applicant Scott M. Glaubit

Full Address 312 S. Harbor City Blvd., Suite 4, Melbourne, FL 32901

Telephone 321-725-3674 Email sglaubit@bseconsult.com

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

AUTHORIZATION TO ACT AS AGENT

I, Willard Palmer, which owns the property, hereby authorize Mike Evans of Forte Macaulay Development Consultants, Inc., and Scott M. Glaubitz, P.E., P.L.S., President, of B.S.E. Consultants, Inc., to act as agent in all permitting and certification matters for St. Johns Preserve in Palm Bay, Brevard County, Florida. This authorization shall include all engineering and permitting services for this subdivision/site.



Signature

Willard Palmer

Owner

Sworn to and subscribed before me this 12th day of December, 2017, by personally known who is personally known to me and who (did) (did not) take an oath.

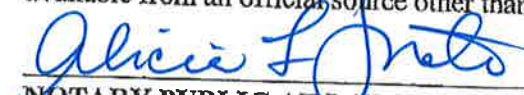


NOTARY PUBLIC AT LARGE

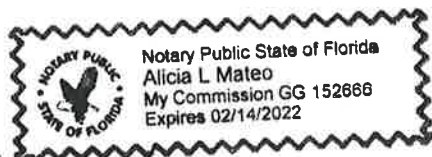


**STATE OF FLORIDA,
COUNTY OF BREVARD**

On this 6th day of JUNE, 2019, I attest that the preceding document is a true, exact, complete, and unaltered photocopy made by me of the AUTHORIZATION TO ACT AS AGENT presented to me by the document's custodian, Scott M. Glaubitz, P.E., P.L.S., and, to the best of my knowledge, that the photocopied document is neither a public record nor a publicly recordable document, certified copies of which are not available from an official source other than a notary public.



NOTARY PUBLIC AT LARGE



ST JOHNS PRESERVE

A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 32 AND RUN S89°44'45"W, ALONG THE SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 269.04 FEET; THENCE N00°41'13"E A DISTANCE OF 70.01 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF MALABAR ROAD WITH THE WEST RIGHT-OF-WAY LINE OF ST JOHNS HERITAGE PARKWAY; THENCE N00°41'13"E ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 854.12 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N00°41'13"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 4235.56 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MELBOURNE-TILLMAN WATER CONTROL DISTRICT CANAL No. 1 (A 237 FOOT WIDE RIGHT-OF-WAY); THENCE S89°48'32"W ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 2292.19 FEET TO THE EAST RIGHT-OF-WAY LINE OF MELBOURNE-TILLMAN WATER CONTROL DISTRICT CANAL No. 6 (A 148 FOOT WIDE RIGHT-OF-WAY); THENCE S00°44'27"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 2057.24 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5788, PAGE 698, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN ALONG THE BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5788, PAGE 698 THE FOLLOWING FIVE (5) COURSES AND DISTANCES; (1) N89°46'39"E, A DISTANCE OF 992.81 FEET; (2) THENCE S00°38'45"W, A DISTANCE OF 464.63 FEET; (3) THENCE S00°40'06"W, A DISTANCE OF 864.20 FEET; (4) THENCE N89°44'20"E, A DISTANCE OF 146.10 FEET; (5) THENCE S00°40'13"W, A DISTANCE OF 1705.61 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID MALABAR ROAD; THENCE N89°44'45"E ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 389.03 FEET; THENCE N00°41'13"E A DISTANCE OF 854.12 FEET; THENCE N89°44'45"E A DISTANCE OF 765.10 FEET TO THE POINT OF BEGINNING. CONTAINING 178.11 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED 15 ACRE COMMERCIAL PARCEL

A PARCEL OF LAND IN THE EAST 1/2 OF SECTION 32, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 32 AND RUN S89°44'45"W, ALONG THE SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 269.04 FEET; THENCE N00°41'13"E A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MALABAR ROAD (A 66 FOOT WIDE PUBLIC RIGHT-OF-

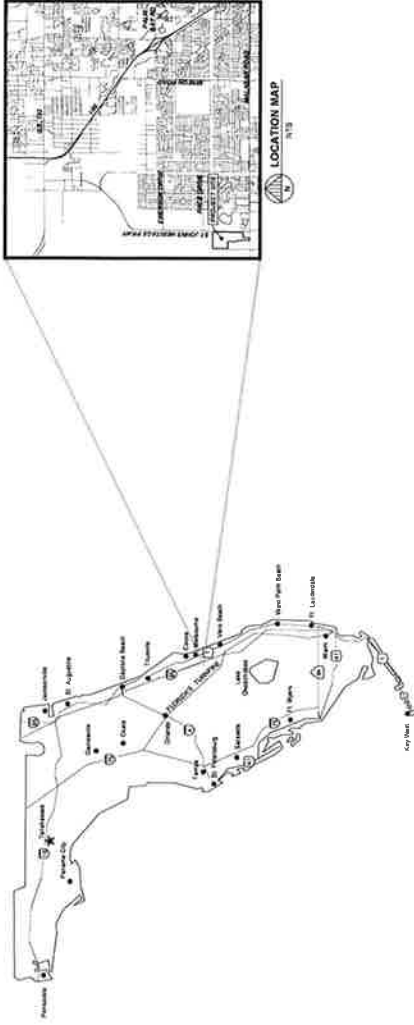
WAY); THENCE S89°44'45"W ALONG SAID NORTH RIGHT-OF WAY LINE A DISTANCE OF 1154.13 FEET; THENCE N00°40'13"E, A DISTANCE OF 37.00 FEET; THENCE N89°44'45"E, A DISTANCE OF 389.03 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE N00°41'13"E, A DISTANCE OF 854.12 FEET; THENCE N89°44'45"E, A DISTANCE OF 765.10 FEET; THENCE S00°41'13"W A DISTANCE OF 854.12 FEET TO THE NORTH LINE OF OFFICIAL RECORDS BOOK 6507, PAGE 2110; THENCE S89°44'45"W ALONG SAID NORTH LINE, A DISTANCE OF 765.10 FEET TO THE POINT OF BEGINNING. CONTAINING 15.00 ACRES, MORE OR LESS.

TOGETHER CONTAINING 193.11 NET ACRES, MORE OR LESS.

ST JOHNS PRESERVE

**SECTION 32, TOWNSHIP 28 SOUTH, RANGE 36 EAST
CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**

SHEET INDEX		SHEET TITLE	
SHEET #	DRAWING #		
1	114107_402.001	COVER SHEET	
2	114107_402.002	SWANCKS AND ABBREVIATIONS	
3	114107_402.003	GENERAL NOTES	
4	114107_402.004	EXISTING DRAIN DOWNS AND DRAINAGE PLAN	
5	114107_402.005	EXISTING EXISTING DOWNS AND DRAINAGE PLAN	
6	114107_402.006	EXISTING EXISTING DOWNS AND DRAINAGE PLAN	
7	114107_402.007	PROPOSED PLAN	
8	114107_402.008	MASS GRADING PLAN	
9	114107_402.009	MASS GRADING PLAN	
10	114107_402.010	MASS GRADING PLAN	
11	114107_402.011	MASS GRADING PLAN	
12	114107_402.012	MASS GRADING PLAN	
13	114107_402.013	MASS GRADING PLAN	
14	114107_402.014	OVERALL GRADING AND DRAINAGE PLAN	
15	114107_402.015	PAVING GRADING AND DRAINAGE PLAN	
16	114107_402.016	PAVING GRADING AND DRAINAGE PLAN	
17	114107_402.017	PAVING GRADING AND DRAINAGE PLAN	
18	114107_402.018	PAVING GRADING AND DRAINAGE PLAN	
19	114107_402.019	PAVING GRADING AND DRAINAGE PLAN	
20	114107_402.020	PAVING GRADING AND DRAINAGE PLAN	
21	114107_402.021	OVERALL SANITARY SEWER AND FORCE MAIN PLAN	
22	114107_402.022	SANITARY SEWER AND FORCE MAIN PLAN	
23	114107_402.023	SANITARY SEWER AND FORCE MAIN PLAN	
24	114107_402.024	OVERALL POTABLE WATER PLAN	
25	114107_402.025	POTABLE WATER PLAN	
26	114107_402.026	POTABLE WATER PLAN	
27	114107_402.027	ROADWAY AND WARDEN PLAN	
28	114107_402.028	ROADWAY AND WARDEN PLAN	
29	114107_402.029	ROADWAY AND WARDEN PLAN	
30	114107_402.030	ROADWAY AND WARDEN PLAN	
31	114107_402.031	ROADWAY AND WARDEN PLAN	
32	114107_402.032	ROADWAY AND WARDEN PLAN	
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34	114107_402.034	ROADWAY AND WARDEN PLAN	
35	114107_402.035	ROADWAY AND WARDEN PLAN	
36	114107_402.036	ROADWAY AND WARDEN PLAN	
37	114107_402.037	ROADWAY AND WARDEN PLAN	
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77	114107_402.077	ROADWAY AND WARDEN PLAN	
78	114107_402.078	ROADWAY AND WARDEN PLAN	
79	114107_402.079	ROADWAY AND WARDEN PLAN	
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270	114107_402.270	ROADWAY AND WARDEN PLAN	



FORTE MACAULAY DEVELOPMENT CONSULTANTS, INC.
1698 W. HIBISCUS BLVD. SUITE A
MELBOURNE, FL 32901
OFFICE: (321) 727-1000

- PREPARED BY -

B.S.E. CONSULTANTS, INC.

CONSULTING - ENGINEERING - LAND SURVEYING

312 SOUTH HARBOR CITY BOULEVARD, SUITE 4 MELBOURNE, FLORIDA 32901

PHONE: (321) 725-3674 / FAX: (321) 723-1159
 CERTIFICATE OF PROFESSIONAL ENGINEERS BUSINESS AUTHORIZATION: 4905

ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD29)



NOTE:
ALL CLEARING AND REMOVAL OF TREES, WELLS, PIPES, AND
FENCES SHALL BE PART OF PHASE 1 UNLESS NOTED OTHERWISE

TREE REMOVAL
CALL 800-455-5888

TREE REMOVAL
DBH = DIAMETER AT BREAST HEIGHT

CERAMIC PLOTS	PINE TREES
0° = 9	0° =
10° = 21	11° =
17° = 36	13° =
22° = 288	14° =
27-33° = 219	17° =
37-39° = 18	TOTAL =
TOTAL = 581	

OAK TREE

TABULATION OF TREES WHICH HAVE A DBH OF EIGHTEEN (18) INCHES OR MORE (TO BE REMOVED)

20

TABULATION OF PLANTED TREES TO BE REMOVED. THREE TREES ARE LOCATED NEAR THE EXISTING HOME. ONE STONY CONCRETE BLOCK STRUCTURE AND ALONG THE EXISTING RESIDENTIAL DRIVEWAY PARALLEL TO THE SCHOOL ACCESS

OAK TREES	
10"	= 1
12"	= 1
20"	= 1
22"	= 1
DOUBLE 12"	= 1
TOTAL	= 5

QUEEN PALMS	
5"	= 24

WASSAN KANAL #12

STATE OF FLORIDA, 4/1/2011



1000

DATE	DESCRIPTION	DEBIT	CREDIT	BALANCE
1999				
1	Balance			
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WATERWAY TRAIL

ST JOHNS
PRESERVE

SMITH-RILEY

EXISTING CONDITIONS AND DEMOLITION PLAN

PROJECT NO.

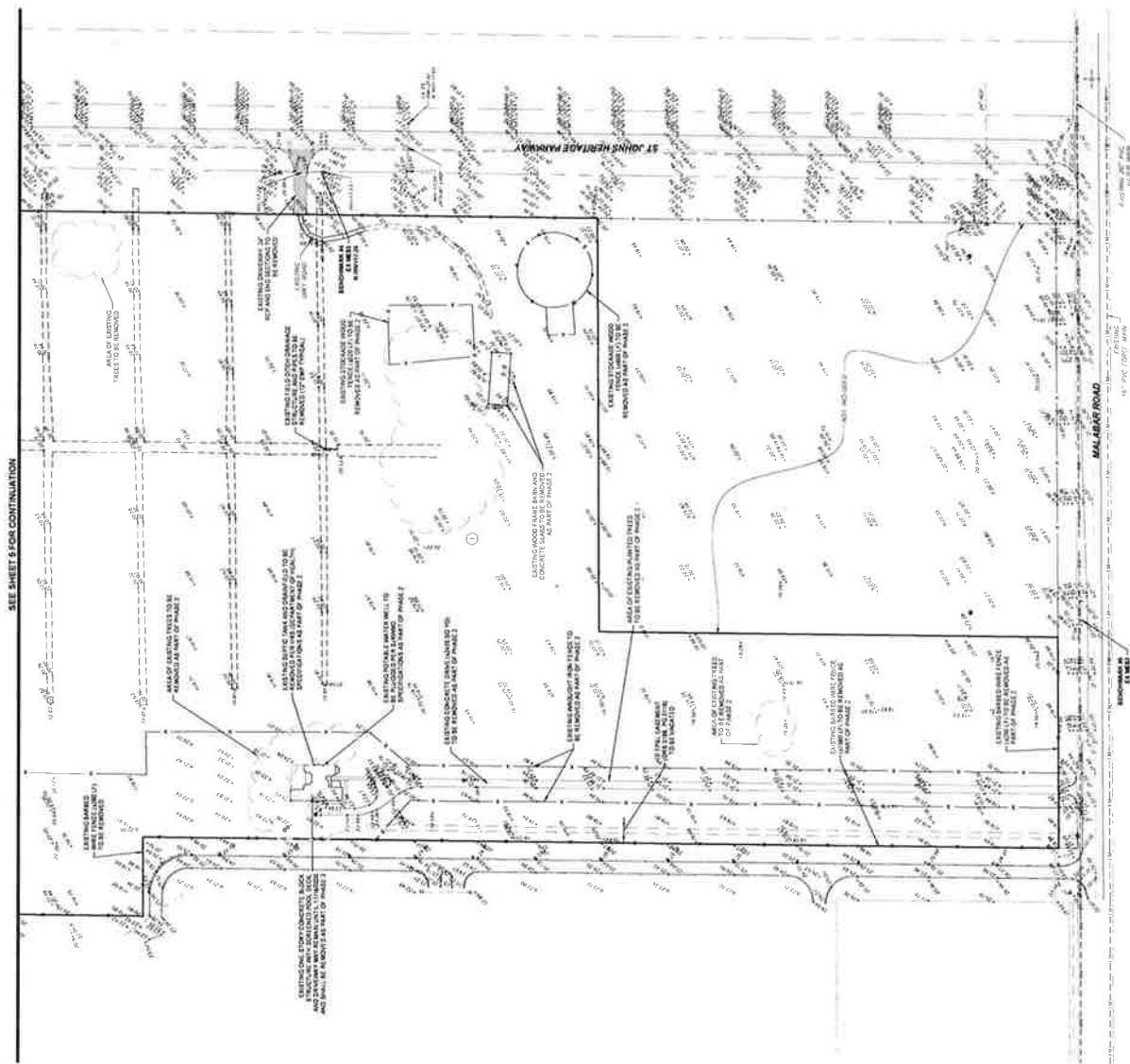
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10

IS EVANGELICAL GERMANY WEATHERING ITS NATIONAL IDENTITY CRISIS? DAVID M. KENNEDY

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ROBERT W. GILBERT, P.L.L.C.
STATE OF FLORIDA, No. 2008-0047

ASSAULT & BATTERY, P.C.
STATE OF CALIFORNIA, No. 070001

DATE _____
CLASS NAME _____
SECTION _____

PROJECT TITLE

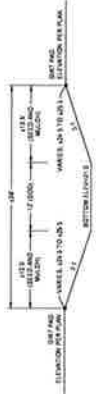
SHEET TITLE

PHASING PLAN

PROJECT NO.	1141501
DRAWING NO.	1141501-000-007

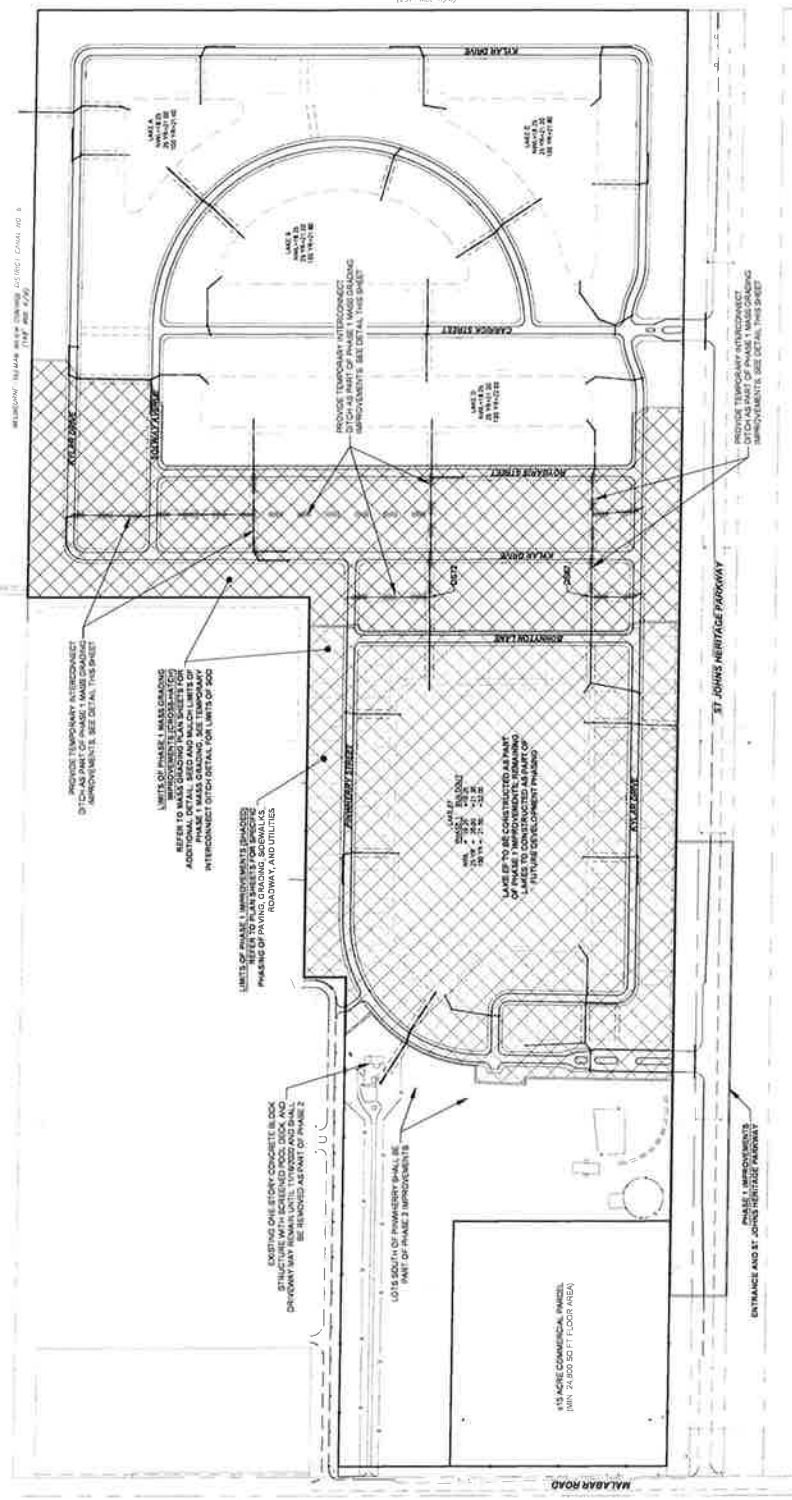
SHEET

7 of 61




NOTE: PROVIDE TEMPORARY INTERCONNECT DITCHES AND/OR AS REQUIRED AS PART OF PAVING TRUCKS OPERATING WITHIN THE PAVING CRACKS INLET FORWARD SET IN WORK AREA FOR THE SITUATION 71 (8' ON 60FT AND 2' ON 60FT).

TEMPORARY INTERCONNECT DITCH DETAIL



ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1928 (NGVD28)



SBE CONSULTANTS, INC.
 11415 01
 11415 01
 11415 01

ST JOHNS PRESERVE

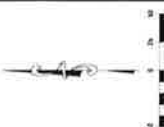
MASS GRADING PLAN

PROJECT NO.
11415 01

DRAWING NO.
11415 01_001_000

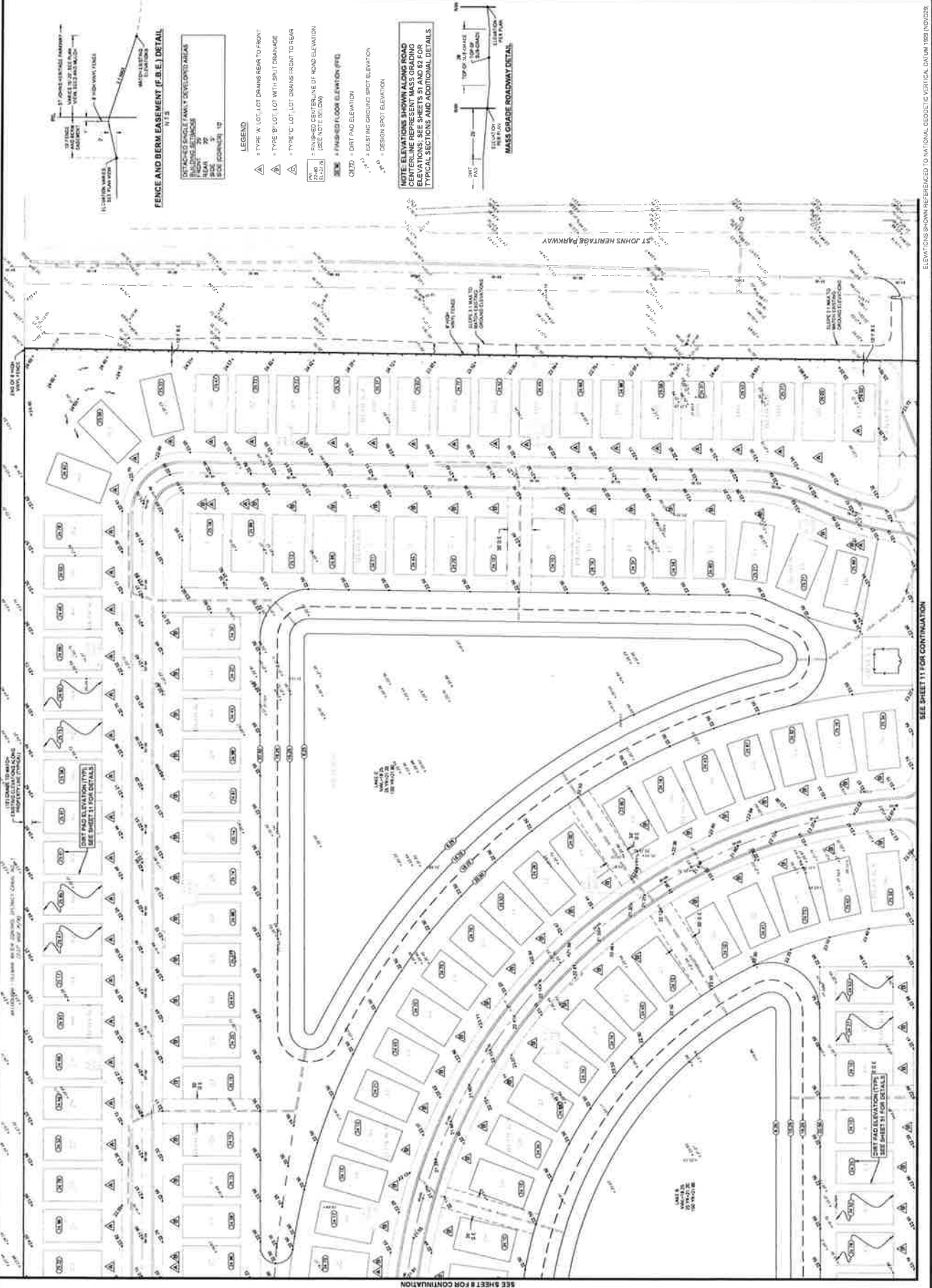
SHEET
9 of 61

KEY MAP



LEGEND

- TYPE 'A' LOT DRAIN BEAR TO FRONT
- TYPE 'B' LOT WITH SPLIT DRAINAGE
- TYPE 'C' LOT DRAIN BEAR TO REAR
- FINISHED CENTERLINE OF ROAD ELEVATION (SEE NOTE BELOW)
- FINISHED FLOOR ELEVATION (FTE)
- EXISTING GROUND SPOT ELEVATION
- DESIGN SPOT ELEVATION



SEE SHEET 11 FOR CONTINUATION

SEE SHEET 11 FOR CONTINUATION

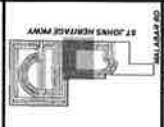
SEE SHEET 11 FOR CONTINUATION



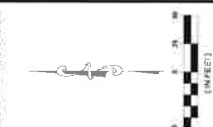
SBE CONSULTANTS INC.
CONSULTANTS
11000 14th Avenue SW
Suite 100
Burien, WA 98148
Phone: (206) 835-1100
Fax: (206) 835-1101
www.sbeconsultants.com

PROJECT: ST. JOHN'S PRESERVE
SHEET: 11 OF 12
DATE: 11/14/2018

ST. JOHN'S PRESERVE
11000 14th Avenue SW
Burien, WA 98148



KEY MAP
ST. JOHN'S PRESERVE
11000 14th Avenue SW
Burien, WA 98148



DATE	DESIGNER	DRAWN	CHECKED
11/14/2018	11/14/2018	11/14/2018	11/14/2018

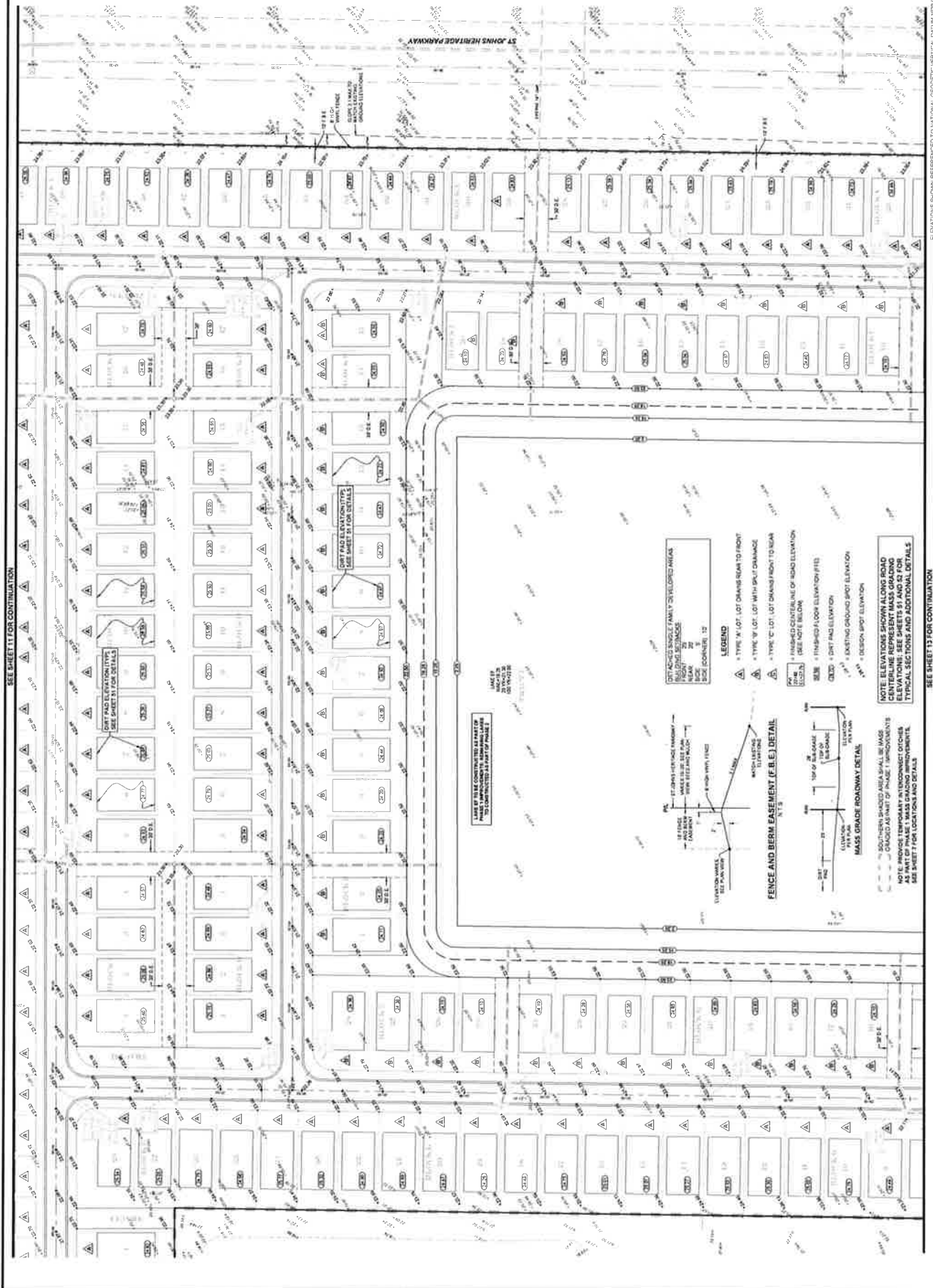
PROJECT TITLE
ST. JOHN'S PRESERVE

SHEET TITLE
MASS GRADING PLAN

PROJECT NO.
11416-01

DRAWING NO.
1141601-001.012

SHEET
11 OF 12



ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1989 (NGVD89)



SCOTT M. GLAWBETZ, P.E. & P.L.S.
STATE OF FLORIDA No. 33659 No. 4151



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Project title

ST JOHNS
PRESERVE

PAVING,
GRADING, AND
DRAINAGE PLAN

PROJECT NO
11416 01

DRAWING NO. 11-1001-400-012

137HS
SHEET

15 of 61

LEGEND

- TYPE "A" LOT DRAINS REAR TO FRONT
- TYPE "B" LOT DRAINAGE
- TYPE "C" LOT DRAINS FRONT TO REAR
- FINISHED CENTER LINE OF ROAD ELEVATION
- FINISHED FLOOR ELEVATION (FFE)
- FINISHED PAV ELEVATION
- EXISTING GROUND SPOT ELEVATION
- DESIGN SPOT ELEVATION

SEE SHEETS 51 AND 52 FOR TYPICAL SECTIONS AND ADDITIONAL DETAILS.

NOT ACHIEVED SHOULD FAMILY DEVELOPED AREAS

SEE SHEET 18 FOR CONTINUATION

SEE SHEET 17 FOR CONTINUATION

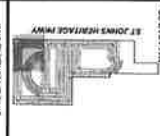
ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL, DATUM 1928 (NGVD29)



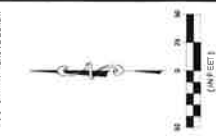
B.S.E. CONSULTANTS, INC.
CONSULTING ENGINEERS
LAND SURVEYING

PROJECT NO. 11416.01
SHEET NO. 1141601-020.015
DATE: 11/16/01
DESIGNER: B.S.E.
CHECKER: B.S.E.
APPROVER: B.S.E.

ST. JOHN'S HERITAGE PARKWAY



LEGEND
1" = 100' HORIZONTAL
1" = 10' VERTICAL
1" = 10' HORIZONTAL
1" = 10' VERTICAL



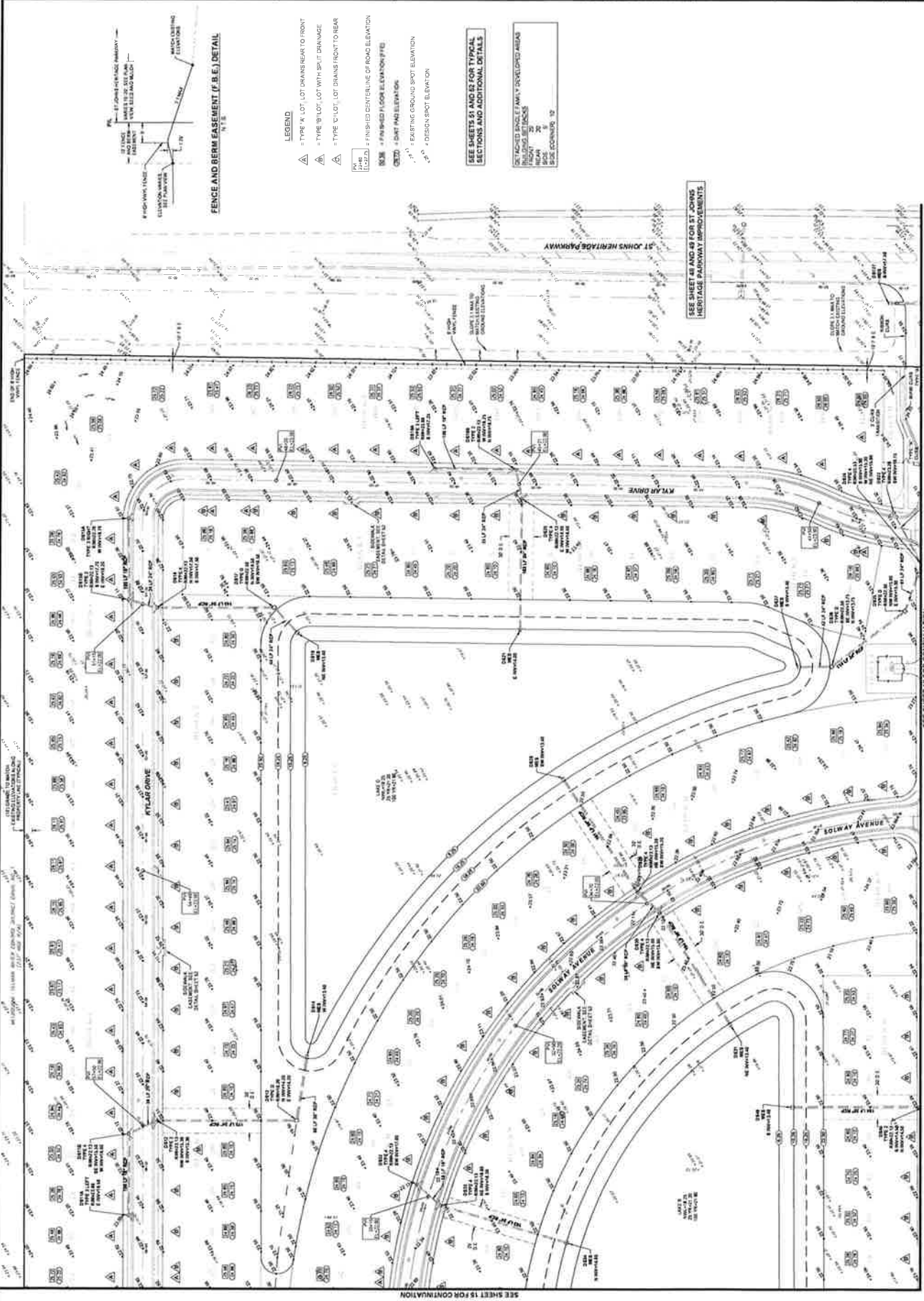
DATE	11/16/01
DESIGNER	B.S.E.
CHECKER	B.S.E.
APPROVER	B.S.E.

PROJECT TITLE
**ST. JOHN'S
PRESERVE**

SHEET TITLE
**PAVING,
GRADING, AND
DRAINAGE PLAN**

PROJECT NO.
11416.01
SHEET NO.
1141601-020.015
SHEET

16 of 61

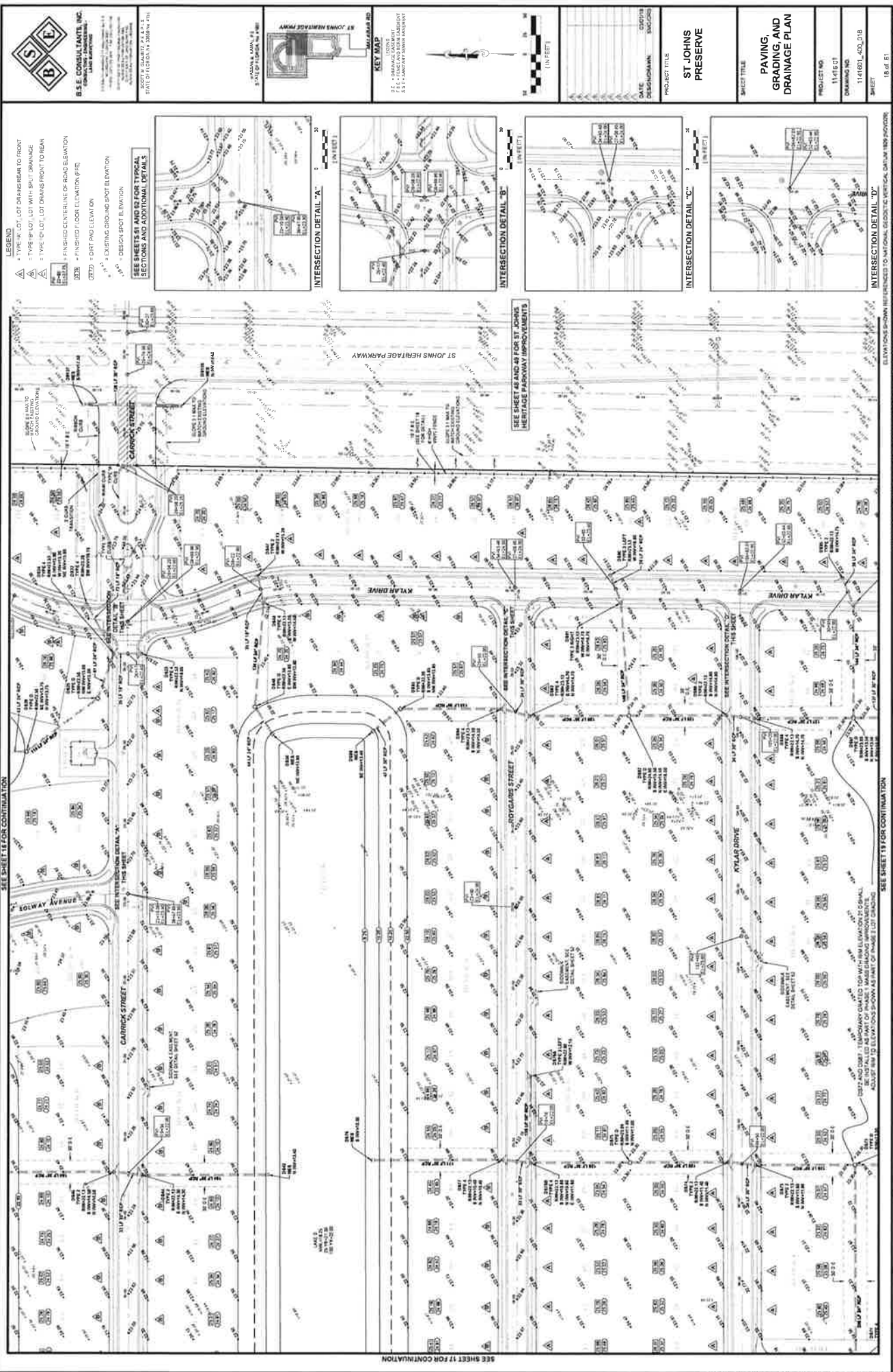


SEE SHEET 15 FOR CONTINUATION

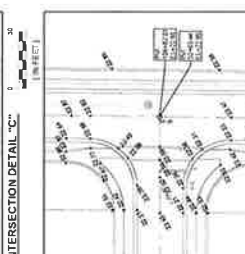
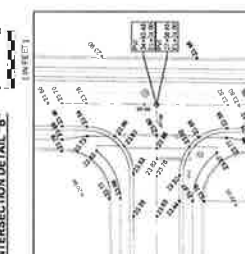
SEE SHEET 18 FOR CONTINUATION

SEE SHEET 48 AND 49 FOR ST. JOHN'S HERITAGE PARKWAY IMPROVEMENTS

ELEVATIONS SHOWN ARE BASED ON THE NATIONAL GEODETIC DATUM 1983 (NAD83). THE ELEVATIONS SHOWN ARE NOT NECESSARILY THE SAME AS THE ELEVATIONS SHOWN ON THE ADJACENT SHEETS.



- LEGEND**
- TYPE A LOT, LOT DRAINAGE TO FRONT
 - TYPE B LOT, LOT WITH SPILT DRAINAGE
 - TYPE C LOT, LOT DRAINAGE TO REAR
 - FINISHED CENTERLINE OF ROAD ELEVATION
 - FINISHED FLOOR ELEVATION (F.F.E.)
 - CURT FLOOR ELEVATION
 - EXISTING GROUND SPOT ELEVATION
 - DESIGN SPOT ELEVATION
- SEE SHEETS 11 AND 12 FOR TYPICAL SECTIONS AND ADDITIONAL DETAILS**



BSE CONSULTANTS, INC.
11400 W. 11th Avenue, Suite 100
Denver, CO 80233
Phone: (303) 751-1140
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www.bseconsultants.com

PROJECT NO. 114601
DRAWING NO. 114601-001.018
SHEET 18 OF 17

ST. JOHNS PRESERVE

PAVING, GRADING, AND DRAINAGE PLAN

DATE: 06/07/18
DESIGNER: J. J. JONES
CHECKER: J. J. JONES

PROJECT TITLE: ST. JOHNS PRESERVE

KEY MAP

1" = 100' (IN FEET)



S.B.E. CONSULTANTS, INC.
CONSULTING ENGINEERS
LAND SURVEYING
11111 N. 111TH AVENUE, SUITE 100
OMAHA, NE 68148
PHONE: (402) 426-1111
FAX: (402) 426-1112
WWW.SBECONSULTANTS.COM

STATE OF IOWA, NO. 26861, 407

11/15/2017, 10:00 AM

11/15/2017, 10:00 AM



DATE: 11/15/2017
DRAWN BY: JACOB

PROJECT TITLE:

**ST JOHNS
PRESERVE**

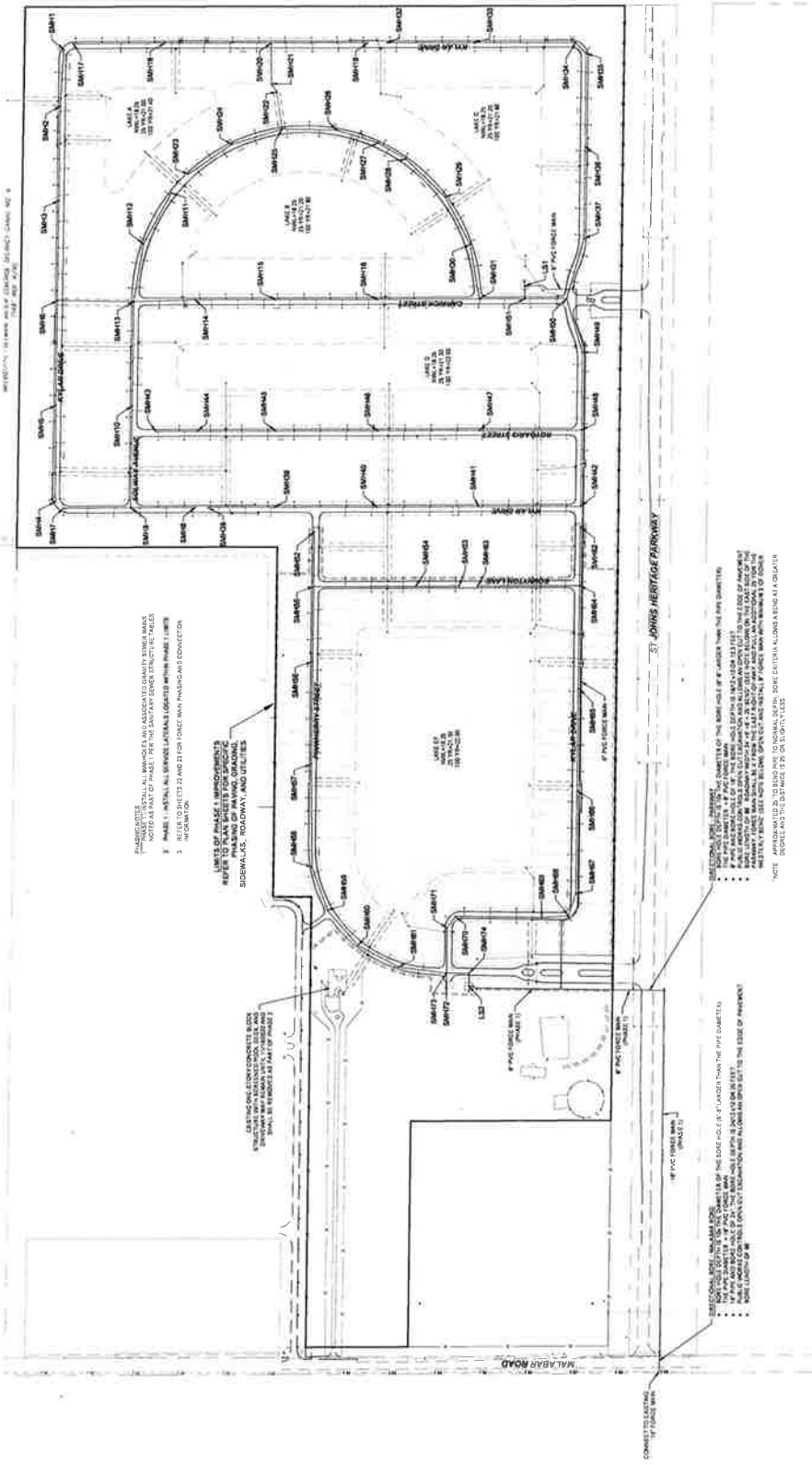
**OVERALL
SANITARY SEWER
AND FORCE MAIN
PLAN**

PROJECT NO.
1141801

DATE
11/15/2017

SHEET
1141801_001_001

21 of 81



SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1001	1	23.04	23.04
S1002	1	23.04	23.04
S1003	1	23.04	23.04
S1004	1	23.04	23.04
S1005	1	23.04	23.04
S1006	1	23.04	23.04
S1007	1	23.04	23.04
S1008	1	23.04	23.04
S1009	1	23.04	23.04
S1010	1	23.04	23.04

SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1011	1	23.04	23.04
S1012	1	23.04	23.04
S1013	1	23.04	23.04
S1014	1	23.04	23.04
S1015	1	23.04	23.04
S1016	1	23.04	23.04
S1017	1	23.04	23.04
S1018	1	23.04	23.04
S1019	1	23.04	23.04
S1020	1	23.04	23.04

SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1021	1	23.04	23.04
S1022	1	23.04	23.04
S1023	1	23.04	23.04
S1024	1	23.04	23.04
S1025	1	23.04	23.04
S1026	1	23.04	23.04
S1027	1	23.04	23.04
S1028	1	23.04	23.04
S1029	1	23.04	23.04
S1030	1	23.04	23.04

SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1031	1	23.04	23.04
S1032	1	23.04	23.04
S1033	1	23.04	23.04
S1034	1	23.04	23.04
S1035	1	23.04	23.04
S1036	1	23.04	23.04
S1037	1	23.04	23.04
S1038	1	23.04	23.04
S1039	1	23.04	23.04
S1040	1	23.04	23.04

SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1041	1	23.04	23.04
S1042	1	23.04	23.04
S1043	1	23.04	23.04
S1044	1	23.04	23.04
S1045	1	23.04	23.04
S1046	1	23.04	23.04
S1047	1	23.04	23.04
S1048	1	23.04	23.04
S1049	1	23.04	23.04
S1050	1	23.04	23.04

SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1051	1	23.04	23.04
S1052	1	23.04	23.04
S1053	1	23.04	23.04
S1054	1	23.04	23.04
S1055	1	23.04	23.04
S1056	1	23.04	23.04
S1057	1	23.04	23.04
S1058	1	23.04	23.04
S1059	1	23.04	23.04
S1060	1	23.04	23.04

SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1061	1	23.04	23.04
S1062	1	23.04	23.04
S1063	1	23.04	23.04
S1064	1	23.04	23.04
S1065	1	23.04	23.04
S1066	1	23.04	23.04
S1067	1	23.04	23.04
S1068	1	23.04	23.04
S1069	1	23.04	23.04
S1070	1	23.04	23.04

SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1071	1	23.04	23.04
S1072	1	23.04	23.04
S1073	1	23.04	23.04
S1074	1	23.04	23.04
S1075	1	23.04	23.04
S1076	1	23.04	23.04
S1077	1	23.04	23.04
S1078	1	23.04	23.04
S1079	1	23.04	23.04
S1080	1	23.04	23.04

SANITARY SEWER STRUCTURE TABLE			
NAME	PHASE	ELEVATION	INVERTS
S1081	1	23.04	23.04
S1082	1	23.04	23.04
S1083	1	23.04	23.04
S1084	1	23.04	23.04
S1085	1	23.04	23.04
S1086	1	23.04	23.04
S1087	1	23.04	23.04
S1088	1	23.04	23.04
S1089	1	23.04	23.04
S1090	1	23.04	23.04

ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1988 (NGVD83).
ELEVATIONS SHOWN ARE BASED ON SURFACE, BUT TO LOCAL, ALL ELEVATIONS ARE NOT NECESSARY. ELEVATIONS SHOWN ARE BASED ON SURFACE, BUT TO LOCAL, ALL ELEVATIONS ARE NOT NECESSARY. ELEVATIONS SHOWN ARE BASED ON SURFACE, BUT TO LOCAL, ALL ELEVATIONS ARE NOT NECESSARY.



BSE CONSULTANTS, INC.
ENGINEERS
LAND SURVEYORS

PROJECT NO. 1141601
DRAWING NO. 1141601-002
DATE: 03/07/19
DESIGNED BY: [signature]
CHECKED BY: [signature]

ST JOHNS HERITAGE PARKWAY

KEY MAP

1. CONTRACTOR SHALL NOT OPERATE ANY P&C
2. THE CITY OF PALM BEACH UTILITIES INSPECTORS MUST
BE NOTIFIED 48 HOURS PRIOR TO ANY UTILITIES
CUTTING OR INSTALLATION WORK IN THE VICINITY OF
EXISTING WATER AND SEWER UTILITIES

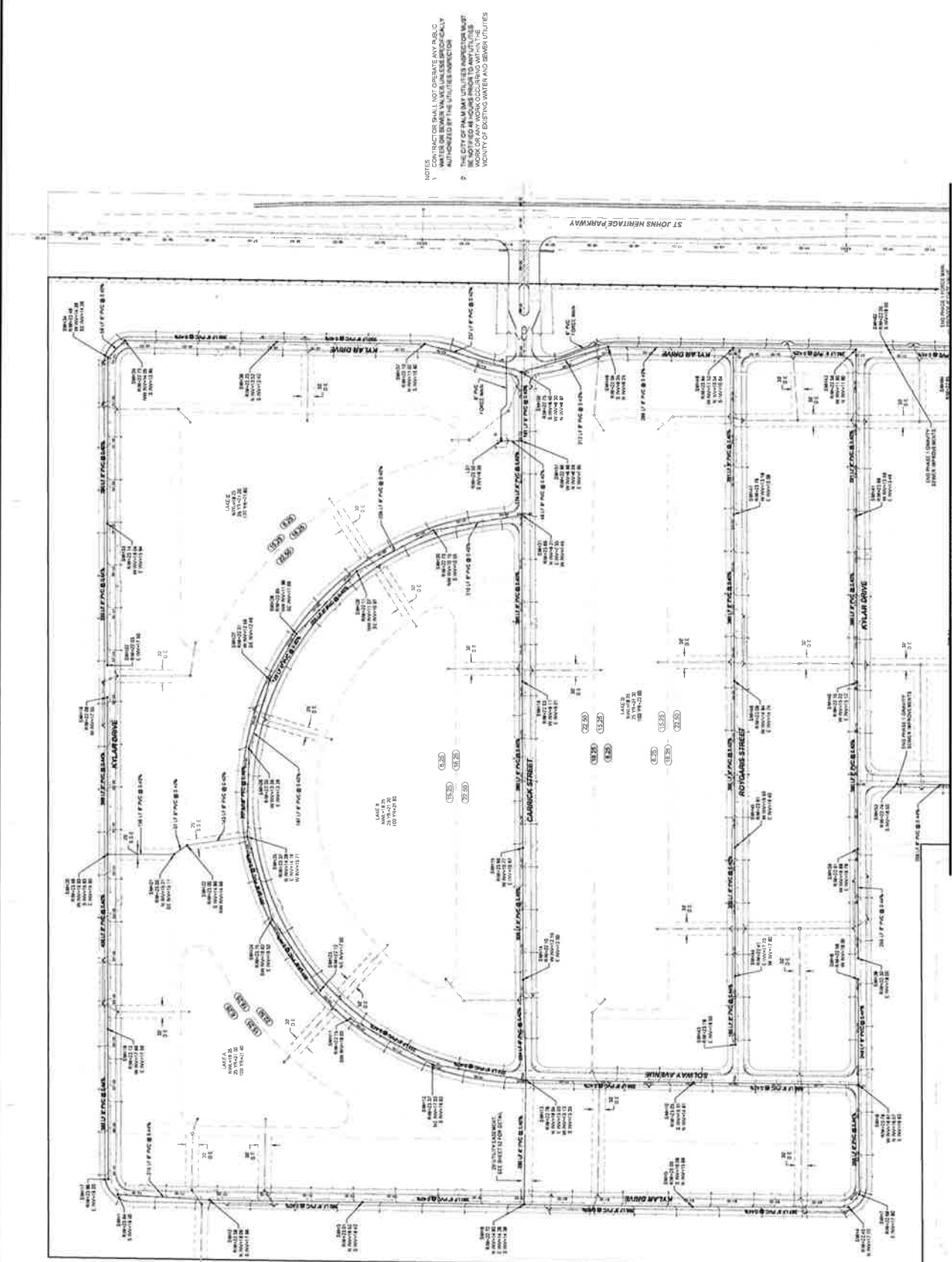
100 150 200
1" = 100'

DATE: 03/07/19
DESIGNED BY: [signature]
CHECKED BY: [signature]

PROJECT TITLE
ST JOHNS
PRESERVE

SHEET TITLE
SANITARY SEWER
AND FORCE MAIN
PLAN

PROJ. NO. 1141601
DRAWING NO. 1141601-002
SHEET 22 OF 61



ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1988 (NGVD83)

SEE SHEET 23 FOR CONTINUATION




BSE CONSULTANTS, INC.
 CONSULTANTS IN
 SANITARY ENGINEERING

17700 14th Avenue, Suite 100
 Denver, CO 80202
 Phone: (303) 751-1000
 Fax: (303) 751-1001
 Email: info@bse.com

DATE: 01/15/2019
 PROJECT: ST. JOHN'S PRESERVE



KEY MAP
 PROJECT LOCATION
 1. ST. JOHN'S PRESERVE
 2. ST. JOHN'S HERITAGE PARKWAY



NOTES:
 1. CONTRACTOR SHALL NOT OPERATE ANY PUBLIC WATER OR SEWER VALVES UNLESS SPECIFICALLY AUTHORIZED BY THE UTILITY INSPECTOR.
 2. USE OF PUBLIC UTILITY INSPECTOR MUST BE FOR ANY WORK OCCURRING WITHIN THE RIGHT-OF-WAY OF EXISTING WATER AND SEWER UTILITIES.

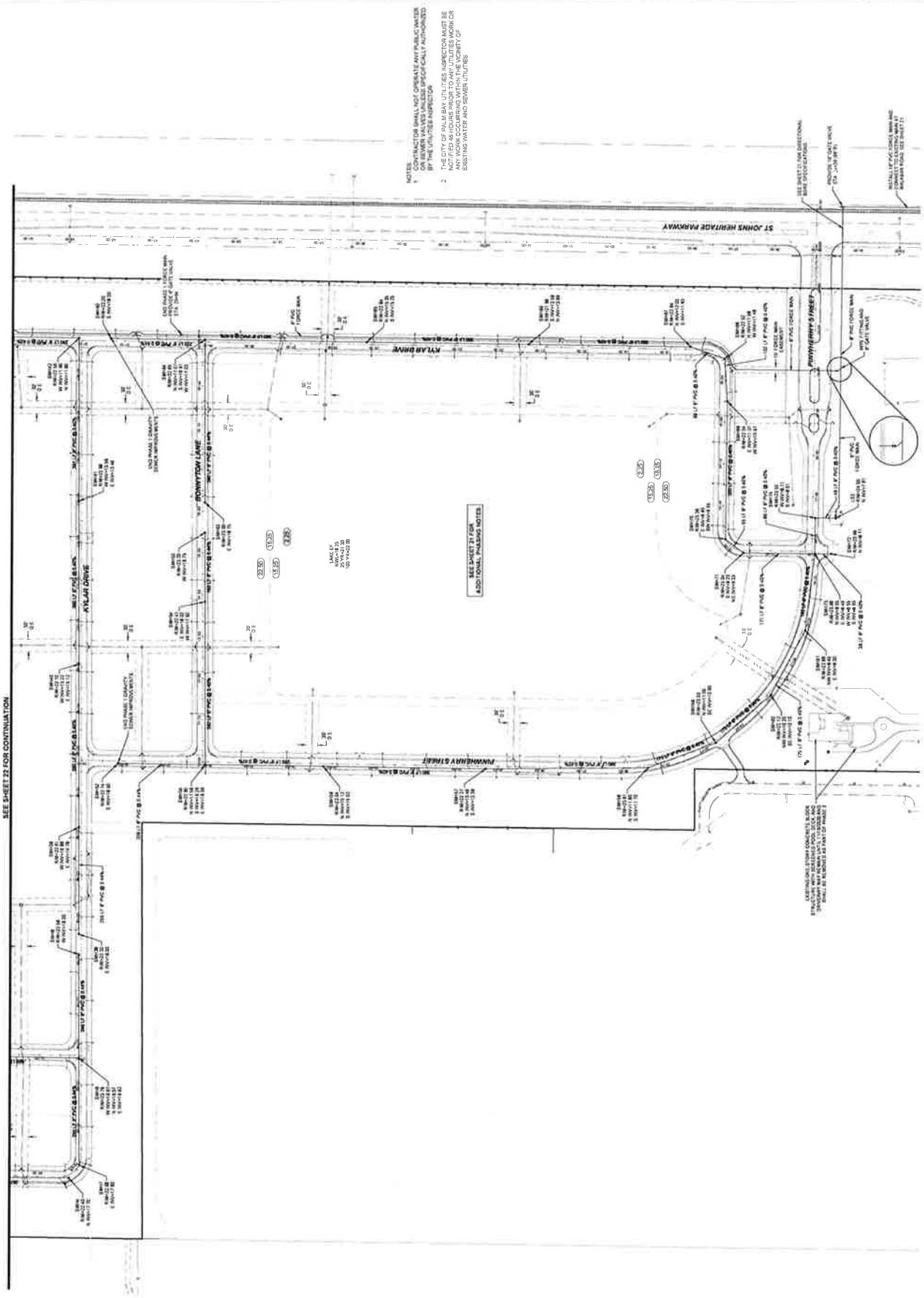
PROJECT TITLE
ST. JOHN'S PRESERVE

SHEET TITLE
SANITARY SEWER AND FORCE MAIN PLAN

PROJECT NO.
 11416.01

DRAWING NO.
 1141601_001_023

SHEET
 23 OF 61



ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD29)

THE PLAN SET



NOTES

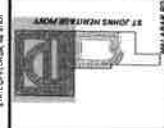
1. CONTRACTOR SHALL NOT OPERATE ANY PUBLIC WATER OR SEWER VALVE UNLESS SPECIFICALLY AUTHORIZED BY THE UTILITIES INSPECTOR.

2. THE CITY OF PALM BEACH UTILITIES INSPECTOR MUST BE NOTIFIED 48 HOURS PRIOR TO ANY UTILITIES WORK OR ANY WORK OCCURRING WITHIN THE VICINITY OF EXISTING WATER AND SEWER UTILITIES.

PIPE DEFLECTION NOTES
1. THE MAXIMUM RADIUS OF CURVATURE FOR 8" AND 8" PVC PIPE DEFLECTS VARIES PER MANUFACTURER. TYPICAL MANUFACTURER SPECIFICATIONS HAVE A RANGE OF (165'-200') FOR 8" PVC AND (200'-220') FOR 8" PVC. THE WATER MAIN RADII WHERE NOTED ON THESE

ALL PIPE DEFLECTIONS SHALL BE PER THE MANUFACTURER'S RECOMMENDATIONS AND AWWA REQUIREMENTS FOR MAXIMUM DEFLECTION. CONTRACTOR SHALL INCORPORATE THE APPROPRIATE FITTINGS ON PIPE DEFLECTIONS (IN ACCORDANCE WITH PIPE MANUFACTURER'S RECOMMENDATIONS) TO COMPLETE THE INSTALLATION OF ALL WATER MAIN PIPES CONSISTENT WITH THE LOCATIONS DEPICTED ON THE ATTACHED DRAWINGS.

3 SEE SHEET 52 FOR DETAIL OF WATER MAIN BENDS
BEHIND STORM SEWER INLETS



KEY MAP

— (1) GROUND
— (2) DRAINAGE EASTMENT
— (3) SANITARY (DW) EASTMENT
— (4) FIRE HYDRANT ASSEMBLY

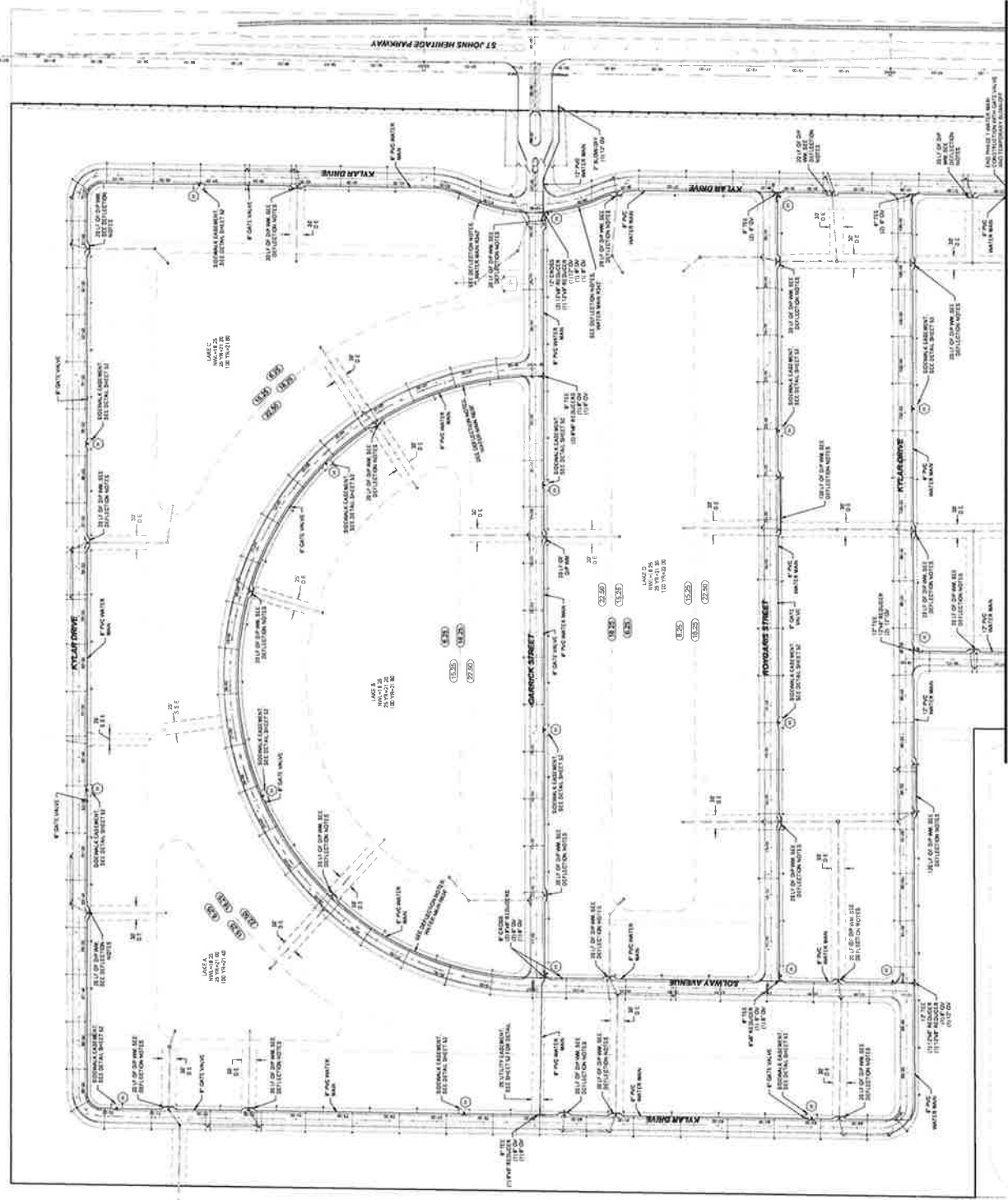
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PROJECT TITLE

**ST JOHNS
PRESERVE**

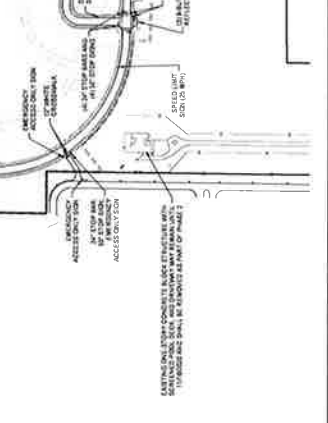
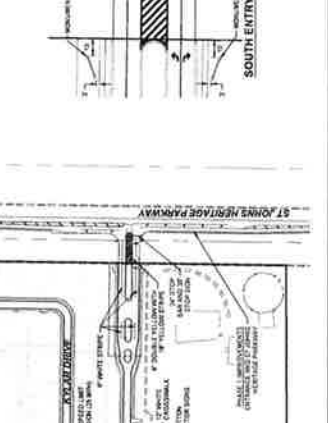
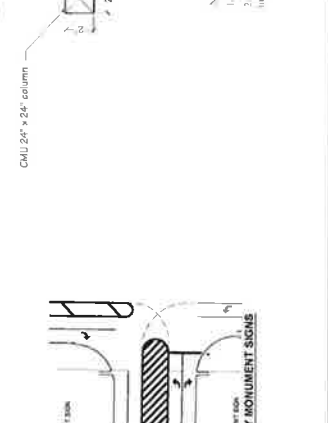
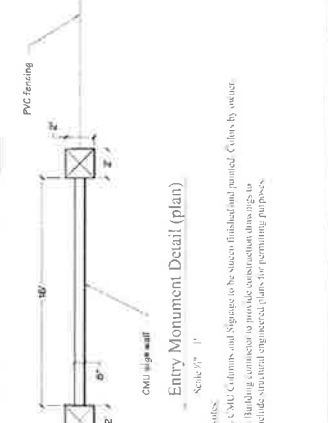
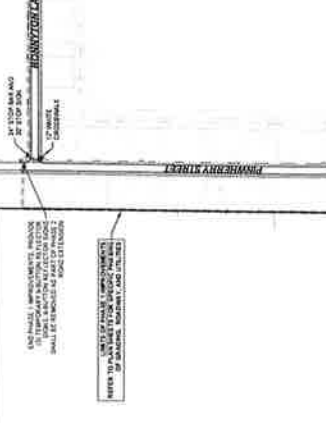
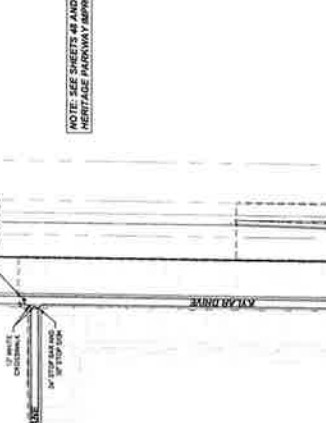
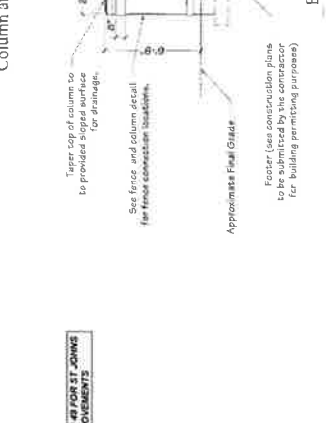
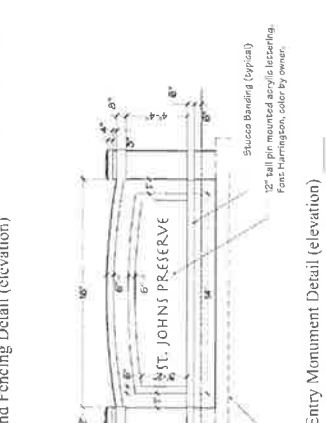
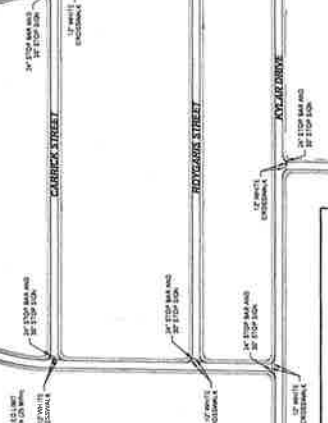
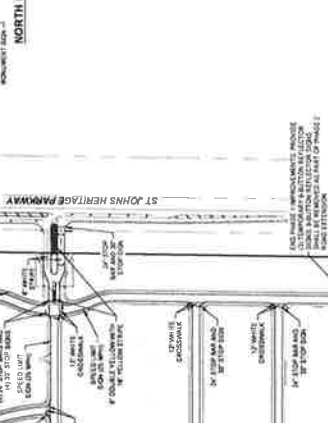
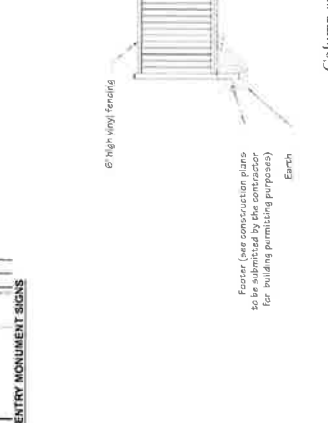
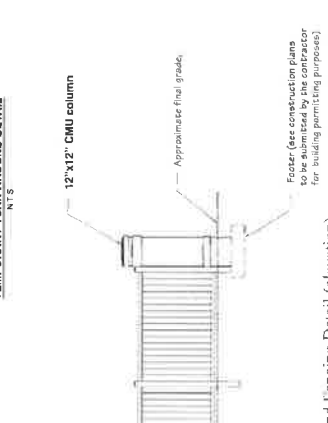
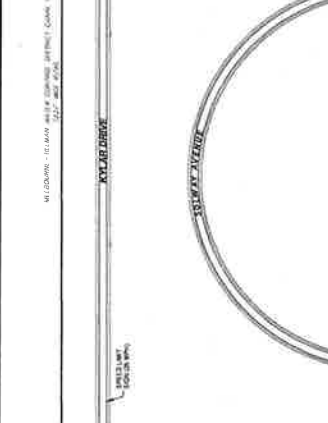
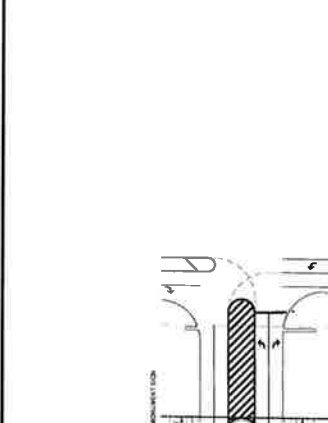
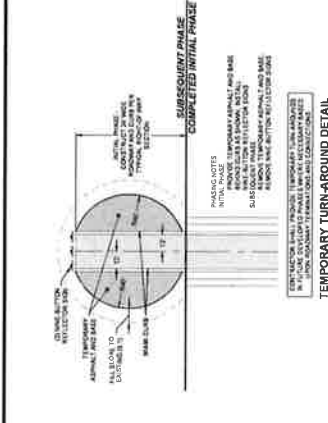
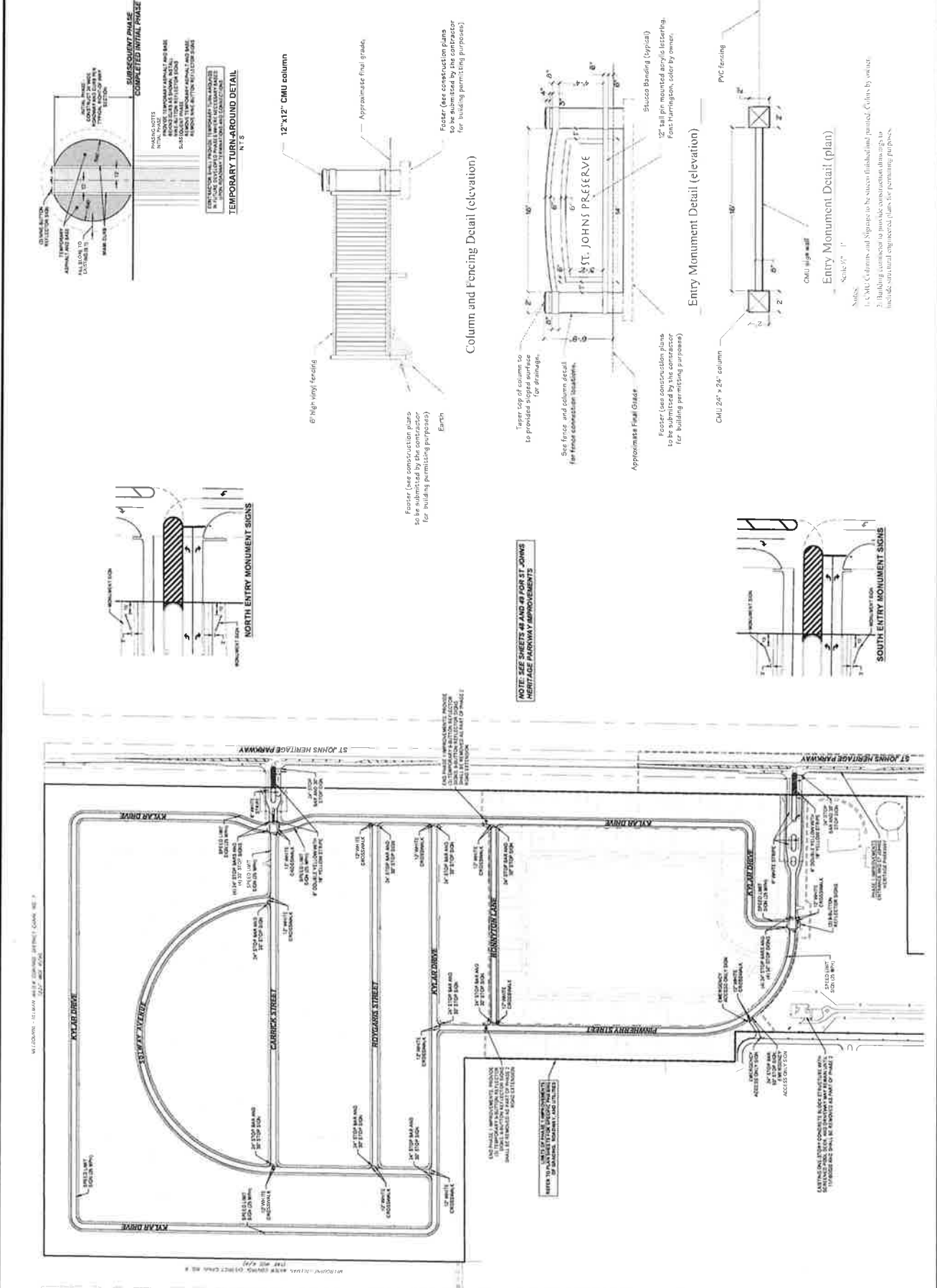
SHEET TITLE

POTABLE WATER PLAN	PROJECT NO. 11416 01	DRAWING NO. 1141601_400_025	SHEET
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SEE SHEET 26 FOR CONTINUATION

ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD29)





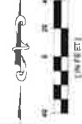
ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODESIC VERTICAL DATUM 1928 (NGVD28)

28 of 61

28 of 61

ASSAN, KAMAL #E
STATE OF #1 ORIGIN: NE #1807

KEY MAP



DATE _____ PAGE 1

**ST. JOHNS
PRESERVE**

**KYLAR DRIVE
STA 21+00 TO
33+00**

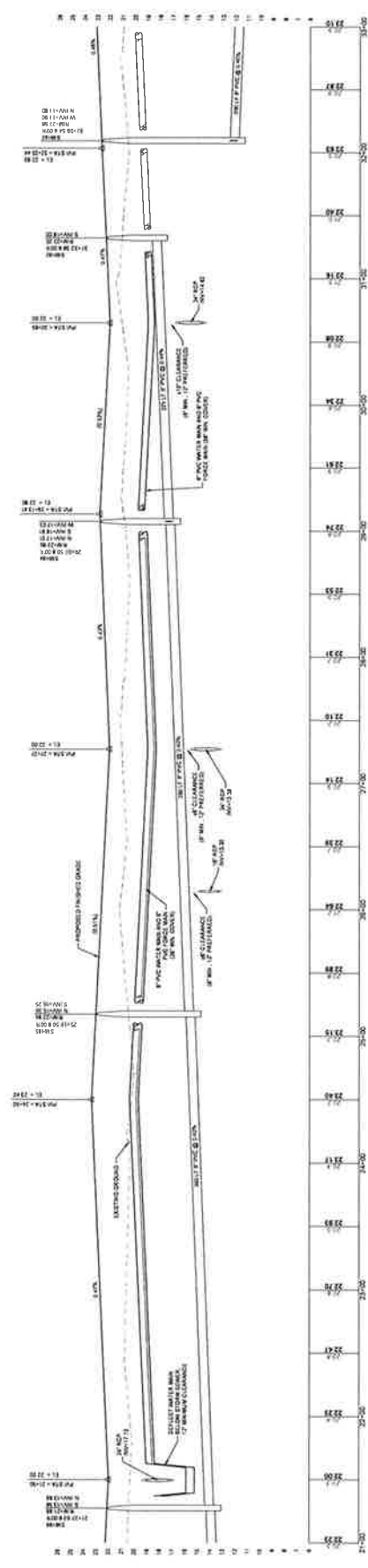
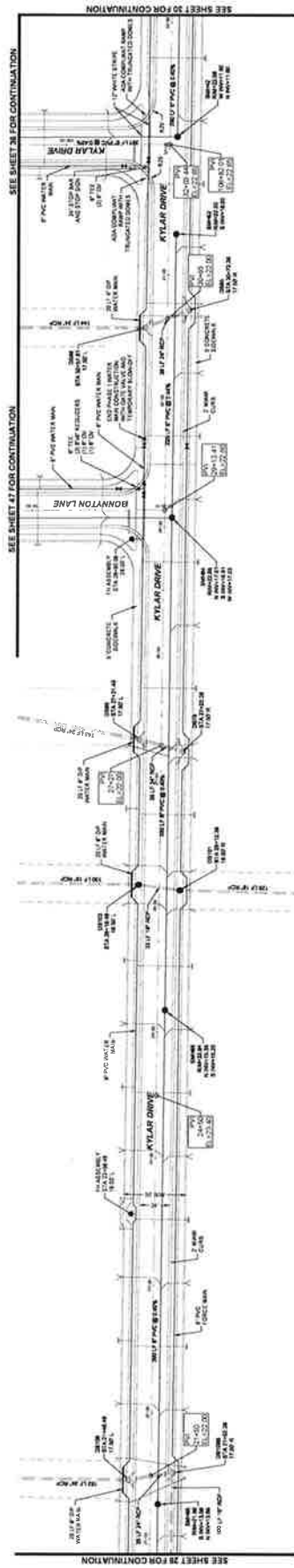
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ON CHAIRMAN

SHI ET AL.

29 of 61

ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1928 (NGVD28)





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CONSULTING ENGINEERS
1100 N. 10TH AVE., SUITE 200
DENVER, CO 80202
TEL: 303.733.8800
FAX: 303.733.8801
WWW.BSECONSULTANTS.COM

PROJECT NO. 1441601_000
SHEET NO. 61

DATE: 08/11/2011

BY: J. HARRIS

CHECKED BY: J. HARRIS

APPROVED BY: J. HARRIS

SCALE: 1" = 40'

KEY MAP

ST. JOHNS HERITAGE PARK

1" = 40'

1" = 40'

1" = 40'

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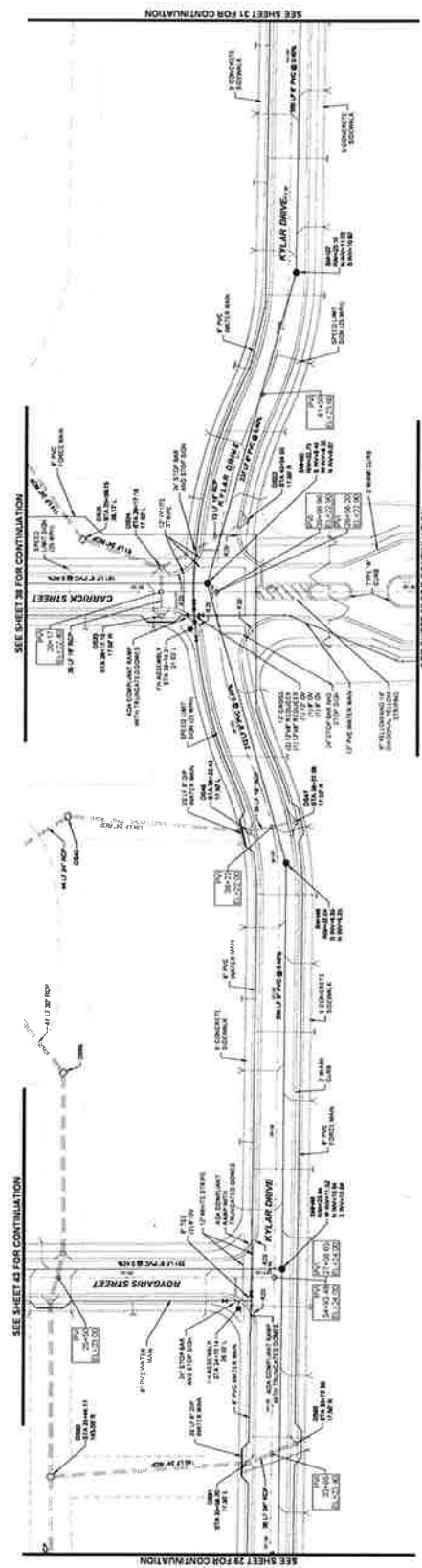
1" = 40'

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1" = 40'



VERTICAL CURVE DATA
STATION 1+00 TO 1+20
VERTICAL CURVE
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S.B.E. CONSULTANTS, INC.
ENGINEERS & ARCHITECTS
1110 N. UNIVERSITY AVENUE, SUITE 100
ANN ARBOR, MI 48106-1500
TEL: 734.769.1234 FAX: 734.769.1235
WWW.SBECONSULTANTS.COM

PROJECT: KYLAR DRIVE
SHEET: 56+00
DATE: 11/18/01
DRAWN BY: JLD/LSA
CHECKED BY: JLD/LSA

ST. JOHNS PRESERVE



KEY MAP



NO.	DATE	REVISION
1	11/18/01	ISSUED FOR PERMIT
2	11/18/01	REVISED FOR COMMENTS
3	11/18/01	REVISED FOR COMMENTS
4	11/18/01	REVISED FOR COMMENTS
5	11/18/01	REVISED FOR COMMENTS
6	11/18/01	REVISED FOR COMMENTS
7	11/18/01	REVISED FOR COMMENTS
8	11/18/01	REVISED FOR COMMENTS
9	11/18/01	REVISED FOR COMMENTS
10	11/18/01	REVISED FOR COMMENTS

PROJECT TITLE

ST. JOHNS PRESERVE

SHEET TITLE

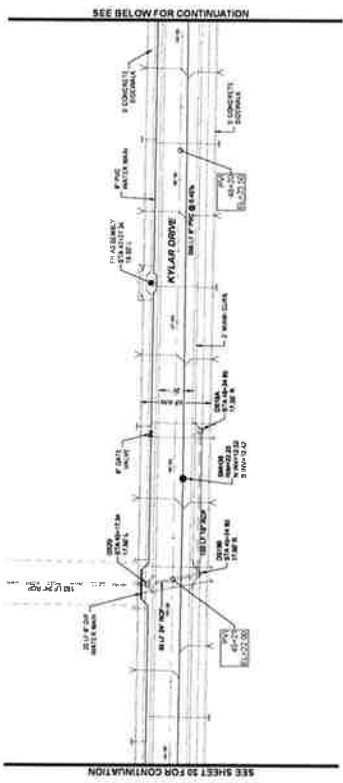
KYLAR DRIVE
STA 44+00 TO
56+00

PROJECT NO.
111018.01

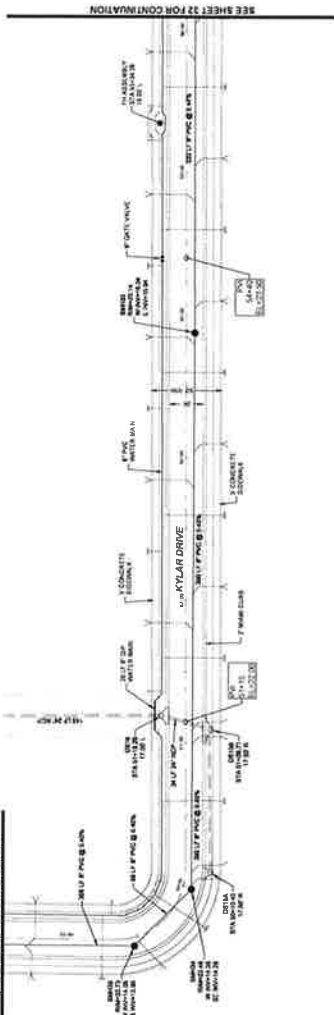
DRAWING NO.
111018.01_02

SHEET

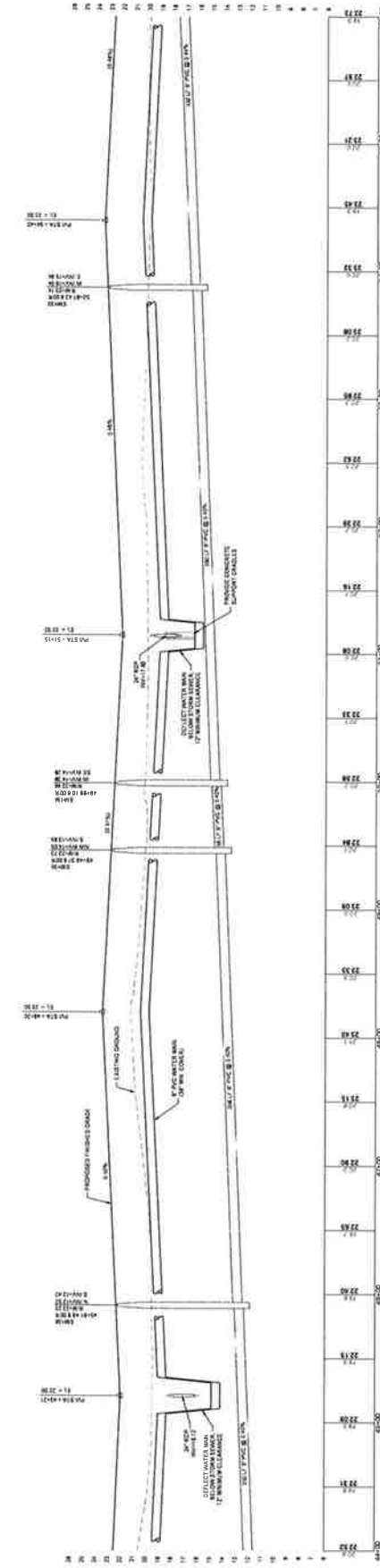
31 of 61



SEE ABOVE FOR CONTINUATION



SEE SHEET 32 FOR CONTINUATION



ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1983 (NGVD83). ELEVATIONS SHOWN ARE GRAPHS IN METERS. DUE TO SCALE, ALL SHOWN ELEVATIONS ARE NOT NECESSARILY SHOWN IN PLAIN VIEWS. THE ELEVATIONS SHOWN ARE NOT NECESSARILY SHOWN IN PLAIN VIEWS. THE ELEVATIONS SHOWN ARE NOT NECESSARILY SHOWN IN PLAIN VIEWS.





BSE CONSULTANTS, INC.
CONSULTING ENGINEERS
11750 N. 19TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.755.1100
FAX: 303.755.1101
WWW.BSECONSULTANTS.COM

PROJECT: KYLAR DRIVE
SHEET: 77+00 TO 77+00

DATE: 10/15/2010

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

PROJECT NO: 114101_003_003

SHEET NO: 33 OF 61

DATE: 10/15/2010

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

PROJECT NO: 114101_003_003

SHEET NO: 33 OF 61

DATE: 10/15/2010

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

PROJECT NO: 114101_003_003

SHEET NO: 33 OF 61

DATE: 10/15/2010

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

PROJECT NO: 114101_003_003

SHEET NO: 33 OF 61

DATE: 10/15/2010

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

PROJECT NO: 114101_003_003

SHEET NO: 33 OF 61

DATE: 10/15/2010

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

PROJECT NO: 114101_003_003

SHEET NO: 33 OF 61

DATE: 10/15/2010

BY: [Signature]

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APPROVED: [Signature]

SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

PROJECT NO: 114101_003_003

SHEET NO: 33 OF 61

DATE: 10/15/2010

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SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

PROJECT NO: 114101_003_003

SHEET NO: 33 OF 61

DATE: 10/15/2010

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SCALE: 1" = 40'

STATIONING: 77+00 TO 77+00

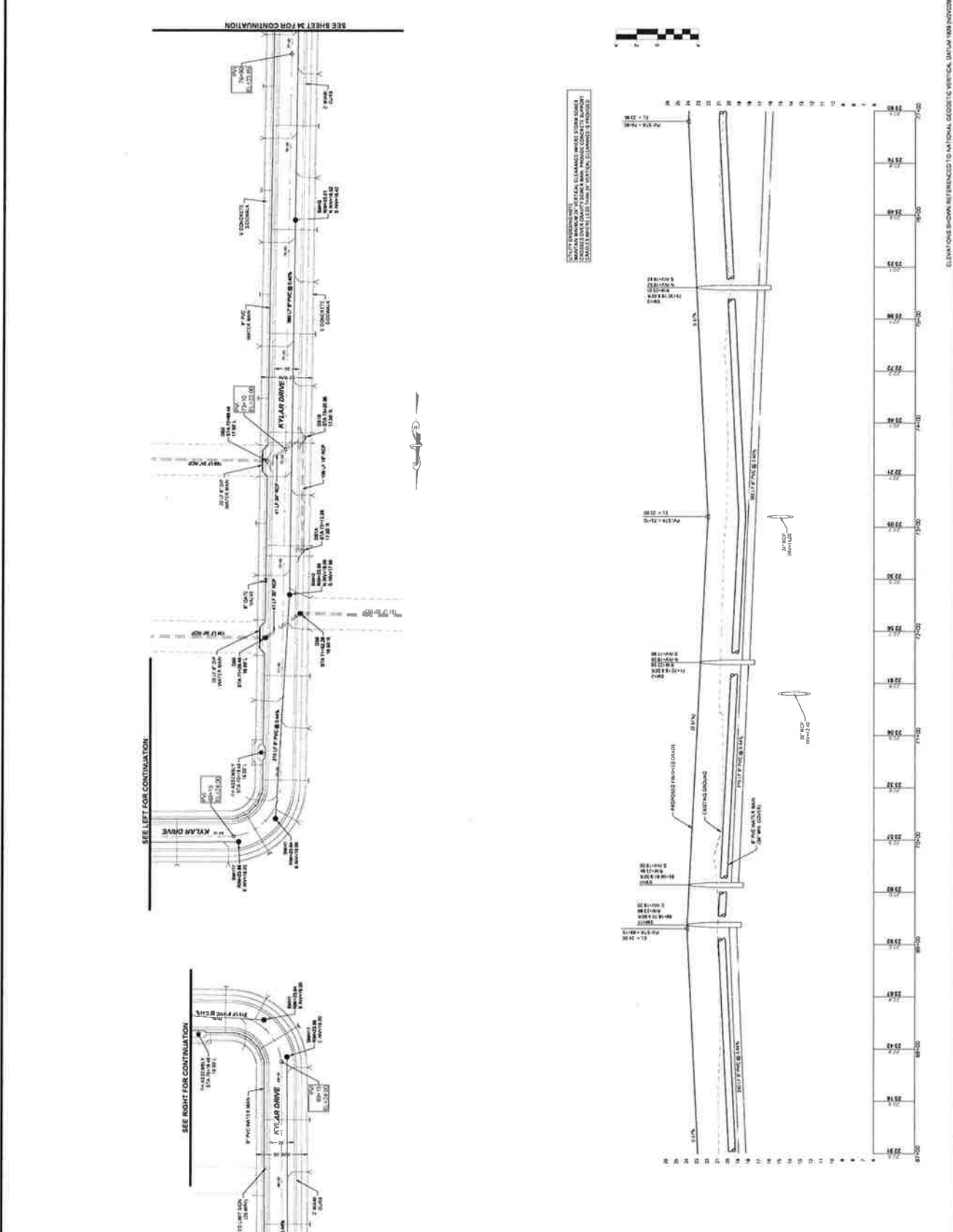
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SHEET NO: 33 OF 61

DATE: 10/15/2010

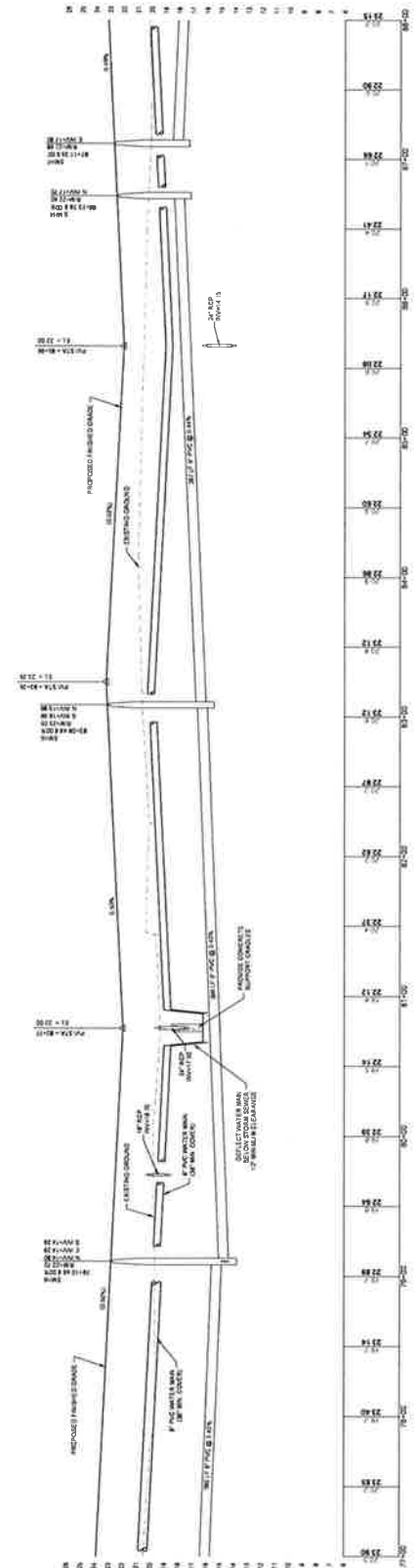
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ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1988 UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL VERIFY ALL ELEVATIONS SHOWN ON THIS DRAWING AND MAKE ANY NECESSARY ADJUSTMENTS TO THE CONTRACT DOCUMENTS.

SEE SHEET 33 FOR CONTINUATION



ELEVATIONS SHOWN REFERENCE TO NATIONAL GEODETIC VERTICAL, DATUM 1928 (NGVD28)



BSE CONSULTANTS, INC.
Civil Engineering
11111 Highway 101, Suite 100
San Diego, CA 92120
Tel: 619-444-1111
Fax: 619-444-1112
www.bseconsultants.com

SCOTT M. GARDNER, P.E., C.E.
DATE OF DESIGN: 11/11/11
DATE OF FIELD: 11/11/11

ST. JOHNS PRESERVE
3/15/12 (P. 10/11/11)



KEY MAP



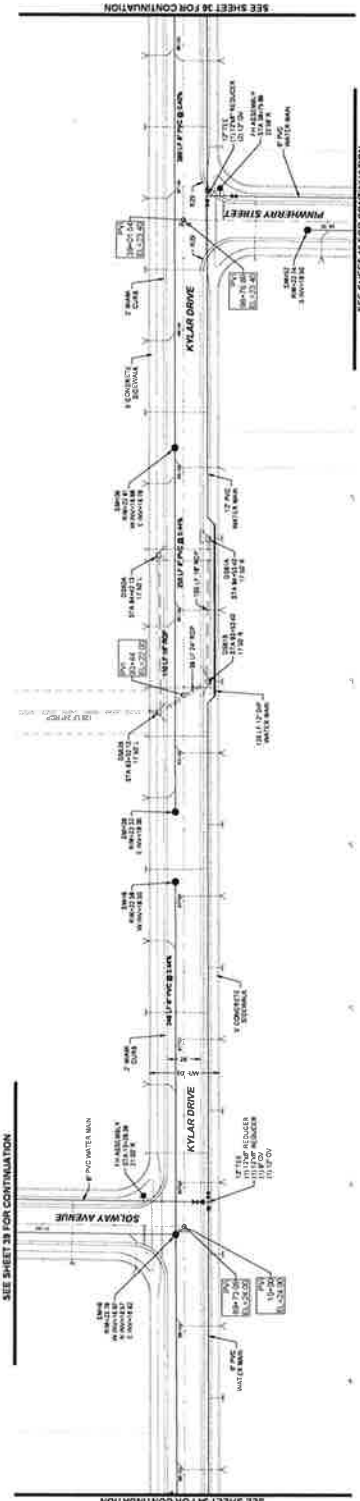
DATE	11/11/11
DESIGNED BY	SCOTT M. GARDNER
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PROJECT TITLE	ST. JOHNS PRESERVE

ST. JOHNS PRESERVE

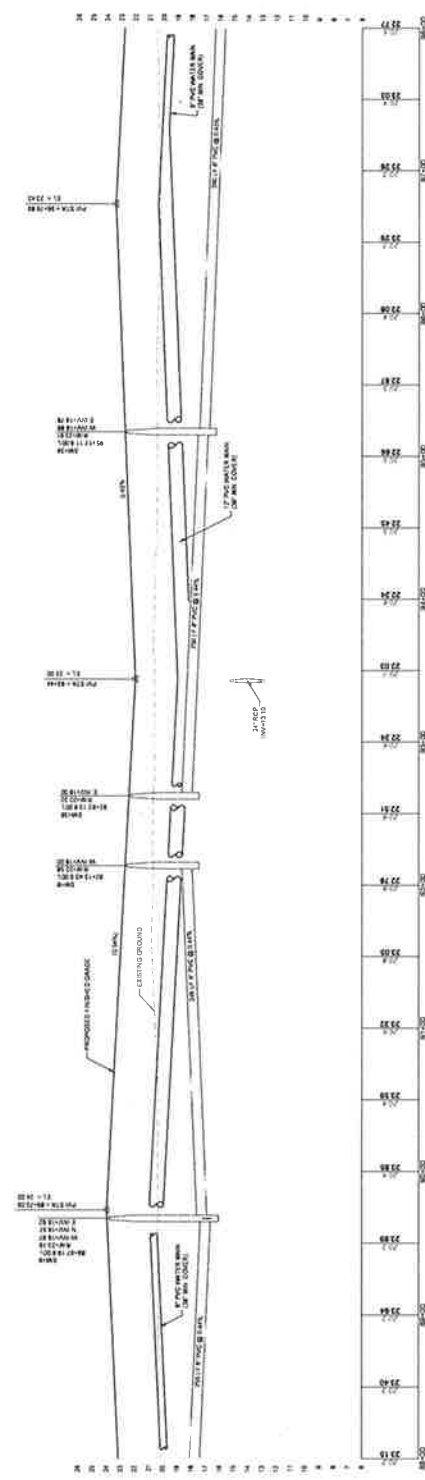
ST. JOHNS PRESERVE
KYLAR DRIVE
STA 88+00 TO
98+00

PROJECT NO.
11415.01
DRAWING NO.
11415.01-001
SHEET

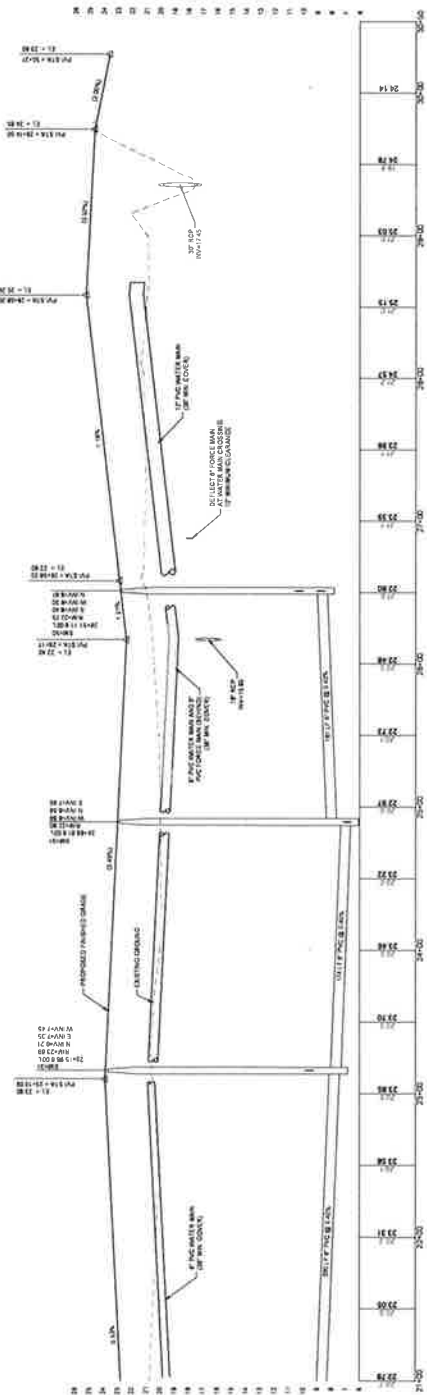
35 of 61



EXISTING CONDITIONS
1. EXISTING ROADWAY WIDTH: 12' PAVEMENT, 14' TOTAL WIDTH
2. EXISTING DRAINAGE: 12" PAVEMENT, 14" TOTAL WIDTH
3. EXISTING CURB: 12" PAVEMENT, 14" TOTAL WIDTH
4. EXISTING SIDEWALK: 12" PAVEMENT, 14" TOTAL WIDTH
5. EXISTING LANDSCAPE: 12" PAVEMENT, 14" TOTAL WIDTH



ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL, DATUM 1988 (NAD83).
ELEVATIONS SHOWN ARE BASED ON A 10% GRADE. THE EXISTING ROADWAY IS BASED ON A 10% GRADE. THE EXISTING SIDEWALK IS BASED ON A 10% GRADE. THE EXISTING LANDSCAPE IS BASED ON A 10% GRADE.



ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1955 FORTY-FOUR



SBE CONSULTANTS, INC.
CORPORATE HEADQUARTERS
11100 N. UNIVERSITY AVENUE, SUITE 100
DENVER, COLORADO 80231
TEL: (303) 750-1100
FAX: (303) 750-1101
WWW.SBECONSULTANTS.COM

PROJECT: ST. JOHN'S PRESERVE
SHEET: 40 OF 61

DATE: 11/14/01
BY: J. B. BROWN
CHECKED: J. B. BROWN

PROJECT TITLE
ST. JOHN'S PRESERVE

SHEET TITLE
**SOLWAY AVENUE
STA 20+00 TO
29+00**

PROJECT NO.
114151.01

DRAWING NO.
114151.01_040

SHEET
40 OF 61

DATE: 11/14/01
BY: J. B. BROWN
CHECKED: J. B. BROWN

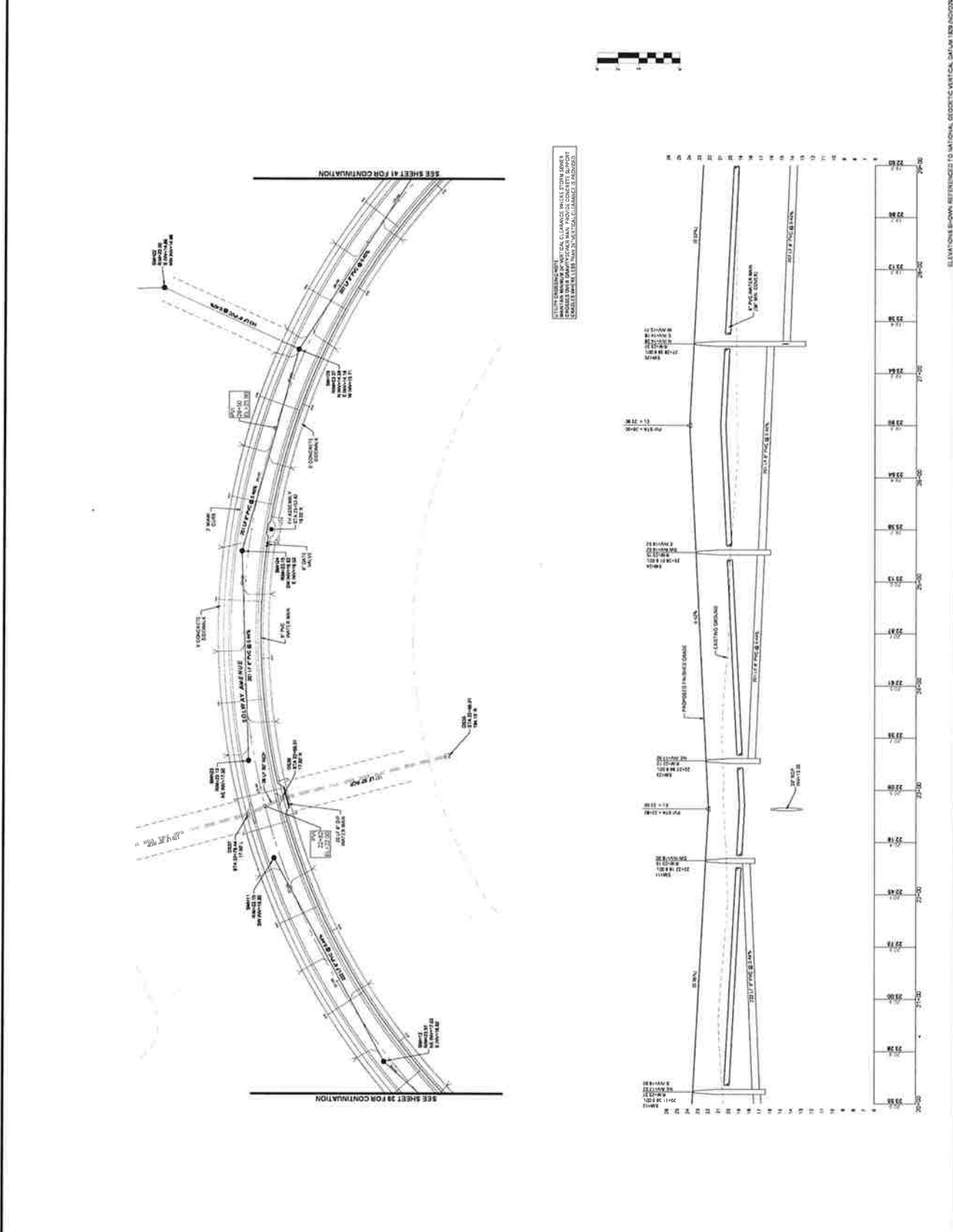
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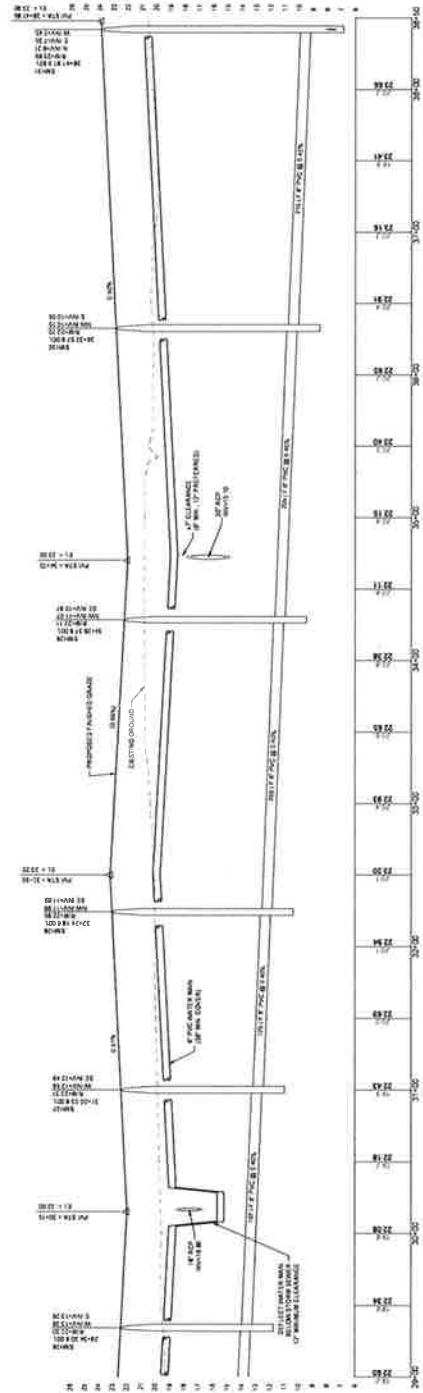
SHEET TITLE
**SOLWAY AVENUE
STA 20+00 TO
29+00**

PROJECT NO.
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DRAWING NO.
114151.01_040

SHEET
40 OF 61





RELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1989 (NAD 83). ELEVATIONS SHOWN ARE CORRECTED FOR PLATE TECTONIC MOVEMENTS. THE CONTAINMENT DAM, ALSO KNOWN TO BRIDGE CANYON AND 2014.



SBE CONSULTANTS, INC.
Civil Engineering
11100 1st Avenue, Suite 100
San Diego, CA 92106
Tel: 619-594-1100
Fax: 619-594-1101
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PROJECT NO. 11415-D1
DRAWING NO. 11415-D1-02-02
SHEET 42 OF 61

DATE: 03/07/13
DESIGNER: SMC/039
CHECKER: SMC/039

PROJECT TITLE
ST. JOHNS PRESERVE

SHEET TITLE
ROYGARIS STREET STA 10+00 TO 19+00

PROJECT NO. 11415-D1
DRAWING NO. 11415-D1-02-02
SHEET 42 OF 61

DATE: 03/07/13
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PROJECT TITLE
ST. JOHNS PRESERVE

SHEET TITLE
ROYGARIS STREET STA 10+00 TO 19+00

PROJECT NO. 11415-D1
DRAWING NO. 11415-D1-02-02
SHEET 42 OF 61

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PROJECT TITLE
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PROJECT NO. 11415-D1
DRAWING NO. 11415-D1-02-02
SHEET 42 OF 61

DATE: 03/07/13
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PROJECT TITLE
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SHEET TITLE
ROYGARIS STREET STA 10+00 TO 19+00

PROJECT NO. 11415-D1
DRAWING NO. 11415-D1-02-02
SHEET 42 OF 61

DATE: 03/07/13
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PROJECT TITLE
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PROJECT TITLE
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SHEET 42 OF 61

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SHEET 42 OF 61

DATE: 03/07/13
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PROJECT TITLE
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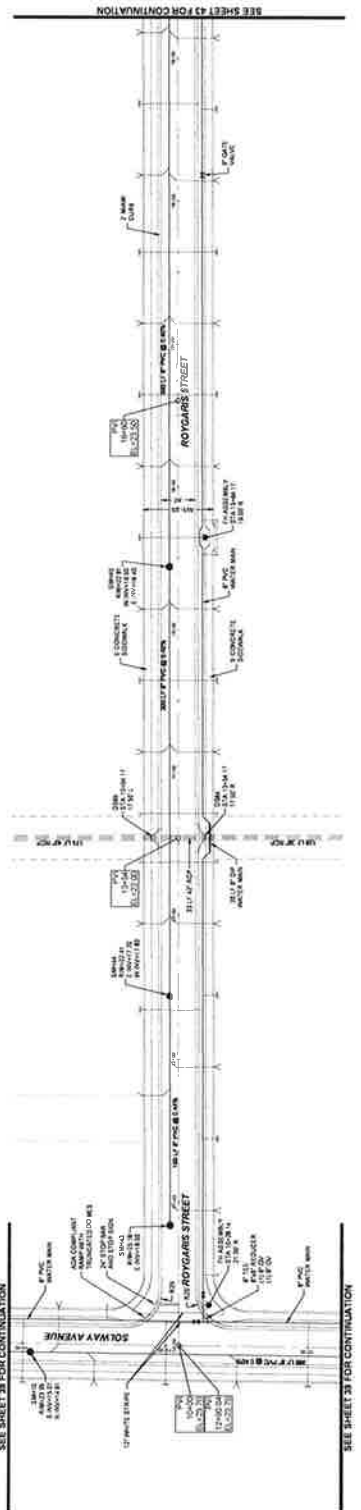
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PROJECT NO. 11415-D1
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SHEET 42 OF 61

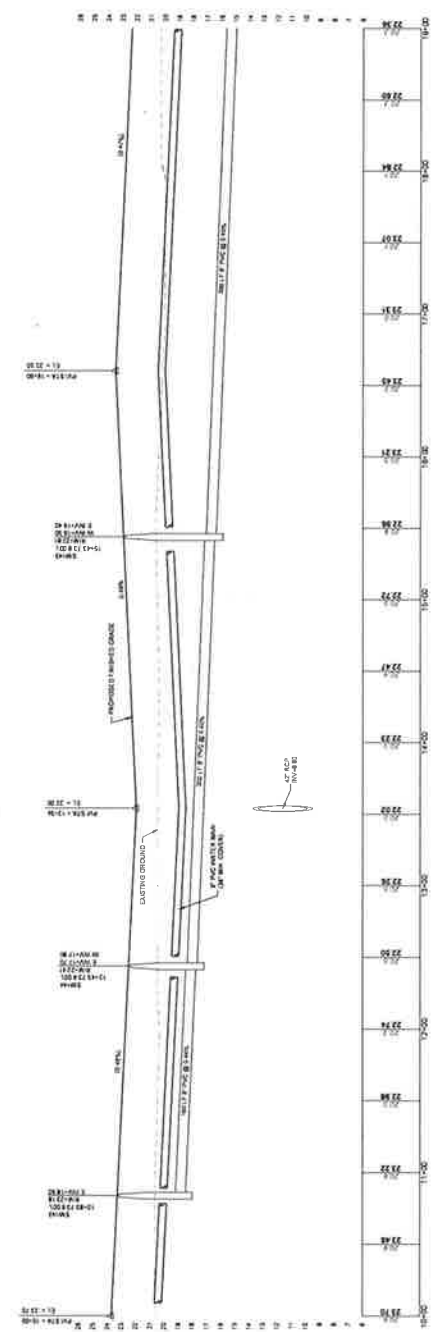
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PROJECT TITLE
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SHEET TITLE
ROYGARIS STREET STA 10+00 TO 19+00



VERTICAL CURVE DATA
STATION 10+00 TO 19+00
VERTICAL CURVE DATA
STATION 10+00 TO 19+00
VERTICAL CURVE DATA
STATION 10+00 TO 19+00



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PROJECT NO. 1141601
DRAWING NO. 1141601-000-043
SHEET 43 OF 61

DATE: 08/07/19
DESIGNED BY: [Signature]
CHECKED BY: [Signature]

PROJECT TITLE
ST JOHNS PRESERVE

SHEET TITLE
ROYGARIS STREET STA 19+00 TO 27+00

PROJECT NO.
1141601

DRAWING NO.
1141601-000-043

SHEET
43 OF 61

DATE: 08/07/19
DESIGNED BY: [Signature]
CHECKED BY: [Signature]

PROJECT TITLE
ST JOHNS PRESERVE

SHEET TITLE
ROYGARIS STREET STA 19+00 TO 27+00

PROJECT NO.
1141601

DRAWING NO.
1141601-000-043

SHEET
43 OF 61

DATE: 08/07/19
DESIGNED BY: [Signature]
CHECKED BY: [Signature]

PROJECT TITLE
ST JOHNS PRESERVE

SHEET TITLE
ROYGARIS STREET STA 19+00 TO 27+00

PROJECT NO.
1141601

DRAWING NO.
1141601-000-043

SHEET
43 OF 61

DATE: 08/07/19
DESIGNED BY: [Signature]
CHECKED BY: [Signature]

PROJECT TITLE
ST JOHNS PRESERVE

SHEET TITLE
ROYGARIS STREET STA 19+00 TO 27+00

PROJECT NO.
1141601

DRAWING NO.
1141601-000-043

SHEET
43 OF 61

DATE: 08/07/19
DESIGNED BY: [Signature]
CHECKED BY: [Signature]

PROJECT TITLE
ST JOHNS PRESERVE

SHEET TITLE
ROYGARIS STREET STA 19+00 TO 27+00

PROJECT NO.
1141601

DRAWING NO.
1141601-000-043

SHEET
43 OF 61

DATE: 08/07/19
DESIGNED BY: [Signature]
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PROJECT TITLE
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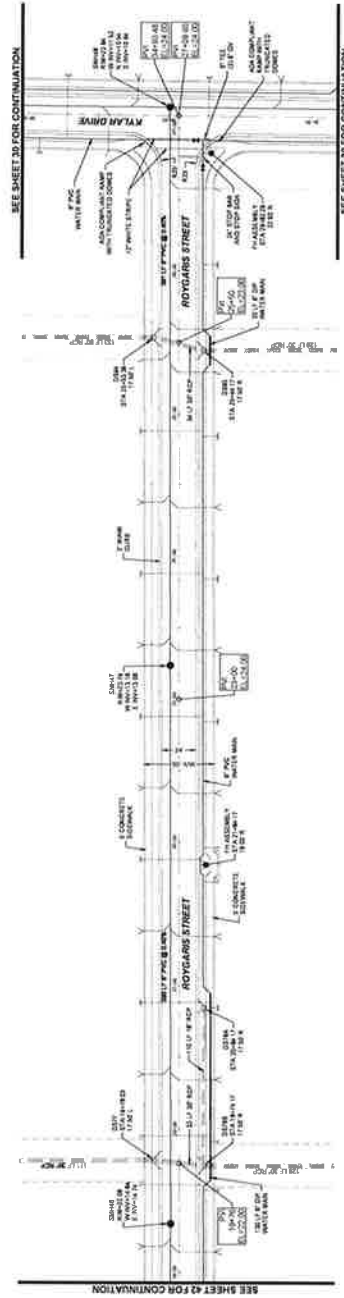
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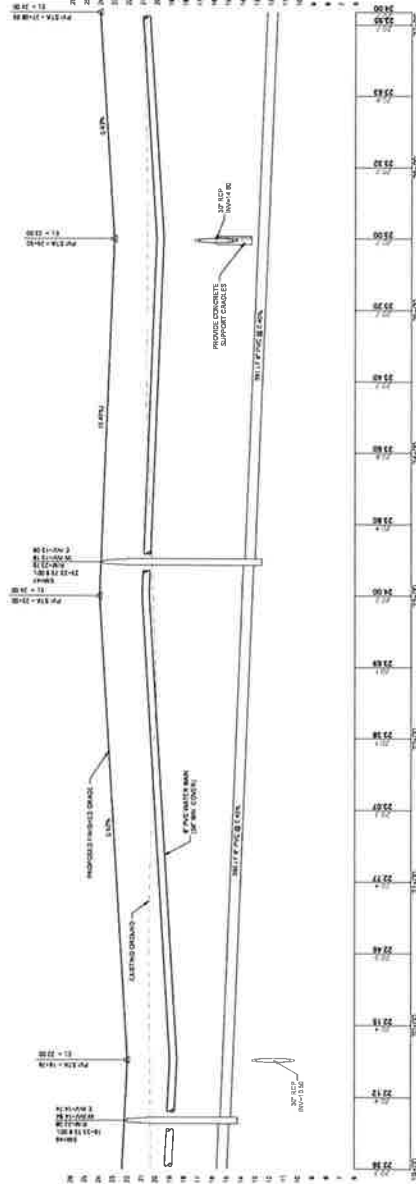
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1141601-000-043

SHEET
43 OF 61

DATE: 08/07/19
DESIGNED BY: [Signature]
CHECKED BY: [Signature]



VERTICAL CURVING DATA
STATIONED DATA POINTS (STATION, ELEVATION, GRADE, CURVE DATA)
STATIONED DATA POINTS (STATION, ELEVATION, GRADE, CURVE DATA)
STATIONED DATA POINTS (STATION, ELEVATION, GRADE, CURVE DATA)



ELEVATIONS SHOWN ARE GRADES UNLESS NOTED. SEE ELEVATION DATA FOR ALL ELEVATIONS. THIS DOCUMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL ELEVATIONS AND GRADES. SEE SHEET 39 FOR CONTINUATION.

ASSAN & KAMAL P.E.
STATE OF OREGON, No. 85)

KEY MAP



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DATE: _____ CACVTS: _____
 DIEBEN/DKAWN: _____ SACORS: _____

ST JOHNS
PRESERVE

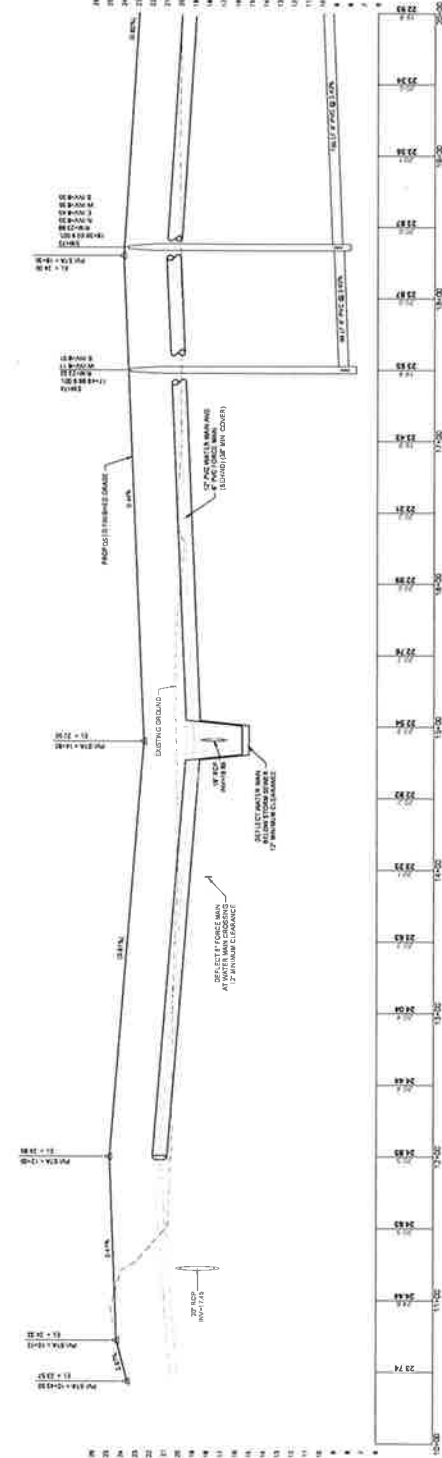
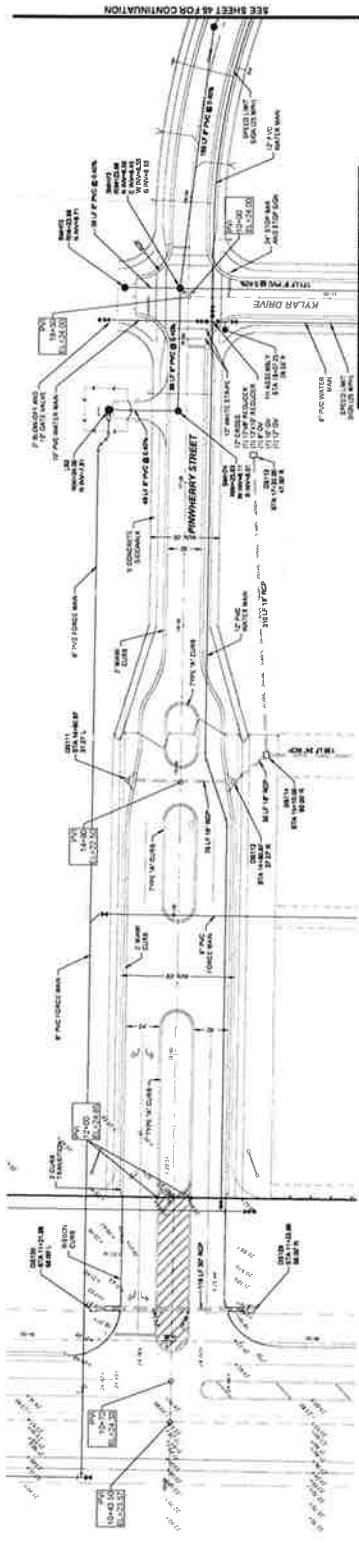
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PINWERRY
STREET STA
10+00 TO 20+00

PROJECT NO.

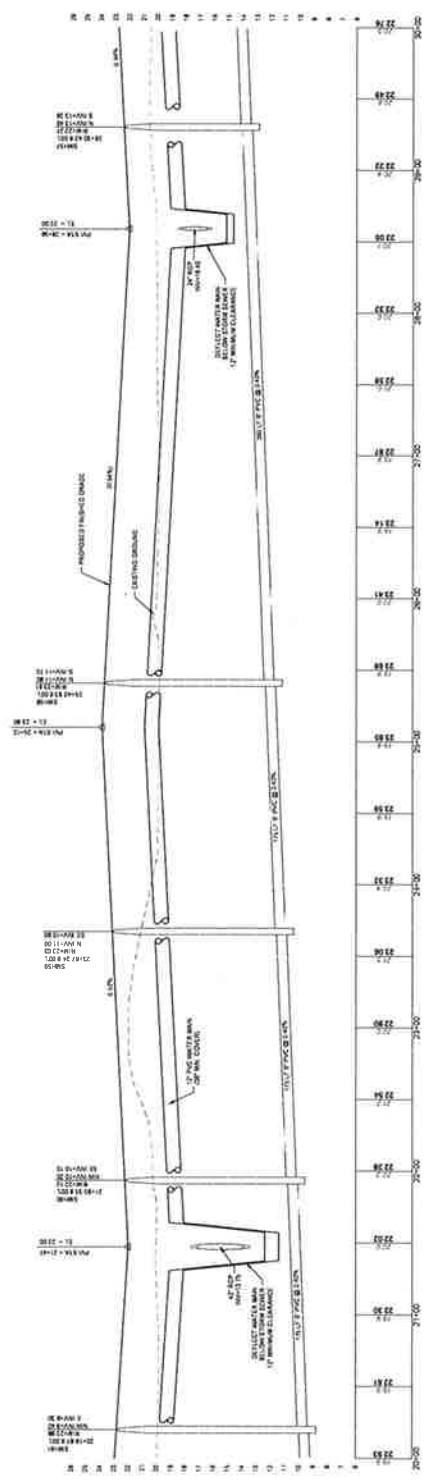
DRAWING NO. 141001

1141601_400_044

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ELEVATIONS SHOWN REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM 1988 (NGVD86)

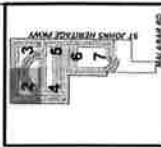


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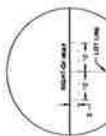


ST JOHNS PRESERVE
-PRELIMINARY PLAT-

SECTION 32, TOWNSHIP 28 SOUTH,
RANGE 36 EAST, CITY OF PALM BAY,
BREVARD COUNTY, FLORIDA



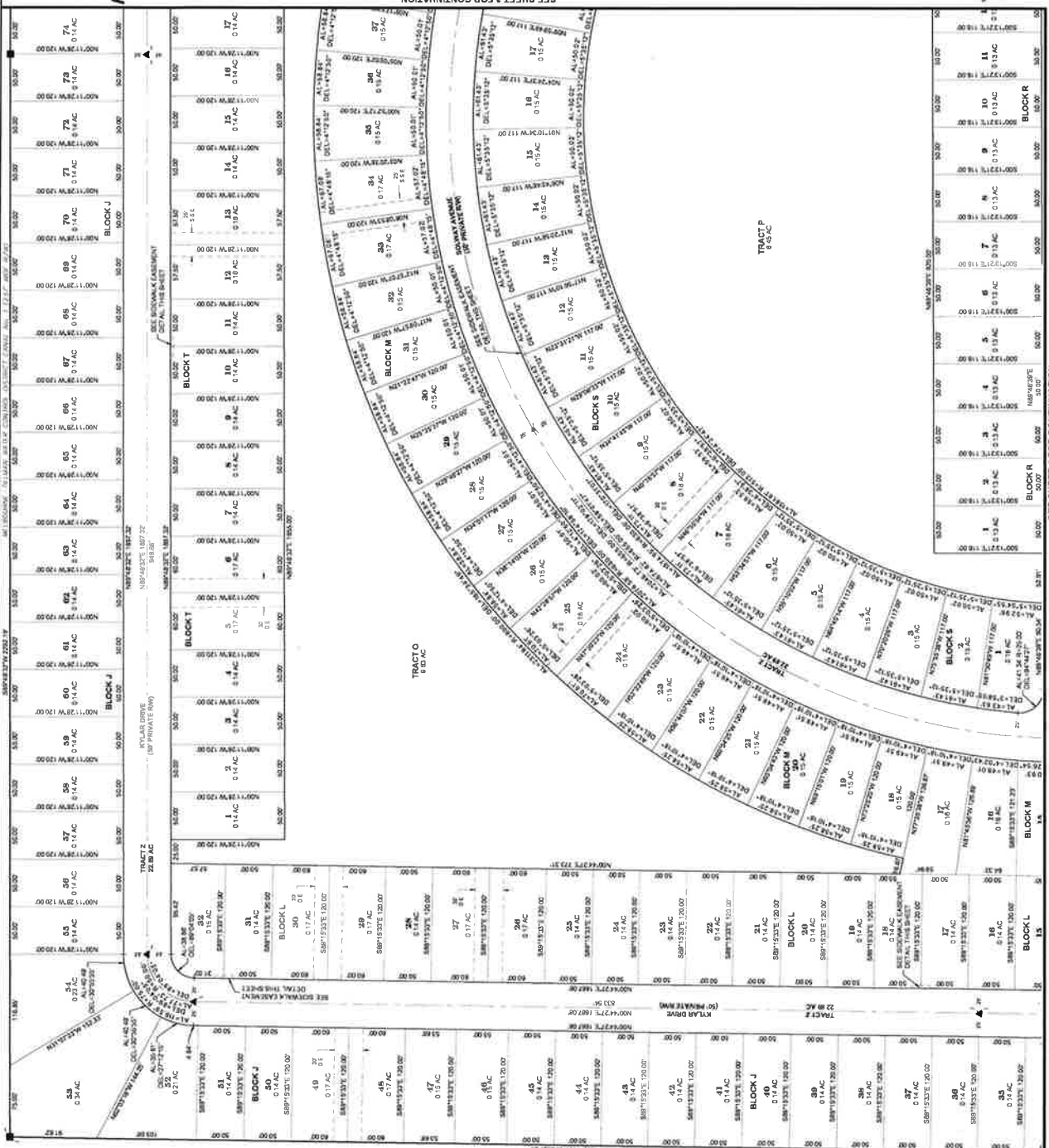
KEY MAP



SEE SHEET 3 FOR CONTINUATION

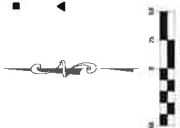
DISSECT (CABLE NO. 6) 140' WIDE (N/A)

SEE SHEET 4 FOR CONTINUATION



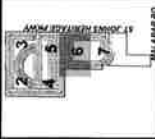
SURVEY SYMBOL LEGEND

PERMANENT REFERENCE MONUMENT FROM
SET 400' HIGH CONCRETE MONUMENT WITH
DIRECTIONAL ARROW AND 1/4" DIAMETER
DIRECTIONAL ARROW
PERMANENT CONTROL POINT (C.P.) SET
MAC NAIL AND DISK STAMPED FOR LANDS
UNLESS OTHERWISE NOTED

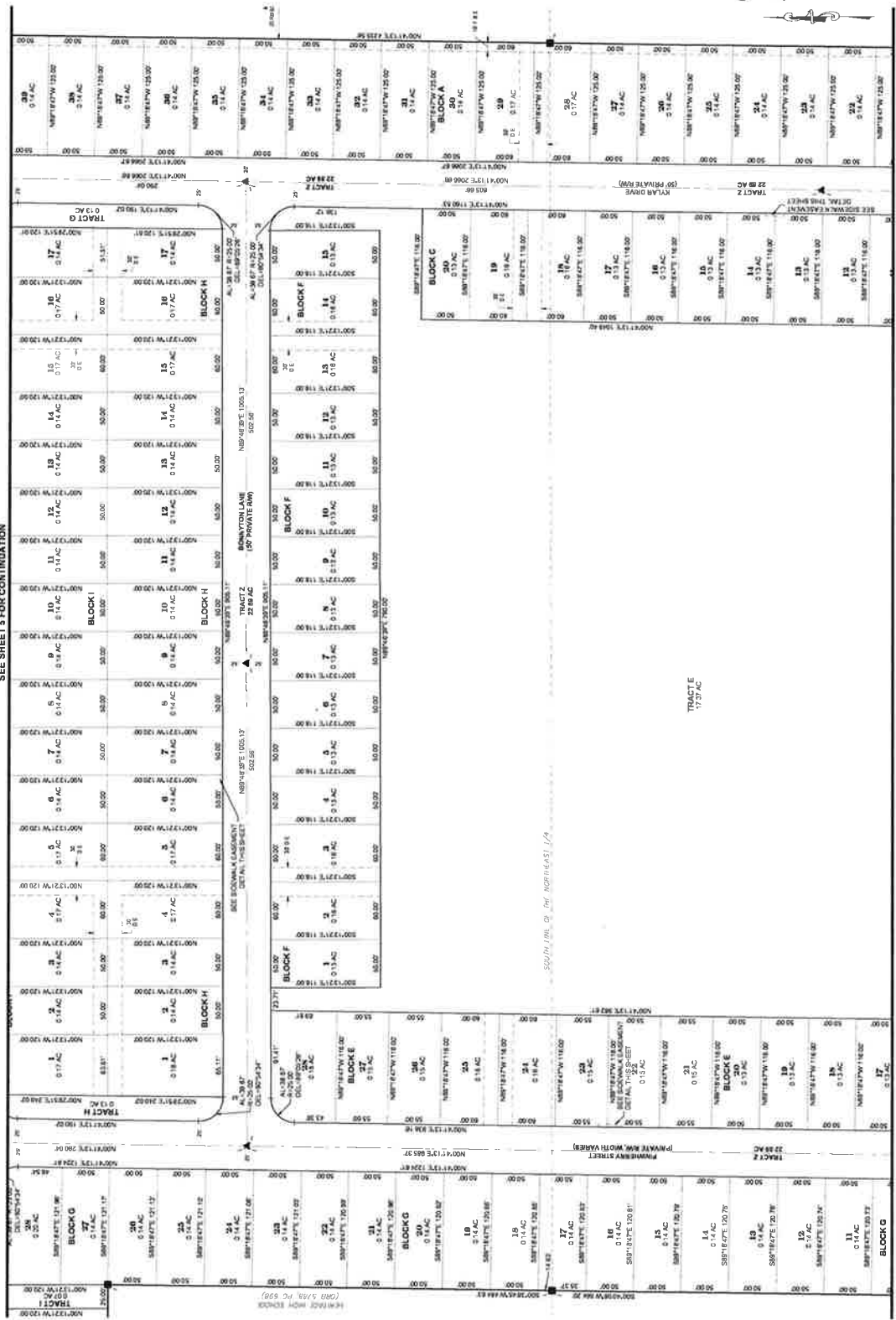


B.E. CONSULTANTS, INC.
DATE: 02/01/2018
DRAWN: J. B. BROWN
PROJECT: 1114-01

ST JOHNS PRESERVE
 -PRELIMINARY PLAT-
 SECTION 32, TOWNSHIP 28 SOUTH, RANGE 36 EAST,
 CITY OF PALM BAY, BREVARD COUNTY, FLORIDA



SEE SHEET 5 FOR CONTINUATION



- ABBREVIATIONS**
- AL ALIEN
 - AM AMERICAN
 - AN ANTIQUARIAN
 - AR ARCHAEOLOGICAL
 - AS ASIAN
 - AT ATLAS
 - AV AVIATION
 - AW AUSTRIAN
 - AX AXON
 - AY AYER
 - AZ AZERBAIDZHANI
 - BA BAHAMIAN
 - BB BELGIAN
 - BC BULGARIAN
 - BD BERMUDIAN
 - BE BELARUSIAN
 - BF BULGARIAN
 - BH BHUTANESE
 - BI BOSNIAN
 - BJ BURUNDIAN
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 - BY BOSNIAN
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 - CA CANADIAN
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SEE SHEET 7 FOR CONTINUATION

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