



## Board of County Commissioners

### Office of the County Administrator

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December 8, 2022

Mr. Paul Carlisle  
City Manager  
City of Sebastian  
1225 Main St.  
Sebastian, FL 32958

Dear Mr. Carlisle,

Please find County staff's general thoughts and comments on the Draft Annexation Agreement (“**DRAFT AGREEMENT**”) between the City of Sebastian and Graves Brothers. We understand that the most recent version of the Draft Agreement is not finalized and that negotiations with the property owner are continuing. The County's feedback is, by necessity based upon that draft. Please be assured that the County's intentions are not to interfere with the ongoing process between the City and Graves Brothers. We are encouraged to see many proactive planning practices that fulfill the direction obtained from the public through our collaborative visioning processes and our Comprehensive Planning efforts. We also offer suggestions for the City to consider in the spirit of coordination and hope that we could discuss the rationale behind them with City staff as well as any mutually agreeable alternatives should the City not be supportive of including them.

#### **Master Planning**

County staff supports the required approach of large-tract (500-acre minimum), master-planned PUD development in the annexation area. This provides sufficient scale to enable a mix of uses and provision of open spaces with widespread public benefit.

#### **Affordable Housing**

County staff commends the City for the requirement to provide 10% Affordable Housing. This is one of the 6 Visioning Implementation Principles from the MPO's recent Visioning effort and has been the focus of several incentives and targets from the County's Affordable Housing Advisory Committee. Staff believes this is a great strength of the Draft Agreement and will benefit the community at large by ensuring quality housing opportunities for young people and families (another visioning principle) while maintaining diversity and variety in housing types and options.

#### **Height Limitation**

This is one of the signature features of the planning process in Indian River County and staff is encouraged to see its retention in this Draft Agreement.

#### **Clarification of Density Calculation**

The proposed overall density of the project appears to be approximately 4.5 units/acre (9,157 units, 2,044 acres = 4.5 units per acre), though the draft appears to mention that the total density is 3.2 units per acre. While the overall density of the project is something for the City of Sebastian to determine through the process, as it is critical to determining consumption and impact, the County asks for

clarification of overall density and a clear statement of overall project density including the total maximum number of future dwelling units. This will assist the County in planning for water and wastewater provision, as well as transportation on County roadways and Fire Rescue services.

### **Grid Roadway Network**

The Indian River Comprehensive Plan and MPO Long Range Plan both support preservation of grid network roadways as a method of maintaining level of service, ensuring sufficient emergency capacity, and encouraging multi-modal transportation. Staff is encouraged by language requiring the inclusion of grid roadway network elements into the Draft Agreement.

It is critical that grid roadways particularly at the collector and arterial level be provided to a standard that ensures consistency with prevailing local engineering practices and guidelines. Therefore, the County would like to see Section 3.6 (c)(1) amended to include: “...roadways **connecting to the County roadway network** shall be **designed and as permitted in accordance with Indian River County Code of Ordinances, Chapter 312 – Rights-of-Way, Chapter 952 – Traffic**, and consistent with Chapter 14-97, Florida Administrative Code.” and add, “**The City shall require the Owner/Developer to provide a conceptual roadway grid network plan showing proposed connections to County roadways as part of the overall master plan for the property for use in long range roadway network planning by the County.**” *(proposed changes in underline)*

### **Mixed Use Planning**

The County supports the mixed land use provisions found throughout the Draft Agreement. In the County’s experience, the various elements of a mixed-use project (commercial/town centers, schools, residential neighborhoods, public facilities) do not always occur at the same time. The County suggests provisions to ensure timely completion of all phases of a plan, such as a timing mechanism that correlates the number of units completed to the number of required non-residential square footage to be completed.

### **Traffic Impacts**

In the interest of a coordinated approach, County staff suggests the following changes to the language in Section 4.3: Following, “...provided, that applications are submitted in accordance with all City rules and regulations and all fees are timely and properly paid. **As part of the City review process, the Owner/Developer shall provide a Traffic Impact Study for each application and the City will provide this study to the County in a timely manner.**” *(new language in underline)*

### **Utilities**

The County appreciates some of the items that were included in the Draft Agreement related to provision of Utility services (water, wastewater, reuse). We are encouraged to see things such as a requirement to connect to County reuse, as well as language requiring the property owner to cooperate with the County to transfer capacity needed to serve the development from any permitted wells on the property to the County Utility for water supply purposes. These two provisions are helpful for the County to provide water resources to serve the development area.

The Draft Agreement as currently written seems to contemplate a maximum of 9,157 residential units and a mix of commercial and industrial uses. The projected population would be over 20,000, based upon the average household size in the community. Essentially, the County is being asked to provide service to an additional community the size of the City of Vero Beach. County staff estimates that this level of development at build-out would result in demand for about 2.8-3.0 million gallons of

water per day. While it is the County's intention to provide service to this community, we will need to continue to coordinate with the property owner as development happens in the future to determine what will be required for the County to be able to serve such a significant addition to the service area. This must be accomplished while not jeopardizing our ability to provide water and sewer services to other properties in the unincorporated area and the City of Sebastian which we are already committed to serve. While we don't anticipate the property to fully develop for several years, the planning for service needs to happen well in advance of the actual development in order to ensure we have the resources necessary to supply water and sewer services when it becomes necessary to do so.

The County understands that we are not a party to this agreement between the City and the Graves Brothers. Given that, section 3.5(d) discusses dedication of Utility assets to the City or County, as directed by the City. This differs from the current process whereby all such assets are dedicated to the County. The County's intention would be to continue this process as it is not in the best interest of the County Utility to operate and maintain infrastructure that is needed to provide services to County Utility customers while that infrastructure is owned by another entity. As such, we don't believe that the Draft Agreement would be binding on the County as it relates to transfer of Utility infrastructure.

While we understand that the Draft Agreement is likely to change prior to final approval of the City Council and the Graves Brothers, we are providing comments based upon the most current information available due to the time constraints that we are facing with a hearing scheduled for December 14<sup>th</sup>. Please understand that the County is not trying to interfere in negotiations between the City and the property owner. **The most important take home is that the County will need additional contributions from the property owner (such as a dedicated water and/or wastewater plant site) in order to commit to and plan for the provision of water and wastewater services to the proposed annexation area.**

Sincerely,



Jason E. Brown  
County Administrator

cc: Board of County Commissioners  
City Council Members  
Mike Zito, Assistant County Administrator  
Phil Matson, Community Development Director  
Sean Lieske, Utilities Director  
Rich Szpyrka, Public Works Director  
Dylan Reingold, County Attorney