

## AGENDA ITEM SUMMARY

<b>Meeting Date:</b>	JANUARY 15, 2020
<b>Agenda Category:</b>	NEW BUSINESS
<b>Agenda Item Number:</b>	11 B
<b>Subject:</b>	DISCUSSION CONCERNING CONSTRUCTION OF PHASE 1 (21 SINGLE-FAMILY HOMES) OF THE SHEPARD PARK OVERLAY DISTRICT (PLANNING DIVISION)
<b>Attachments:</b>	Memorandum; supporting documentation
<b>Staff Contact:</b>	Planning Director Bernard
<b>Background:</b>	Mr. Doug Baldwin is interested in constructing 35 single-family residential homes. The first phase of the proposed project would consist of the construction of 21 single-family homes, while the second phase would consist of 14 single-family dwellings. The land for the proposed location has not been platted, and in lieu of a development agreement, Mr. Baldwin is seeking City Council approval. The proposal has not been presented to or formally considered by the Planning Commission.
<b>Reference:</b>	Land Development Regulations
<b>Suggested Action:</b>	Forward the proposal to the Planning Commission for thorough review and recommendation to Council



**Staff Report**  
**Shepard Park**  
January 15, 2020

**Owner:** Doug Baldwin, Baldwin Enterprises  
**Size:** 35 single-family residential homes

Alix Bernard, Planning Director *ABR 1/9/20*

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**BACKGROUND**

Attached is a packet that was submitted by Don Griffin to staff over the holidays. The applicant is requesting to construct 35 single family residential homes, in two phases. In phase one, 21 single family homes will be constructed with the remaining 14 single family lots to be constructed in phase II.

Over the past year, City staff has attempted to work with Mr. Baldwin to secure a development agreement as Mr. Baldwin does not want to plat his land. In lieu of a development agreement or a plat Mr. Baldwin would like City Council approval.

Mr. Baldwin has just completed the construction of his first duplex on Santa Rosa Dr., he currently has two permits submitted for single family residential.

In accordance with LDR 60.90 Shepard Park affordable housing overlay district the applicant is requesting streamlined permitting process and deferral of permit fees until the issuance of certificate of occupancy on each residents.

Dear City Council and Mayor:

Doug Baldwin, of Baldwin Enterprises, is proposing to start construction of Phase 1 of the Shepard Park Overlay District. He will be building 21 Single Family homes on the following lots:

Block C - lots 5, 17, 23, 24

Block D - lots 7,8,9,10,11,12,13 and 16

Block E - lots 18 and part of 17, 19, 20, 21, 22, 23, 24, 25, and 26.

Each home will be under 1,200 sq. feet and have a carport. Each home will have insulated metal roofs and will be energy efficient with utility bills projected from \$85.00 to \$125.00 per month. Each home will have 3 bedrooms and 2 bathrooms.

We would like to thank the Cocoa Housing Authority for pre-qualifying families meeting the affordable housing conditions noted in section 60.90 of the Rockledge Land Development Regulations.

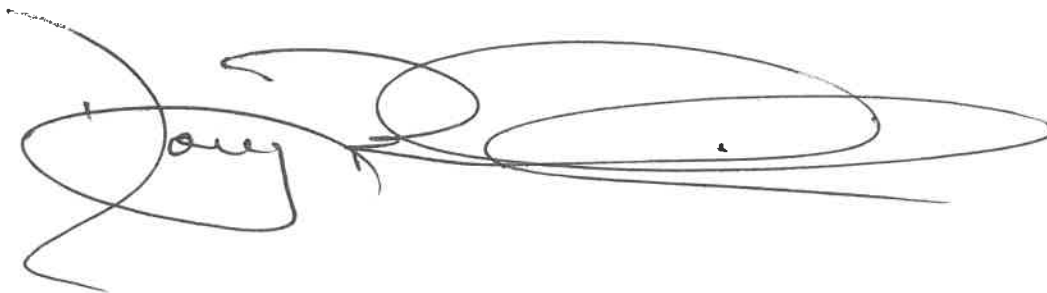
Phase II, will involve the 14 lots adjacent to Palmdale Ave. We are hoping to work with other property owners, City Staff, and Brevard County CDBG Staff to help fund and build this new roadway.

We are requesting the following:

1. Streamlined permitting for each home.
2. Deferral of permit fees until the issuance of a C.O.

Even though our homes are built to be virtually maintenance free, Mr. Baldwin or his agent will do annual inspections. If there is no damage the clients will receive \$25.00 per month rebate in the month of December.

It is our goal to provide affordable housing, with minimal maintenance and low utility cost units.

A handwritten signature in black ink, appearing to read "Doug Baldwin". The signature is written in a cursive style with large, sweeping loops and is positioned at the bottom of the page.

24-36-32  
Unrecorded Plat

SHEPARD'S  
PARK ACRES.  
A SUBDIVISION OF  
PART OF S.E. 1/4 OF SE 1/4, SEC. 32,  
T 24 S., R 36 E.,  
BREVARD CO., FLORIDA.

SCALE: 1/4 INCH = 100 FEET. APRIL 18, 1950.

Scale of feet



**RECITATION**  
Know all men by these presents, that Orlando Atlantic Beach Company, by John D. Shepard and Morley S. Opler, respectively its president and secretary, hereby dedicate plot to be known as "Shepard's Park Acres," a Subdivision of part of S.E. 1/4 of S.E. 1/4, Sec. 32, T. 24 S., R. 36 E., Brevard Co., Florida, in testimony whereof, we attach our hands and affix the corporate seal, at Cocoa, Florida, this the 14th day of April, A.D. 1950.

Witnesses:  
John D. Shepard, President  
Morley S. Opler, Secretary

Orlando Atlantic Beach Company,  
by John D. Shepard, President  
Morley S. Opler, Secretary

**DESCRIPTION**  
All of S.E. Quarter of S.E. Quarter of Section 32, T. 24 S., R. 36 E., Brevard Co., Florida, as shown on the plat hereof.

Phase 1  
Phase 2

# FERNDALE AVENUE

50' R\W  
(AKA SANTA ROSA DRIVE, PER DEED)

23.49'

23.77'

25.0'

25.0'

2' CONC. CURB

50.22' (M) 4' CONC. WALK

50.00' (P) N 89°49'16" W

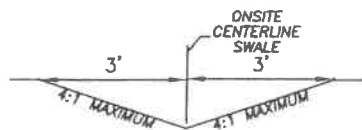
FND. 5/8" I.R.  
NO ID.

FND. 1/2" I.R.  
NO ID.  
NW CORNER  
LOT 23  
BLOCK C

FND. 1/2" I.P.  
NO ID.  
NW CORNER LOT 24, BLOCK C

FND. 1/2" I.  
NO ID.

PROPOSED PERIMETER SWALES



PROPOSED INVERT SWALE ELEVATIONS = (6.9')

LOT 22  
BLOCK C  
F.F.E.=24.80'

W LINE LOT 23

LOT 23  
BLOCK C  
(VACANT LAND)

LOT 25  
BLOCK C  
F.F.E.=25.

125.16' (M)  
125.00' (P)

125.00' (P)  
124.96' (M)

**PROPOSED  
ONE STORY  
W.F.S.  
NO. 821**  
F.F.E.= 25.72'

S00°15'31"W

N 00°21'02" E

FND. 1/2" I.P.  
NO ID.  
SW CORNER LOT 23, BLOCK C

WUP

FND. 1/2" I.P.  
NO ID.  
SW CORNER  
LOT 23  
BLOCK C

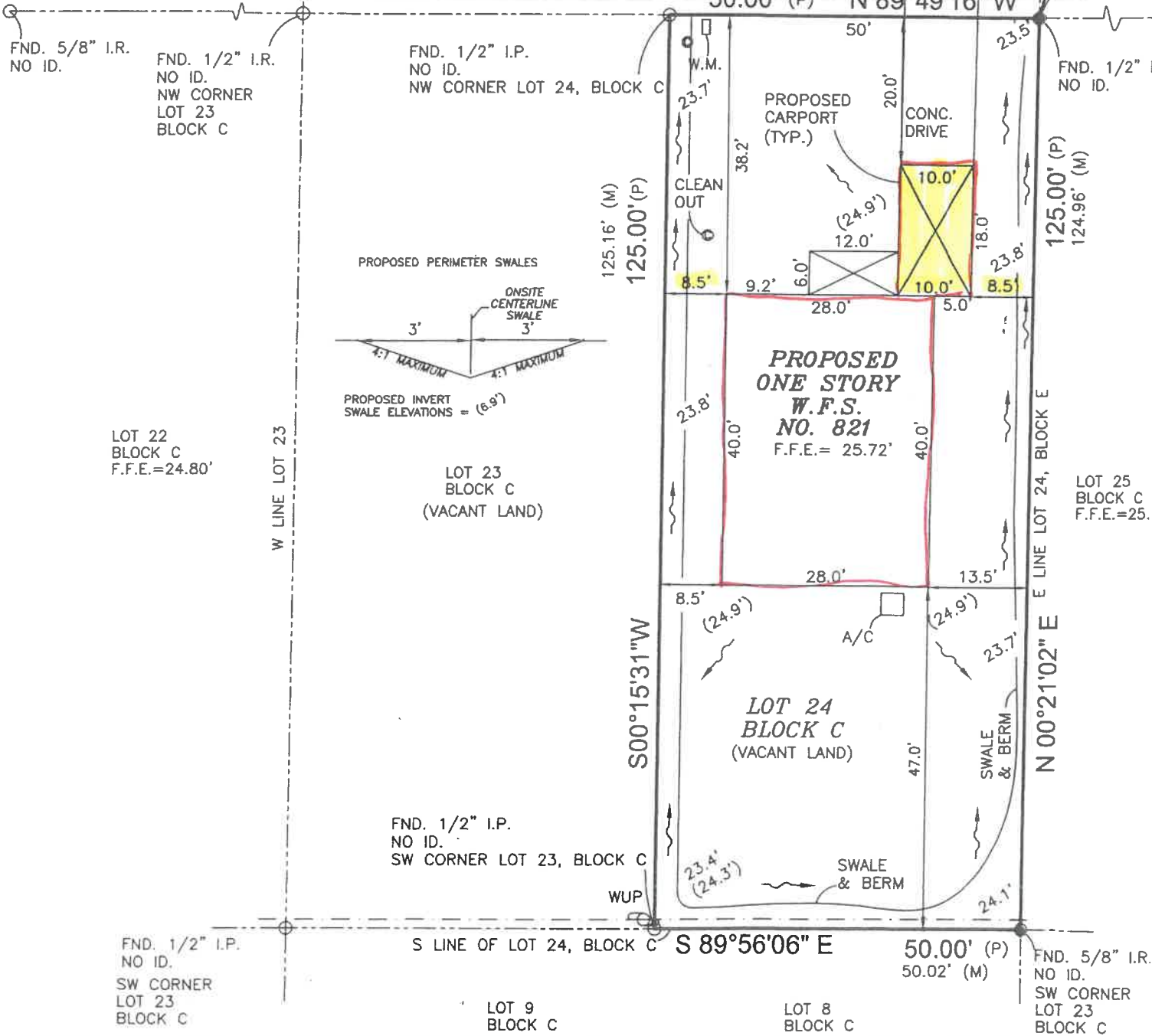
S LINE OF LOT 24, BLOCK C S 89°56'06" E

50.00' (P)  
50.02' (M)

FND. 5/8" I.R.  
NO ID.  
SW CORNER  
LOT 23  
BLOCK C

LOT 9  
BLOCK C

LOT 8  
BLOCK C



**60.90. - Shepard Park Affordable Housing Overlay District.**

- (a) *Purpose.* As a result of the serious workforce housing shortage in Brevard County and City of Rockledge, the city is proposing to use an affordable housing overlay concept to provide additional areas for the construction of housing units for the city's workforce. It is hoped that this affordable housing overlay will provide opportunity areas for a variety of housing sponsors (non-profit, private for-profit and employer-assisted housing providers) to develop affordable housing within close proximity to major employment sites.

Within the overlay area, the underlying incentives remain in place until the project demonstrates that it can satisfy established criteria. With the satisfaction of criteria and project approval, the site may then be developed.

- (b) *Housing levels within overlay areas.* New housing units within the affordable housing overlay area are intended to be one hundred (100) percent affordable to the area's workforce. They are to be priced at levels affordable to the moderate, low and very low income households as defined by U.S. Department of Housing and Urban Development and the Brevard County Housing and Human Services Department criteria. The proportion of housing to be built at each level is to reflect the distribution of income levels for the particular area of the city. The city is looking for three (3) units being built to meet the needs of thirty (30) percent to fifty (50) percent medium income level; eight (8) units being built to meet the housing needs of fifty (50) percent to eighty (80) percent medium income level; and twenty-five (25) units being built to meet the housing needs of eighty (80) percent to one hundred twenty (120) percent of medium income level. Infill areas throughout Shepard Park should be a mixture of all classifications. In order to assure long-term affordability of the units, the units are to be deed restricted to ensure resale to moderate, low, and very low income households.
- (c) *Area designation.* The Shepard Park Subdivision area offers the greatest flexibility by all parties to meet the serious shortages in workforce housing. The overlay district shall include the area shown in the map attached hereto as Attachment 1. [A copy of Attachment 1 can be found in the offices of the city.]
- (d) *Process:* This is a voluntary program whereby individual property owners within the designated affordable housing overlay area can request that their site be designated as an affordable housing site. Each site will be evaluated by designated members of city staff to determine its potential to serve as affordable housing. Site analysis will consider the factors described below. The most important factor is the consideration of the suitability of the site to accommodate an affordable workforce housing project in one of the levels stated in subsection (b) above.
- (1) As a part of the review of the project, staff will work with the project applicants to achieve the distribution of units that are needed to meet the area's wage earner household income needs. It is recognized that housing types and project design may

need to differ depending upon the specific site, but applicants will be required to demonstrate that all of the housing to be produced within the project will be affordable to the Rockledge workforce area.

- (2) Higher densities and a variety of housing types are encouraged to assure that the housing products will be priced at levels that are within the means of the very low, low, moderate, and workforce household income levels. Small-lot single-family homes, cottages, townhomes or housing over retail for homeownership (where commercial zoning is in place) and/or rental are all housing types that may be appropriate within overlay areas.
  - (3) A conceptual plan approved by the planning commission and city council will require no additional meetings before the planning commission or city council, as long as the plan is not significantly altered.
- (e) *Project suitability criteria.* The determination of whether parcels within the overlay area are suitable for an affordable incentive bonus will require satisfaction of all the following criteria:
- (1) The site is located within a designated affordable housing overlay area;
  - (2) The housing types proposed result in sales prices that are affordable to the local area's workforce, based on the distribution of moderate, low and very-low income levels;
  - (3) Neighborhood commercial services are within a half mile of the proposed development; and
  - (4) The project is able to connect to community water and sewer and other public services are available.
- (f) *Incentives:* To encourage voluntary participation in the affordable housing overlay process, the city may provide the following incentives:
- (1) Streamlined permitting process.
  - (2) Waiver or deferral of planning and building permit fees (but not fees for the purpose of financing infrastructure improvements).
  - (3) Priority allocation of concurrency review items.
  - (4) Reduction of setbacks.
  - (5) Increased flexibility in types of housing units.
- (g) *Uses:*
- (1) *Principal.* No building, structure, land or water shall be used, in whole or in part, except for one or more of the following uses:
    - a. Single-family dwellings.
    - b. Townhouses (no more than four (4) attached).
    - c. Foster care home with a maximum of three (3) clients, provided said foster care home meets all of the special conditions, standards and requirements set forth in

Section 83.00 of this Code.

- d. Group care facility with a maximum of three (3) clients, provided said group care facility meets all of the special conditions, standards and requirements set forth in Section 83.00 of this Code.
- e. Emergency shelter home for children, provided said emergency shelter home for children meets all of the special conditions, standards and requirements set forth in Section 83.00 of this Code.

(2) *Accessory.* The following uses may be used in conjunction with one or more of the principal uses:

- a. Garages, carports or space for the housing or parking of private automobiles.
- b. Guest cottages having an electrical meter shared with the principal structure, and limited to a maximum of six hundred (600) square feet.
- c. Ordinary public utility uses and rights-of-way.
- d. Swimming pools.
- e. Detached accessory building, subject to all conditions, limitations and restrictions set forth in Section 80.00.1 of this Code.



(h) *Setback requirements.*

- (1) *Front.* The minimum front setback required is ten (10) feet, except for the garage, which, when facing the street, must be a minimum of twenty (20) feet.
- (2) *Rear.* The minimum rear setback required for the principal building is twenty (20) feet from the rear lot line; except that the minimum rear setback for a screened porch attached to the rear of a principal building is fifteen (15) feet.
- (3) *Side.* The minimum side setback required is seven and one-half (7½) feet from either one of the side lot lines of the property, and seven and one-half (7½) feet from the other (opposite) side lot line of the property. When attached units are built there shall be a zero setback between townhouse units.
- (4) *Corner lots.* Corner lots shall have a setback of not less than twenty (20) feet from existing street rights-of-way and the same as subsection (a) of this section.
- (5) *Accessory building setback requirements.* Detached accessory buildings are subject to all conditions, limitations and restrictions set forth in Section 80.00.1 of this Code.
- (6) *Measurement.* The exterior wall of a house, or the wall or roof vertical support of an addition, shall be considered the building line when measuring.

(i) *Height requirements.*

- (1) *Building height.* Maximum building height is twenty-five (25) feet. Affordable housing units may have an increase the height, if approved by the planning commission and city council; however, the side setbacks must increase one (1) foot horizontally for every



one-foot increase in height.

(j) *Lot requirements.*

- (1) *Area.* The minimum lot area required is five thousand (5,000) square feet, except that corner lots shall be seventy-five hundred (7,500) square feet for single-family detached. Attached structures must be a minimum of twenty-five hundred (2,500) square feet.
- (2) *Width.* Detached structures shall have a minimum lot width of fifty (50) feet, except that corner lots shall be sixty (60) feet. Attached structures shall have a minimum width of twenty-five (25) feet.
- (3) *Depth.* Detached and attached structures shall have a minimum lot depth of ninety (90) feet.
- (4) *Buildings.* Not more than one principal dwelling building shall be constructed or placed on any one lot.
- (5) *Lots may be reconfigured to allow for the design of attached townhouses; however, the net density of the entire area may not be increased nor the number of lots increased.*

(k) *Building requirements.*

- (1) *Lot coverage.* The maximum allowable lot coverage is thirty-five (35) percent of the land that may be covered by the principal and accessory buildings or structures, excluding driveways and concrete slabs, located thereon. The maximum allowable lot coverage by driveways and concrete slabs is twenty (20) percent. An accessory building not exceeding twelve (12) feet in height may occupy not more than thirty-five (35) percent of a required rear yard. This provision does not apply to swimming pools.
- (2) *Area.* The minimum living area is nine hundred (900) square feet; the maximum living area shall be fifteen hundred (1,500) square feet for affordable housing project units.
- (3) *Density.* The maximum density for this overlay area shall be restricted to the number of units in this unrecorded subdivision.

(l) *Reimbursement of fees.* The property owner requesting the designation of his property for the incentives set out in subsection (f) above must execute an agreement, which will be recorded in the public records as a lien on the property for repayment of any incentives granted to him by the city should he sell and/or transfer title to the property as follows:

- (1) Reimburse the city one hundred (100) percent of all incentives if the property is sold within one (1) year of the grant of incentives.
- (2) Reimburse the city seventy-five (75) percent of all incentives if the property is sold within two (2) years of the grant of incentives.
- (3) Reimburse the city fifty (50) percent of all incentives if the property is sold within three (3) years of the grant of incentives.
- (4) Reimburse the city twenty-five (25) percent of all incentives if the property is sold within

four (4) years of the grant of incentives.

(5) No reimbursement after four (4) years.

(Ord. No. 1415-2006, § 1, 8-16-06; Ord. No. 1437-2007, § 1, 1-17-07)