



AGENDA

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Regular Meeting 2023-06

June 7, 2023 - 6:00 PM

City Hall Council Chambers, 120 Malabar Road SE

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ADOPTION OF MINUTES:

1. **Regular Meeting 2023-05; May 3, 2023**

ANNOUNCEMENTS:

NEW BUSINESS:

1. ****CU23-00005 – Heritage Corners - Ascot Palm Bay Holdings, LLC (Ana Saunders P.E., BSE Consultants, Inc., Rep.) - A Conditional Use to allow retail automotive gas/fuel sales in a CC, Community Commercial District, in accordance with Section 185.043(D) (3) of the Palm Bay Code of Ordinances. A Portion of Block 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.16 acres. Located at the intersection of St. Johns Heritage Parkway and Emerson Drive NW**
2. ****CU23-00002 – Dollar General - David Moallem Trust; Pirzadeh, Siroos; Pirzadeh, Mahnaz (Holly Irish, Vector Civil Engineering, Reps.) - A Conditional Use to allow for a Dollar General/Retail Store with a gross floor area over 5,000 square feet in an NC, Neighborhood Commercial District. A Portion of Block O, Subdivision GI, Section 02, Township 29, Range 36, Brevard County, Florida, containing approximately 1.75 acres. Generally located south of and adjacent to Jupiter Boulevard SW and west of and adjacent to Garvey Road SW**
3. **CP23-00004 – Steamboat Landing - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.) - A Small-Scale Comprehensive Plan Future Land Use Map Amendment from High Density Residential and Urban Mixed Use to Urban Mixed Use. Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 – 8 and 29 – 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE**
4. ****CP23-00003 – Steamboat Landing - Steamboat Landing, LLC and Gateway Medical**

Property, LLC (Curtis J. McKinney, Rep.) - A Zoning Amendment from BMUV, Bayfront Mixed Use Village District and RM-20, Multiple-Family Residential District to BMU, Bayfront Mixed Use District. Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 – 8 and 29 – 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE

- 5. CP23-00005 – Garden Center Expansion - Vision 43 LLC (Holly Tanner, Rep.) - A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to Commercial Use. Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE**
- 6. **CPZ23-00004 – Garden Center Expansion - Vision 43 LLC (Holly Tanner, Rep.) - A Zoning Amendment from an RS-3, Single Family Residential District to an HC, Highway Commercial District. Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE**
- 7. T23-00010 – Car Wash In GC District - Chelsea Anderson - A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.054, GC – General Commercial District; to amend the conditional uses to allow for car washes by conditional use in the General Commercial zoning district**
- 8. T23-00012 - Conditional Uses - City of Palm Bay (Growth Management Department) - A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.089 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures**
- 9. T23-00004 – Planning and Zoning Board Factors of Analysis - City of Palm Bay (Growth Management Department) - A textual amendment to Section 185.201 of the City of Palm Bay's Land Development Code to modify the procedure for amendment applications**

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. (Section 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.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website or documents contained therein interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

****Quasi-Judicial Proceeding.**



MEMORANDUM

DATE: June 7, 2023

SUBJECT: Regular Meeting 2023-05; May 3, 2023

ATTACHMENTS:

Description

- ▣ **P&Z/LPA Minutes - Regular Meeting 2023-05; May 3, 2023**

CITY OF PALM BAY, FLORIDA

PLANNING AND ZONING BOARD/
LOCAL PLANNING AGENCY
REGULAR MEETING 2023-05

Held on Wednesday, May 3, 2023, 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.

Vice Chairperson Philip Weinberg called the meeting to order at approximately 6:00 p.m.

Mr. Jeffrey McLeod led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Leeta Jordan	Absent	(Excused)
VICE CHAIRPERSON:	Philip Weinberg	Present	
MEMBER:	Donald Boerema	Present	
MEMBER:	Robert Good	Absent	(Excused)
MEMBER:	Jeffrey McLeod	Present	
MEMBER:	Randall Olszewski	Absent	(Excused)
MEMBER:	Rainer Warner	Present	
NON-VOTING MEMBER:	David Karaffa	Absent	
	(School Board Appointee)		

CITY STAFF: Present were Ms. Alexandra Bernard, Growth Management Director; Mr. Jesse Anderson, Ph.D., Assistant Growth Management Director; Mr. Stephen White, Principal Planner; Ms. Tania Ramos, Senior Planner; Ms. Carol Gerundo, Planning Specialist; Ms. Chandra Powell, Recording Secretary; Mr. Hector Franco, Engineer III; Mr. Rodney Edwards, Deputy City Attorney.

The absences were excused for Ms. Jordan, Mr. Good, and Mr. Olszewski.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2023-04; April 5, 2023.

Motion to approve the minutes as presented.

Motion by Mr. Boerema, seconded by Mr. McLeod. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

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 the City Council.

OLD/UNFINISHED BUSINESS:

1. **T23-00002 (formerly T-12-2023) - Crown of Road for Single-Family Residential Construction - City of Palm Bay (Public Works Department) - A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 174: Floodplain and Stormwater Management, Section 174.073, to clarify residential elevations for single-family residential construction**

Mr. White presented the staff report for Case T23-00002. Case T23-00002 met the minimum criteria for a textual amendment and was recommended by staff for approval.

Mr. Franco was present to answer questions.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) remarked on how it was the differing height placement of septic tanks on neighboring lots that contributed to elevation problems and was not necessarily the crown of roads as stated in the subject proposal. He questioned how uniform floor elevations could be accomplished for an entire street without knowing the height of septic tanks.

In response to comments from the audience, Mr. Franco explained that if homes were not nearby, the ordinance allowed the flexibility of a one-foot height variant in

floor elevations for homes on septic that converted to sewer. There was a three-foot maximum floor elevation when homes were not nearby. Florida Health Department permits specified the septic tank heights.

Mr. Boerema inquired whether the proposed ordinance would address the horrible appearance of blocks of homes in neighborhoods with different elevations above the crown of the road that were on septic.

Mr. Anderson explained that a clause was included in the proposed amendment where the height of a new lot must be within two feet in conjunction with existing and vacant development.

Mr. Boerema had questions regarding drainage slopes, easements, and setbacks. Mr. Anderson indicated that the proposed amendment did not pertain to those issues.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case T23-00002 to City Council for approval.

Motion by Mr. Boerema, seconded by McLeod. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case T23-00002 will be heard by the City Council on May 18, 2023

NEW BUSINESS:

1. ****Z23-00003 - Anthony and Marsha Joan Rosaci - A Zoning change from an RR, Rural Residential District to an RS-2, Single-Family Residential District. Block 755, Section 35, Township 28, Range 35, Brevard County, Florida, containing approximately 1.13 acres. Located south of and adjacent to Castanada Street NW, in the vicinity south of Catalonia Avenue NW**

Ms. Ramos presented the staff report for Case Z23-00003. Case Z23-00003 was in alignment with the Comprehensive Plan, met the minimum criteria for a rezoning request subject to the staff comments contained in the staff report, and was recommended by staff for approval.

Mr. Anthony Rosaci (applicant) was present to answer questions.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) spoke against the request. He remarked on how only three percent of properties in the City were zoned rural residential, but there were plenty of single-family residential properties. The subject site had no north easement, which would cause problems in the future. He questioned how the layout of the site would be able to accommodate four homes, individual road access, and the City easement.

In response to the comments from the audience, Mr. Rosaci stated that he wanted to divide the property to build at least two homes on the site because he did not want to live on a small lot. He was not aware of an easement problem.

Mr. Boerema asked about four homes being considered for the property. Mr. Rosaci stated that he wanted to build an additional home for his daughter, but there was not a set lot number at this time. Mr. Anderson clarified that the mention of four potential lots in the staff report was based on the future land use. A future subdivision plan must come before the board and City Council, and development needs and requirements would be identified in the process. Mr. Franco added that based on a two-lot split, perimeter drainage easements and possibly a utility easement for the parent tract would be retained. This would be done at the construction plan level.

Mr. Boerema surmised how two potential homes on the property would not necessarily require an access road. Mr. Anderson confirmed that this was correct based on frontage and zoning requirements being met.

Mr. Weinberg asked about the north easement that was mentioned. Mr. Franco stated that the easement would be impact fee credible. Mr. Anderson explained that

during the construction plan process the development would pay impact fees and the City would receive the easement.

Mr. Warner asked if the site would be a subdivision. Mr. Anderson reminded the board that the subject request was solely for a rezoning at this time. A subdivision request or a simple lot split would occur in the future. Mr. Warner inquired about an ordinance that prohibited lots below two acres from being subdivided. Mr. Anderson explained how lot size and density determined whether lots could be subdivided.

Mr. Weinberg noted that three platted quarter-acre lots were located west of the site. Mr. Anderson stated that lot splits likely occurred through Brevard County to create the three non-conforming lots, and that the City would soon be establishing a process to monitor lot-splits.

Mr. Warner questioned the possibility of a flag lot being created on the property. Mr. Anderson reminded the board that flag lots were allowed; however, the subject request was just to rezone the property.

Mr. McLeod wanted to confirm that the north easement would be addressed. Mr. Anderson confirmed that the easement would be addressed by staff during the construction plan review process.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case Z23-00003 to City Council for denial.

Motion by Mr. Boerema, seconded by Mr. Warner.

Mr. Boerema stated that the property should remain rural residential based on the surrounding lots. Mr. Warner concurred and stated that more concrete details would have been helpful as there was a possibility of a larger subdivision that would not fit with the area.

A vote was called on the motion to submit Case Z23-00003 to City Council for denial.

Motion by Mr. Boerema, seconded by Mr. Warner. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, Warner.

Nay: McLeod.

Case Z23-00003 will be heard by the City Council on May 18, 2023.

2. ****CU23-00004 – Palm Bay Storage - Palm Bay Storage, LLC (Josh Nichols, LEED AP, Schmidt Nichols Landscape Architecture and Urban Planning, Rep.) - A Conditional Use to allow for a self-storage facility in a CC, Community Commercial District. Block 752, Section 36, Township 28, Range 36, Brevard County, Florida, containing approximately 6.09 acres. Specifically located at 6240 Minton Road NW**

Mr. White presented the staff report for Case CU23-00004. Case CU23-00004 met the minimum criteria for approval of a Conditional Use subject to the staff comments contained in the staff report and the conditions for self-storage facilities outlined in Section 185.088(F) of the Land Development Code, which were required to be addressed during Site Plan review. Staff recommended Case CU23-00004 for approval.

Mr. White corrected that the subject request would allow for 1,101 units for 148,464 square feet between seven single-story buildings and one three-story building. The proposed request amended Resolution 2022-16 due to a substantial deviation from the approved plan.

Mr. Josh Nichols, LEED AP, Schmidt Nichols Landscape Architecture and Urban Planning (representative for the applicant) gave a PowerPoint overview of the subject request. He stated that the applicant was in agreement with staff's recommendation and conditions of approval. A self-storage facility was previously approved for the site, but the applicant now owned the property and wanted to do a reconfiguration for a higher-end product. A companion plat application would be brought before the board in the future.

Mr. Boerema inquired whether the three-story buildings fronting Minton Road would be set back from the road. Mr. Nichols stated that the three-story building would be set back 37 feet from Minton Road with landscape buffering. Building heights would be less than the 70-foot height that was allowed.

Mr. Weinberg asked if access to the three-story building would be from the west side and interior. Mr. Nichols said that a covered loading area would be accessed from both the west and north sides with customer parking outside the gates at the front entrance for security. He confirmed that the three-story building would have interior access.

Mr. Boerema wanted to be sure there would not be any back access through the side streets. Mr. Nichols assured the board that there would be one point of access from Minton Road.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) spoke in support of the subject site allowing commercial use in the same footprint and providing revenue for the City. He wanted clarification on preventing access to the site during school drop-off and pick-up hours.

In response to the comments from the audience, Mr. Nichols stated that access to the site was not from the same school driveway. Morning traffic trips were also as low as four trips per hour for the self-storage use. There would be no impact or conflict with the school's driveway.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case CU23-00004 to City Council for approval subject to the staff comments.

Motion by Mr. Boerema, seconded by Mr. Mcleod. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case CU23-00004 will be heard by the City Council on May 18, 2023.

3. ****CU23-00006 – Dollar General - David Moallem Trust / Siroos Pirzadeh and Mahnaz Pirzadeh (Concept Development Inc., Rep.) - A Conditional Use to allow for Dollar General/Retail Store with a gross floor area over 5,000 square feet in a NC, Neighborhood Commercial District. Block F, Section 36, Township 29, Range 36, Brevard County, Florida, containing approximately 5.32 acres. Specifically located west side of the intersection of De Groodt Road SW and St. Andre Boulevard SW**

Mr. White presented the staff report for Case CU23-00006. Case CU23-00006 met the minimum criteria for approval of a Conditional Use request subject to the staff comments contained in the staff report, which were required to be addressed during Site Plan review. Staff recommended Case CU23-00006 for approval.

Mr. Jack Spira, Esq., Spira Beadle & McGarrell PA (attorney for Concept Development Inc.) stated that the Neighborhood Commercial District allowed for commercial traffic for neighborhood stores. A Citizen Participation Plan meeting was held with only one resident in attendance. He stated that the applicant had agreed to comply with City code requirements.

Ms. Holly Irish, Vice President, Vector Civil Engineering (representative for Concept Development Inc.) stated that the conditional use was to allow an increase in building square footage, and that all other Neighborhood Commercial zoning criteria and site plan design would be met. She noted that a water main extension would be installed from Felton Street SW to the site.

Mr. Boerema asked about access to the site. Mr. Weinberg asked if there would be access from De Groodt Road SW. Ms. Irish stated that the property would only be accessed from St. Andre Boulevard SW.

The floor was opened for public comments.

Ms. Jennifer Larsen (resident at Lagrange Street SW) spoke against the request. She stated that the St. Andre Boulevard intersection was already dangerous and hard to access due to the curve in the road. The increase in traffic would harm the

children that played outdoors, and pollution would affect the gardens and chickens in the area. The project's impact on well water was also a concern. She wanted to know if residents would be forced to hook up to the water main being brought into the area. She noted that there were already three Dollar General Stores within a five-mile radius. The neighborhood residents would prefer to keep the quiet and semi-country like area.

Mr. Bill Battin (resident at Ocean Spray Street SW) questioned whether commercial development was required to have a force main along with water. There was not a force main within proximity.

Ms. Denorah Vanover (resident at Farley Street SW) spoke against the request. She said that there were too many Dollar Stores within a five-minute drive.

In response to the comments from the audience, Ms. Irish explained that the water line would be installed by the project but owned and maintained by the City. The City determined whether residents would have to hook into the water line. She was not aware of any requirement for a force main and water main combination. Dollar General sought where to develop. She noted that based on the prepared traffic study, the level of service for the St. Andre Boulevard intersection would not decrease, turn lanes were not warranted, and the retail store would not have a noticeable impact on levels of service. The proposed sidewalks would accommodate pedestrians. She reminded the board that the proposed use was allowed by right in the Neighborhood Commercial district, and it was the square footage that required the conditional use.

The floor was closed for public comments, and there was no correspondence in the file.

Mr. Warner commented on how it was ultimately Dollar General's decision on where they chose to locate their stores based on permitted zoning districts. He noted how another Dollar General on a curved road had caused traffic to slow down in the neighborhood.

Mr. McLeod remarked on how the traffic study should have been submitted for the board to review. Ms. Irish stated that the traffic study was not typically required until the site plan review stage.

Mr. Boerema asked if the City had considered installing turning lanes at the intersection. Mr. Anderson stated that if turn lanes were warranted it would be at the applicant's expense and addressed at the site plan review stage. Mr. Weinberg reminded the board and the public that the site was already commercially zoned, and regardless of personal opinions, the applicant had a valid request that met the conditional use criteria.

Mr. Boerema asked if the residents of the area would have to switch to City water. Mr. Weinberg stated that there was no ordinance that required residents to switch to City water.

Motion to submit Case CU23-00006 to City Council for approval subject to staff comments.

Motion by Mr. Boerema, seconded by Mr. McLeod. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case CU23-00006 will be heard by the City Council on May 18, 2023.

4. ****FD23-00004 (formerly FD-63-2022) - Gardens at Waterstone Phase III - KB Homes Orlando, LLC (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.) - A Final Development Plan approval of a PUD to allow 199-lot single-family residential development called Gardens at Waterstone Phase III. Subdivision HF, Section 5, Township 30, Range 37, Brevard County, Florida, containing approximately 47.92 acres. Generally located north and west of Mara Loma Boulevard SE and west of Barringer Drive SE**

Mr. White presented the staff report for Case FD23-00004. Case FD23-00004 was in alignment with the Comprehensive Plan, met the minimum criteria for a Final Development Plan request, and was recommended by staff for approval.

Mr. Jake Wise, P.E. Construction Engineering Group, LLC (civil engineer for the project and representative for the applicant) submitted a handout to the board regarding the request. He described the 1,200-acre master plan consisting of Waterstone and Cypress Bay East that was previously approved by the board and City Council in different phases. The subject request for Gardens at Waterstone Phase III would add 199, 40-foot-wide lots in addition to 50-foot wide and 60-foot-wide lots. He said that no area residents attended the Citizen Participation Plan meeting.

Mr. Bill Battin (resident at Ocean Spray Street SW) stated that he was happy with the concept and phases of the development; however, he believed the developer should be responsible for funding the entire construction of the St. Johns Heritage Parkway located on the southside of the development. He asked for some type of commitment from the developer to address the project's impact on the St. Johns Heritage Parkway to the south on the west side of Babcock Street. He noted that the impact fees generated for the Parkway on the east side could not be used on the west side.

In response to comments from the audience, Mr. Wise indicated how the extension of the St. Johns Heritage Parkway was the responsibility of the Cypress Bay West Phase II development that was currently under construction. Mara Loma Boulevard was also being looped into the Parkway to remove some burden off Babcock Street, and there were additional traffic enhancements occurring in the area.

Mr. Boerema mentioned the need to eventually connect the St. Johns Heritage Parkway segments. Mr. Weinberg noted that the Alternate Corridor Evaluation for the west side of the Parkway had just been completed and the selection and construction of the segment was years away.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case FD23-00004 to City Council for approval.

Motion by Mr. Boerema, seconded by Mr. Warner. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case FD23-00004 will be heard by the City Council on May 18, 2023.

5. ****PD23-00002 (formerly PD-20-2023) - Lipscomb Street PUD - Paul Daly and Don Ballew (reps. Kimberly Rezanka, Lacey Lyons Rezanka Attorneys At Law / Aaron Struckmeyer, Pulte Home Company, LLC / Chris Ossa, P.E. and Kinan Husainy, P.E., Kimley Horn & Associates, Inc.) - A Preliminary Development Plan approval to allow a proposed PUD for a 202-lot townhome development called Lipscomb Street PUD. Tracts 6 and 5 of Palm Bay Colony Section 3 and Tracts 4 and 3 of Palm Bay Colony Section 2, all in Section 14, Township 28, Range 37, Brevard County, Florida, containing approximately 24.56 acres. Located east of Lipscomb Street NE, and in the vicinity north and west of Robert J. Conlan Boulevard NE**

Mr. Anderson presented the staff report for Case PD23-00002. Case PD23-00002 met the minimum requirements of a Planned Unit Development Rezoning amendment request subject to the conditions and staff comments contained in the staff report. Staff recommended Case PD23-00002 for approval.

Mr. Chris Ossa, P.E., Kimley Horn & Associates, Inc. (representative for the applicant) stated that the project was back before the board due to engineering revisions to the proposal.

The floor was opened for public comments.

Mr. Donald Neilan (resident of Palm Bay Colony Mobile Home Park) spoke against the request. He stated that the project did not address the flooding problems in the area. Flooding occurred without there being a hurricane or tropical storm.

Mr. George Heiter (resident of Palm Bay Colony Mobile Home Park) spoke in favor of the request He wanted to know if the adjacent stormwater canals would remain since Palm Bay Colony drained into the canals.

In response to the comments from the audience, Mr. Ossa stated that Pulte Home Company had contracted with a surface water engineering consultant to determine flood conditions in the area. The stormwater canals were in disrepair but would be corrected and maintained by the Pulte Homes Homeowners Association. He commented on how the new drainage design for the project would improve the drainage in the area.

The floor was closed for public comments, and there was one item of correspondence in the file in opposition to the request.

Motion to submit Case PD23-00002 to City Council for approval, subject to conditions and staff comments.

Motion by Mr. Boerema, seconded by Mr. McLeod. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case PD23-00002 will be heard by the City Council on May 18, 2023.

6. ****FD23-00002 - Lipscomb Street PUD - Paul Daly and Don Ballew (reps. Kimberly Rezanka, Lacey Lyons Rezanka Attorneys At Law / Aaron Struckmeyer, Pulte Home Company, LLC / Chris Ossa, P.E. and Kinan Husainy, P.E., Kimley Horn & Associates, Inc.) - A Final Development Plan approval to allow a proposed PUD for a 202-lot townhome development called Lipscomb Street PUD. Tracts 6 and 5 of Palm Bay Colony Section 3 and Tracts 4 and 3 of Palm Bay Colony Section 2, all in Section 14, Township 28, Range 37, Brevard County, Florida, containing approximately 24.56 acres. Located east of Lipscomb Street NE, and in the vicinity north and west of Robert J. Conlan Boulevard NE**

Mr. Anderson presented the staff report for Case FD23-00002. Case FD23-00002 was in alignment with the Comprehensive Plan, met the minimum criteria for a Final Development Plan request, and was recommended by staff for approval with conditions.

Mr. Anderson noted that the overall drainage plan was required.

Mr. Chris Ossa, P.E., Kimley Horn & Associates, Inc. (representative for the applicant) stated that the reduction of units in the project and the revised layout were an improvement for the area.

The floor was opened for public comments.

Ms. Delores Davie (resident of Palm Bay Colony Mobile Home Park) wanted to know who would be maintaining the adjacent canals. Mr. Weinberg explained that Pulte Homes LLC owned the canals and their homeowners association would be responsible for the maintenance. The development would also improve the drainage problems in Palm Bay Colony.

The floor was closed for public comments, and there was one item of correspondence in the file in opposition to the request.

Motion to submit Case FD23-00002 to City Council for approval.

Motion by Mr. Boerema, seconded by Mr. Warner.

Motion amended to submit Case FD23-00002 to City Council for approval subject to staff comments.

Motion by Mr. Boerema, seconded by Mr. Warner. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case FD23-00002 will be heard by the City Council on May 18, 2023.

7. ****FD23-00005 (formerly FD-67-2022) - Bayside Lakes Commercial Center - Jeffrey S. Hillmann, Bayside Holdings #3370, LLC / Robert E. Escher and Ruth A. Escher (Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law / Roger W. Strcula, P.E., Upham, Inc., Reps.) - A Final Development Plan to allow a proposed PUD for a 3-lot commercial development called Bayside Lakes Commercial Center. Tracts A, B, and C, Subdivision UK, Section 20, Township 29, Range 37, Brevard County, Florida, containing approximately 2.96 acres. Located north of Bayside Lakes Boulevard SE and east of Eldron Boulevard SE**

Mr. Anderson presented the staff report for Case FD23-00005. Case FD23-00005 was in alignment with the Comprehensive Plan, met the minimum criteria for a Final Development Plan request, and was recommended by staff for approval.

Mr. Roger W. Strcula, P.E., Upham, Inc. (engineer for the project and representative for the applicant) stated that the three commercially platted tracts had existing driveways off Bayside Lakes Boulevard SE with internal connections for vehicular and pedestrian access. Starbucks, Advanced Auto Shop, and ModWash were planned for the tracts. He stated that he concurred with staff comments.

Ms. Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law (representative for the applicant) provided the board with a handout of the site proposal. She noted that two developers for the project, Mr. John Riley and Mr. Jack Zuckerman, were present along with Mr. Jim Treadwell with ModWash.

The floor was opened for public comments.

Mr. Daniel Corcoran (resident at Windbrook Drive SE) commented on how traffic calculations might indicate that everything was fine, but in a practical sense Starbucks would increase traffic and the project was dangerously on the curve of a road.

In response to the comments from the audience, Ms. Rezanka indicated the large amount of stacking space for the Starbucks and the queue around the drive-through. The cross access between the three tracts would also alleviate traffic, and there

would be an access to each of the tracts. She noted that a traffic study had indicated that the project would not decrease the levels of service.

Mr. Warner wanted to know about the unique car wash operation. Mr. Jim Treadwell stated that he was the senior development project manager with ModWash. He described the state-of-the-art car wash that would be aesthetically friendly, landscaped, and environmentally efficient. Queuing had been carefully designed to enter into the pay stations to eliminate stacking. The site would use 40-percent less water, reclaimed tanks, and water and oil separators. He said that the site would be well lit and would include camera and motion detection security features.

Mr. Boerema commented that the queuing would keep traffic onsite. Mr. Treadwell indicated that this was correct.

Mr. McLeod asked if there would be employees at the site. Mr. Treadwell stated that there would be two employees and a manager at the facility.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case FD23-00005 to City Council for approval.

Motion by Mr. Boerema, seconded by Mr. McLeod. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case FD23-00005 will be heard by the City Council on May 18, 2023.

8. ****FD23-00006 (formerly FD-10-2023) - Tire Service Center Palm Bay - Andromeda Holdings Ltd. Partnership (Kyle Morel, P.E., Bohler Engineering FL, LLC , Rep.) - A Final Development Plan to allow a proposed PUD for development of a tire service center. Block 15.1, Bayside Lakes Commercial Center Phase 2, Section 20, Township 29, Range 37, Brevard County, Florida, containing approximately 1.08 acres. Located north of and adjacent to Bayside Lakes Boulevard SE, in the vicinity west of Eldron Boulevard SE**

Ms. Ramos presented the staff report for Case FD23-00006. Case FD23-00006 met the minimum criteria for a Final Development Plan request subject to the staff comments contained in the staff report. Staff recommended Case FD23-00006 for approval.

Ms. Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law (representative for the applicant) noted that two developers for the project, Mr. John Riley and Mr. Jack Zuckerman, were present along with Mr. Kyle Morel, P.E., with Bohler Engineering FL, LLC. She explained that the subject site was part of an overall 2,500-acre PUD. Mavis Tire Center was proposed for the property with access off Bayside Lakes Boulevard SW and an internal connection to adjacent commercial development. The traffic trips were vested so a traffic study would not be provided.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) stated that the internal access to the adjacent commercial property was not shown on the submitted plan. He wanted to know if Bayside Lakes Boulevard would be the primary access to the site or the internal connection from the adjacent commercial properties.

Mr. Daniel Corcoran (resident at Windbrook Drive SE) stated that the citizens of the Bayside Lakes community were concerned about the noise that would come from the tire center. He was able to hear the children at Pineapple Grove Academy that was farther away.

In response to the comments from the audience, Ms. Rezanka stated that the primary access for the site would be off Bayside Lakes Boulevard and that the internal connection to the commercial properties was shown on the plan. She said that noise was a performance standard that would have to be monitored and addressed at a different stage. The facility would have roll-down doors, and the applicant had operated other tire centers near residential districts.

The floor was closed for public comments, and there was no correspondence in the file.

Mr. Warner asked if a Citizen Participation Plan meeting had been required. Ms. Rezanka stated that a Citizen Participation Plan meeting was held during the preliminary development plan stage.

Motion to submit Case FD23-00006 to City Council for approval.

Motion by Mr. Boerema, seconded by Mr. Warner. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case FD23-00006 will be heard by the City Council on May 18, 2023

9. **T23-00005 - Development Agreement - City of Palm Bay (Growth Management Department) - A Textual Amendment to the Code of Ordinances to establish Section 183.40 to add language on Development Agreements**

Mr. Anderson presented the staff report for Case T23-00005. Case T23-00005 met the minimum criteria for a Textual Amendment request and was recommended by staff for approval.

Mr. McLeod inquired whether the City currently had the ability to engage in development agreements. Mr. Anderson confirmed that the City currently engaged in development agreements based on Florida Statutes. The subject amendment would establish City provisions and procedures to process agreements.

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

Motion to submit Case T23-00005 to City Council for approval.

Motion by Mr. Boerema, seconded by Mr. Warner. Motion carried with members voting as follows:

Aye: Weinberg, Boerema, McLeod, Warner.

Case T23-00005 will be heard by the City Council on May 18, 2023.

OTHER BUSINESS:

Mr. McLeod recognized Mr. Bill Battin for his pursuit in making the City better.

ADJOURNMENT:

The meeting was adjourned at approximately 7:58 p.m.

Phillip Weinberg, VICE CHAIRPERSON

Attest:

Chandra Powell, SECRETARY

****Quasi-Judicial Proceeding**



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Tania Ramos, Senior Planner

DATE: June 7, 2023

SUBJECT: **CU23-00005 – Heritage Corners - Ascot Palm Bay Holdings, LLC (Ana Saunders P.E., BSE Consultants, Inc., Rep.) - A Conditional Use to allow retail automotive gas/fuel sales in a CC, Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances. A Portion of Block 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.16 acres. Located at the intersection of St. Johns Heritage Parkway and Emerson Drive NW

**Quasi-Judicial Proceeding.

ATTACHMENTS:

Description

- ☐ CU23-00005 Staff Report
- ☐ CU23-00005 Survey
- ☐ CU23-00005 Citizen Participation Plan
- ☐ CU23-00005 Application
- ☐ CU23-00005 Letter of Authorization
- ☐ CU23-00005 Acknowledgement
- ☐ CU23-00005 Legal Ad



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmabayflorida.org

Prepared by

Tania Ramos, Senior Planner

CASE NUMBER

CU23-00005

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

PROPERTY OWNER & APPLICANT

Ascot Palm Bay Holdings, LLC (Ana Saunders P.E., BSE Consultants, Inc., Rep.)

PROPERTY LOCATION/ADDRESS

A Portion of Block 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.16 acres, located at the intersection of St. Johns Heritage Parkway and Emerson Drive NW. Tax Account 2862659

SUMMARY OF REQUEST

A Conditional Use to allow retail automotive gas/fuel sales in the Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances.

Current Zoning

CC, Community Commercial District

Current Land Use

COM, Commercial

Site Improvements

Vacant Land

Site Acreage

Approximately 2.16 acres

SURROUNDING ZONING & USE OF LAND

North

CC, Community Commercial District; Vacant Land

East

CC, Community Commercial District; Vacant Land

South

CC, Community Commercial District; Vacant Land

West

CC, Community Commercial District; Vacant Land

COMPREHENSIVE PLAN

COMPATIBILITY

Yes, Commercial Use

BACKGROUND:

The subject property is an 18.62-acre parcel located at the northeast corner of St. Johns Heritage Parkway and Emerson Drive NW. Specifically, this request includes approximately 2.16 acres of the total 18.62 acres. The applicant has provided a survey and legal description and will complete a parcel split with Brevard County Property Appraiser's office to carve out a 2.16-acre lot. The request is to allow retail automotive gas/fuel sales to be developed on vacant land.

The proposed use is a 5,200 SF Circle K gas station.

ANALYSIS:

Section 185.043(D)(3) of the Code of Ordinances establishes retail automotive gas/fuel sales as a conditional use in the Community Commercial District and provides specific requirements to be met before permitting this use. A conceptual plan has been provided illustrating that the site can meet these requirements. However, an administrative site plan review will be required to ensure compliance with Section 185.043(D)(3).

Retail automotive gas/ fuel sales establishments shall be located on arterial roadways or on corner lots at the intersection of collector streets or higher functional classification as identified in the adopted Palm Bay Comprehensive Plan. No more than two (2) corner lots at any intersection shall be used for retail gasoline or automotive fuel sales. The site meets this requirement as Emerson Drive is currently listed as a major collector roadway in the adopted Palm Bay Comprehensive Plan Maps and Figures and St. Johns Heritage Parkway is an arterial roadway based on the NW Traffic Study 2011 Map of Functional Classifications. The proposed project will be the first development at this intersection. There are no other retail gasoline or automotive fuel sales in the vicinity.

A minimum street frontage of one hundred and fifty (150) feet on each abutting street is required. The survey provided shows approximately three hundred three (303) feet along St. Johns Heritage Parkway, and approximately three hundred ten (310) feet along Emerson Drive. In addition, no driveway or access shall be permitted within one hundred (100) feet from an intersection of collector streets or higher functional classification. The conceptual plan shows the proposed development with driveways situated furthest from the intersection.

Gasoline, fuel pumps, storage tanks and other service island equipment are required be at least twenty (20) feet from all property lines, fifteen (15) feet from any building, and one hundred (100) feet from the nearest residentially owned land. No gasoline fuel pump, storage tank or other equipment shall be located closer than one thousand (1,000) feet from any municipal or public supply well. The underground storage tanks and service island appear to meet the required separations on the conceptual site plan, although adjustments may be

necessary during the administrative site plan review. The site is surrounded by commercially zoned land. There is no residentially owned land within one hundred (100) feet.

Underground storage is required for all receptacles for combustible materials in excess of two hundred (200) gallons. Although capacity is not indicated on the conceptual plan, underground storage tanks are shown. Development and operation of the fuel pumps and attendant storage tanks shall be in compliance with §§ [176.01](#) et seq. of the code of ordinances. This will also be reviewed in detail during the administrative site plan review.

CODE REQUIREMENTS:

To be granted conditional use approval, requests are evaluated upon items (A) through (H) of the General Requirements and Conditions of Section 185.087 of the Code of Ordinances. A review of these items is as follows:

Item (A): Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergencies.

Ingress and egress are provided on both St. Johns Heritage Parkway and Emerson Drive. No driveway or access shall be permitted within one hundred (100) feet from an intersection of collector streets or higher functional classification, and the conceptual plan provided shows the proposed development will meet these requirements. An auto-turn exhibit showing that larger vehicles can navigate the site has also been provided. For pedestrian safety, Public Works has indicated that on and off-site sidewalks will be required along both frontages with on-site to off-site connections meeting City requirements. Currently, there is an existing sidewalk along St. Johns Heritage Parkway, and the conceptual plan shows a sidewalk connection providing pedestrians a safe path to the proposed building.

Item (B): Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

Section 185.140(G)(10) of the Code of Ordinances establishes parking requirements for food stores at one (1) space for each two hundred (200) square feet of gross floor area. The proposed building is 5,200 square feet, which will require twenty-six (26) parking spaces. The conceptual plan provides twenty-nine (29) parking spaces.

Section 185.141(D)(1) requires buildings or structures containing retail, food store, or similar retail or service uses which have an aggregate gross floor area of over five thousand (5,000) square feet, but not over twenty-five thousand (25,000) square feet to provide one (1) off-street loading space of at least fourteen (14) feet wide, forty-five (45) feet long, and having fourteen (14) feet of vertical clearance. This space has not been shown on the conceptual plan, but the site will be required to meet all requirements during the administrative site plan

review.

Item (C): Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

Any necessary upgrades will be required to be designed, permitted, installed, and inspected at the developer's cost.

Item (D): Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.

The conceptual plan shows the project oriented to St. Johns Heritage Parkway, with Emerson Drive as a side corner yard. The project will be required to meet all landscaping requirements during the administrative site plan review. The stormwater pond is also shown behind the building, which will create additional buffering between adjoining properties.

Item (E): Signs, if any, and proposed exterior lighting will be so designed and arranged to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.

A monument sign is shown on the conceptual plan at the intersection of St. Johns Heritage Parkway and Emerson Drive. Signage, lighting, and photometric plans will be required for administrative site plan review. It shall be noted that City codes require any lighting to be shielded and/or directed downward to avoid creating a nuisance to adjacent properties.

Item (F): Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The conceptual plan includes the required yards and landscape buffers. The project will be required to meet all landscaping requirements during the administrative site plan review.

Item (G): The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity. The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.

The proposed project is located at the intersection of a major collector roadway and will be the first site used for the purpose of a retail gasoline or automotive fuel sales at this intersection. A traffic signal has already been warranted for the intersection and is currently in design. Public Works has indicated they will require a traffic study during the administrative site plan review. The project has been designed with sufficient drive aisles, and the conceptual plan includes an auto-turn exhibit showing that larger vehicles can navigate the site.

It is bordered by vacant commercial land to the north, south, west, and east.

Item (H): Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, a reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

The Board and Council have the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

STAFF FINDINGS:

Case CU23-00005 meets the minimum requirements for approval of a conditional use, subject to the staff comments contained in this report and completion of the lot split process prior to site plan approval.



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



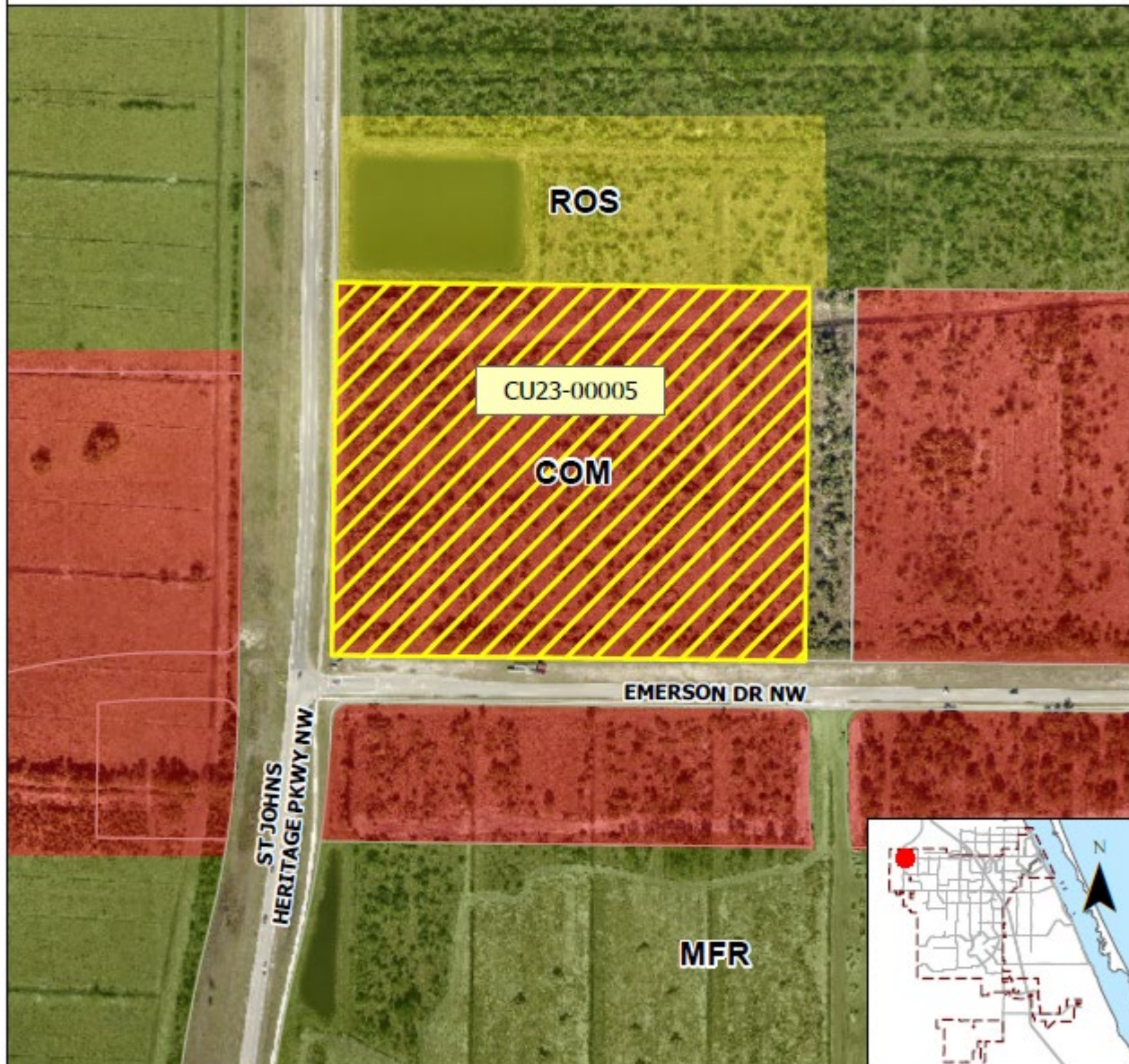
AERIAL LOCATION MAP CASE: CU23-00005

Subject Property

Northeast corner of St. Johns Heritage Parkway NW and Emerson Drive NW



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



FUTURE LAND USE MAP CASE: CU23-00005

Subject Property

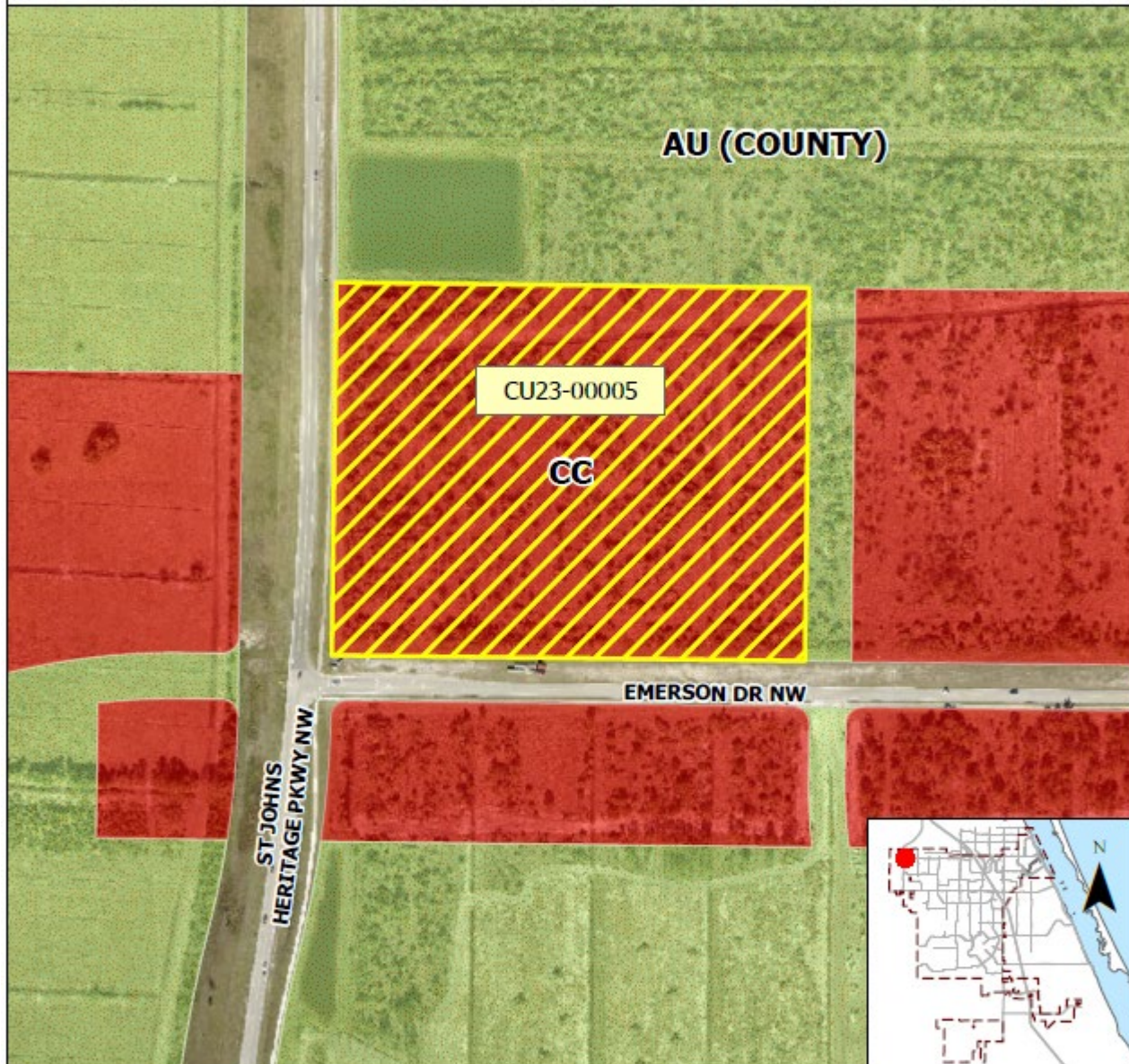
Northeast corner of St. Johns Heritage Parkway NW and Emerson Drive NW

Future Land Use Classification

COM – Commercial



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



ZONING MAP CASE: CU23-00005

Subject Property

Northeast corner of St. Johns Heritage Parkway NW and Emerson Drive NW

Current Zoning Classification

CC – Community Commercial

H:\Projects_Folder\11671\Drawings\11671_100_01.dwg May 22, 2023 7:28:16 AM L.H.

PER INFORMATION ACQUIRED FROM THE CITY OF PALM BAY ZONING AND FUTURE LAND USE MAPS & CODES, THIS PROPERTY IS ZONED "CC" COMMUNITY COMMERCIAL

SETBACK REQUIREMENTS:

FRONT: THIRTY (30) FEET MINIMUM BUILDING SETBACK. PARKING AREAS MAY BE LOCATED IN THE FRONT YARD EXCEPT WITHIN TEN (10) FEET OF THE FRONT LOT LINE

SIDE INTERIOR: TEN (10) FEET MINIMUM BUILDING SETBACK. PARKING AREAS MAY BE LOCATED IN THE SIDE YARD, EXCEPT WITHIN FIVE (5) FEET OF THE SIDE LOT LINE. SIDE YARDS ABUTTING RESIDENTIALLY ZONED PROPERTY SHALL MAINTAIN A TWENTY- FIVE (25) FOOT MINIMUM SETBACK FOR ALL BUILDINGS AND PARKING.

SIDE CORNER: TWENTY-FIVE (25) FEET MINIMUM BUILDING SETBACK. PARKING AREAS MAY BE LOCATED IN THE SIDE CORNER YARD, EXCEPT WITHIN TEN (10) FEET OF ANY PUBLIC OR PRIVATE STREET.

REAR: TWENTY- FIVE (25) FEET MINIMUM BUILDING AND PARKING AREA SETBACK; TEN (10) FEET WHEN ABUTTING A DEDICATED ALLEY

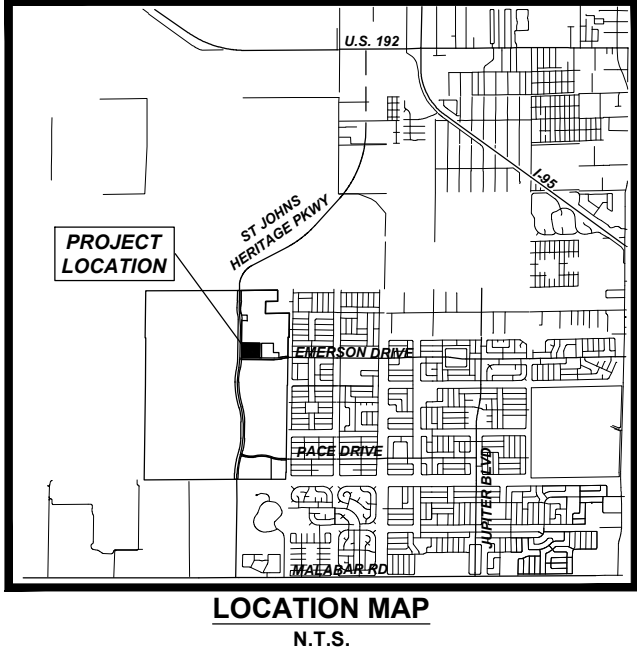
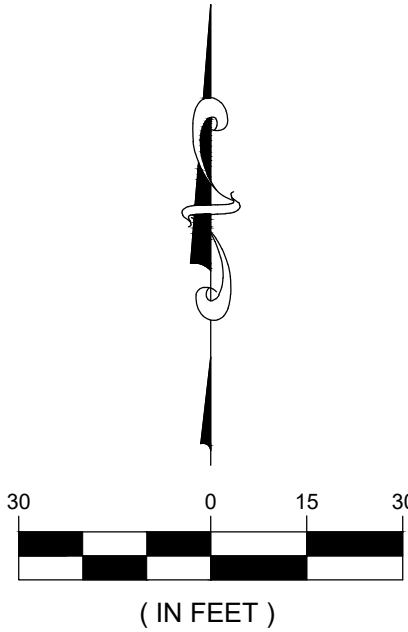
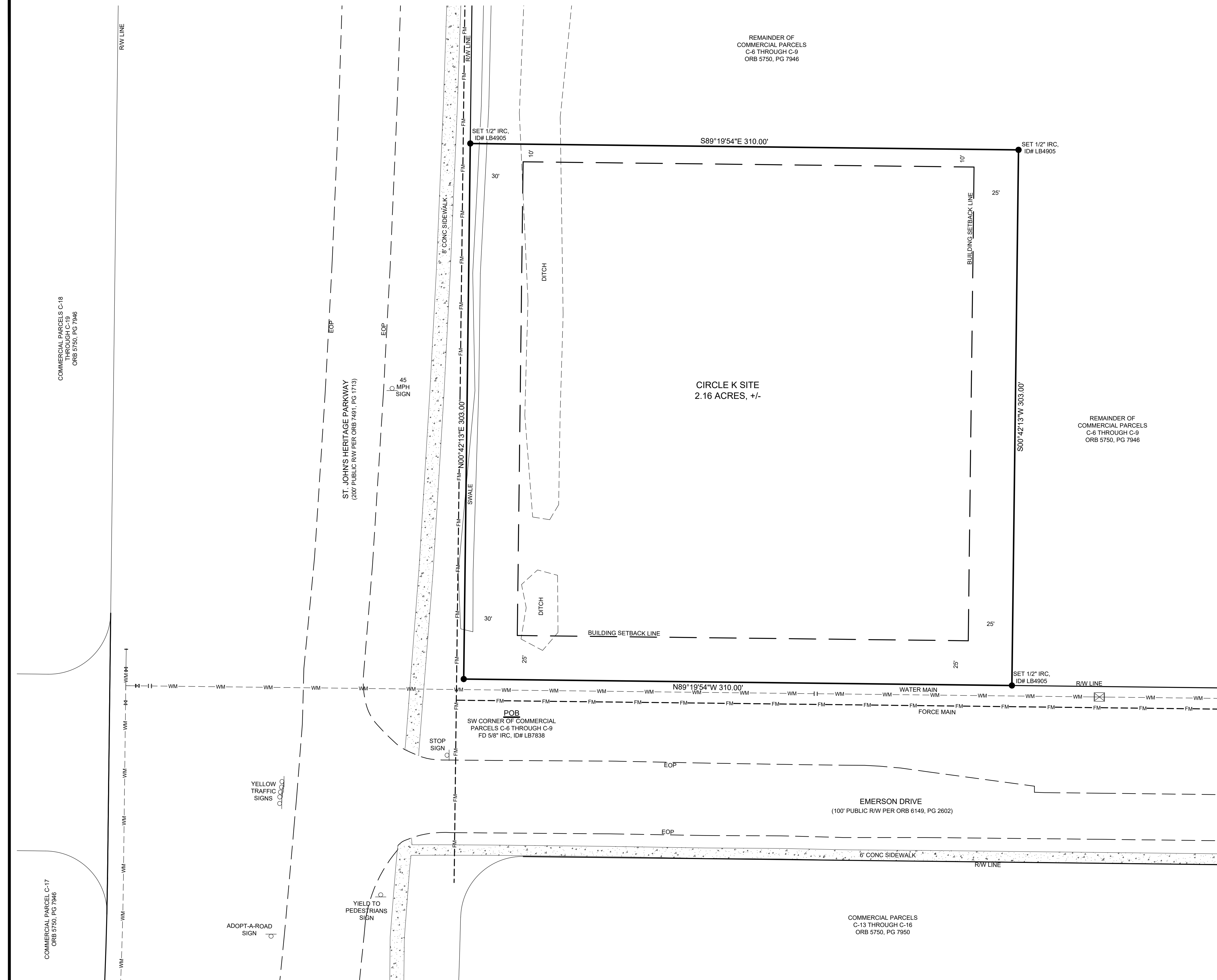
DESCRIPTION FROM EXHIBIT A OF THAT CERTAIN FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT FOR TITLE INSURANCE, COMMITMENT NUMBER: 7222-6337897, ISSUING OFFICE FILE NUMBER: PURSUIT DEVELOPMENT, LLC, COMMITMENT DATE: FEBRUARY 2, 2023 AT 8:00 A.M.:

THE SOUTH 303.00 FEET OF THE WEST 310.00 FEET OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS COMMERCIAL PARCELS C-6 THROUGH C-9, RECORDED IN OFFICIAL RECORDS BOOK 5750, PAGE 7946, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 21, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID COMMERCIAL PARCELS C-6 THROUGH C-9, (SAID POINT ALSO BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF EMERSON DRIVE, A 100.00 FOOT WIDE PUBLIC RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 6149, PAGE 2602 WITH THE EAST RIGHT-OF-WAY LINE OF ST JOHNS HERITAGE PARKWAY, A 200.00 FOOT WIDE PUBLIC RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 7491, PAGE 1713, ALL RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA), AND RUN N00°42'13"E, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ST JOHNS HERITAGE PARKWAY, A DISTANCE OF 303.00 FEET; THENCE S89°19'54"E, PARALLEL TO AND 303.00 FEET NORTH OF, (AS MEASURED PERPENDICULARLY), THE NORTH RIGHT-OF-WAY LINE OF SAID EMERSON DRIVE, A DISTANCE OF 310.00 FEET; THENCE S00°42'13"W, PARALLEL TO AND 310.00 FEET EAST OF, (AS MEASURED PERPENDICULARLY), THE EAST RIGHT-OF-WAY LINE OF SAID ST JOHNS HERITAGE PARKWAY, A DISTANCE OF 303.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID EMERSON DRIVE; THENCE N89°19'54"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 310.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.16 ACRES, MORE OR LESS.

FLOOD ZONE INFORMATION

THIS PROPERTY IS LOCATED IN FLOOD ZONE "AE" WITH A BASE FLOOD ELEVATION OF 19.25, NAVD88 PER THE FIRM FLOOD INSURANCE RATE MAP, MAP NUMBER 12009C05900, MAP REVISED MARCH 17, 2014



ALTA CERTIFICATION

TO PURSUIT DEVELOPMENT, LLC AND ASCOT PALM BAY HOLDINGS, LLC :

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3, 4, 6(b), 8, 16 & 17 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 02/07/2023.

SURVEY NOTES:

SURVEY OF PART OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS COMMERCIAL PARCELS C-6 THROUGH C-9, RECORDED IN OFFICIAL RECORDS BOOK 5750, PAGE 7946, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LYING IN SECTION 21, TOWNSHIP 28 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA.

SURVEY FOR BOUNDARY, LOCATIONS OF PERTINENT VISIBLE ABOVEGROUND IMPROVEMENTS AND DESCRIPTION ONLY.

OTHER THAN AS SHOWN AND/OR NOTED HEREON, IMPROVEMENTS AND/OR UTILITIES, WHETHER ABOVEGROUND OR UNDERGROUND, ARE NOT LOCATED OR SHOWN ON THIS SURVEY.

BEARING REFERENCE: ASSUMED BEARING OF N89°19'54"W ON THE NORTH LINE OF EMERSON DRIVE, AS RECORDED IN OFFICIAL RECORDS BOOK 6149, PAGE 2602, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYOR RELIED SOLELY UPON THAT CERTAIN FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT FOR TITLE INSURANCE, COMMITMENT NUMBER: 7222-6337897, ISSUING OFFICE FILE NUMBER: PURSUIT DEVELOPMENT, LLC, COMMITMENT DATE: FEBRUARY 2, 2023 AT 8:00 A.M. FOR INFORMATION REGARDING EASEMENTS AND/OR ENCUMBRANCES AFFECTING THE LANDS SURVEYED AND DESCRIBED HEREON. NO OTHER SUCH INFORMATION WAS PROVIDED TO, NOR RESEARCHED BY, THE SURVEYOR DURING THE PERFORMANC OF THIS SURVEY.

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNLESS ELECTRONICALLY SIGNED AND SEALED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.025.

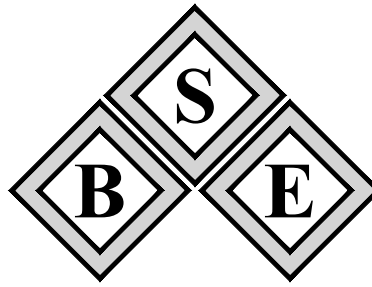
THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY FLORIDA STATUTES CHAPTER 472 AND THE STANDARDS OF PRACTICE FOR SURVEYS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

DATE OF LAST FIELD WORK: 02/07/2023

ITEMS NUMBERED BELOW ARE IN DIRECT RELATIONSHIP TO THOSE IN SCHEDULE B, PART II - EXCEPTIONS IN THAT CERTAIN FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT FOR TITLE INSURANCE, COMMITMENT NUMBER: 7222-6337897, ISSUING OFFICE FILE NUMBER: PURSUIT DEVELOPMENT, LLC, COMMITMENT DATE: FEBRUARY 2, 2023 AT 8:00 A.M.:

- SURVEYOR HAS NO KNOWLEDGE OF ANY DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.
- SURVEYOR HAS NO KNOWLEDGE OF ANY RIGHTS, INTERESTS, OR CLAIMS OF PARTIES IN POSSESSION OF THE LAND NOT SHOWN BY THE PUBLIC RECORDS.
- SURVEYOR HAS NO KNOWLEDGE OF ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.
- SURVEYOR HAS NO KNOWLEDGE OF ANY LIEN, FOR SERVICES, LABOR, OR MATERIALS IN CONNECTION WITH IMPROVEMENTS, REPAIRS OR RENOVATIONS PROVIDED BEFORE, ON, OR AFTER DATE OF POLICY, NOT SHOWN BY THE PUBLIC RECORDS.
- SURVEYOR HAS NO KNOWLEDGE OF ANY DISPUTE AS TO THE BOUNDARIES CAUSED BY A CHANGE IN THE LOCATION OF ANY WATER BODY WITHIN OR ADJACENT TO THE LAND PRIOR TO DATE OF POLICY, AND ANY ADVERSE CLAIM TO ALL OR PART OF THE LAND THAT IS, AT DATE OF POLICY, OR WAS PREVIOUSLY UNDER WATER.
- TAXES OR SPECIAL ASSESSMENTS NOT SHOWN AS LIENS IN THE PUBLIC RECORDS OR IN THE RECORDS OF THE LOCAL TAX COLLECTING AUTHORITY, AT DATE OF POLICY. *NOT A SURVEY MATTER*
- SURVEYOR HAS NO KNOWLEDGE OF ANY MINERALS OR MINERAL RIGHTS LEASED, GRANTED OR RETAINED BY CURRENT OR PRIOR OWNERS.

THE STANDARD EXCEPTION FOR ANY MINERALS OR MINERAL RIGHTS LEASED, GRANTED OR RETAINED BY CURRENT OR PRIOR OWNERS IS HEREBY DELETED.
- TAXES AND ASSESSMENTS FOR THE YEAR 2023 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE. *NOT A SURVEY MATTER*
- ORDINANCE NO. 2004-37 AS RECORDED AUGUST 24, 2004 IN BOOK 5352, PAGE 1548 AND RE-RECORDED SEPTEMBER 21, 2004 IN BOOK 5362, PAGE 6250. *AFFECTS PROPERTY, ORDINANCE ANNEXED LANDS INTO CITY OF PALM BAY*
- COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN WARRANTY DEED RECORDED MAY 17, 2005 IN BOOK 5488, PAGE 6871. *PER SURVEYORS REVIEW OF THE REFERENCED DOCUMENT, IT APPEARS THAT ONLY ITEMS (C), (D) & (E) NOW AFFECT THE LANDS DESCRIBED HEREON*
- NON-EXCLUSIVE EASEMENT AGREEMENT AS SET FORTH IN INSTRUMENT RECORDED DECEMBER 16, 2022 IN BOOK 9679, PAGE 2273. *BENEFITS PROPERTY, EASEMENTS ARE BLANKET TYPE IN NATURE AND SUBJECT TO RELOCATION PER AGREEMENT BETWEEN PARTIES*
- SURVEYOR HAS NO KNOWLEDGE OF ANY TERMS AND CONDITIONS OF ANY EXISTING UNRECORDED LEASE(S), AND ALL RIGHTS OF LESSEE(S) AND ANY PARTIES CLAIMING THROUGH THE LESSEE(S) UNDER THE LEASE(S).



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: #105
CERTIFICATE OF LAND SURVEYING
BUSINESS AUTHORIZATION: LB0004905

SCOTT M. GLAUBITZ
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NUMBER 4151

LESLIE E. HOWARD
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NUMBER 5611

ABBREVIATIONS

AC	ADJACENT
AL	ARC LENGTH
AVE	AVENUE
BLVD	BOLIVARD
BM	BENCH MARK
BVC	BEGINNING OF CURVE
CL	CENTERLINE
CA	CENTRAL ANGLE
CB	CORNER BEARING
CBS	CONCRETE BLOCK STRUCTURE
CH	CHORD LENGTH
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CONC	CONCRETE
COR	CORNER
DEL	DELTA / CENTRAL ANGLE
DEI	DEVELOPMENT OF REGIONAL IMPACT
ELEC	ELECTRIC
ELEV	ELEVATION
EOC	END OF CURVE
EOP	EDGE OF PAVEMENT
EDW	EDGE OF WATER
ERCP	ELLIPTICAL REINFORCED CONCRETE PIPE
EST	EASEMENT
FD	FOUND
FTE	FINISHED FLOOR ELEVATION
FM	FEET
FLRA	FLORIDA POWER AND LIGHT
FT	FEET
HWY	HIGHWAY
IDW	IDENTIFICATION NUMBER
IN	INVEST
IR	IRON ROD
IRC	IRON PIPE AND CAP
LB	LICENSED BUSINESS
LWP	LIGHTER WOOD POST
NH	NEIGHBORHOOD IDENTIFICATION
NAD	NAL AND DSK
NAD83	NORTH AMERICAN VERTICAL DATUM 1983
NGVD25	NATIONAL GEODETIC VERTICAL DATUM 1925
NTI	NON-TANGENT INTERSECTION
NTL	NON-TANGENT LINE
NTS	NOT TO SCALE
ONE	ONE-WAY ELECTRIC UTILITY
ORCORS	OFFICIAL RECORDS BOOK
PL	PLAT BOOK
PC	POINT OF COMPOUND CURVATURE
PCP	PERMANENT CONTROL POINT
PK	PARTIAL
PK	PARTIAL-KALEN
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PP	POWER/UTILITY POLE
PPC	POINT OF REVERSE CURVATURE
PLD	PLANNED UNIT DEVELOPMENT
PVC	POLYVINYL CHLORIDE PIPE
R	RADIUS
ROW	RIGHT-OF-WAY
RCP	REINFORCED CONCRETE PIPE
RH	RAILROAD
ST	STREET
TYP	TYPICAL

FIELD BOOK: ---
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DATE: 05/22/2023
DESIGN/DRAWN: LEH

PROJECT TITLE

CIRCLE K SITE AT
HERITAGE
CORNERS

SHEET TITLE

ALTA/NSPS LAND
TITLE SURVEY

PROJECT NO.

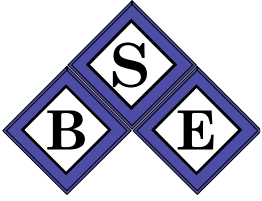
11671

DRAWING NO.

11671_100_001

SHEET

1 of 1



B.S.E. CONSULTANTS, INC.
Consulting ~ Engineering ~ Land Surveying

Scott M. Glaubitz, P.E., P.L.S.
President

Hassan Kamal, P.E.
Vice President

Memorandum:

DATE: March 22, 2023

TO: File

FROM: Ana Saunders, PE

Re: *Heritage Corners NE – Fuel Station CPP Meeting Summary*

Last night (Tuesday, March 21, 2023) the Citizen Participation Plan (CPP) meeting for the Heritage Corners NE Fuel Station project preliminary plat and CUP requests was held at the Fred Poppe Park Pal pavilion and started just after 6 pm. No one from the public attended the meeting and the meeting was concluded at 6:30 pm.

AS/als

11671.memo.23-as-1535.mar

Civil ~ Agricultural ~ Transportation ~ Utility ~ Site Planning ~ Environmental
312 South Harbor City Boulevard, Suite #4, Melbourne, Florida 32901
Telephone: (321) 725-3674 ~ Fax: (321) 723-1159 ~ Email: info@bseconsult.com
Toll Free: 1-800-523-4BSE (4273)

Project Details: CU23-00005

Project Type: Conditional Use

Project Location: **Palm Bay, FL**
Milestone: **Submitted**
Created: **4/4/2023**
Description: **Heritage Corners Commercial Parcels C-6 through C-9**
Assigned Planner: **Tania Ramos**

Contacts

Contact	Information
Owner/Applicant	Gary Smigiel, Ascot Palm Bay Holdings, LLC 7965 Lantana Road Lake Worth, FL 33467 (561) 371-2447 gsmfi@aol.com
Legal Representative	Ana Saunders, P.E. 312 South Harbor City Blvd Suite # 4 Melbourne, FL 32940 (321) 725-3674 info@bseconsult.com
Legal Representative (2)	Scott Glaubitz, P.E. 312 South Harbor City Blvd Suite # 4 Melbourne, FL 32940 (321) 725-3674 info@bseconsult.com
Legal Representative (3)	Ken Ludwa, P.E. 312 South Harbor City Blvd Suite # 4 Melbourne, FL 32940 (321) 725-3674 info@bseconsult.com
Assigned Planner	Tania Ramos FL tania.ramos@palmbayflorida.org
Submitter	BSE Consultants, Inc. 312 S Harbor City Blvd Melbourne, FL 32901 (321) 725-3674 info@bseconsult.com

Fields

Field Label	Value
Size of Area (acres)	

Project Details: CU23-00005

Conditional Use Sought	CUP for retail automotive gas/fuel sales
Additional Use	Planned Industrial Development
Is Owner the Representative?	False
Resolution Number	
Block	501
Lot	
Section Township Range	21-28-36
Subdivision	00
Year Built	
Use Code	6100
Use Code Desc	GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
LotSize	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	2862659
Flu Description	Commercial
Flu Code	COM
Zoning Description	Community Commercial
Zoning Code	CC

March 6th, 20 23

Re: Letter of Authorization

As the property owner of the site legally described as:

SW +/- 2 acre corner of Brevard County Parcel ID: 28-36-21-00-501 located at the NE corner of St. Johns Heritage Parkway and Emerson Drive

I, Owner Name: Ascot Palm Bay Holdings, LLC - Gary Smigiel

Address: 7965 Lantana Road, Lake Worth, FL 33467

Telephone: 561-371-2447

Email: Gsmfi@aol.com

hereby authorize:

Representative: Ana Saunders, Scott Glaubitz, Ken Ludwa - BSE Consultants, Inc.

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

Telephone: 321-725-3674

Email: ASaunders@BSEconsult.com and Info@BSEconsult.com

to represent the request(s) for:

Conditional Use Permit (CUP) for retail automotive gas/fuel sales and Preliminary Plat

[Signature]

(Property Owner Signature)

STATE OF Florida

COUNTY OF Palm Beach

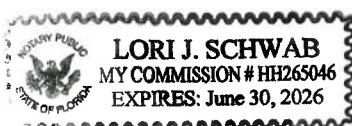
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 6th day of March, 20 23 by

GARY SMIGIEL MGR, property owner.

[Signature]

Notary Public

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



Acknowledgement Log

Header:

Legal Acknowledgement

Text:

I, the submitter, understand that this application must be complete and accurate before consideration by the City of Palm Bay and certify that all the answers to the questions in said application, and all data and matter attached to and made 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 application and that the facts stated in it are true.

Accepted By:

BSE Consultants

On:

4/4/2023 4:36:35 PM

☒ CU23-00005

Select Language ▼

Gm

A Daily Publication By:



CITY OF PALM BAY
SUITE 201
120 MALABAR RD SE
PALM BAY, FL, 32907

RECEIVED

MAY 22 2023

City of Palm Bay
Accounting Division

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) dated:
or by publication on the newspaper's website, if authorized,
on

05/18/2023

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 18th of May 2023,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$268.66

Ad No: 0005705290

Customer No: BRE-6CI213

This is not an invoice

of Affidavits 1

NANCY HEYRMAN
Notary Public
State of Wisconsin

CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on July 6, 2023, and by the City Council on July 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1.CP23-00004 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Neighborhood Center and Urban Mixed Use to Urban Mixed Use

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE.

2.**CP23-00803 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Zoning Amendment from BMUV, Bayfront Mixed Use Village District and RM-20, Multiple-Family Residential District to BMU, Bayfront Mixed Use District

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE.

3.**CU23-00005 - Ascot Palm Bay Holdings, LLC (Ana Saunders P.E., BSE Consultants, Inc., Rep.)

A Conditional Use to allow retail automotive gas/fuel sales in a CC, Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances.

A Portion of Block 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.16 acres. Located at the intersection of St. John's Heritage Parkway and Emerson Drive NW.

4.**CU23-00002 - David Moullem Trust; Pirzadeh, Siroot; Pirzadeh, Mahnaz (Holly Irish, Vector Civil Engineering, Reps.)

A Conditional Use to allow for a Dollar General/Retail Store with a gross floor area over 5,000 square feet in an NC, Neighborhood Commercial District.

A Portion of Block O, Subdivision G1, Section 02, Township 29, Range 36, Brevard County, Florida, containing approximately 1.75 acres. Generally located south of and adjacent to Jupiter Boulevard SW and west of and adjacent to Garvey Road SW.

5.CP23-00005 - Vision 43 LLC (Holly Tanner, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to Commercial Use.

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE.

6.**CP23-00004 - Vision 43 LLC (Holly Tanner, Rep.)

A Zoning Amendment from an RS-3, Single Family Residential District to an HC, Highway Commercial District.

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE.

7.123-00010 - Chelsea Anderson

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.054, GC - General Commercial District, to amend the conditional uses to allow for car washes by conditional use in the General Commercial zoning district.

8.123-00012 - City of Palm Bay (Growth Management Department)

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.069 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures.

9.123-00004 - City of Palm Bay (Growth Management Department)

A textual amendment to Section 185.201 of the City of Palm Bay's Land Development Code to modify the procedure for amendment applications.

**Indicates quasi-judicial request(s).

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council 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.
Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.
Jesse Anderson
Assistant Growth Management Director



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Stephen White, Principal Planner

DATE: June 7, 2023

SUBJECT: **CU23-00002 – Dollar General - David Moallem Trust; Pirzadeh, Siroos; Pirzadeh, Mahnaz (Holly Irish, Vector Civil Engineering, Reps.) - A Conditional Use to allow for a Dollar General/Retail Store with a gross floor area over 5,000 square feet in an NC, Neighborhood Commercial District. A Portion of Block O, Subdivision G1, Section 02, Township 29, Range 36, Brevard County, Florida, containing approximately 1.75 acres. Generally located south of and adjacent to Jupiter Boulevard SW and west of and adjacent to Garvey Road SW

**Quasi-Judicial Proceeding.

ATTACHMENTS:

Description

- ▣ CU23-00002 Staff Report
- ▣ CU23-00002 Conceptual Plan
- ▣ CU23-00002 Parcel "A" Legal Description
- ▣ CU23-00002 Citizen Participation Plan Report
- ▣ CU23-00002 Application
- ▣ CU23-00002 Letter of Authorization
- ▣ CU23-00002 Letter of Authorization
- ▣ CU23-00002 Letter of Authorization
- ▣ CU23-00002 Legal Acknowledgement
- ▣ CU23-00002 Legal Ad



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Stephen White, Senior Planner

CASE NUMBER

CU23-00002

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

PROPERTY OWNER & APPLICANT

David Moallem Trust; Pirzadeh, Siroos;
Pirzadeh, Mahnaz (Holly Irish, Vector Civil
Engineering, Reps.)

PROPERTY LOCATION/ADDRESS

Block O, Subdivision GI, Section 02, Township 29,
Range 36, Brevard County, Florida, containing
approximately 1.75 acres. Generally located south of
and adjacent to Jupiter Blvd SW and west of and
adjacent to Garvey Rd SW.
Parcel ID: 29-36-02-GI-O/Tax Account 2901322

SUMMARY OF REQUEST

The applicant is requesting a Conditional Use to allow for a Retail Store with a gross floor area over 5,000 square feet in the NC, Neighborhood Commercial district.

Zoning

NC, Neighborhood Commercial

Future Land Use

COM, Commercial

Site Improvements

Vacant, Unimproved

Site Acreage

Approximately 1.75 acres

SURROUNDING ZONING & USE OF LAND

North

NC, Neighborhood Commercial, Retail Use

East

IU, Institutional Use, Church Use

South

RS-2, Single-Family Residential, Single-Family Residence

West

RS-2, Single-Family Residential, Single-Family Residence

COMPREHENSIVE PLAN

COMPATIBILITY

Yes, Neighborhood Commercial Use

BACKGROUND:

Section 185.042(D)(7), of the Land Development Code, requires a Conditional Use for Retail Stores with a gross floor area exceeding 5,000 square feet within the NC, Neighborhood Commercial zoning district. The subject property is generally located south of and adjacent to Jupiter Blvd SW and west of and adjacent to Garvey Rd SW.

ANALYSIS:

The applicant is requesting a Conditional Use for a retail store with 10,700+/- gross square feet in the NC, Neighborhood Commercial zoning district. The subject property is generally located south of and adjacent to Jupiter Blvd SW and west of and adjacent to Garvey Rd SW and contains approximately 3.88 acres.

A lot reconfiguration will be required through the Brevard County Property Appraiser's office and recorded with the Clerk of Court. This will establish the 1.75-acres for the Conditional Use. To ensure an acceptable level of service remains for the proposed location, a traffic impact study will be required for technical review at the Site Plan review phase.

The applicant has demonstrated compliance with the Citizen Participation Plan as outlined in Section 169.005 of the Land Development Code and the community meeting was held on February 22, 2023.

CODE REQUIREMENTS:

To be granted Conditional Use approval, requests are evaluated upon items (A) through (H) of the General Requirements and Conditions of Section 185.087 of the Code of Ordinances. A review of these items is as follows:

Item (A): Adequate ingress and egress may be obtained to and from the property, with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergencies.

The ingress and egress location of the proposed use is adequate. The property entrance is located south of the intersection at Jupiter Blvd SW and Garvey Rd SW. Internal traffic lanes show a proper width of 36' for two-way traffic.

The applicant will be required to submit a traffic study during the Site Plan review. The City Engineer will determine if any off-site improvements are required after analyzing the traffic study to ensure an acceptable level of service is provided for the citizens of Palm Bay.

Item (B): Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

The applicant is proposing 43 parking stalls, two ADA compliant parking stalls and one loading zone. The Land Development Code requires one space for every 200 square feet of the gross floor area. The minimum parking required for the proposed use is 54 spaces. The applicant has yet to submit a parking reduction request to the Growth Management Department. As such, the proposed number of parking spaces has not yet been administratively reviewed in accordance with Section 185.140 (I)(1) and will be submitted with all required documents for review.

The applicant is also providing an 18'x40' loading zone on the north side of the building, which is away from the residentially zoned properties to the southern and western property boundary lines.

Item (C): Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

The proposed location is currently vacant and unimproved. If developed, the owner/developer will be responsible for extending service to the site in accordance with current City regulations. All development would be required to go through Site Plan approval for all utility improvements to be made on the property.

Item (D): Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.

Section 185.042(F)(7) outlines the yard requirements for the NC, Neighborhood Commercial zoning district. It requires a 25' side setback for the building and parking lot when abutting a residentially zoned property. The proposed location is surrounded by RS-2, Single-Family Residential to the south and west of the property boundary. All setbacks are being met with the Concept Plan for the Conditional Use.

Section 185.042(F)(9) requires a 6' completely opaque masonry wall or wood fence shall be provided along the entire length of any side or rear property line abutting property zoned residential. The applicant is demonstrating compliance by proposing a fence for additional buffering from the surrounding residential properties. The material and height of the fencing will be reviewed and verified during the Site Plan phase.

Item (E): Signs, if any, and proposed exterior lighting will be so designed and arranged to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.

Upon Site Plan application, all signage and site lighting will be reviewed by appropriate staff. All applications will be in accordance with current City regulations. Separate building permits will be required for any signage on the property.

Additionally, a photometric plan will be required and compliance with Section 185.143 will be evaluated during the Site Plan review.

Item (F): Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

Signed and sealed plans from a Landscape Architect shall be required and reviewed by staff during the Site Plan process. Additionally, staff will ensure adequate stormwater management for the proposed Conditional Use and ensure compatibility with surrounding properties.

Item (G): The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity.

The proposed Conditional Use shall not create a nuisance or hazard to surrounding properties. If violations or hazards become a nuisance, this Conditional Use could be brought back before City Council for reconsideration, revocation, or additional conditions to be applied.

A traffic methodology will be required for review and approval. Additionally, a traffic study will be required prior to the applicant receiving Site Plan approval. At this time, any off-site modifications involving vehicular movement to ensure an adequate level of service is maintained will be reviewed by the City Engineer.

Item (H): Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, a reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

The Planning and Zoning Board may provide additional recommendations or conditions to City Council for approval. Council will have the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

STAFF FINDINGS:

Case CU23-00002 meets the minimum requirements for approval of a Conditional Use. Staff recommends approval of the proposed Conditional Use subject to the staff comments contained in this report, which are required to be addressed during Site Plan review. Additionally, the lot split will be required at the Site Plan review.

TECHNICAL COMMENTS

CASE CU23-00002 – Retail Store Conditional Use

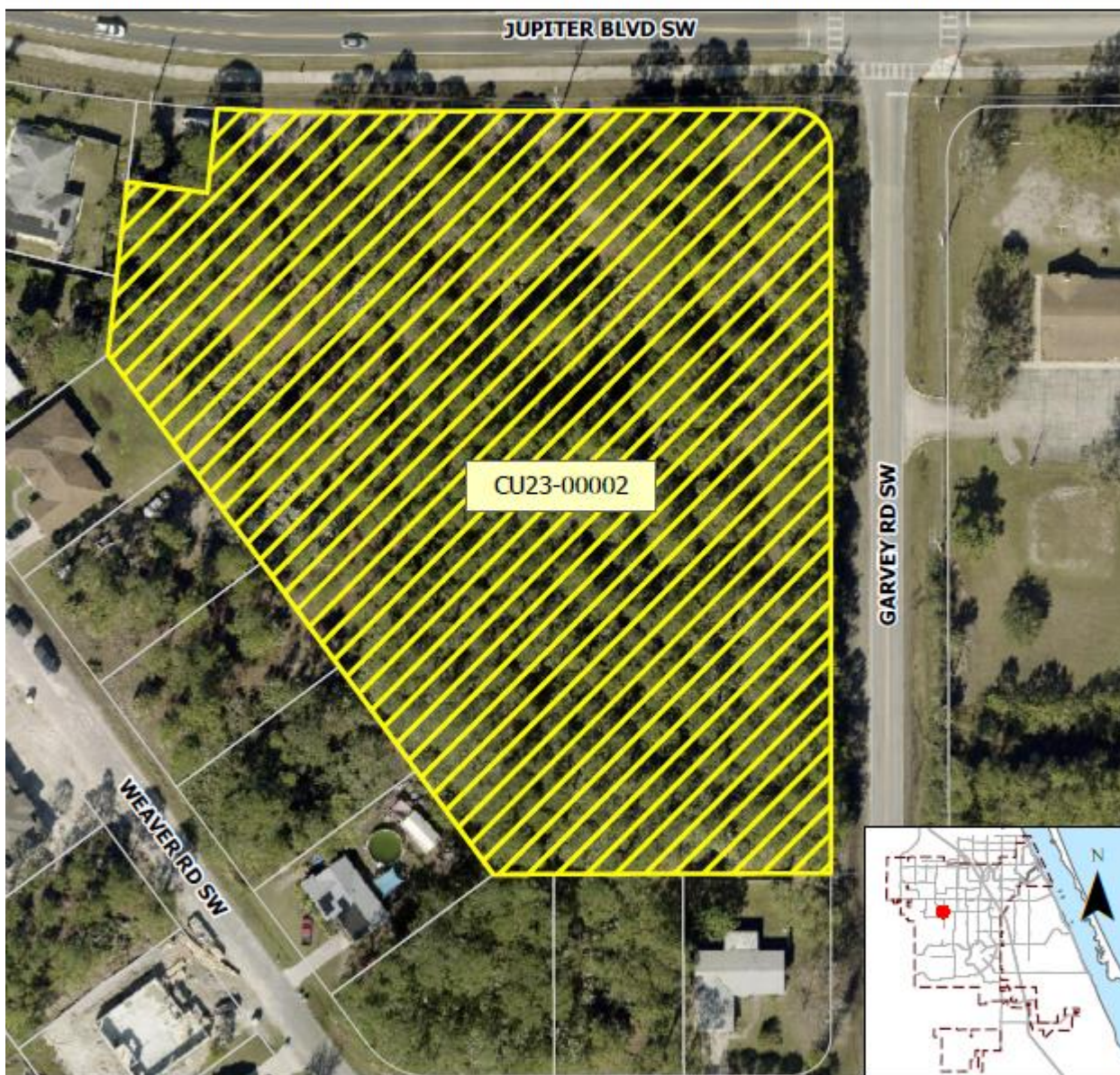
Engineering Comments (Natalie Shaber PE, City Engineer 321.890.4217):

Environmental report provided:

1. Uncleared sites will require environmental surveys including a wetland delineation and threatened /endangered species survey.
2. Stormwater management shall meet the design and performance specifications for a project with direct discharge to an impaired waterbody and Outstanding Florida Water.
3. External agency permits shall be provided prior to scheduling a pre-sitework meeting.
4. A transportation impact study will be required. Please contact Frank.Watanabe@palmbayflorida.org to discuss specific requirements.



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



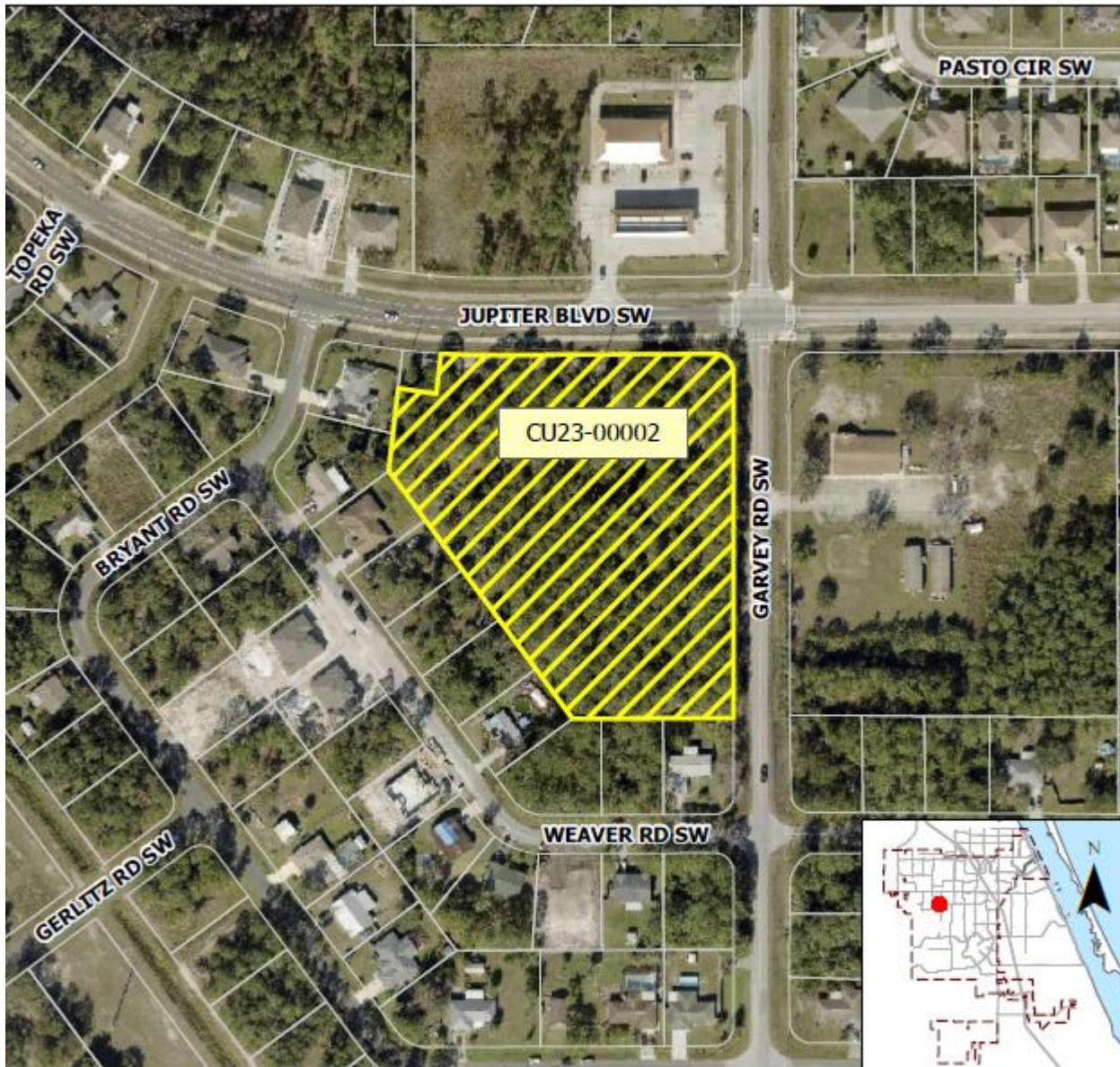
SITE LOCATION MAP CASE: CU23-00002

Subject Property

Southwest corner of Garvey Road SW and Jupiter Boulevard SW



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



AERIAL LOCATION MAP CASE: CU23-00002

Subject Property

Southwest corner of Garvey Road SW and Jupiter Boulevard SW



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



FUTURE LAND USE MAP CASE: CU23-00002

Subject Property

Southwest corner of Garvey Road SW and Jupiter Boulevard SW

Future Land Use Classification

COM – Commercial



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



ZONING MAP CASE: CU23-00002

Subject Property

Southwest corner of Garvey Road SW and Jupiter Boulevard SW

Current Zoning Classification

NC – Neighborhood Commercial

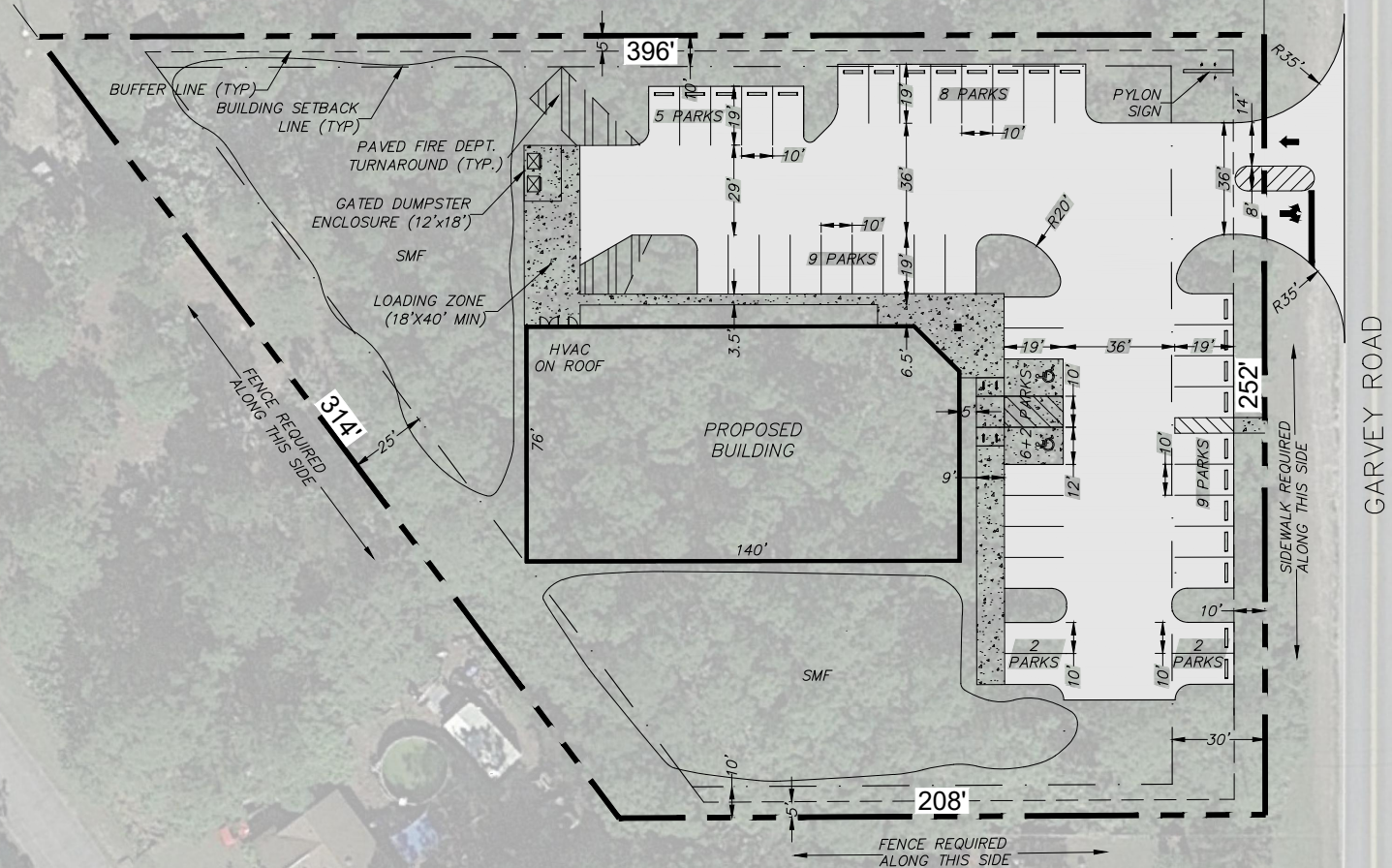
PRELIMINARY SITE PLAN

CITY, STATE
STREET:

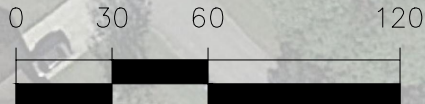
PALM BAY, FL
TBD GARVEY ROAD

PROTOTYPE:	F+	DEVELOPER	DESIGNER	DATE:
BLDG/SALES SF: 10,640/8,513	COMPANY: CONCEPT DEVELOPMENT, INC.	COMPANY: CONCEPT DEVELOPMENT, INC.	12-13-22	
ACREAGE: ±1.75	NAME: BRIAN CRAWFORD	NAME: AL TILLY		
PARKING SPACES: 43	PHONE #: (352)333-3233	PHONE #: (352)333-3233 x200		

PARKING REDUCTION REQUIRED
43 proposed, 54 code, 20% reduction



GRAPHIC SCALE



PART OF TAX ACCOUNT NO.
2901322

LOT SPLIT REQUIRED

POTABLE WATER REQUIRED
SANITARY SEWER (FM) REQUIRED

DATE: March 13, 2023
CLIENT: Concept Development
PROJECT NAME: DG Garvey
PROJECT NO: 23-0001
DESCRIPTION FOR: Parcel A

DESCRIPTION: (PREPARED BY THIS SURVEYOR)(PARCEL "A")

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 22, TOWNSHIP 29 SOUTH, RANGE 36 EAST, CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, BEING A PORTION OF TRACT "O", PORT MALABAR - UNIT TWENTY, AS RECORDED IN PLAT BOOK "15", PAGES 129 THRU 139 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF AFOREMENTIONED TRACT "O" SAID CORNER LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF JUPITER BOULEVARD (100 FOOT WIDE RIGHT OF WAY); THENCE, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 06°23'11" WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID TRACT "O", A DISTANCE OF 157.16 FEET TO A WESTERLY BOUNDARY CORNER OF SAID TRACT "O"; THENCE SOUTH 36°33'43" EAST, ALONG SAID WESTERLY BOUNDARY LINE, A DISTANCE OF 86.14 FEET TO THE **POINT OF BEGINNING**; THENCE, DEPARTING SAID WESTERLY BOUNDARY LINE, SOUTH 89°59'40" EAST, A DISTANCE OF 395.48 FEET TO THE EASTERLY BOUNDARY LINE OF SAID TRACT "O" AND TO THE WESTERLY RIGHT OF WAY LINE OF GARVEY ROAD (70 FOOT WIDE RIGHT OF WAY); THENCE SOUTH 00°05'43" EAST, ALONG SAID EASTERLY BOUNDARY LINE AND ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 251.60 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "O"; THENCE, DEPARTING SAID WESTERLY RIGHT OF WAY LINE, SOUTH 89°46'25" WEST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID TRACT "O", A DISTANCE OF 208.66 FEET TO THE SOUTHWEST CORNER OF SAID TRACT "O"; THENCE NORTH 36°33'43" WEST, ALONG AFOREMENTIONED WESTERLY BOUNDARY LINE OF TRACT "O", A DISTANCE OF 314.32 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OF LAND CONTAINING 1.75 ACRES, MORE OR LESS.

**ALL AS SHOWN ON THE MAP
ATTACHED HERewith AND MADE
A PART HEREOF**



March 7th, 2023

City of Palm Bay
120 Malabar Road SE
Palm Bay, FL 32907
Attn: Jesse Anderson
Re: Conditional Use Application for a portion of Tax Parcel 29-36-02-GI-O

Citizen Participation Plan Neighborhood Workshop Meeting Report

Concept Development, Inc. (the Applicant) is pleased to report that we have conducted a Citizen Participation Plan Meeting per Ordinance § 169.005. Following are the details and results of the meeting:

Meeting location: Greater Palm Bay Senior Center, 1275 Culver Dr NE, Palm Bay, FL 32907

Meeting date and time: Wednesday, February 22 at 6:00 PM

Mailing sent out on: February 13th; Invitations included in "Exhibit A"

Number of invitees: 99 addresses given by Brevard County; attached as "Exhibit B"

Number of attendees: 4, including both applicant representatives (Holly Irish & David Cottingham); Sign-in sheet is attached as "Exhibit C"

The mailings to listed residents included an invitation with meeting and CUP application details, as well as a copy of the proposed site plan. Materials at the meeting included a Power Point presentation showing surrounding properties, FLUM, Zoning, conceptual site plan, architectural elevations, and a proposed schedule. A copy of the power point presentation is attached as "Exhibit D".

The Neighborhood Workshop Meeting was held to gather citizen input on the potential development site located on Garvey Rd, SW of the intersection of Jupiter Blvd SW and Garvey Rd, where a Conditional Use Permit is required to build larger than a 5,000 SF building. Two citizens attended the meeting and the summarized meeting minutes are included in "Exhibit E". The citizens expressed opposition, largely related to the tenant itself. The discussion included a request for the fence being placed on the buffer line in lieu of the property line, questions regarding a traffic signal at the intersection of Jupiter Blvd SW and Garvey Rd, and the expected next steps. In addition to the attendees, the presentation was provided to one citizen: Shawna Williams (Shawna.Williams@hf.org). As of February 24th, the citizen who received the presentation has not expressed support nor opposition.

Thank you, and we look forward to the upcoming Planning and Zoning Hearing and will be prepared to answer any questions you might have at that time.

Sincerely,


Holly Irish, PE
Vice President

+1 (352) 333-3233 x206
holly@vectorcivileng.com

1449 SW 74th Drive Suite 200
Gainesville, FL, 32607
United States

Attachments:

Exhibit "A": Citizen Participation Meeting Invitations and attachments

Exhibit "B": Package provided by Brevard Co. providing addresses within 500' of the subject property

Exhibit "C": Sign-in sheets including names, addresses, and phone numbers

Exhibit "D": Citizen Meeting power point presentation

Exhibit "E": Summarized Meeting Minutes



EXHIBIT "A"

Citizen Participation Meeting
Invitation and Site Plan
attachment



February 8, 2023

RE: Notice of Citizen Participation Plan Meeting on February 22, 2023 @ 6:00 PM
Applicant: Concept Development, Inc.
Tax Parcels: Portion of 29-36-02-GI-O
Project Site Address: TBD Garvey Rd, Palm Bay, FL

Dear Neighbor:

Concept Development, Inc. will submit a Conditional Use Application to the City of Palm Bay wherein we request that the square footage cap of 5,000 be increased to allow for our proposed development of a commercial retail store of approximately 10,700 square feet.

We are inviting you to attend a Citizen Participation Plan meeting to solicit any feedback you may have to provide. Your comments will be recorded and presented to City Staff, the Planning and Zoning Board and ultimately, the City Council as they review and consider our application and site plan.

I will be present at this meeting with additional materials, but if you have any specific questions, you may wish to submit them to us in advance of this meeting which will enable us to bring appropriate information to better address your questions and make the most of the meeting. The meeting is scheduled as follows:

DATE: Wednesday, February 22, 2023
TIME: 6:00 to 7:00PM
PLACE: Greater Palm Bay Senior Center
1275 Culver Dr NE, Palm Bay, FL 32907

Thank you, and we look forward to hearing from you. Please do not hesitate to contact me via email at holly@vectorcivileng.com.

Sincerely,

A handwritten signature in blue ink that reads 'Holly Irish'.

Holly Irish
Vice President

Enclosures: Site Plan

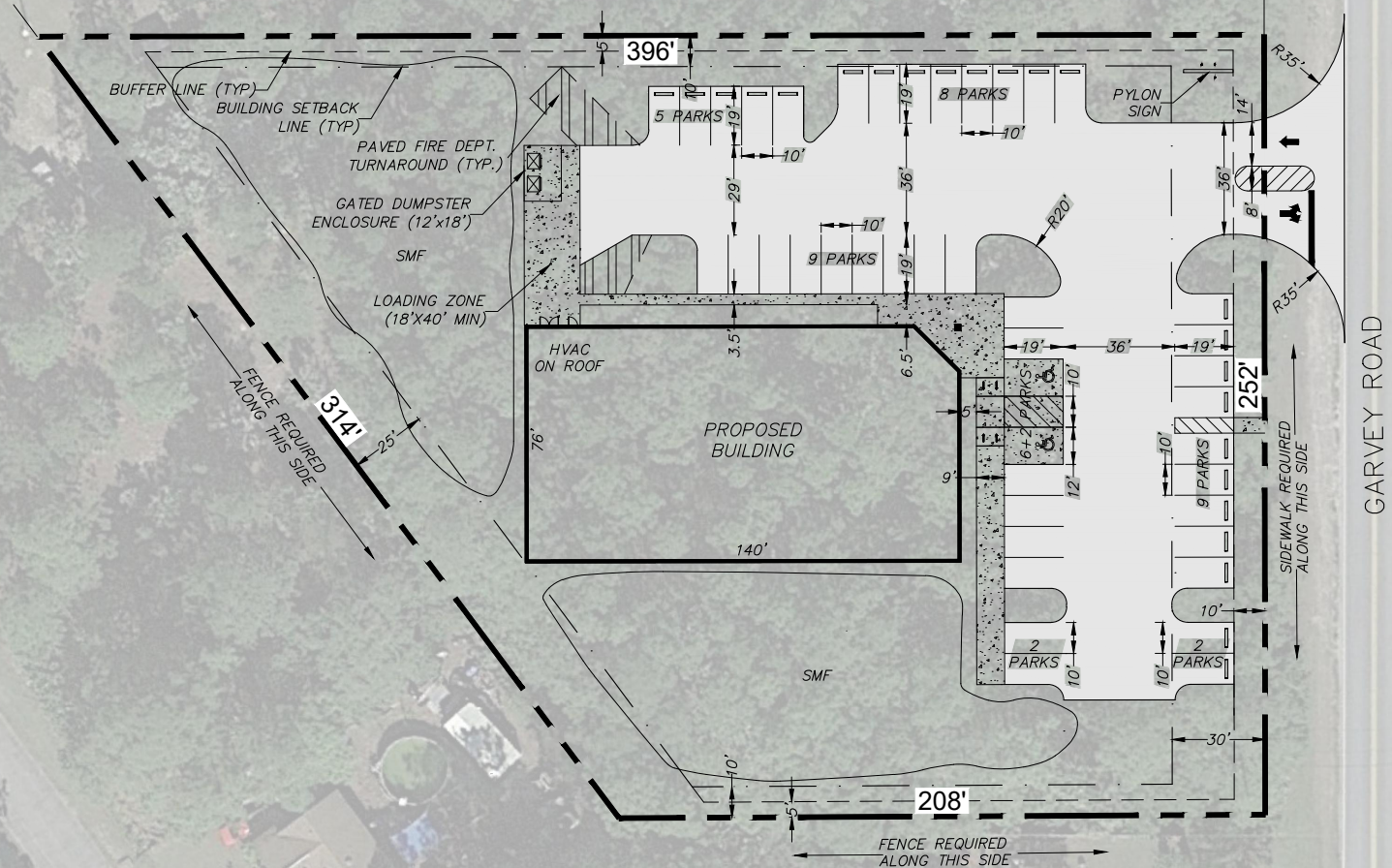
PRELIMINARY SITE PLAN

CITY, STATE
STREET:

PALM BAY, FL
TBD GARVEY ROAD

PROTOTYPE:	F+	DEVELOPER	DESIGNER	DATE:
BLDG/SALES SF: 10,640/8,513	COMPANY: CONCEPT DEVELOPMENT, INC.	COMPANY: CONCEPT DEVELOPMENT, INC.	12-13-22	
ACREAGE: ±1.75	NAME: BRIAN CRAWFORD	NAME: AL TILLY		
PARKING SPACES: 43	PHONE #: (352)333-3233	PHONE #: (352)333-3233 x200		

PARKING REDUCTION REQUIRED
43 proposed, 54 code, 20% reduction



PART OF TAX ACCOUNT NO.
2901322

LOT SPLIT REQUIRED

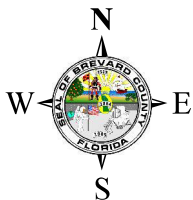
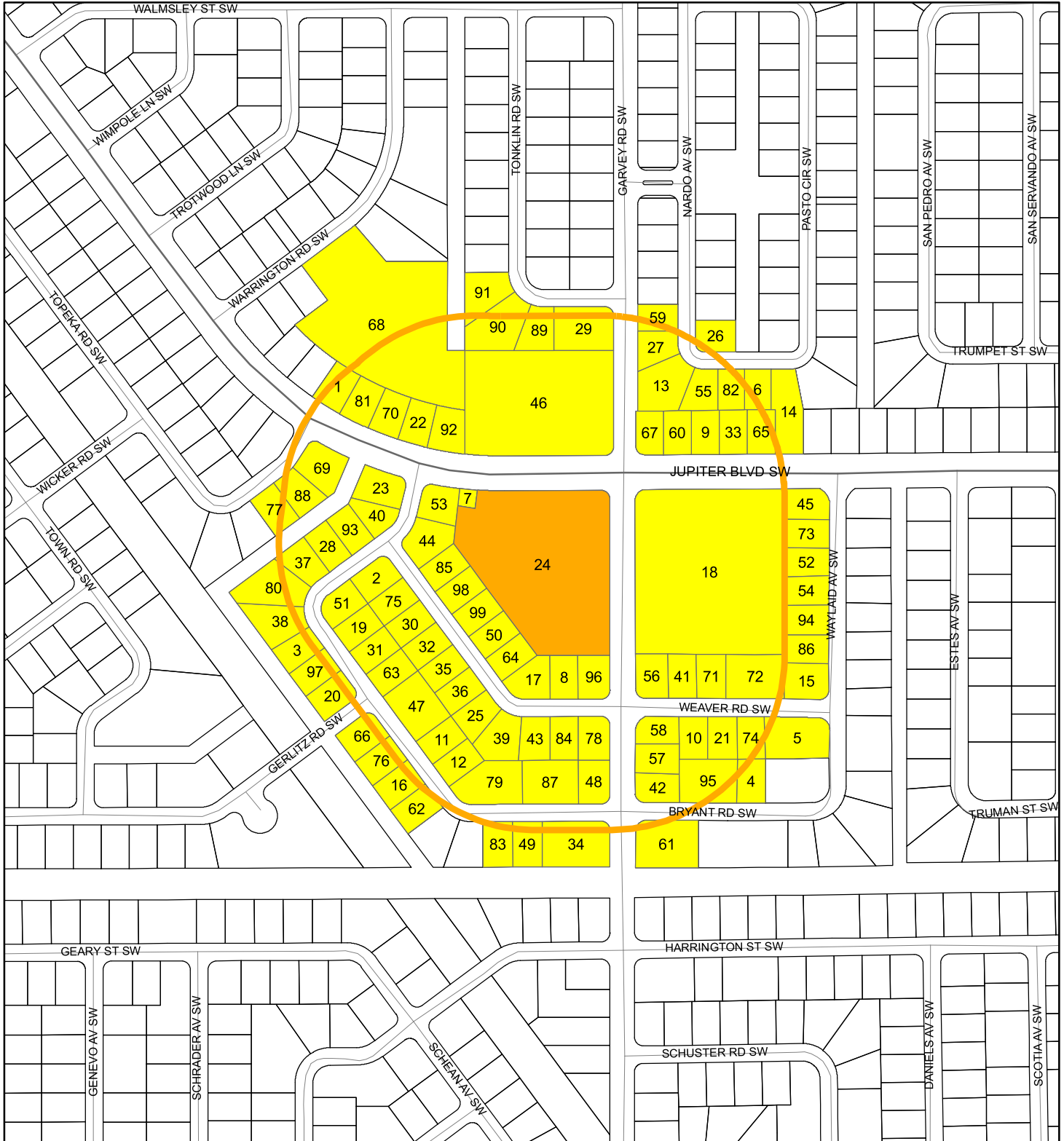
POTABLE WATER REQUIRED
SANITARY SEWER (FM) REQUIRED

EXHIBIT "B"

Package provided by Brevard
County providing all addresses
within 500' of the subject
property

RADIUS MAP

DAVID MOALLEM TRUST
David_Cottingham_2901322



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 2/2/2023

- Buffer
- Subject Property
- Notify Property
- Parcels

773 BRYANT ROAD LAND TRUST
773 CITRUS COVE DR
WINTER GARDEN FL 34787-5221

ALEXANDER, JIMMIE J
ALEXANDER, LINDA F
750 BRYANT ST SW
PALM BAY FL 32908-

ALLIMAN, PAUL
13762 W STATE ROAD 84, # 164
DAVIE FL 33325-5305

ALONSO, IRMA
586 WAYLAID SW AVE SW
PALM BAY FL 32908-1771

BALRAM, POORAN J
BALRAM, BREHASHPATI
1902 CARTERS GROVE DR
SILVER SPRINGS MD 20904-

BELLSOUTH TELECOMMUNICATIONS INC
D/B/A A T & T FLORIDA
1010 PINE ST
ATTN: PROPERTY TAX DEPT, 9E-L-01
ST LOUIS MO 63101-

BLAKE INVESTMENT & HOLDINGS LLC
151 SAVANNAH PARK LOOP
CASSELBERRY FL 32707-2807

BUISSON, JOSEPH A
BUISSON, MARIE E
1887 VAUXHALL ST NW
PALM BAY FL 32907-8505

BUJALSKI, THEODORE E
BUJALSKI, LUCILLE J
PO BOX 11334
FT LAUDERDALE FL 33339-1334

BURGESS, ROBERT
BURGESS, SUSAN
2115 ATZ ROAD
MALABAR FL 32950-

CABRAL, RAYMUNDO DE LA CRUZ
RODRIGUEZ, YANEISSI YERALDINE
689 BRYANT RD SW
PALM BAY FL 32908-1814

CARTY, IOLETTE DENISE LIFE ESTATE
455 PASTO CIR SW
PALM BAY FL 32908-

CATALANO, BARBARA L
431 PASTO CIR SW
PALM BAY FL 32908-3470

CHAPMAN, BARBARA
574 WAYLAID AVE SW
PALM BAY FL 32908-

CHIN, LEMS
316 WOODS AVENUE
OCEANSIDE NY 11572-

CHIN, WAI CHING
141 -19 82 DR
BRIARWOOD NY 11435-

CHURCH OF GOD AT PALM BAY
PO BOX 061110
PALM BAY FL 32906-1110

CORLETT, CAREY
CORLETT, PATRICIA
1860 POLO LAKE DR E
WELLINGTON FL 33414-6198

CRUSE, CHARLES E
11490 SW FIELDSTONE WAY
PORT ST LUCIE FL 34987-2710

CRUZ, MICHELLE LOUISE
630 WEAVER RD SW
PALM BAY FL 32908-1772

D R HORTON INC
1430 CULVER DR NE
PALM BAY FL 32907-1132

DAMISSE, AGENOR
950 ASYLUM AVE, APT 215
HARTFORD CT 06105-2406

DAVID MOALLEM TRUST
PIRZADEH, SIROOS
1663 GEORGIA ST NE, STE 700
PALM BAY FL 32907-2589

DELGADO, NANCY
660 WEAVER RD SW
PALM BAY FL 32908-

DEMMINGS, JIMMIE L JR
491 NARDO AVE SW
PALM BAY FL 32908-3462

DEVITA, VINCENT
DEVITA, EILEEN
490 NARDO AVE SW
PALM BAY FL 32908-3404

DLP BRITE HOMES LLC
605 PALENCIA CLUB DR
SAINT AUGUSTINE FL 32095-6829

DURRSTEIN, ROBERT
494 GARVEY RD SW
PALM BAY FL 32908-3425

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Page2

ECOSUN HOMES LLC
1057 MAITLAND CENTER COMMONS BLVD
MAITLAND FL 32751-7433

ERNEST, COLBY
ERNEST, RACHELLE D
2291 JUPITER BLVD SW
PALM BAY FL 32908-3416

FELDMAN, STEVEN
660 BRYANT RD SW
PALM BAY FL 32908-1809

FKH SFR PROPCO E LP
1850 PARKWAY PL SE, STE 900
C/O FIRSTKEY HOMES LLC
MARIETTA GA 30067-8261

FRAZIER, TRACY E
762 BRYANT ROAD SW
PALM BAY FL 32908-

GIBBS, MELZAR
GIBBS, CLAUDETTE
519 TRUMAN AVE
LEHIGH ACRES FL 33972-4511

GOL, MARLENA
GOL, ELIYAHU
658 WEAVER RD SW
PALM BAY FL 32908-1817

GONZALEZ, MARIA B
990 SALINA ST SE
PALM BAY FL 32909-4931

GREATER PALM BAY CHURCH OF GOD
NEW TESTAMENT INC
135 BENCHOR RD
PALM BAY FL 32907-

HAMILTON, KAREN J
GOOD, FRANKLIN D
647 BRYANT RD SW
PALM BAY FL 32908-1754

HOLIDAY BUILDERS INC
2293 W EAU GALLIE BLVD
MELBOURNE FL 32935-3184

HULEN, KAREN A
695 WEAVER RD SW
PALM BAY FL 32908-

JOSEPH, ISAAC
JOSEPH, LILIANE
4844 BLUE PINE CIR
LAKE WORTH FL 33463-7236

JUPITER PETRO LLC
577 BARNES BLVD, STE 650
ROCKLEDGE FL 32955-5299

KENNEY, ROBERT W
KENNEY, DEBRA K
PO BOX 111253
PALM BAY FL 32911-1253

KING, APRIL MAE
651 BRYANT RD SW
PALM BAY FL 32908-1814

KONAWEL, RADINE M
KONAWEL, LISA M
670 BRYANT RD SW
PALM BAY FL 32908-1809

LETZKUS, JOHN E
2818 DORSEY PL
MELBOURNE FL 32901-7016

LEWIS, EVERETT A
LEWIS, ELNORA
409 KERSTEN STREET
GAITHERSBURG MD 20878-

LIAO, HOLMES
8469 HOLLY LEAF DR
MC LEAN VA 22102-

LOUIS, SANDRO
DECIUS, ROSELINE
797 BRYANT RD SW
PALM BAY FL 32908-1816

MA, YOUSUF CHENGHUNG
7249 WINDHAM HARBOUR AVE
ORLANDO FL 32829-7804

MARTIN, MONIKA
449 PASTO SW CIR SW
PALM BAY FL 32908-3470

MARTIN, STEVEN C
MARTIN, ANDREA M
10293 KELLER RD
CLARENCE NY 14031-

MAYORAL-LUBA, RAFAEL F
C/O RAMON MAYORAL INDONES 12
URB BRISAS DE METROPOLIS
CAROLINA PR 00987-

MAYORAL, RAMON
INDONES 12
URB BRISAS DE METROPOLIS
CAROLINA PR 00987-

MILLER, CARLOS J
MILLER, MARIA F
480 NARDO AVE SW
PALM BAY FL 32908-3404

MOK, GLORIA S
PO BOX 51602
BOSTON MA 02205-1602

MONTOYA, ERIC
SERPA-MONTOYA, REBECCA
634 BRYANT RD SW
PALM BAY FL 32908-1753

MORIVAL, FELICIA M
MORIVAL, ARCHANGEL,JR
1401 HIGBEE ST SE
PALM BAY FL 32909-7620

NELSON SANTAMARIA PLASTERING INC
808 CAMPHOR WAY
MELBOURNE FL 32901-7909

NEWBERN, RICHARD T,JR
NEWBERN, JESSICA L
665 WEAVER RD SW
PALM BAY FL 32908-1818

O'ROURKE, TERESA
2299 JUPITER BLVD SW
PALM BAY FL 32908-3416

PAGAN, KALET A TORRES
URB CASTA NORTH CALLE DELFIN
CASA 0-6
VEGA BAJA 00693 -

PALM BAY, CITY OF
ATTN: ALICE PASSMORE
120 MALABAR RD SE
PALM BAY FL 32909-

PALM BAY, CITY OF
120 MALABAR RD SE
PALM BAY FL 32909-

PASTRANA, MELISSA
910 TAHITI AVE SE
PALM BAY FL 32909-

PIETRAS, KATHRYN ANN
2177 JUPITER BLVD SW
PALM BAY FL 32908-3320

PUERTA, MERALYS
ANDERSON, LILLIAN GLORIA
623 WEAVER SW RD SW
PALM BAY FL 32908-1773

PUERTA, MERALYS C
ANDERSON, LILLIAN G
623 WEAVER RD SW
PALM BAY FL 32908-1773

RESTREPO, HENRY A
5326 63RD ST
MASPETH NY 11378-1210

RICHARDSON, GINA
622 WEAVER SW RD SW
PALM BAY FL 32908-1772

RODRIGUEZ, ROSA
1261 GERRITY STREET SW
PALM BAY FL 32908-

SARALAND LLC
1663 GEORGIA ST NE, STE 700
PALM BAY FL 32907-2589

SECOND AVENUE SFR HOLDINGS
III LLC
71 S WACKER DR, STE 2775
CHICAGO IL 60606-4637

SHAKE, LILA
SCAFFA, DORIS
7608 HIGHLAND PL
MOBILE AL 36695-2546

SHIRLEY A LEBREUX TRUST C/O
JAMIE LEBREUX
681 BRYANT RD SW
PALM BAY FL 32908-1814

STROYEK, MIKE
40 SUMMERTOWN SMITH ST
MIDDVILLE GA 30441-

SUKNANAM, ROOKMIN
87 LONGFELLOW ST
CARTERET NJ 07008-2646

SYKES, SANDRA L
PO BOX 111383
PALM BAY FL 32911-1383

SYLVIA, KATHLEEN E
672 BRYANT RD SW
PALM BAY FL 32908-

SYLVIA, MARY Y TRUSTEE
652 WEAVER RD SW
PALM BAY FL 32908-1817

THOMEN, FEDERICO S
689 WEAVER RD SW
PALM BAY FL 32908-

UMSTATTD, BRYAN R
3219 FORESMAN AVE SE
PALM BAY FL 32909-

VALLEE, STANY CHARLES
ASHBY, LYNN ELLEN
657 BRYANT RD SW
PALM BAY FL 32908-1814

VELAVAN, KAVETHA
RAGUPATHY, KEERTHIVASAN
9 ARROWWOOD CT
MIDDLEBURY CT 06762-2947

VG COMMUNITY LLC
300 E 95TH ST, STE 350
NEW YORK NY 10128-5792

VOLTAIRE, ANIDE
2197 JUPITER BLVD SW
PALM BAY FL 32908-

David_Cottingham_2901322
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WALSH, PHILIP
WALSH, DONNA
31 IRENES WAY
SEABROOK NH 03874-4567

WHEELER, LAGEORGE G JR
550 WAYLAID AVE SW
PALM BAY FL 32908-

WILLIAMS, BLONDELL Y
639 BRYANT RD SW
PALM BAY FL 32908-

WILLIAMS, SHAWNAR
651 WEAVER RD SW
PALM BAY FL 32908-1818

WJHFL LLC D/B/A WJH LLC
3091 GOVERNORS LAKE DR, STE 300
PEACHTREE CORNERS GA 30071-1133

BUFF_ID|TAXID|PARCELID|OWNER1|OWNER2|MAIL1|MAIL2|CITY_STATE_ZIP5_ZIP4
 1|0| -
 2|2902862|29 3602-GI-1052-11|773 BRYANT ROAD LAND TRUST||773 CITRUS COVE
 DR||WINTER GARDEN FL 34787-5221
 3|2902826|29 3602-GI-1050-3|ALEXANDER, JIMMIE J|ALEXANDER, LINDA F|750 BRYANT
 ST SW||PALM BAY FL 32908-
 4|2900068|29 3601-GI-1055-11|ALLIMAN, PAUL||13762 W STATE ROAD 84, # 164||DAVIE FL
 33325-5305
 5|2900058|29 3601-GI-1055-1|ALONSO, IRMA||586 WAYLAID SW AVE SW||PALM BAY FL
 32908-1771
 6|2963243|29 3601-26-*-10|BALRAM, POORAN J|BALRAM, BREHASHPATI|1902 CARTERS
 GROVE DR||SILVER SPRINGS MD 20904-
 7|2960031|29 3602-GI-O.1|BELLSOUTH TELECOMMUNICATIONS INC|D/B/A A T & T
 FLORIDA|1010 PINE ST|ATTN: PROPERTY TAX DEPT, 9E-L-01|ST LOUIS MO 63101-
 8|2902850|29 3602-GI-1051-9|BLAKE INVESTMENT & HOLDINGS LLC||151 SAVANNAH
 PARK LOOP||CASSELBERRY FL 32707-2807
 9|2900969|29 3601-25-1088-53|BUISSON, JOSEPH A|BUISSON, MARIE E|1887 VAUXHALL
 ST NW||PALM BAY FL 32907-8505
 10|2900062|29 3601-GI-1055-5|BUJALSKI, THEODORE E|BUJALSKI, LUCILLE J|PO BOX
 11334||FT LAUDERDALE FL 33339-1334
 11|2902869|29 3602-GI-1052-18|BURGESS, ROBERT|BURGESS, SUSAN|2115 ATZ
 ROAD||MALABAR FL 32950-
 12|2902870|29 3602-GI-1052-19|CABRAL, RAYMUNDO DE LA CRUZ|RODRIGUEZ,
 YANEISSI YERALDINE|689 BRYANT RD SW||PALM BAY FL 32908-1814
 13|2963240|29 3601-26-*-7|CARTY, IOLETTE DENISE LIFE ESTATE||455 PASTO CIR
 SW||PALM BAY FL 32908-
 14|2963244|29 3601-26-*-11|CATALANO, BARBARA L||431 PASTO CIR SW||PALM BAY FL
 32908-3470
 15|2900052|29 3601-GI-1054-7|CHAPMAN, BARBARA||574 WAYLAID AVE SW||PALM BAY FL
 32908-
 16|2902878|29 3602-GI-1053-3|CHIN, LEMS||316 WOODS AVENUE||OCEANSIDE NY 11572-
 17|2902849|29 3602-GI-1051-8|CHIN, WAI CHING||141 -19 82 DR||BRIARWOOD NY 11435-
 18|2900045|29 3601-GI-N|CHURCH OF GOD AT PALM BAY||PO BOX 061110||PALM BAY FL
 32906-1110
 19|2902864|29 3602-GI-1052-13|CORLETT, CAREY|CORLETT, PATRICIA|1860 POLO LAKE
 DR E||WELLINGTON FL 33414-6198
 20|2902824|29 3602-GI-1050-1|CRUSE, CHARLES E||11490 SW FIELDSTONE WAY||PORT
 ST LUCIE FL 34987-2710
 21|2900061|29 3601-GI-1055-4|CRUZ, MICHELLE LOUISE||630 WEAVER RD SW||PALM BAY
 FL 32908-1772
 22|2902205|29 3602-GI-1023-9|D R HORTON INC||1430 CULVER DR NE||PALM BAY FL
 32907-1132
 23|2902833|29 3602-GI-1050-10|DAMISSE, AGENOR||950 ASYLUM AVE, APT

215||HARTFORD CT 06105-2406
24|2901322|29 3602-GI-O|DAVID MOALLEM TRUST|PIRZADEH, SIROOS|1663 GEORGIA ST
NE, STE 700||PALM BAY FL 32907-2589
25|2902856|29 3602-GI-1052-5|DELGADO, NANCY||660 WEAVER RD SW||PALM BAY FL
32908-
26|2963273|29 3601-26-*-40|DEMMINGS, JIMMIE L JR||491 NARDO AVE SW||PALM BAY FL
32908-3462
27|2963239|29 3601-26-*-6|DEVITA, VINCENT|DEVITA, EILEEN|490 NARDO AVE SW||PALM
BAY FL 32908-3404
28|2902830|29 3602-GI-1050-7|DLP BRITE HOMES LLC||605 PALENCIA CLUB DR||SAINT
AUGUSTINE FL 32095-6829
29|2902177|29 3602-GI-1022-1|DURRSTEIN, ROBERT||494 GARVEY RD SW||PALM BAY FL
32908-3425
30|2902860|29 3602-GI-1052-9|ECOSUN HOMES LLC||1057 MAITLAND CENTER
COMMONS BLVD||MAITLAND FL 32751-7433
31|2902865|29 3602-GI-1052-14|ECOSUN HOMES LLC||1057 MAITLAND CENTER
COMMONS BLVD||MAITLAND FL 32751-7433
32|2902859|29 3602-GI-1052-8|ECOSUN HOMES LLC||1057 MAITLAND CENTER
COMMONS BLVD||MAITLAND FL 32751-7433
33|2900968|29 3601-25-1088-52|ERNEST, COLBY|ERNEST, RACHELLE D|2291 JUPITER
BLVD SW||PALM BAY FL 32908-3416
34|2902884|29 3602-GI-1053-9|FELDMAN, STEVEN||660 BRYANT RD SW||PALM BAY FL
32908-1809
35|2902858|29 3602-GI-1052-7|FKH SFR PROPCO E LP||1850 PARKWAY PL SE, STE
900|C/O FIRSTKEY HOMES LLC|MARIETTA GA 30067-8261
36|2902857|29 3602-GI-1052-6|FKH SFR PROPCO E LP||1850 PARKWAY PL SE, STE
900|C/O FIRSTKEY HOMES LLC|MARIETTA GA 30067-8261
37|2902829|29 3602-GI-1050-6|FRAZIER, TRACY E||762 BRYANT ROAD SW||PALM BAY FL
32908-
38|2902827|29 3602-GI-1050-4|GIBBS, MELZAR|GIBBS, CLAUDETTE|519 TRUMAN
AVE||LEHIGH ACRES FL 33972-4511
39|2902855|29 3602-GI-1052-4|GOL, MARLENA|GOL, ELIYAHU|658 WEAVER RD SW||PALM
BAY FL 32908-1817
40|2902832|29 3602-GI-1050-9|GONZALEZ, MARIA B||990 SALINA ST SE||PALM BAY FL
32909-4931
41|2900056|29 3601-GI-1054-11|GREATER PALM BAY CHURCH OF GOD|NEW TESTAMENT
INC|135 BENCHOR RD||PALM BAY FL 32907-
42|2900065|29 3601-GI-1055-8|HAMILTON, KAREN J|GOOD, FRANKLIN D|647 BRYANT RD
SW||PALM BAY FL 32908-1754
43|2902854|29 3602-GI-1052-3|HOLIDAY BUILDERS INC||2293 W EAU GALLIE
BLVD||MELBOURNE FL 32935-3184
44|2902843|29 3602-GI-1051-2|HULEN, KAREN A||695 WEAVER RD SW||PALM BAY FL
32908-

45|2900046|29 3601-GI-1054-1|JOSEPH, ISAAC|JOSEPH, LILIANE|4844 BLUE PINE CIR||LAKE WORTH FL 33463-7236
46|2901321|29 3602-GI-M|JUPITER PETRO LLC||577 BARNES BLVD, STE 650||ROCKLEDGE FL 32955-5299
47|2902868|29 3602-GI-1052-17|KENNEY, ROBERT W|KENNEY, DEBRA K|PO BOX 111253||PALM BAY FL 32911-1253
48|2902875|29 3602-GI-1052-24|KING, APRIL MAE||651 BRYANT RD SW||PALM BAY FL 32908-1814
49|2902883|29 3602-GI-1053-8|KONAWEL, RADINE M|KONAWEL, LISA M|670 BRYANT RD SW||PALM BAY FL 32908-1809
50|2902847|29 3602-GI-1051-6|LETZKUS, JOHN E||2818 DORSEY PL||MELBOURNE FL 32901-7016
51|2902863|29 3602-GI-1052-12|LEWIS, EVERETT A|LEWIS, ELNORA|409 KERSTEN STREET||GAITHERSBURG MD 20878-
52|2900048|29 3601-GI-1054-3|LIAO, HOLMES||8469 HOLLY LEAF DR||MC LEAN VA 22102-
53|2902842|29 3602-GI-1051-1|LOUIS, SANDRO|DECIUS, ROSELINE|797 BRYANT RD SW||PALM BAY FL 32908-1816
54|2900049|29 3601-GI-1054-4|MA, YOUSUF CHENGHUNG||7249 WINDHAM HARBOUR AVE||ORLANDO FL 32829-7804
55|2963241|29 3601-26-*-8|MARTIN, MONIKA||449 PASTO SW CIR SW||PALM BAY FL 32908-3470
56|2900057|29 3601-GI-1054-12|MARTIN, STEVEN C|MARTIN, ANDREA M|10293 KELLER RD||CLARENCE NY 14031-
57|2900064|29 3601-GI-1055-7|MAYORAL-LUBA, RAFAEL F||C/O RAMON MAYORAL INDONES 12|URB BRISAS DE METROPOLIS|CAROLINA PR 00987-
58|2900063|29 3601-GI-1055-6|MAYORAL, RAMON||INDONES 12|URB BRISAS DE METROPOLIS|CAROLINA PR 00987-
59|2963238|29 3601-26-*-5|MILLER, CARLOS J|MILLER, MARIA F|480 NARDO AVE SW||PALM BAY FL 32908-3404
60|2900970|29 3601-25-1088-54|MOK, GLORIA S||PO BOX 51602||BOSTON MA 02205-1602
61|2900088|29 3601-GI-1056-18|MONTTOYA, ERIC|SERPA-MONTTOYA, REBECCA|634 BRYANT RD SW||PALM BAY FL 32908-1753
62|2902879|29 3602-GI-1053-4|MORIVAL, FELICIA M|MORIVAL, ARCHANGEL,JR|1401 HIGBEE ST SE||PALM BAY FL 32909-7620
63|2902866|29 3602-GI-1052-15|NELSON SANTAMARIA PLASTERING INC||808 CAMPHOR WAY||MELBOURNE FL 32901-7909
64|2902848|29 3602-GI-1051-7|NEWBERN, RICHARD T,JR|NEWBERN, JESSICA L|665 WEAVER RD SW||PALM BAY FL 32908-1818
65|2900967|29 3601-25-1088-51|O'ROURKE, TERESA||2299 JUPITER BLVD SW||PALM BAY FL 32908-3416
66|2902876|29 3602-GI-1053-1|PAGAN, KALET A TORRES||URB CASTA NORTH CALLE DELFIN |CASA 0-6||VEGA BAJA 00693 -
67|2900971|29 3601-25-1088-55|PALM BAY, CITY OF||ATTN: ALICE PASSMORE|120

MALABAR RD SE|PALM BAY FL 32909-
68|2901320|29 3602-GI-L|PALM BAY, CITY OF||120 MALABAR RD SE||PALM BAY FL 32909-
69|2902834|29 3602-GI-1050-11|PASTRANA, MELISSA||910 TAHITI AVE SE||PALM BAY FL
32909-
70|2902204|29 3602-GI-1023-8|PIETRAS, KATHRYN ANN||2177 JUPITER BLVD SW||PALM
BAY FL 32908-3320
71|2900055|29 3601-GI-1054-10|PUERTA, MERALYS|ANDERSON, LILLIAN GLORIA|623
WEAVER SW RD SW||PALM BAY FL 32908-1773
72|2900053|29 3601-GI-1054-8|PUERTA, MERALYS C|ANDERSON, LILLIAN G|623 WEAVER
RD SW||PALM BAY FL 32908-1773
73|2900047|29 3601-GI-1054-2|RESTREPO, HENRY A||5326 63RD ST||MASPETH NY
11378-1210
74|2900060|29 3601-GI-1055-3|RICHARDSON, GINA||622 WEAVER SW RD SW||PALM BAY
FL 32908-1772
75|2902861|29 3602-GI-1052-10|RODRIGUEZ, ROSA||1261 GERRITY STREET SW||PALM
BAY FL 32908-
76|2902877|29 3602-GI-1053-2|SARALAND LLC||1663 GEORGIA ST NE, STE 700||PALM BAY
FL 32907-2589
77|2902836|29 3602-GI-1050-13|SECOND AVENUE SFR HOLDINGS ||||LLC||71 S WACKER
DR, STE 2775||CHICAGO IL 60606-4637
78|2902852|29 3602-GI-1052-1|SHAKE, LILA|SCAFFA, DORIS|7608 HIGHLAND PL||MOBILE
AL 36695-2546
79|2902871|29 3602-GI-1052-20|SHIRLEY A LEBREUX TRUST C/O |JAMIE LEBREUX||681
BRYANT RD SW||PALM BAY FL 32908-1814
80|2902828|29 3602-GI-1050-5|STROYEK, MIKE||40 SUMMERTOWN SMITH ST||MIDDVILLE
GA 30441-
81|2902203|29 3602-GI-1023-7|SUKNANAM, ROOKMIN||87 LONGFELLOW ST||CARTERET
NJ 07008-2646
82|2963242|29 3601-26-*9|SYKES, SANDRA L||PO BOX 111383||PALM BAY FL 32911-1383
83|2902882|29 3602-GI-1053-7|SYLVIA, KATHLEEN E||672 BRYANT RD SW||PALM BAY FL
32908-
84|2902853|29 3602-GI-1052-2|SYLVIA, MARY Y TRUSTEE||652 WEAVER RD SW||PALM
BAY FL 32908-1817
85|2902844|29 3602-GI-1051-3|THOMEN, FEDERICO S||689 WEAVER RD SW||PALM BAY FL
32908-
86|2900051|29 3601-GI-1054-6|UMSTATTD, BRYAN R||3219 FORESMAN AVE SE||PALM BAY
FL 32909-
87|2902873|29 3602-GI-1052-22|VALLEE, STANY CHARLES|ASHBY, LYNN ELLEN|657
BRYANT RD SW||PALM BAY FL 32908-1814
88|2902835|29 3602-GI-1050-12|VELAVAN, KAVETHA|RAGUPATHY, KEERTHIVASAN|9
ARROWWOOD CT||MIDDLEBURY CT 06762-2947
89|2902179|29 3602-GI-1022-3|VG COMMUNITY LLC||300 E 95TH ST, STE 350||NEW YORK
NY 10128-5792

90|2902180|29 3602-GI-1022-4|VG COMMUNITY LLC||300 E 95TH ST, STE 350||NEW YORK NY 10128-5792

91|2902181|29 3602-GI-1022-5|VG COMMUNITY LLC||300 E 95TH ST, STE 350||NEW YORK NY 10128-5792

92|2902206|29 3602-GI-1023-10|VOLTAIRE, ANIDE||2197 JUPITER BLVD SW||PALM BAY FL 32908-

93|2902831|29 3602-GI-1050-8|WALSH, PHILIP|WALSH, DONNA|31 IRENES WAY||SEABROOK NH 03874-4567

94|2900050|29 3601-GI-1054-5|WHEELER, LAGEORGE G JR||550 WAYLAID AVE SW||PALM BAY FL 32908-

95|2900066|29 3601-GI-1055-9|WILLIAMS, BLONDELL Y||639 BRYANT RD SW||PALM BAY FL 32908-

96|2902851|29 3602-GI-1051-10|WILLIAMS, SHAWNA R||651 WEAVER RD SW||PALM BAY FL 32908-1818

97|2902825|29 3602-GI-1050-2|WJHFL LLC D/B/A WJH LLC||3091 GOVERNORS LAKE DR, STE 300||PEACHTREE CORNERS GA 30071-1133

98|2902845|29 3602-GI-1051-4|WJHFL LLC D/B/A WJH LLC||3091 GOVERNORS LAKE DR, STE 300||PEACHTREE CORNERS GA 30071-1133

99|2902846|29 3602-GI-1051-5|WJHFL LLC D/B/A WJH LLC||3091 GOVERNORS LAKE DR, STE 300||PEACHTREE CORNERS GA 30071-1133

||||

773 BRYANT ROAD LAND TRUST||773 CITRUS COVE DR||WINTER GARDEN FL
34787-5221

ALEXANDER, JIMMIE J|ALEXANDER, LINDA F|750 BRYANT ST SW||PALM BAY FL 32908-

ALLIMAN, PAUL||13762 W STATE ROAD 84, # 164||DAVIE FL 33325-5305

ALONSO, IRMA||586 WAYLAID SW AVE SW||PALM BAY FL 32908-1771

BALRAM, POORAN J|BALRAM, BREHASHPATI|1902 CARTERS GROVE DR||SILVER
SPRINGS MD 20904-

BELLSOUTH TELECOMMUNICATIONS INC|D/B/A A T & T FLORIDA|1010 PINE ST|ATTN:
PROPERTY TAX DEPT, 9E-L-01|ST LOUIS MO 63101-

BLAKE INVESTMENT & HOLDINGS LLC||151 SAVANNAH PARK LOOP||CASSELBERRY FL
32707-2807

BUISSON, JOSEPH A|BUISSON, MARIE E|1887 VAUXHALL ST NW||PALM BAY FL
32907-8505

BUJALSKI, THEODORE E|BUJALSKI, LUCILLE J|PO BOX 11334||FT LAUDERDALE FL
33339-1334

BURGESS, ROBERT|BURGESS, SUSAN|2115 ATZ ROAD||MALABAR FL 32950-

CABRAL, RAYMUNDO DE LA CRUZ|RODRIGUEZ, YANEISSI YERALDINE|689 BRYANT RD
SW||PALM BAY FL 32908-1814

CARTY, IOLETTE DENISE LIFE ESTATE||455 PASTO CIR SW||PALM BAY FL 32908-

CATALANO, BARBARA L||431 PASTO CIR SW||PALM BAY FL 32908-3470

CHAPMAN, BARBARA||574 WAYLAID AVE SW||PALM BAY FL 32908-

CHIN, LEMS||316 WOODS AVENUE||OCEANSIDE NY 11572-

CHIN, WAI CHING||141 -19 82 DR||BRIARWOOD NY 11435-

CHURCH OF GOD AT PALM BAY||PO BOX 061110||PALM BAY FL 32906-1110

CORLETT, CAREY|CORLETT, PATRICIA|1860 POLO LAKE DR E||WELLINGTON FL
33414-6198

CRUSE, CHARLES E||11490 SW FIELDSTONE WAY||PORT ST LUCIE FL 34987-2710

CRUZ, MICHELLE LOUISE||630 WEAVER RD SW||PALM BAY FL 32908-1772

D R HORTON INC||1430 CULVER DR NE||PALM BAY FL 32907-1132

DAMISSE, AGENOR||950 ASYLUM AVE, APT 215||HARTFORD CT 06105-2406

DAVID MOALLEM TRUST|PIRZADEH, SIROOS|1663 GEORGIA ST NE, STE 700||PALM BAY
FL 32907-2589

DELGADO, NANCY||660 WEAVER RD SW||PALM BAY FL 32908-

DEMMINGS, JIMMIE L JR||491 NARDO AVE SW||PALM BAY FL 32908-3462

DEVITA, VINCENT|DEVITA, EILEEN|490 NARDO AVE SW||PALM BAY FL 32908-3404

DLP BRITE HOMES LLC||605 PALENCIA CLUB DR||SAINT AUGUSTINE FL 32095-6829

DURRSTEIN, ROBERT||494 GARVEY RD SW||PALM BAY FL 32908-3425

ECOSUN HOMES LLC||1057 MAITLAND CENTER COMMONS BLVD||MAITLAND FL
32751-7433

ERNEST, COLBY|ERNEST, RACHELLE D|2291 JUPITER BLVD SW||PALM BAY FL

32908-3416

FELDMAN, STEVEN||660 BRYANT RD SW||PALM BAY FL 32908-1809
FKH SFR PROPCO E LP||1850 PARKWAY PL SE, STE 900|C/O FIRSTKEY HOMES
LLC|MARIETTA GA 30067-8261
FRAZIER, TRACY E||762 BRYANT ROAD SW||PALM BAY FL 32908-
GIBBS, MELZAR|GIBBS, CLAUDETTE|519 TRUMAN AVE||LEHIGH ACRES FL 33972-4511
GOL, MARLENA|GOL, ELIYAHU|658 WEAVER RD SW||PALM BAY FL 32908-1817
GONZALEZ, MARIA B||990 SALINA ST SE||PALM BAY FL 32909-4931
GREATER PALM BAY CHURCH OF GOD|NEW TESTAMENT INC|135 BENCHOR RD||PALM
BAY FL 32907-
HAMILTON, KAREN J|GOOD, FRANKLIN D|647 BRYANT RD SW||PALM BAY FL 32908-1754
HOLIDAY BUILDERS INC||2293 W EAU GALLIE BLVD||MELBOURNE FL 32935-3184
HULEN, KAREN A||695 WEAVER RD SW||PALM BAY FL 32908-
JOSEPH, ISAAC|JOSEPH, LILIANE|4844 BLUE PINE CIR||LAKE WORTH FL 33463-7236
JUPITER PETRO LLC||577 BARNES BLVD, STE 650||ROCKLEDGE FL 32955-5299
KENNEY, ROBERT W|KENNEY, DEBRA K|PO BOX 111253||PALM BAY FL 32911-1253
KING, APRIL MAE||651 BRYANT RD SW||PALM BAY FL 32908-1814
KONAWEL, RADINE M|KONAWEL, LISA M|670 BRYANT RD SW||PALM BAY FL 32908-1809
LETZKUS, JOHN E||2818 DORSEY PL||MELBOURNE FL 32901-7016
LEWIS, EVERETT A|LEWIS, ELNORA|409 KERSTEN STREET||GAITHERSBURG MD 20878-
LIAO, HOLMES||8469 HOLLY LEAF DR||MC LEAN VA 22102-
LOUIS, SANDRO|DECIUS, ROSELINE|797 BRYANT RD SW||PALM BAY FL 32908-1816
MA, YOUSUF CHENGHUNG||7249 WINDHAM HARBOUR AVE||ORLANDO FL 32829-7804
MARTIN, MONIKA||449 PASTO SW CIR SW||PALM BAY FL 32908-3470
MARTIN, STEVEN C|MARTIN, ANDREA M|10293 KELLER RD||CLARENCE NY 14031-
MAYORAL-LUBA, RAFAEL F||C/O RAMON MAYORAL INDONES 12|URB BRISAS DE
METROPOLIS|CAROLINA PR 00987-
MAYORAL, RAMON||INDONES 12|URB BRISAS DE METROPOLIS|CAROLINA PR 00987-
MILLER, CARLOS J|MILLER, MARIA F|480 NARDO AVE SW||PALM BAY FL 32908-3404
MOK, GLORIA S||PO BOX 51602||BOSTON MA 02205-1602
MONTOKA, ERIC|SERPA-MONTOKA, REBECCA|634 BRYANT RD SW||PALM BAY FL
32908-1753
David_Cottingham_2901322|Page3| | |
MORIVAL, FELICIA M|MORIVAL, ARCHANGEL,JR|1401 HIGBEE ST SE||PALM BAY FL
32909-7620
NELSON SANTAMARIA PLASTERING INC||808 CAMPHOR WAY||MELBOURNE FL
32901-7909
NEWBERN, RICHARD T,JR|NEWBERN, JESSICA L|665 WEAVER RD SW||PALM BAY FL
32908-1818
O'ROURKE, TERESA||2299 JUPITER BLVD SW||PALM BAY FL 32908-3416
PAGAN, KALET A TORRES||URB CASTA NORTH CALLE DELFIN |CASA 0-6||VEGA BAJA
00693 -
PALM BAY, CITY OF||ATTN: ALICE PASSMORE|120 MALABAR RD SE|PALM BAY FL 32909-

PALM BAY, CITY OF||120 MALABAR RD SE||PALM BAY FL 32909-
PASTRANA, MELISSA||910 TAHITI AVE SE||PALM BAY FL 32909-
PIETRAS, KATHRYN ANN||2177 JUPITER BLVD SW||PALM BAY FL 32908-3320
PUERTA, MERALYS|ANDERSON, LILLIAN GLORIA|623 WEAVER SW RD SW||PALM BAY FL
32908-1773
PUERTA, MERALYS C|ANDERSON, LILLIAN G|623 WEAVER RD SW||PALM BAY FL
32908-1773
RESTREPO, HENRY A||5326 63RD ST||MASPETH NY 11378-1210
RICHARDSON, GINA||622 WEAVER SW RD SW||PALM BAY FL 32908-1772
RODRIGUEZ, ROSA||1261 GERRITY STREET SW||PALM BAY FL 32908-
SARALAND LLC||1663 GEORGIA ST NE, STE 700||PALM BAY FL 32907-2589
SECOND AVENUE SFR HOLDINGS ||||LLC||71 S WACKER DR, STE 2775||CHICAGO IL
60606-4637
SHAKE, LILA|SCAFFA, DORIS|7608 HIGHLAND PL||MOBILE AL 36695-2546
SHIRLEY A LEBREUX TRUST C/O |JAMIE LEBREUX||681 BRYANT RD SW||PALM BAY FL
32908-1814
STROYEK, MIKE||40 SUMMERTOWN SMITH ST||MIDDVILLE GA 30441-
SUKNANAM, ROOKMIN||87 LONGFELLOW ST||CARTERET NJ 07008-2646
SYKES, SANDRA L||PO BOX 111383||PALM BAY FL 32911-1383
SYLVIA, KATHLEEN E||672 BRYANT RD SW||PALM BAY FL 32908-
SYLVIA, MARY Y TRUSTEE||652 WEAVER RD SW||PALM BAY FL 32908-1817
THOMEN, FEDERICO S||689 WEAVER RD SW||PALM BAY FL 32908-
UMSTATTD, BRYAN R||3219 FORESMAN AVE SE||PALM BAY FL 32909-
VALLEE, STANY CHARLES|ASHBY, LYNN ELLEN|657 BRYANT RD SW||PALM BAY FL
32908-1814
VELAVAN, KAVETHA|RAGUPATHY, KEERTHIVASAN|9 ARROWWOOD CT||MIDDLEBURY CT
06762-2947
VG COMMUNITY LLC||300 E 95TH ST, STE 350||NEW YORK NY 10128-5792
VOLTAIRE, ANIDE||2197 JUPITER BLVD SW||PALM BAY FL 32908-
David_Cottingham_2901322|Page4| | |
WALSH, PHILIP|WALSH, DONNA|31 IRENES WAY||SEABROOK NH 03874-4567
WHEELER, LAGEORGE G JR||550 WAYLAID AVE SW||PALM BAY FL 32908-
WILLIAMS, BLONDELL Y||639 BRYANT RD SW||PALM BAY FL 32908-
WILLIAMS, SHAWNA R||651 WEAVER RD SW||PALM BAY FL 32908-1818
WJHFL LLC D/B/A WJH LLC||3091 GOVERNORS LAKE DR, STE 300||PEACHTREE
CORNERS GA 30071-1133

EXHIBIT "C"

Sign-in sheets including names,
addresses, and phone numbers
of attendees

CITIZEN PARTICIPATION MEETING SIGN-IN SHEET

Project:	Dollar General Garvey Rd	Meeting Date:	2/22/2023 @ 6PM
Facilitator:	Holly Irish	Place/Room:	Greater Palm Bay Senior Center

[illegible]

deadryan deadrydeno.
ative) gmail.com

EXHIBIT "D"

Powerpoint Presentation shown
during the Citizen Participation
Meeting

COMMERCIAL RETAIL STORE (DOLLAR GENERAL)

CITIZEN PARTICIPATION MEETING

FEBRUARY 22ND, 6:00-7:00PM



Purpose of Meeting

- ⑩ Concept Development, Inc. will submit a Conditional Use Application to the City of Palm Bay.
- ⑩ Conditional Use Application requests an increase in building square footage to approximately 10,700 square feet from the permitted 5,000 square feet.
- ⑩ Section 185.042 (B)(1) allows: Retail stores, sales, and display rooms (not including automotive, lumber and building supply, and similar uses) containing less than five thousand (5,000) square feet of floor area.
- ⑩ A meeting invitation was sent to all property owners within 500 feet of the subject site. Minutes will be taken to document all attendees' comments and concerns and a report will be provided to Growth Management.
- ⑩ **The conceptual plans shown in this presentation are preliminary. Site layouts are subject to change during the permitting process. These plans are not final and have not been approved by the City of Palm Bay.**

Citizen Participation Invitation



February 8, 2023

RE: Notice of Citizen Participation Plan Meeting on February 22, 2023 @ 6:00 PM
Applicant: Concept Development, Inc.
Tax Parcels: Portion of 29-36-02-GI-O
Project Site Address: TBD Garvey Rd, Palm Bay, FL

Dear Neighbor:

Concept Development, Inc. will submit a Conditional Use Application to the City of Palm Bay wherein we request that the square footage cap of 5,000 be increased to allow for our proposed development of a commercial retail store of approximately 10,700 square feet.

We are inviting you to attend a Citizen Participation Plan meeting to solicit any feedback you may have to provide. Your comments will be recorded and presented to City Staff, the Planning and Zoning Board and ultimately, the City Council as they review and consider our application and site plan.

I will be present at this meeting with additional materials, but if you have any specific questions, you may wish to submit them to us in advance of this meeting which will enable us to bring appropriate information to better address your questions and make the most of the meeting. The meeting is scheduled as follows:

DATE: Wednesday, February 22, 2023
TIME: 6:00 to 7:00PM
PLACE: Greater Palm Bay Senior Center
1275 Culver Dr NE, Palm Bay, FL 32907

Thank you, and we look forward to hearing from you. Please do not hesitate to contact me via email at holly@vectorcivileng.com.

Sincerely,

A handwritten signature in blue ink that reads 'Holly Irish'.

Holly Irish
Vice President

Enclosures: Site Plan

+1 (352) 333-3233

1449 SW 74th Drive Suite 200
Gainesville, FL, 32607
United States

Mid-Level Aerial Overview



City of Palm Bay Future Land Use Map



Subject Property Future Land Use:

- Commercial

Surrounding Future Land Use:

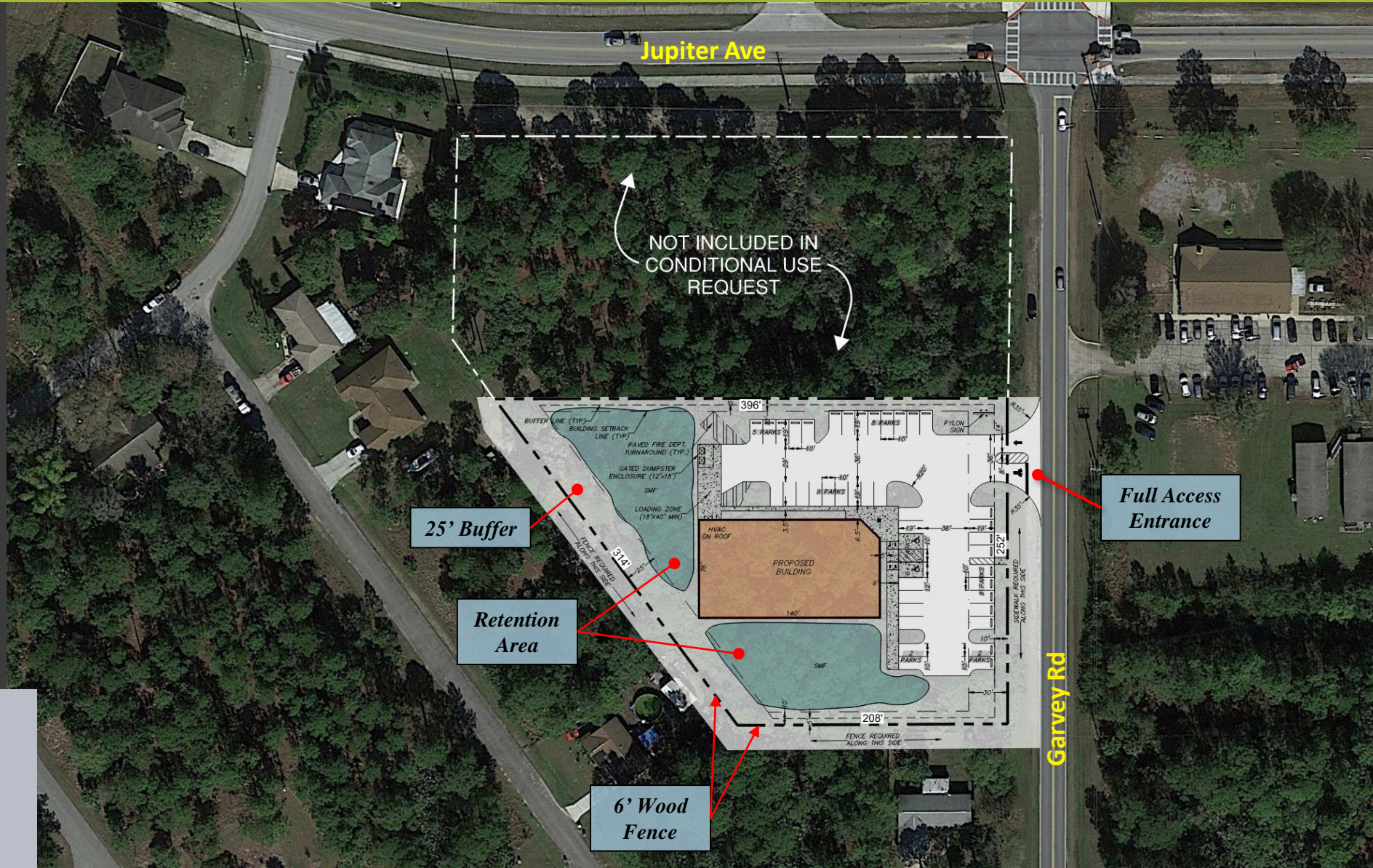
- Commercial
- Public/Semi-Public
- Single-Family Residential

City of Palm Bay Zoning Map



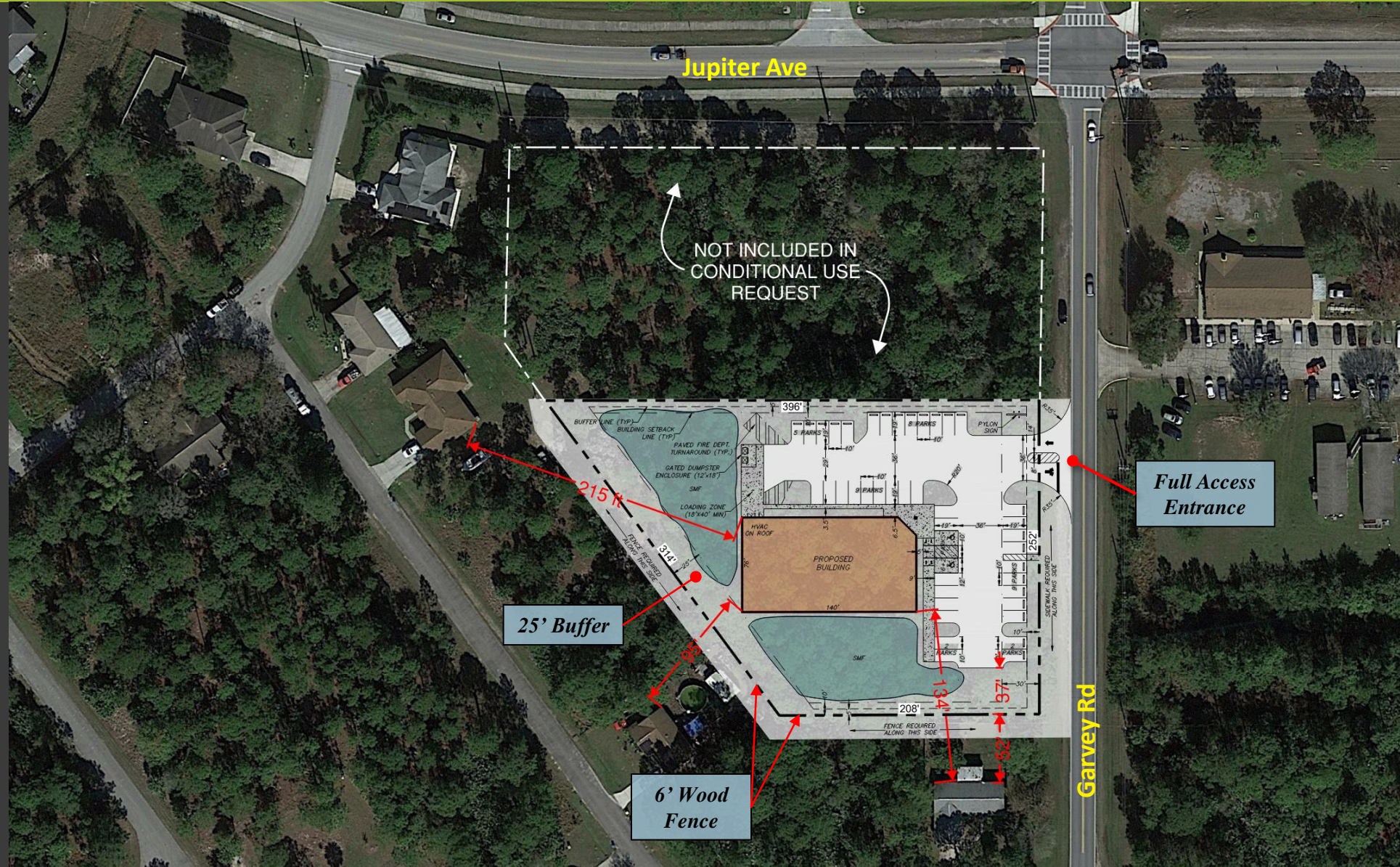
- Subject Property Zoning:**
- Neighborhood Commercial
- Surrounding Zoning:**
- Neighborhood Commercial
 - Institutional Use
 - Single-Family Residential (RS-2)

Proposed Site Plan

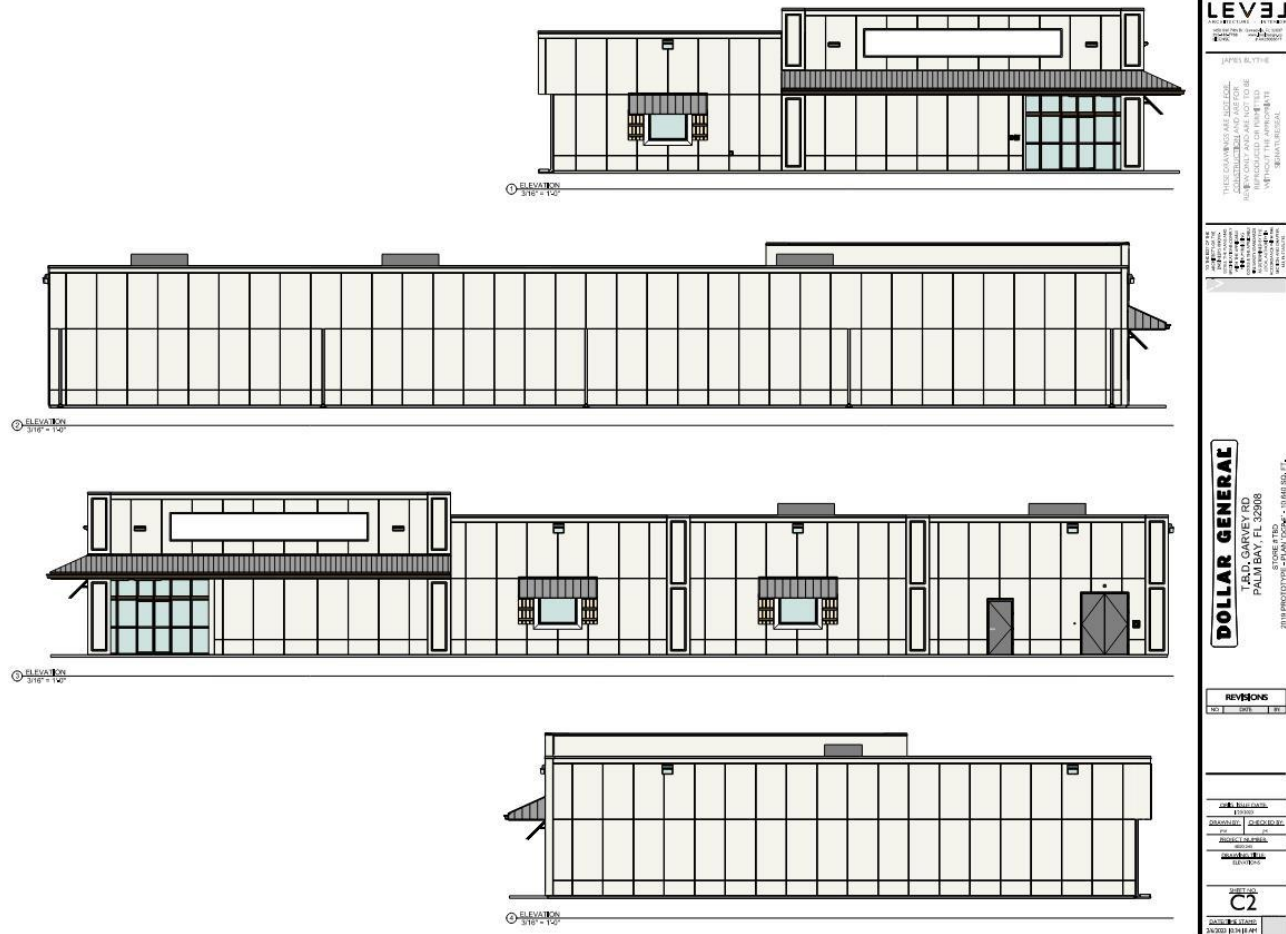


- **Proposed Building Size:**
+/- 10,700 SF
- **Zoning:** Neighborhood Commercial (NC)
- **FLU:** Commercial (COM)
- **54 Parking Spaces**
- **+/- 2.25 acres**

Proposed Building – Proximity to Homes



Architectural Elevations



Tentative Project Schedule

Citizen Participation Meeting:

Wednesday, February 22, 2023 @ 6:00 pm

City of Palm Bay Planning and Zoning Board Meeting:

Wednesday, May 3, 2023

City of Palm Bay City Council Meeting:

Thursday, June 1, 2023

Site Plan permitting with the City of Palm Bay and other applicable Jurisdictional Agencies is expected to occur shortly following Conditional Use approval.

**All dates are subject to change due to City of Palm Bay staff coordination.
The dates provided are the best information available at this time.**

Project Summary

- The proposed project is located in a Neighborhood Commercial Zoning. The tract is part of the Port Malabar Unit 20 subdivision, which was recorded in 1961, Plat Book 15, Page 129.
- Conditional Use Application requests an increase in building square footage to approximately 10,700 square feet from the permitted 5,000 square feet. At a proposed 14% building coverage, the proposed increase in square footage falls well below the allowed 30% building coverage. A Conditional Use is permitted under the guidelines of City of Palm Bay LDC Section 185.087.
- The proposed site design complies with the regulations set forth in the Land Development Code including lot and structure requirements, parking areas, buffer and fencing requirements, and architectural style.
- The proposed project is in substantial compliance with LDC Neighborhood Commercial Zoning regulations as well as the Conditional Use general requirements and conditions.

**END OF
PRESENTATION**

**BUSINESS CARDS
AVAILABLE UPON
REQUEST**



EXHIBIT "E"

Summarized Meeting Minutes

Citizen Participation Meeting – Summarized Meeting Minutes

02/22/23 at 6:00 PM

The attendees entered the meeting room at approximately 6:03 PM. We reviewed the presentation material and discussed the following items:

1. Attendee opposition of the proposed project
2. The resident's concern of making the intersection of Jupiter Blvd SW and Garvey Rd more dangerous, and the likelihood of the City requiring a traffic light.
3. The resident's request to push the required fence to the buffer line.
4. Expectations of next steps and scheduling

The meeting adjourned at approximately 7:03 PM. The applicant representatives, Holly Irish and David Cottingham, left the meeting room at 7:03 PM.

This list is only a summary of the discussion and is not intended to be a direct recap.

Project Details: CU23-00002

Project Type: Conditional Use

Project Location: UNKNOWN # 2700 ANNELEIGH CIR Palm Bay, FL
Milestone: Approved
Created: 3/14/2023
Description: Dollar General - Garvey Rd
Assigned Planner: Stephen White

Contacts

Contact	Information
Owner/Applicant	DAVID MOALLEM TRUST 1663 GEORGIA ST NE, STE 700 PALM BAY, FL 32907 (321) 626-3590 palmbayland@gmail.com
Legal Representative	Concept Development, Inc 1449 SW 74th Dr Suite 200 Gainesville, FL 32607 (352) 333-3233 matt@conceptcompanies.net
Owner/Applicant (2)	PIRZADEH, SIROOS; PIRZADEH, MAHNAZ 8102 Ludington Circle Orlando, FL 32836 (352) 333-3233 pirzadehsiroos@yahoo.com
Assigned Planner	Stephen White -1 stephen.white2@palmbayflorida.org
Submitter	Holly Irish 1449 SW 74th Dr Suite 200 Gainesville, FL 32607 holly@vectorcivileng.com

Fields

Field Label	Value
Block	0
Lot	
Section Township Range	02-29-36
Subdivision	GI

Project Details: CU23-00002

Year Built	
Use Code	1000
Use Code Desc	VACANT COMMERCIAL LAND
LotSize	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	2901322
Flu Description	
Flu Code	
Zoning Description	
Zoning Code	
Size of Area (acres)	
Conditional Use Sought	Building Size
Additional Use	Church Club or Lodge Commercial Dog Kennel Communication Tower and Facilities Dance Club Event Hall Planned Industrial Development Public or Private School Security Dwelling Unit Self-Storage Facility Wedding Venue
Is Submitter the Representative?	False
Resolution Number	

April 14, 20 23

Re: Letter of Authorization

As the property owner of the site legally described as:

PORT MALABAR UNIT 20 TRACT O EXC ORB 3535 PG 2111

I, Owner Name: David Moallem, Trustee

Address: 1663 Georgia St. NE #700, Palm Bay, FL 32907

Telephone: 321-626-3590

Email: palmbayland@gmail.com

hereby authorize:

Representative: Concept Development, Inc

Address: 1449 SW 74th Dr Suite 200, Gainesville, FL 32607

Telephone: 352-333-3233

Email: matt@conceptcompanies.net

to represent the request(s) for:

Design and submission of documentation, forms and plans and application for all permits as required, including Conditional Use and Site Plan applications, from those regulatory agencies having jurisdiction over the Property (e.g. County, City, Water Management District, FDOT, FDEP, etc.) and on-site access for inspections, testing, data collection, etc.

David Moallem
(Property Owner Signature)

STATE OF Florida

COUNTY OF Brevard

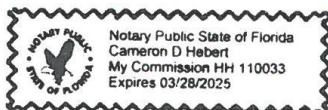
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14th day of April, 20 23 by

David Moallem, Trustee, property owner.

Cameron D Hebert

Cameron D Hebert, Notary Public

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



April 14, 20 23

Re: Letter of Authorization

As the property owner of the site legally described as:

PORT MALABAR UNIT 20 TRACT O EXC ORB 3535 PG 2111

I, Owner Name:

Mahnaz Pirzadeh

Address:

8102 Ludington Circle Orlando FL, 32836

Telephone:

407-595-2957

Email:

PirzadehSiroos@yahoo.com

hereby authorize:

Representative:

Concept Development, Inc

Address:

1449 SW 74th Dr Suite 200, Gainesville, FL 32607

Telephone:

352-333-3233

Email:

matt@conceptcompanies.net

to represent the request(s) for:

Design and submission of documentation, forms and plans and application for all permits as required, including Conditional Use and Site Plan applications, from those regulatory agencies having jurisdiction over the Property (e.g. County, City, Water Management District, FDOT, FDEP, etc.) and on-site access for inspections, testing, data collection, etc.

[Signature]
(Property Owner Signature)

STATE OF

FLORIDA

COUNTY OF

ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this _____ day of _____, 20____ by

MAHNAZ PIRZADEH

, property owner.



Personally Known or



Produced the Following Type of Identification:



[Signature]
Notary Public

April 14, 20 2023

Re: Letter of Authorization

As the property owner of the site legally described as:

PORT MALABAR UNIT 20 TRACT O EXC ORB 3535 PG 2111

I, Owner Name: SIROOS PIRZADEH
Address: 8102 Ludington Circle, ORLANDO, FL 32836
Telephone: 407-595-2957
Email: PIRZADEH.SIROOS@yahoo.com

hereby authorize:

Representative: Concept Development, Inc
Address: 1449 SW 74th Dr Suite 200, Gainesville, FL 32607
Telephone: 352-333-3233
Email: matt@conceptcompanies.net

to represent the request(s) for:

Design and submission of documentation, forms and plans and application for all permits as required, including Conditional Use and Site Plan applications, from those regulatory agencies having jurisdiction over the Property (e.g. County, City, Water Management District, FDOT, FDEP, etc.) and on-site access for inspections, testing, data collection, etc.

[Signature]
(Property Owner Signature)

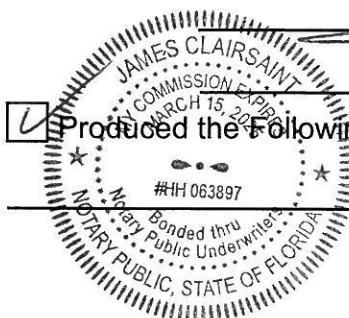
STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14th day of April, 20 23 by

SIROOS PIRZADEH, property owner.

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



[Signature], Notary Public

Acknowledgement Log

Header:

Legal Acknowledgement

Text:

I, the submitter, understand that this application must be complete and accurate before consideration by the City of Palm Bay and certify that all the answers to the questions in said application, and all data and matter attached to and made 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 application and that the facts stated in it are true.

Accepted By:

Holly Irish

On:

3/14/2023 12:05:58 PM

☒ CU23-00002

Select Language ▼

 Home |  City of Palm Bay

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Gm

A Daily Publication By:



CITY OF PALM BAY
SUITE 201
120 MALABAR RD SE
PALM BAY, FL, 32907

RECEIVED

MAY 22 2023

City of Palm Bay
Accounting Division

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) dated:
or by publication on the newspaper's website, if authorized,
on

05/18/2023

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 18th of May 2023,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$268.66

Ad No: 0005705290

Customer No: BRE-6CI213

This is not an invoice

of Affidavits 1

NANCY HEYRMAN
Notary Public
State of Wisconsin

CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on July 6, 2023, and by the City Council on July 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1.CP23-00004 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Neighborhood Center and Urban Mixed Use to Urban Mixed Use

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE.

2.**CP23-00803 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Zoning Amendment from BMUV, Bayfront Mixed Use Village District and RM-20, Multiple-Family Residential District to BMU, Bayfront Mixed Use District

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE.

3.**CU23-00005 - Ascot Palm Bay Holdings, LLC (Ana Saunders P.E., BSE Consultants, Inc., Rep.)

A Conditional Use to allow retail automotive gas/fuel sales in a CC, Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances.

A Portion of Block 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.16 acres. Located at the intersection of St. John's Heritage Parkway and Emerson Drive NW.

4.**CU23-00002 - David Moullem Trust; Pirzadeh, Siroot; Pirzadeh, Mahnaz (Holly Irish, Vector Civil Engineering, Reps.)

A Conditional Use to allow for a Dollar General/Retail Store with a gross floor area over 5,000 square feet in an NC, Neighborhood Commercial District.

A Portion of Block O, Subdivision G1, Section 02, Township 29, Range 36, Brevard County, Florida, containing approximately 1.75 acres. Generally located south of and adjacent to Jupiter Boulevard SW and west of and adjacent to Garvey Road SW.

5.CP23-00005 - Vision 43 LLC (Holly Tanner, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to Commercial Use.

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE.

6.**CP23-00004 - Vision 43 LLC (Holly Tanner, Rep.)

A Zoning Amendment from an RS-3, Single Family Residential District to an HC, Highway Commercial District.

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE.

7.123-00010 - Chelsea Anderson

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.054, GC - General Commercial District, to amend the conditional uses to allow for car washes by conditional use in the General Commercial zoning district.

8.123-00012 - City of Palm Bay (Growth Management Department)

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.069 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures.

9.123-00004 - City of Palm Bay (Growth Management Department)

A textual amendment to Section 185.201 of the City of Palm Bay's Land Development Code to modify the procedure for amendment applications.

**Indicates quasi-judicial request(s).

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council 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.
Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.
Jesse Anderson
Assistant Growth Management Director



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Tania Ramos, Senior Planner

DATE: June 7, 2023

SUBJECT: CP23-00004 – Steamboat Landing - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.) - A Small-Scale Comprehensive Plan Future Land Use Map Amendment from High Density Residential and Urban Mixed Use to Urban Mixed Use. Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 – 8 and 29 – 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE

ATTACHMENTS:

Description

- ▣ CP23-00004 Staff Report
- ▣ CP23-00004 Survey 1
- ▣ CP23-00004 Survey 2
- ▣ CP23-00004 Citizen Participation Plan Report
- ▣ CP23-00004 School Board Impact Analysis
- ▣ CP23-00004 Application
- ▣ CP23-00004 Legal Ad Order



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Tania Ramos, Senior Planner

CASE NUMBER

CP23-00004

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

PROPERTY OWNER & APPLICANT

Steamboat Landing, LLC, and
Gateway Medical Property, LLC
(Curtis J. McKinney, Rep.)

PROPERTY LOCATION/ADDRESS

Lot 1, Block A, Hiawatha Gardens, Section 13,
Township 28, Range 37, along with Lot K, Plat of
Tillman, Section 24, Township 28, Range 37, and
Lots 1 – 8 and 29 – 38, Block 2, Plat of Tillman,
Section 24, Township 28, Range 37, Brevard
County, Florida, containing approximately 4.12
acres. Tax Accounts 2825921, 2832536, 2832559,
2832554, 2832553, and 2832558

SUMMARY OF REQUEST

The applicant is requesting a Small-Scale Comprehensive Plan Future Land Use Map amendment from HDR, High Density Residential and UMU, Urban Mixed Use (previously MFR, Multi-Family Residential and BMUV, Bayfront Mixed Use Village) to UMU, Urban Mixed Use (previously BMU, Bayfront Mixed Use).

Existing Zoning

BMUV, Bayfront Mixed Use Village and RM-20, Multiple-Family Residential District

Existing Land Use

HDR, High Density Residential and UMU, Urban Mixed Use (previously MFR, Multi-Family Residential and BMUV, Bayfront Mixed Use Village)

Site Improvements

Commercial Building and Vacant Land

Site Acreage

Approximately 4.12 acres

SURROUNDING FUTURE LAND USE & USE OF LAND

North	HDR, High Density Residential and COM, Commercial; Condominiums and Commercial Buildings
East	HDR, High Density Residential; Vacant Land and the Indian River Lagoon
South	HDR, High Density Residential and UMU, Urban Mixed Use; Vacant Land and Single-Family Residences
West	HDR, High Density Residential and UMU, Urban Mixed Use; Condominiums, Single-Family Residences and Commercial Buildings

BACKGROUND:

The subject properties are located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE. Six (6) parcels are included in this request. The parcel adjacent to Dixie Highway NE (tax account 2832558) is currently developed with a commercial building. The remaining five (5) parcels are vacant. The applicant intends to develop an adult independent living and an assisted living facility/memory care center, along with an emergency care and pharmacy and a waterfront restaurant. The Brevard County School Impact Analysis indicates that there is enough school capacity for the total projected and potential students that may be generated by the development if the residential units are not age-restricted in the future.

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 subject parcels are surrounded by condominiums, single-family homes, commercial development, and Castaway Point Park, a city park located on the Indian River Lagoon. The intended use of the property is for development of an adult independent living and an assisted living facility/memory care center, along with an emergency care and pharmacy and a waterfront restaurant. The proposed request is compatible with the land use amendment. A mix of residential and commercial development already exists in this area. The change will

allow for an attractive and functional mix of high density residential which will provide housing options for current and future residents of Palm Bay, with a complimentary commercial land uses.

2. CONSERVATION ELEMENT

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

Any protected species that would be found on the subject property would need to be mitigated as required by State and Federal regulations and per Comprehensive Plan Objective CON-1.6.

Coastal Management: The subject property is located within the Coastal Management Area.

3. 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 multi-family housing options needed in Palm Bay By allowing the applicant to seek a rezoning to the BMU, Bayfront Mixed Use zoning district. The BMU zoning district will increase residential density in the area to 40 units per acre. Currently one lot is zoned RM-20, Multiple-Family Residential with a density of 20 units per acre, and the remaining lots BMUV, Bayfront Mixed Use Village zoned lots are at 10 units per acre.

4. INFRASTRUCTURE ELEMENTS

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

Utilities: There is currently sufficient water and sewer capacity in this region of the City. Upon development of the site, the owner/developer at their expense, will be required to design, permit, install, inspect, and test water systems of adequate size to accommodate the development and to connect to the City's water and sewer system.

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.

5. INTERGOVERNMENTAL COORDINATION ELEMENT

Public Schools: The proposed FLU amendment to Urban Mixed Use will add housing units. The School Board Impact Analysis has determined that the impacted schools are projected to

have enough capacity for the potential students created by this proposed amendment if the residential units are not age-restricted in the future.

6. RECREATION AND OPEN SPACE ELEMENT

The proposed FLU amendment would increase the demand for recreation services due to potential increase in density. However, the requested use would not exceed the existing parkland or recreational level of service standards for the planning area.

7. TRANSPORTATION ELEMENT

The objectives of the Comprehensive Plan's Transportation Element are to provide a safe, balanced, efficient transportation system that maintains the 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 administrative site plan review/approval process.

8. PROPERTY RIGHTS ELEMENT

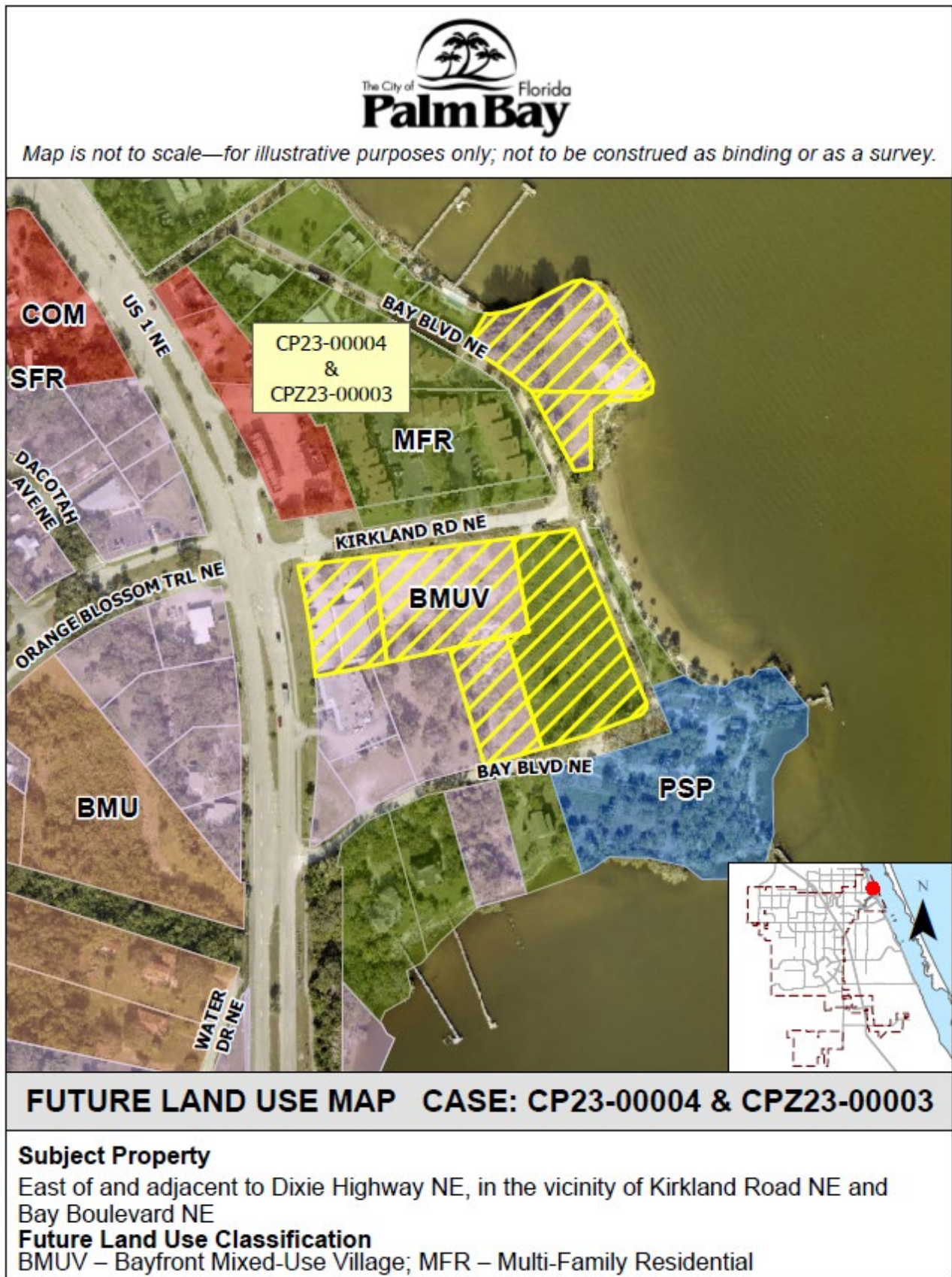
The goal of the Comprehensive Plan's Property Rights Element is for the City to respect judicially acknowledged and constitutionally protected private property rights.

This proposed land-use change does not appear to infringe upon the property rights of the applicant.

STAFF FINDINGS:

Case CP23-00004 meets the minimum requirements of a Comprehensive Plan Future Land Use amendment request and staff recommends approval.



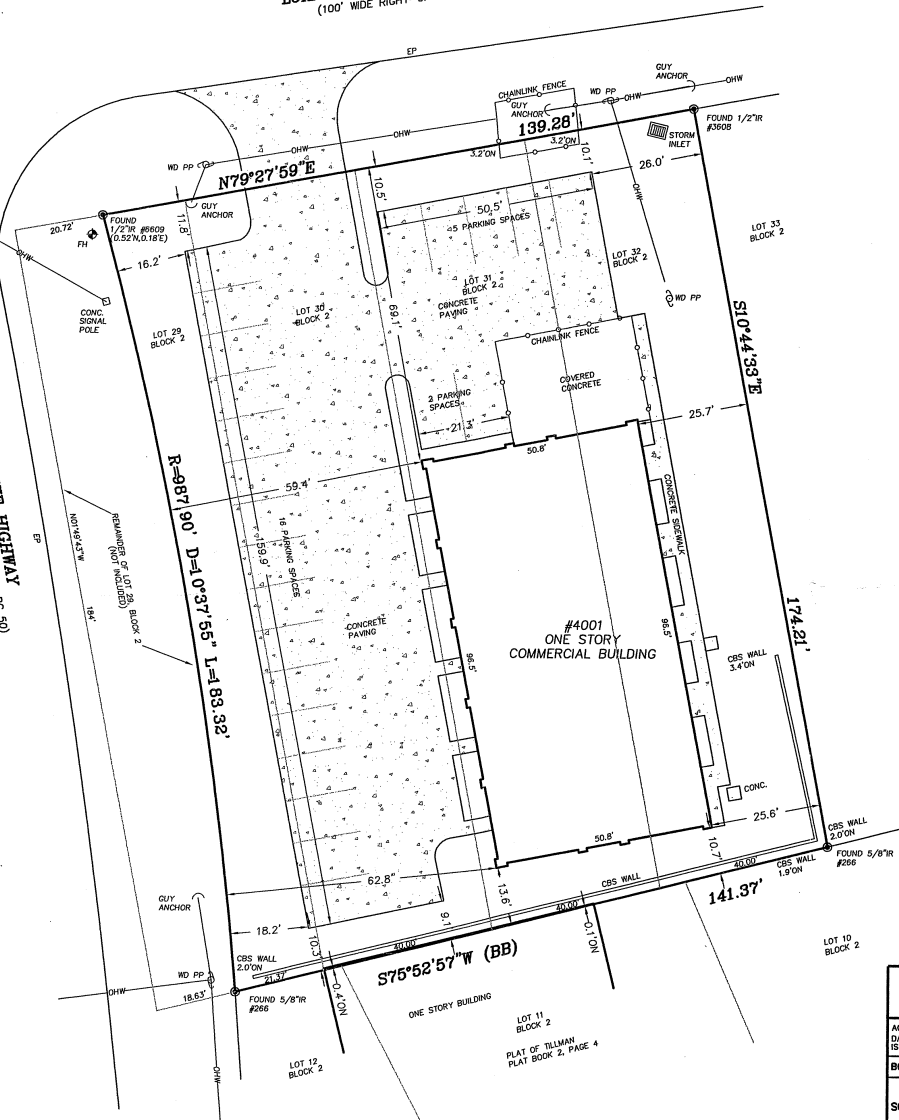




KIRKLAND ROAD (POSTED)
LOIZEAUX BOULEVARD (PLAT)
(100' WIDE RIGHT-OF-WAY)

Gateway Properties LLC.

DIXIE HIGHWAY
(MINNEHAHA GARDENS PB 5, PG 50)
U.S. HIGHWAY NO. 1 / STATE ROAD 5
(RIGHT-OF-WAY WIDTH VARIES)



DESCRIPTION:
LOTS 29,30,31 AND 32, BLOCK 2, PLAT OF TILLMAN, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 2, PAGE 4, OF THE PUBLIC RECORDS OF BREVARD COUNTY,
FLORIDA, LESS AND EXCEPT ROAD RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1

BOUNDARY SURVEY PREPARED FOR:
TRP PROPERTIES, LLC
MOSLEY & WALLIS P.A.
FIRST AMERICAN TITLE INSURANCE COMPANY
HBT OF PALM BAY, LLC

AAL LAND SURVEYING SERVICES, INC.

ACCORDING TO F.I.R.M. #12008540F,
DATED AUGUST 18, 1982, THIS PROPERTY
IS LOCATED WITHIN FLOOD ZONE X.

BOUNDARY SURVEY

SCALE: 1" = 20'



JOB # 25864

REVISION:

REVISION:

Field Survey: August 22, 2022
SECTION 24, TOWNSHIP 28S, RANGE 37E

L.B. #6623

NOTES:

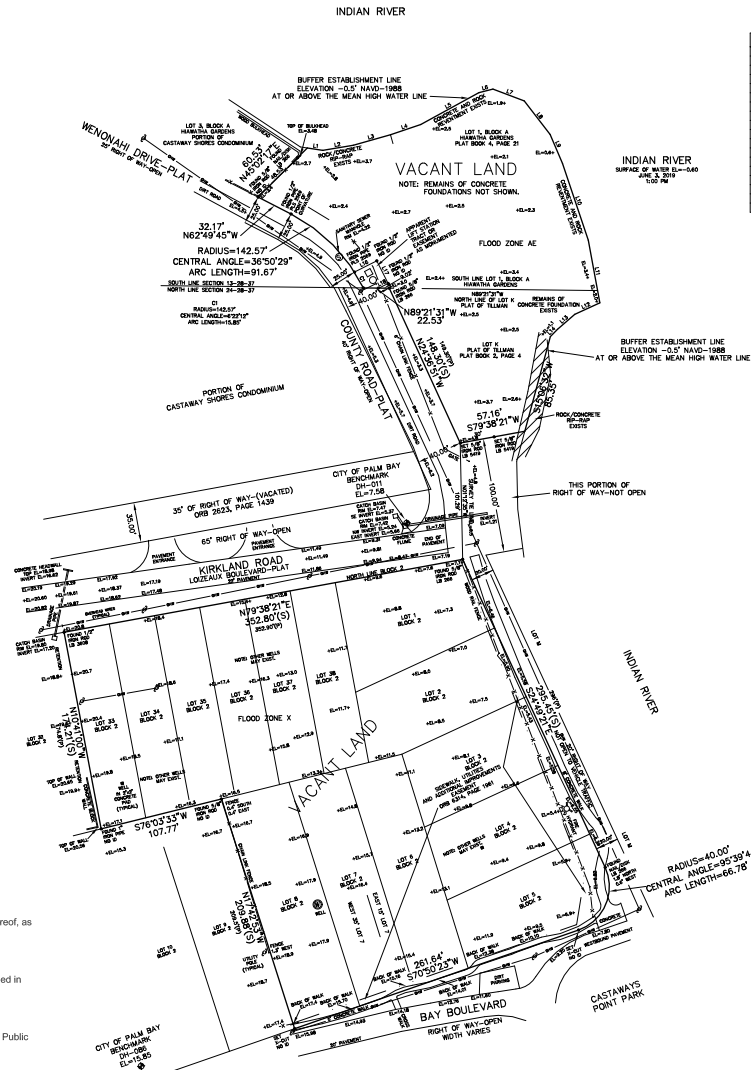
1. THIS SURVEY AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 34-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 475.027, FLORIDA STATUTES.
2. THIS SURVEY IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
3. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
4. NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXPRESSED OR IMPLIED BY THE SURVEYOR.
5. THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT, AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS EITHER RECORDED OR IMPLIED.
6. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.
7. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
8. ELEVATIONS, IF SHOWN, ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1928, UNLESS OTHERWISE NOTED.

3970 MINTON ROAD, WEST MELBOURNE, FL 32904 L.B. #6623
PHONE: (321)788-8110 FAX: (321)952-9771 E-MAIL: aalsurvey@aalsurvey.com

ANDREW W. POWSHOK
P.L.S. No. 5383

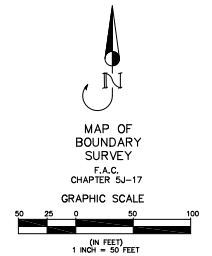
MARVIN L. MARDOCK
P.L.S. No. 5007

- LEGEND:
- (P) - PLAT
 - (M) - MEASURED
 - (D) - DEED
 - (FND) - FOUND
 - (LR) - IRON ROD
 - (LP) - IRON PIPE
 - (CM) - CONCRETE MONUMENT
 - (C) - CENTERLINE
 - (R/W) - RIGHT OF WAY
 - (P) - PUBLIC
 - (U) - UTILITY
 - (D) - DRAINAGE
 - (E) - EASEMENT
 - (FF) - FINISH FLOOR
 - (EL) - ELEVATION
 - (D) - DELTA
 - (R) - RADIIUS
 - (S) - ARC LENGTH
 - (B.S.) - BASIS OF BEARING
 - (N.R.) - NON RADIAL
 - (N&D) - NAIL AND DISK
 - (CONC) - CONCRETE
 - (ASPH) - ASPHALT
 - (P.O.L) - POINT ON LINE
 - (PRM) - PERMANENT REFERENCE MARKER



LINE TABLE	
LINE	BEARING
L1	15.05 S81°18'30"E
L2	26.97 N80°20'29"E
L3	3.41 N71°17'30"E
L4	27.83 N71°17'17"E
L5	27.71 N81°17'30"E
L6	12.63 N72°41'15"E
L7	28.16 S89°17'30"E
L8	35.89 S77°23'47"E
L9	27.45 S82°17'04"E
L10	70.50 S78°34'20"E
L11	55.43 S10°28'48"E
L12	24.03 S83°33'10"E
L13	19.91 S49°02'37"E
L14	8.86 S44°28'09"E
L15	21.87 N63°33'26"E
L17	22.03 S82°40'34"E
L18	8.98 S83°17'28"E

Harmony Landing Survey



CERTIFIED TO:
STEAMBOAT LANDING, LLC,
A FLORIDA LIMITED LIABILITY COMPANY
SUNRISE BANK
FRESA, HANSEN
COMMONWEALTH LAND TITLE INSURANCE COMPANY

SURVEY DATE: November 16, 2022 JOB NO: 14-214
SCALE: 1" = 50' FIELD BOOK: 113 PAGE: 51

WJS LAND SURVEYING, INC.
WILLIAM J. SUTTER
LAND SURVEYING, INC.
3840 GARDNER STREET SE.
PALM BAY, FLORIDA 32909
3840 GARDNER STREET SE.
PALM BAY, FLORIDA 32909
WILLIAMJ@ATTN.NET
WJSURVEYING.COM
408 728-6905

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. SUTTER FLORIDA CERTIFICATE NO. 4210
CERTIFICATE OF AUTHORIZATION #13 5419

DATE OF SIGNATURE
COPYRIGHT © 2019 WILLIAM J. SUTTER LAND SURVEYING, INC. ALL RIGHTS RESERVED

DESCRIPTION

Lot 33, 34, 35, 36, 37 and 38, Block 2, PLAT OF TILLMAN, according to the Plat thereof, as recorded in Plat Book 2, Page 4, of the Public Records of Brevard County, Florida.

AND

Lot 1, Block A, Section One, Hiawatha Gardens, according to the Plat thereof recorded in Plat Book 4, Page 21, Public Records of Brevard County, Florida.

AND

Lot K, Plat of Tillman, according to the plat thereof, recorded in Plat Book 2, Page 4, Public Records of Brevard County, Florida.

AND

Lots 1 through 6 and the East 15 feet of Lot 7, Block 2, PLAT OF TILLMAN, according to the Plat thereof, as recorded in Plat Book 2, at Page 4, of the Public Records of Brevard County, Florida.

AND

The West 35 feet of Lot 7 and all of Lot 8, Block 2, PLAT OF TILLMAN, according to the Plat thereof, as recorded in Plat Book 2, Page 4, of the Public Records of Brevard County, Florida.

- NOTES:
- 1.) BEARINGS BASED ON THE ASSUMPTION THAT THE NORTH LINE OF BLOCK 2, PLAT OF TILLMAN BEARS N79°38'21"E PER DBS 8334, PAGE 1861.
 - 2.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.
 - 3.) NO ID DENOTES NO IDENTIFICATION.
 - 4.) PROPERTY LIES WITHIN FLOOD ZONE X AND AE PER FLOOD INSURANCE RATE MAP NUMBER 12009C0612G.
 - 5.) PARCEL DIMENSIONS ARE AS PER PLAT(S) OR SURVEY(S).
 - 6.) DBS DENOTES OFFICIAL RECORDS BOOK.
 - 7.) ELEVATIONS (EL+7.58) BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
 - 8.) UNDERGROUND UTILITIES NOT LOCATED.
 - 9.) ELEVATIONS 6-3-19.

STEAMBOAT LANDING LLC. & GATEWAY MEDICAL PROPERTY LLC.

February 6, 2023

Citizen participation Report

Applicant: Steamboat Landing LLC. & Gateway Medical Property LLC.
Project Site Address: 2930 Kirkland Rd., NE, Palm Bay, FL. 32905, 3105 Bay Blvd., NE, Palm Bay, FL. 32905, & 4001 Dixie Highway, Palm Bay, FL. 32905

Dates & Locations:

- ◆ January 31st. 2023 Time: 6:00 – 7:30 p.m.
- ◆ Hyatt Place 11435 Sportsman Lane N.E. Palm Bay, Fla. 32905

Contents:

- ◆ Notification of Citizen Participation (see attached)
- ◆ Overview of Changes to Zoning Request (see attached)
- ◆ Mail Copies 108 total
- ◆ Date Mailed January 27, 2023

Residents & Property owner location number in attendance:

- ◆ The notices were mailed via the U.S. Mail and delivered to the residents and business owner within a 500 ft. radius of the zoning and future land change request.
- ◆ The number of residents & owners that participate in the citizens participation meeting was 10 people in total.

Summary of Concerns:

- ◆ The residents and owners of the meeting brought up a number of questions and concerns as follows: (1.) Kirkland Rd. is narrow and how will two vehicles be able to pass. (2.) If at some time Bay Blvd. (the dirt road section) would it be paved. (3.) what type of protection to the wildlife in and around the property will be provided. (4.) can the city build a turn-around at the end of the dirt road for them. (5.) what is the construction height of the building that will be built along the point. (6.) they have a problem with homeless people will we have security in the area. (7.) when will construction start. (8.) will there be enough parking, did not want people parking in the condos parking lot. (9.) will there be sidewalks and roadside enhancement going in. (10.) will there be drainage in the area to support the rainfall. (11.) will there be a traffic light. (12.) will there be access from Bay Blvd. the asphalt roadway to the park and to Kirkland Rd. thru the development.

Respond to Residents & Owners Concerns:

- ◆ The developers respond to the citizens questions was as follows: (1.) We believe that the roadway traffic was reviewed and found to be within the requirements prior to the city issuing the permit for the memory care facility. (2.) Yes, Bay Blvd. roadway would be enhanced and constructed from the northern most part of the property owned by the development to Kirkland Rd. during the construction of Phase II which would not happen for two years. (3.) The residents were assured that the wildlife in the area will be protected, and very limited work was forecast to take place that had any impact to the wildlife. (4.) We were unable to inform the residents of the city's future plans with roadway development on the balance of the dirt road Bay Blvd. (5.) We explained that was not known at this time seeing that Phase II of the development was over two years away. (6.) We informed them that once construction started, and more activity began in the area that there would be larger police presents we feel like when any new development starts the homeless move on to an area not so occupied. (7.) We explained we. Were in the process of acquiring our HUD loan and that the loan process was in underway and it takes about 3 to 4 months. (8.) We informed them that the city requires every project or development to stand on their own merit, there would be ample parking for the development. (9.) We explained the city requires travel ways in and around the development and yes there would be sidewalks and roadway enhancements. (10.) Yes, we explained to the residents that the city will require the entire development meets the states requirements as far as drainage is concerned. (11.) We told them we are not aware of a traffic light at this point due to the small-scale impact that Phase I has to the development, but that it could be required once traffic at the county level or city level reviewed the projects requirements for Phase II or III. (12.) Yes, however it is not a travel roadway, but the city requires that life safety be meet i.e. fire truck access and emergency vehicles can travel thru the development from Bay Blvd. to Kirkland Rd.

Applicant Position on Residents Issues & Concerns:

- ◆ Steamboat Landing LLC. and Gateway Properties LLC. found no real concerns with the questions and or request that came out of the meeting most of the questions and items we already being addressed thru the permitting of the first phase weather it was sidewalks and drainage or the roadway enhancement.
- ◆ There were questions that we were unable to answer in reference to the city or county i.e. the traffic light or constructing a turn-arounds at the end of the dirt rd. Bay Blvd. for the residents, we did our best to address their concerns and provide them with a clear respond but in general everything that was spoken about was already implemented or was going to be required by the city of Palm Bay for the development.

Thank you.

Curtis Mckinney, James Mayes
Managing Members

**Steamboat Landing LLC. &
Gateway Properties LLC.**

1/31/23

Citizen Participation Plan

**Hyatt Place
11435 Sportsman Lane NE
Palm Bay Fla. 32905**

1.) Overview of Changes to Zoning Request:

- Our group met with the city back in mid-January to research a change in zoning that would better support development within the parcels we currently own based upon the current market study that was just completed in December 2022.
- We have noticed that the market study has shown a strong increase and demand for **IL adult congregated living space**, this allows a reduction in medical need, nursing, staffing, and healthcare to be met within the development.
- The request that our organization will be pursuing within the city of Palm Bay as noted in the mailer that was provided to you is a request to increase our density from the current zoning on **4 - parcels 2825921 / 2832536 / 2832554 / 2832559** from BMUV to BMU.
- There is **1 - parcel 2832553** located along the waterfront that has an RM-20 zoning which will also be a part of the request to rezone to BMU.
- There is **1 - parcel 2832558** located at the corner of Kirkland Rd. and U.S. 1 that we will be requesting the zoning change on from MFR to BMU along with a future land use change.
- With the zoning change that's being requested it allows for an increase in density from our current zoning of 10 units per ac. In the BMUV parcels to 40 units per ac. With BMU zoning, it allows for an increase in density on the parcel that has RM-20 that's twenty units per ac. to 40 units per ac.
- The changes will not affect the overall commercial development in the district we are still allowed to develop up to 20% commercial which allows for waterfront restaurant & dining & bar in the area along with other retail stores.

Thank you.

**Curtis Mckinney, James Mayes
Managing Members**

2108 W. New Haven Ave, W. Melbourne Florida 32904

Office 321-727-0059

Steamboat Landing LLC.

Citizens Information Meeting Sign-In

January 31, 2023

Name	Address	Email or Phone
Jeffrey Goodland	Castaway Cove	407 707 3907
Sam Blomley	Castaway Cove	865-924-4238
Frank McCarty-Green	Castaway shores	fmgreene12@gmail.com
Vicki Fink	11	305-899-8788
Marion Eddy	Castaway Shores	marione@midmaine.com
DAVID Jellison	3225 Kirkland Rd NE	dsjellison@yahoo.com
Quita Murphy	2929 Kirkland NE Palm Bay	32905-631-484-4233
Michael Watts	3229 Kirkland NE	631 4283831
KATHY BRITO	3315 KIRKLAND	kleonard58@hotmail.com
Granny Jellison	3225 Kirkland NE	dsjellison@yahoo.com

STEAMBOAT LANDING LLC. & GATEWAY MEDICAL PROPERTY LLC.

January 25, 2023

Notice of Citizen Information Meeting

January 31, 2023, at 6:00 p.m.

Applicant: Steamboat Landing LLC. & Gateway Medical Property LLC.

Project Site Address: 2930 Kirkland Rd., NE, Palm Bay, FL. 32905, 3105 Bay Blvd., NE, Palm Bay, FL. 32905,
& 4001 Dixie Highway, Palm Bay, FL. 32905

Dear Sir Or Madame,

Steamboat Landing LLC. & Gateway Medical Property LLC. will submit application for a Future Land Use Change and Zoning Change as recorded in the property appraiser's web site under parcel account numbers listed below.

Future Land Use Change and Zoning Change from BMUV to BMU: for 2 parcels that are located east of Bay Blvd. NE (dirt road section along the waterfront), on and near the NE and SW corner of Kirkland Rd. and Bay Blvd.

- Parcel #1, 2825921
- Parcel #2, 2832536

Future Land Use Change and Zoning Change from BMUV to BMU: for 2 parcels that are located south of Kirkland Rd. and north of Bay Blvd. NE (asphalt roadway into park).

- Parcel #3, 2832554
- Parcel #4, 2832559

Future Land Use Change from MFR to BMU & Zoning Change from RM – 20 to BMU: for a single parcel that is located along the waterfront between Kirkland Rd. and Bay Blvd. NE (section along waterfront abutting water).

- Parcel #5, 2832553

Future Land Use Change and Zoning Change from BMUV to BMU: for a single parcel that is located on the NW corner of Kirkland Blvd. and U.S.1

- Parcel #6, 2832558

On behalf of Steamboat Landing LLC. & Gateway Medical Property LLC., we are inviting you to an informational meeting to discuss our request. Any questions or answers you may have and any recorded feedback you may have to offer will be presented to City Staff at the Planning & Zoning Board and City Commission meeting as we move thru the review and public hearing process for this request.

I have attached all the **parcels locations along with the parcel I.D. numbers for your use on an aerial view** of all of the properties that we will be requesting the future land use change and zoning change, there will be additional information and drawings at the meeting for your review and we will be more than happy to provide a thorough answer or response to your questions and concerns.

The Meeting is Scheduled as Follows in the Conference Center:

Date: January 31, 2023

Time: 6-7:30 p.m.

Place: HYATT PLACE (New Hotel South of Bass Pro / Palm Bay Rd.)
11435 Sportsman Lane N.E.
Palm Bay, Florida 32905
321-332-0212 Ph.

Professionally,

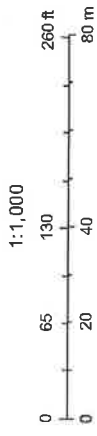


Curt McKinney
Mang. Member



All BCPAO maps and/or map applications are maintained for assessment and illustrative purposes only and do not represent surveys, plats, or any other legal instrument. Likewise, measurement and location tools are for assessment and illustrative purposes only and do not necessarily reflect real-world conditions. Due to the nature of Geographic Information Systems (GIS) and cadastral mapping, map layers may not precisely align and may not represent precise location, shape, and/or legal boundaries. Only a Florida-licensed surveyor can determine legally-relevant property boundaries, elevation, distance, area, and/or location in Florida.

Map created November 15, 2022 (map data dates may vary)



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Map created November 15, 2022 (map data dates may vary)

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Dr. Robert E. Schiller, Ed.D., Interim Superintendent



May 02, 2023

Ms. Tania Ramos
Senior Planner
City of Palm Bay
Growth Management Department
120 Malabar Road SE
Palm Bay, Florida 32907

**RE: Proposed Harmony Landing Development (Steamboat Landing LLC)
School Impact Analysis – Capacity Determination CD-2023-13**

Dear Ms. Tania Ramos,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account number 2825921 (Parcel ID number: 28-37-13-52-A-1), Tax Account number 2832536 (Parcel ID number: 28-37-24-25-*K), Tax Account number 2832559 (Parcel ID number: 28-37-24-25-2-33), Tax Account number 2832554 (Parcel ID number: 28-37-24-25-2-7), Tax Account number 2832553 (Parcel ID number: 28-37-24-25-2-1) and Tax Account number 2832558 (Parcel ID number: 28-37-24-25-2-29) containing a total of approximately 4.12 acres in the City of Palm Bay, Florida. The proposed development includes 164 multi-family homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 and Amended Appendix "A"-School District Student Generation Multiplier (approved April 11, 2022) of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2023-24 to 2027-28 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2022-23 to 2027-28* which is attached for reference.

Multi-Family Homes	164		
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.11	18.04	18
Middle	0.02	3.28	3
High	0.05	8.2	8
Total	0.18		29

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x11418 • FAX: (321) 633-4646



**FISH Capacity (including relocatable classrooms) from the
Financially Feasible Plan (FFP) Data and Analysis for School Years 2023-24 to
2027-28**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	983	983	983	983	983
Stone	1,076	1,076	1,076	1,076	1,076
Palm Bay	2,657	2,657	2,657	2,657	2,657

Projected Student Membership

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	613	610	627	630	636
Stone	708	799	823	890	977
Palm Bay	1,495	1,581	1,683	1,704	1,700

Students Generated by Newly Issued SCADL Reservations Since FFP

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	53	80	99	119	121
Stone	10	15	21	26	27
Palm Bay	24	37	46	56	57

**Cumulative Students Generated by
Proposed Development**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	-	4	11	18	18
Stone	-	1	2	3	3
Palm Bay	-	2	5	8	8

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	666	694	737	767	775
Stone	718	815	846	919	1,007
Palm Bay	1,519	1,620	1,734	1,768	1,765

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	317	289	246	216	208
Stone	358	261	230	157	69
Palm Bay	1,138	1,037	923	889	892

At this time, Palm Bay Elementary School, Stone Middle School, and Palm Bay Magnet Senior High School are projected to have enough capacity for the total of projected and potential students from the Harmony Landing (Steamboat LLC) development.

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Black', with a long horizontal flourish extending to the right.

Karen M. Black, AICP
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years
2022-23 to 2027-28*

Copy: Susan Hann, AICP, Assistant Superintendent of Facility Services
File CD-2023-13

David G. Lindemann, AICP, Director of Planning & Project Management,
Facilities Services
File CD-2023-13

Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the **100%** Level of Service

Data and Analysis for School Years 2022-23 to 2027-28



Summary				2022-23			2023-24			2024-25			2025-26			2026-27			2027-28		
Highest Utilization Elementary Schools:						93%			99%			100%			99%			99%			100%
Highest Utilization Middle Schools:						88%			88%			94%			92%			91%			100%
Highest Utilization Jr / Sr High Schools:						83%			83%			81%			78%			77%			76%
Highest Utilization High Schools:						107%			99%			97%			98%			100%			100%

School	Type	Grades	Utilization Factor	School Year 2022-23			School Year 2023-24			School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28		
				FISH Capacity	10/14/22 Membership	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization

Elementary School Concurrency Service Areas																					
Allen	Elementary	PK-6	100%	751	598	80%	751	598	80%	751	635	85%	751	704	94%	751	720	96%	773	766	99%
Andersen	Elementary	K-6	100%	884	568	64%	884	568	64%	884	549	62%	884	537	61%	884	530	60%	884	501	57%
Apollo	Elementary	K-6	100%	902	731	81%	902	731	81%	902	749	83%	902	753	83%	902	736	82%	902	718	80%
Atlantis	Elementary	PK-6	100%	739	620	84%	739	620	84%	739	608	82%	739	596	81%	739	585	79%	739	572	77%
Audubon	Elementary	PK-6	100%	761	450	59%	761	450	59%	761	435	57%	761	422	55%	761	419	55%	761	426	56%
Cambridge	Elementary	PK-6	100%	787	495	63%	787	495	63%	787	511	65%	787	505	64%	787	510	65%	787	524	67%
Cape View	Elementary	PK-6	100%	570	305	54%	570	288	51%	570	309	54%	570	314	55%	570	315	55%	570	329	58%
Carroll	Elementary	K-6	100%	751	626	83%	751	633	84%	751	643	86%	751	623	83%	751	619	82%	751	628	84%
Challenger 7	Elementary	PK-6	100%	573	503	88%	573	503	88%	573	474	83%	573	462	81%	573	433	76%	573	413	72%
Columbia	Elementary	PK-6	100%	751	506	67%	751	512	68%	751	531	71%	751	522	70%	751	538	72%	751	538	72%
Coquina	Elementary	K-6	100%	711	560	79%	711	560	79%	711	565	79%	711	602	85%	711	590	83%	711	585	82%
Creel	Elementary	PK-6	100%	1,114	626	56%	1,114	660	59%	1,114	668	60%	1,114	668	60%	1,114	667	60%	1,114	658	59%
Croton	Elementary	PK-6	100%	795	488	61%	795	488	61%	795	514	65%	795	528	66%	795	542	68%	795	542	68%
Discovery	Elementary	PK-6	100%	980	643	66%	980	664	68%	980	675	69%	980	671	68%	980	720	73%	980	761	78%
Endeavour	Elementary	PK-6	100%	968	719	74%	968	750	77%	968	717	74%	968	707	73%	968	674	70%	968	671	69%
Enterprise	Elementary	K-6	100%	729	597	82%	729	597	82%	729	578	79%	729	552	76%	729	538	74%	729	529	73%
Fairglenn	Elementary	PK-6	100%	789	617	78%	789	617	78%	789	617	78%	789	632	80%	789	635	80%	789	625	79%
Gemini	Elementary	K-6	100%	711	468	66%	711	477	67%	711	465	65%	711	468	66%	711	455	64%	711	457	64%
Golfview	Elementary	PK-6	100%	777	441	57%	777	441	57%	777	460	59%	777	481	62%	777	489	63%	777	503	65%
Harbor City	Elementary	PK-6	100%	629	403	64%	629	405	64%	629	457	73%	629	474	75%	629	494	79%	629	509	81%
Holland	Elementary	PK-6	100%	605	432	71%	605	450	74%	605	451	75%	605	444	73%	605	442	73%	605	431	71%
Imperial Estates	Elementary	K-6	100%	729	659	90%	729	684	94%	729	712	98%	729	724	99%	751	742	99%	795	779	98%
Indianlantic	Elementary	K-6	100%	798	686	86%	798	686	86%	798	685	86%	798	671	84%	798	676	85%	798	651	82%
Jupiter	Elementary	PK-6	100%	930	729	78%	930	735	79%	930	801	86%	930	882	95%	974	940	97%	1,040	1,030	99%
Lockmar	Elementary	PK-6	100%	892	585	66%	892	585	66%	892	569	64%	892	552	62%	892	558	63%	892	559	63%
Longleaf	Elementary	PK-6	100%	790	631	80%	790	637	81%	790	613	78%	790	590	75%	790	563	71%	790	528	67%
Manatee	Elementary	K-6	100%	998	898	90%	998	910	91%	998	889	89%	998	845	85%	998	888	89%	998	881	88%
McAuliffe	Elementary	PK-6	100%	838	621	74%	838	621	74%	838	580	69%	838	568	68%	838	553	66%	838	528	63%
Meadowlane Intermediate	Elementary	3-6	100%	1,114	825	74%	1,114	825	74%	1,114	779	70%	1,114	773	69%	1,114	805	72%	1,114	843	76%
Meadowlane Primary	Elementary	K-6	100%	824	651	79%	824	666	81%	824	660	80%	824	630	76%	824	618	75%	824	613	74%
Mila	Elementary	PK-6	100%	707	435	62%	707	435	62%	707	439	62%	707	396	56%	707	383	54%	707	362	51%
Mims	Elementary	PK-6	100%	725	464	64%	725	464	64%	725	481	66%	725	512	71%	725	525	72%	725	513	71%
Oak Park	Elementary	PK-6	100%	968	505	52%	968	505	52%	968	471	49%	968	478	49%	968	475	49%	968	447	46%
Ocean Breeze	Elementary	PK-6	100%	654	554	85%	654	550	84%	654	542	83%	654	533	81%	654	534	82%	654	531	81%
Palm Bay Elem	Elementary	PK-6	100%	983	586	60%	983	613	62%	983	610	62%	983	627	64%	983	630	64%	983	636	65%
Pinewood	Elementary	PK-6	100%	569	521	92%	591	521	88%	591	541	92%	613	572	93%	613	598	98%	613	600	98%
Port Malabar	Elementary	PK-6	100%	852	640	75%	852	640	75%	852	683	80%	852	746	88%	852	760	89%	852	795	93%
Quest	Elementary	PK-6	100%	932	693	74%	932	693	74%	932	684	73%	932	681	73%	932	685	73%	932	697	75%
Riviera	Elementary	PK-6	100%	777	699	90%	777	714	92%	777	718	92%	799	780	98%	843	827	98%	887	866	98%
Roosevelt	Elementary	K-6	100%	599	288	48%	599	298	50%	599	269	45%	599	256	43%	599	239	40%	599	220	37%
Sabal	Elementary	PK-6	100%	785	500	64%	785	500	64%	785	503	64%	785	516	66%	785	534	68%	785	535	68%
Saturn	Elementary	PK-6	100%	998	649	65%	998	649	65%	998	677	68%	998	821	82%	998	794	80%	998	786	79%
Sea Park	Elementary	PK-6	100%	461	337	73%	461	337	73%	461	327	71%	461	321	70%	461	326	71%	461	329	71%
Sherwood	Elementary	PK-6	100%	609	459	75%	609	459	75%	609	458	75%	609	457	75%	609	450	74%	609	441	72%
Sunrise	Elementary	PK-6	100%	913	759	83%	913	767	84%	913	836	92%	935	908	97%	1,023	1,004	98%	1,067	1,067	100%
Suntree	Elementary	K-6	100%	755	600	79%	755	602	80%	755	561	74%	755	541	72%	755	516	68%	755	480	64%
Surfside	Elementary	K-6	100%	541	442	82%	541	442	82%	541	425	79%	541	418	77%	541	417	77%	541	407	75%
Tropical	Elementary	K-6	100%	910	669	74%	910	669	74%	910	614	67%	910	600	66%	910	572	63%	910	545	60%
Turner	Elementary	PK-6	100%	874	555	64%	874	564	65%	874	589	67%	874	647	74%	874	675	77%	874	691	79%
University Park	Elementary	PK-6	100%	811	487	60%	811	487	60%	811	545	67%	811	592	73%	811	642	79%	811	658	81%
Viera Elem	Elementary	K-6	100%	1,030	695	67%	1,030	717	70%	1,030	759	74%	1,030	857	83%	1,030	926	90%	1,074	1,061	99%
Westside	Elementary	K-6	100%	857	799	93%	857	846	99%	923	922	100%	989	974	98%	1,033	988	96%	1,099	1,100	100%
Williams	Elementary	PK-6	100%	715	451	63%	715	450	63%	715	443	62%	715	414	58%	715	411	57%	715	415	58%
Elementary Totals				42,215	30,468		42,237	30,778		42,303	30,996		42,435	31,549		42,677	31,905		43,007	32,280	

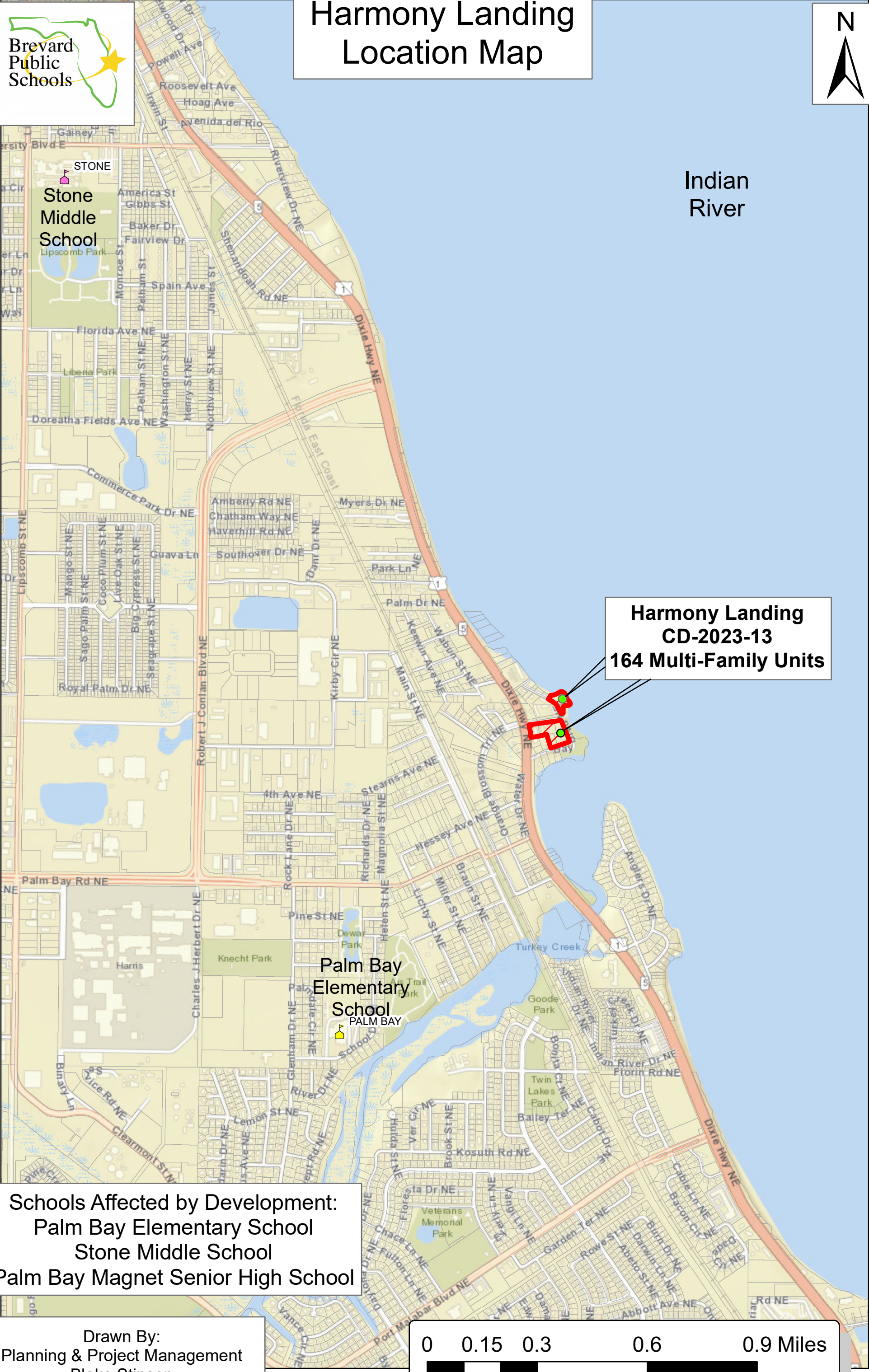
				School Year 2022-23			School Year 2023-24			School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28		
School	Type	Grades	Utilization Factor	FISH Capacity	10/14/22 Membership	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Middle School Concurrency Service Areas																					
Central	Middle	7-8	90%	1,514	1,129	75%	1,514	1,129	75%	1,514	1,158	76%	1,514	1,228	81%	1,514	1,289	85%	1,514	1,377	91%
DeLaura	Middle	7-8	90%	960	842	88%	960	844	88%	960	902	94%	960	820	85%	960	789	82%	960	826	86%
Hoover	Middle	7-8	90%	680	505	74%	680	505	74%	680	534	79%	680	574	84%	680	577	85%	680	588	86%
Jackson	Middle	7-8	90%	660	550	83%	660	550	83%	660	545	83%	660	538	82%	660	555	84%	660	588	89%
Jefferson	Middle	7-8	90%	873	608	70%	873	608	70%	873	600	69%	873	609	70%	873	563	64%	873	548	63%
Johnson	Middle	7-8	90%	1,064	610	57%	1,064	610	57%	1,064	650	61%	1,064	698	66%	1,064	753	71%	1,064	825	78%
Kennedy	Middle	7-8	90%	869	671	77%	869	671	77%	869	687	79%	869	670	77%	869	669	77%	869	677	78%
Madison	Middle	7-8	90%	781	446	57%	781	453	58%	781	484	62%	781	452	58%	781	476	61%	781	593	76%
McNair	Middle	7-8	90%	616	365	59%	616	369	60%	616	346	56%	616	354	57%	616	337	55%	616	347	56%
Southwest	Middle	7-8	90%	1,230	920	75%	1,230	920	75%	1,230	1,024	83%	1,230	1,127	92%	1,289	1,174	91%	1,289	1,285	100%
Stone	Middle	7-8	90%	1,076	668	62%	1,076	708	66%	1,076	799	74%	1,076	823	76%	1,076	890	83%	1,076	977	91%
Middle Totals				10,323	7,314		10,323	7,367		10,323	7,729		10,323	7,893		10,382	8,072		10,382	8,631	
Junior / Senior High School Concurrency Service Areas																					
Cocoa	Jr / Sr High	PK, 7-12	90%	2,097	1,545	74%	2,097	1,536	73%	2,097	1,555	74%	2,097	1,525	73%	2,097	1,518	72%	2,097	1,470	70%
Cocoa Beach	Jr / Sr High	7-12	90%	1,445	983	68%	1,445	1,000	69%	1,445	1,000	69%	1,445	941	65%	1,445	928	64%	1,445	867	60%
Space Coast	Jr / Sr High	7-12	90%	1,852	1,534	83%	1,852	1,534	83%	1,852	1,505	81%	1,852	1,450	78%	1,852	1,428	77%	1,852	1,402	76%
Jr / Sr High Totals				5,394	4,062		5,394	4,070		5,394	4,060		5,394	3,916		5,394	3,874		5,394	3,739	
Senior High School Concurrency Service Areas																					
Astronaut	High	9-12	95%	1,451	1,109	76%	1,451	1,109	76%	1,451	1,123	77%	1,451	1,129	78%	1,451	1,164	80%	1,451	1,158	80%
Bayside	High	9-12	95%	2,263	1,851	82%	2,263	1,885	83%	2,263	2,023	89%	2,263	2,099	93%	2,263	2,175	96%	2,382	2,371	100%
Eau Gallie	High	PK, 9-12	95%	2,221	1,582	71%	2,221	1,582	71%	2,221	1,597	72%	2,221	1,625	73%	2,221	1,631	73%	2,221	1,693	76%
Heritage	High	9-12	95%	2,314	2,033	88%	2,314	2,055	89%	2,314	2,065	89%	2,314	2,057	89%	2,314	2,099	91%	2,314	2,171	94%
Melbourne	High	9-12	95%	2,370	2,245	95%	2,370	2,245	95%	2,370	2,245	95%	2,370	2,248	95%	2,370	2,284	96%	2,370	2,345	99%
Merritt Island	High	PK, 9-12	95%	1,962	1,546	79%	1,962	1,546	79%	1,962	1,512	77%	1,962	1,457	74%	1,962	1,437	73%	1,962	1,454	74%
Palm Bay	High	PK, 9-12	95%	2,657	1,483	56%	2,657	1,495	56%	2,657	1,581	60%	2,657	1,683	63%	2,657	1,704	64%	2,657	1,700	64%
Rockledge	High	9-12	95%	1,836	1,559	85%	1,836	1,559	85%	1,836	1,640	89%	1,836	1,699	93%	1,836	1,693	92%	1,836	1,620	88%
Satellite	High	PK, 9-12	95%	1,527	1,518	99%	1,551	1,536	99%	1,551	1,433	92%	1,551	1,413	91%	1,551	1,359	88%	1,551	1,299	84%
Titusville	High	9-12	95%	1,813	1,313	72%	1,813	1,333	74%	1,813	1,335	74%	1,813	1,351	75%	1,813	1,316	73%	1,813	1,322	73%
Viera	High	PK, 9-12	95%	2,141	2,289	107%	2,474	2,319	94%	2,474	2,391	97%	2,474	2,417	98%	2,569	2,579	100%	2,664	2,660	100%
High Totals				22,555	18,528		22,912	18,664		22,912	18,945		22,912	19,178		23,007	19,441		23,221	19,793	
Schools of Choice (Not Concurrency Service Areas)																					
Freedom 7	Elementary	K-6	100%	475	403	85%	475	414	87%	475	414	87%	475	414	87%	475	414	87%	475	414	87%
Stevenson	Elementary	K-6	100%	569	506	89%	569	508	89%	569	508	89%	569	508	89%	569	508	89%	569	508	89%
South Lake	Elementary	K-6	100%	481	434	90%	657	453	69%	657	471	72%	657	489	74%	657	507	77%	657	529	81%
West Melbourne	Elementary	K-6	100%	618	549	89%	618	552	89%	794	570	72%	794	588	74%	794	606	76%	794	624	79%
Edgewood	Jr / Sr High	7-12	90%	1,077	938	87%	1,077	950	88%	1,077	950	88%	1,077	950	88%	1,077	950	88%	1,077	950	88%
West Shore	Jr / Sr High	7-12	90%	1,264	930	74%	1,264	950	75%	1,264	950	75%	1,264	950	75%	1,264	950	75%	1,264	950	75%
Schools of Choice				4,484	3,760		4,660	3,827		4,836	3,863		4,836	3,899		4,836	3,935		4,836	3,975	
Brevard Totals				84,971	64,132		85,526	64,706		85,768	65,593		85,900	66,435		86,296	67,227		86,840	68,418	

Notes

1. FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2022-23 are reported from the FISH database as of October 14, 2022.
2. Student Membership is reported from the Fall Final Membership Count (10/14/2022).
3. Davis Demographics SchoolSite Enrollment Forecasting Extension for ArcGIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
4. Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Nongecoded student addresses are assumed to continue in their attendance schools.
 - Charter School Growth.
5. In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.
6. If student projections are accurate, the school board could add additional classroom capacity, implement attendance boundary changes, or add relocatable classrooms. A south area elementary school is planned for the future growth, but the exact timing hasn't been established.
 - If only relocatable classrooms are used for the next 5 years, the following changes would be needed to accommodate projected growth. These schools are being analyzed for the best options to accommodate additional students.
 - Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations
 - For school year 2023-24, no additional capacity is needed.
 - For school year 2024-25, a total of 3 intermediate classrooms are projected for Westside Elementary School
 - For school year 2025-26, a total of 6 intermediate classrooms are projected for Pinewood (1), Riveria (1), Sunrise (1) and Westside (3) Elementary Schools.
 - For school year 2026-27, a total of 14 intermediate classrooms are projected for Imperial Estates (1), Jupiter (2), Riviera (2), Sunrise (4), Westside (2) Elementary Schools, and Southwest Middle School (3). 4 High School relocatable classrooms are proposed for Viera High School.
 - For school year 2027-28, a total of 15 intermediate classrooms are projected for Roy Allen (1), Imperial Estates (2), Jupiter (3), Riveria (2), Viera El (2), Sunrise (2), and Westside (3) Elementary Schools. 9 High School relocatable classrooms are proposed for Bayside (5) and Viera (4) High.
7. A classroom addition is planned for construction at Viera High School for 2023-24. The factored capacity is adjusted for the proposed 350 student stations.
8. A classroom addition is planned for construction at South Lake Elementary School for 2023-24. The factored capacity is adjusted for the proposed 176 student stations.
9. A classroom addition is planned for construction at West Melbourne School of Science for 2024-25. The factored capacity is adjusted for the proposed 176 student stations.
10. Capacity adjusted for Board approved addition of one relocatable each at Pinewood Elementary and Satellite High Schools for school year 2024-25 forward.



Harmony Landing Location Map



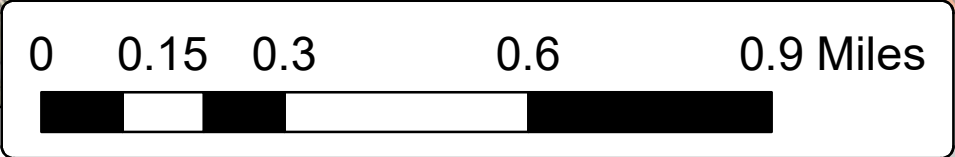
Indian
River

**Harmony Landing
CD-2023-13
164 Multi-Family Units**

**Palm Bay
Elementary
School**
PALM BAY

Schools Affected by Development:
Palm Bay Elementary School
Stone Middle School
Palm Bay Magnet Senior High School

Drawn By:
Planning & Project Management
Blake Stinson
May 2, 2023



Project Details: CP23-00004

Project Type: Comprehensive Plan Future Land Use Map

Project Location: 2930 KIRKLAND RD NE Palm Bay, FL 32905

Milestone: Submitted

Created: 4/3/2023

Description: Steamboat Landing

Assigned Planner: Tania Ramos

Contacts

Contact	Information
Owner/Applicant	Curtis J. McKinney, STEAMBOAT LANDING LLC 2108 W NEW HAVEN AVE W MELBOURNE, FL 32904
Legal Representative	Curtis J. McKinney 2108 W. New Haven Avenue West Melbourne, FL 32904 (321) 727-0059 McKinneyconstruc@att.net
Submitter	Tania Ramos FL tania.ramos@palmbayflorida.org
Assigned Planner	Tania Ramos FL tania.ramos@palmbayflorida.org

Fields

Field Label	Value
Total Acreage	
Present Land Use Classification	MFR and BMUV
Proposed Land Use Classification	BMU
Structures On Property?	True
List Structures	Commercial building
Rezoning Submitted?	True
Development Submitted?	False

Project Details: CP23-00004

Justification for Change	Increase density for utilization as a memory care and independent living facility and a waterfront restaurant.
Specific Use Intended for Property	Memory care and independent living and waterfront restaurant
Project Scale	Small Scale (50 acres or less)
Present Use of Property	Commercial Building and vacant
Is Owner the Representative?	True
Block	2
Lot	33
Section Township Range	24-28-37
Subdivision	25
Year Built	
Use Code	0007
Use Code Desc	VACANT RESIDENTIAL LAND (MULTI-FAMILY, PLATTED)
LotSize	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	2832559
Flu Description	Bayfront Mixed Use Village
Flu Code	BMUV
Zoning Description	Bayfront Mixed Use / Village
Zoning Code	BMUV
Ordinance Number	



Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: CITY OF PALM BAY
Address: SUITE 201
PALM BAY FL 32907
USA

Ad No.: 0005717485
Pymt Method Invoice
Net Amount 154.26

Run Times: 1

No. of Affidavits: 1

Run Dates: 05/28/23

Text of Ad:

Ad#5717485 05/28/2023

**CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on June 7, 2023, and by the City Council on July 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1. CP23-00004 – Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)
A Small-Scale Comprehensive Plan Future Land Use Map Amendment from High Density Residential and Urban Mixed Use to Urban Mixed Use
Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 – 8 and 29 – 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council 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.

Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.

Jesse Anderson
Assistant Growth Management Director



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Tania Ramos, Senior Planner

DATE: June 7, 2023

SUBJECT: **CPZ23-00003 – Steamboat Landing - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.) - A Zoning Amendment from BMUV, Bayfront Mixed Use Village District and RM-20, Multiple-Family Residential District to BMU, Bayfront Mixed Use District. Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 – 8 and 29 – 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE

**Quasi-Judicial Proceeding.

ATTACHMENTS:

Description

- ☐ CPZ23-00003 Staff Report
- ☐ CPZ23-00003 Surveys
- ☐ CPZ23-00003 Citizen Participation Plan
- ☐ CPZ23-00003 School Board Impact Analysis
- ☐ CPZ23-00003 Application
- ☐ CPZ23-00003 Acknowledgement
- ☐ CPZ23-00003 Legal Ad



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Tania Ramos, Senior Planner

CASE NUMBER

CPZ23-00003

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

PROPERTY OWNER & APPLICANT

Steamboat Landing, LLC, and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

PROPERTY LOCATION/ADDRESS

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 – 8 and 29 – 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Tax Accounts 2825921, 2832536, 2832559, 2832554, 2832553, and 2832558

SUMMARY OF REQUEST

The applicant is requesting a rezoning from BMUV, Bayfront Mixed Use Village and RM-20, Multiple-Family Residential to BMU, Bayfront Mixed Use.

Existing Zoning

BMUV, Bayfront Mixed Use Village and RM-20, Multiple-Family Residential District

Existing Land Use

HDR, High Density Residential and UMU, Urban Mixed Use (previously MFR, Multi-Family Residential and BMUV, Bayfront Mixed Use Village)

Site Improvements

Commercial Building and Vacant Land

Site Acreage

Approximately 4.12 acres

SURROUNDING ZONING & USE OF LAND

North	HC, Highway Commercial and RM-20, Multiple-Family Residential; Condominiums and Commercial Buildings
East	IU, Institutional Use; Vacant Land and the Indian River Lagoon
South	IU, Institutional Use, RM-10, Single-, Two-, Multi-Family Residential, and BMUV, Bayfront Mixed Use Village; Vacant Land, and Single-Family Residences
West	RM-20, Multiple-Family Residential and BMUV, Bayfront Mixed Use Village; Condominiums, Single-Family Residences and Commercial Buildings

COMPREHENSIVE PLAN

COMPATIBILITY Yes, subject to approval of Case CP23-00004

BACKGROUND:

The subject properties are located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE. Six (6) parcels are included in this request. The parcel adjacent to Dixie Highway NE (tax account 2832558) is currently developed with a commercial building. The remaining five (5) parcels are vacant.

The applicant intends to develop an adult independent living and an assisted living facility/memory care center, along with an emergency care and pharmacy and a waterfront restaurant. The Brevard County School Impact Analysis indicates that there is enough school capacity for the total projected and potential students that may be generated by the development if the residential units are not age-restricted in the future.

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 the change is, "We have noticed that the market study has shown a strong increase and demand for independent living adult congregated living space."

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 intent of the BMU, Bayfront Mixed Use district is to provide areas within the Bayfront Redevelopment District for an attractive and functional mix of high density residential with a low intensity of commercial land uses that are linked by a network of walkways. The ratio of residential to commercial shall have a minimum of 20% commercial uses, based upon Floor Area Ratio (FAR) or the gross floor area of the first floor (footprint) of all principal use buildings. The designation of the BMU zoning district for the subject property is compatible with the surrounding area as it is already a mix of both residential and commercial uses. However, this will increase residential density in the area to forty units per acre. The lot zoned RM-20 currently has a density of twenty units per acre, and the current density on the BMUV lots are at 10 units per acre.

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.*

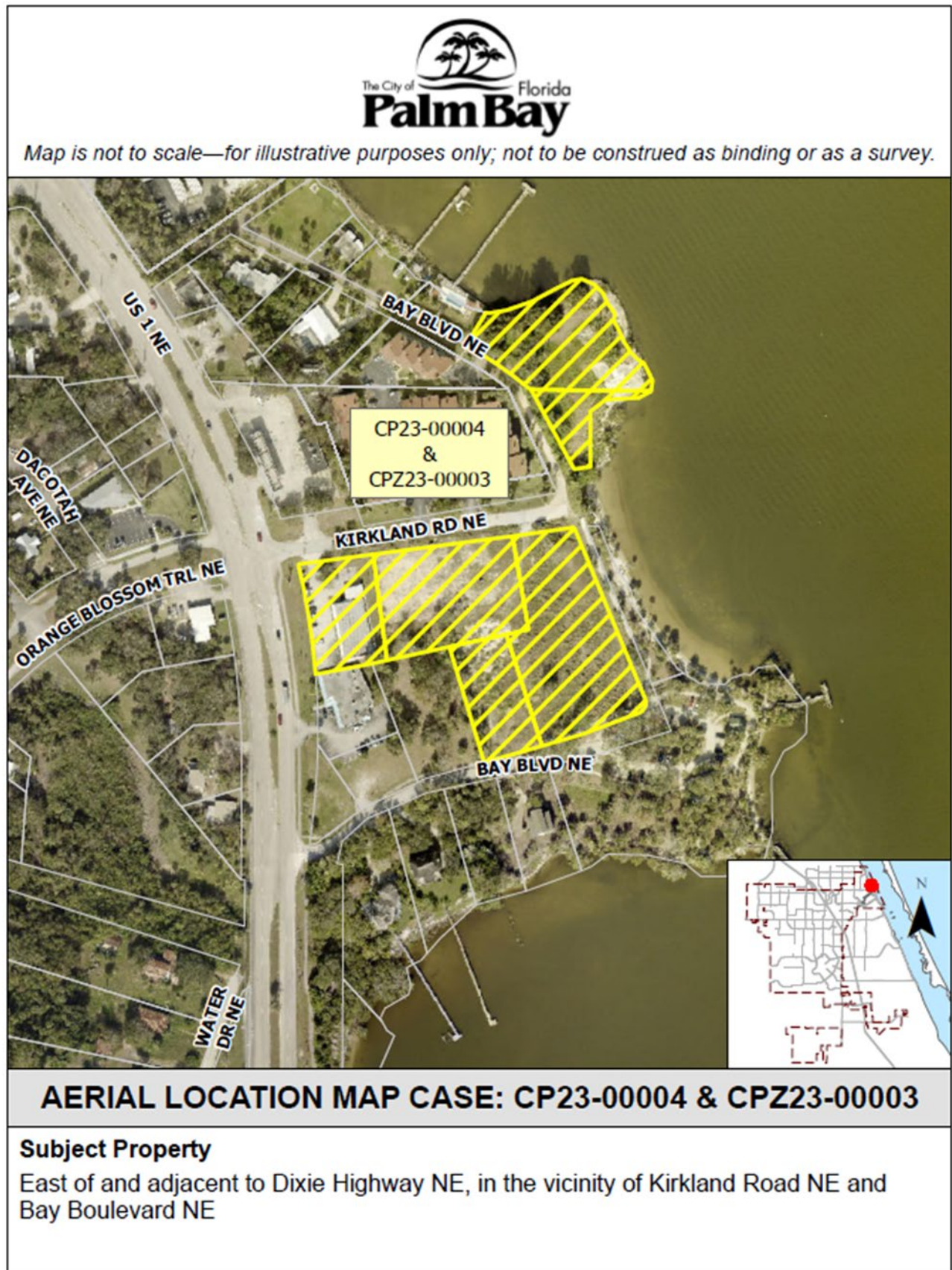
The BMU zoning can only be applied in the Bayfront Redevelopment District. Undeveloped land in the general area is surrounded by mixed or older development patterns. The closest undeveloped BMU zoned land in the area is east of Dixie Highway NE, approximately 430 feet from the subject property and consists of several parcels containing over fifteen acres.

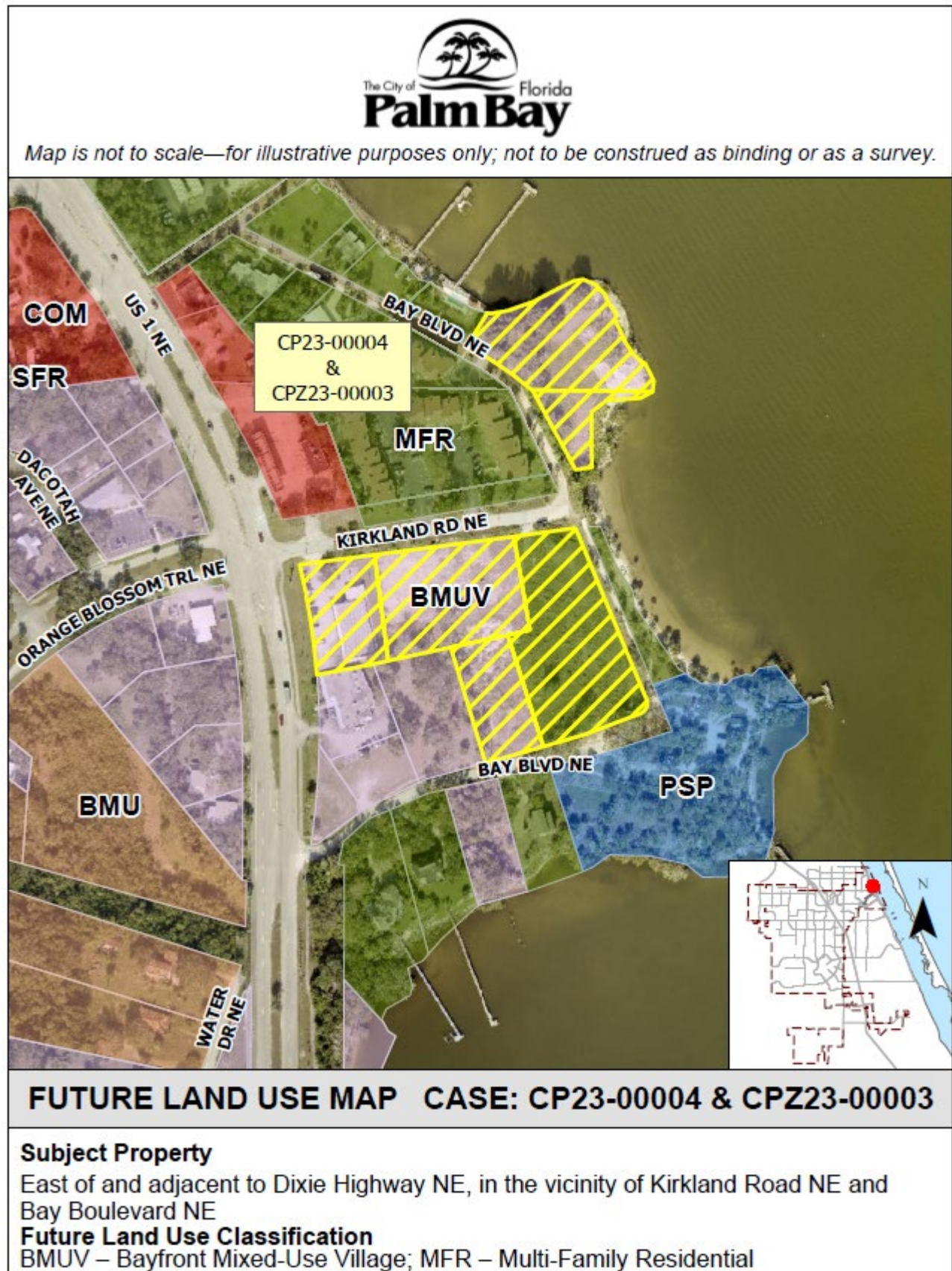
Item 4 - *The relationship of the proposed amendment to the purpose of the city plan for development, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and the Comprehensive Plan (Plan).*

The proposed amendment will further the purposes of Chapter 185 and the Comprehensive Plan by enhancing the standard of living within the city by placing higher density residential development in an area that is intended to be walkable. BMU zoning provides for a mix of residential and commercial uses and requires a minimum of 20% commercial uses to support the residential development.

STAFF FINDINGS:

Case CPZ23-00003 meets the minimum requirements of a rezoning request and staff recommends approval.





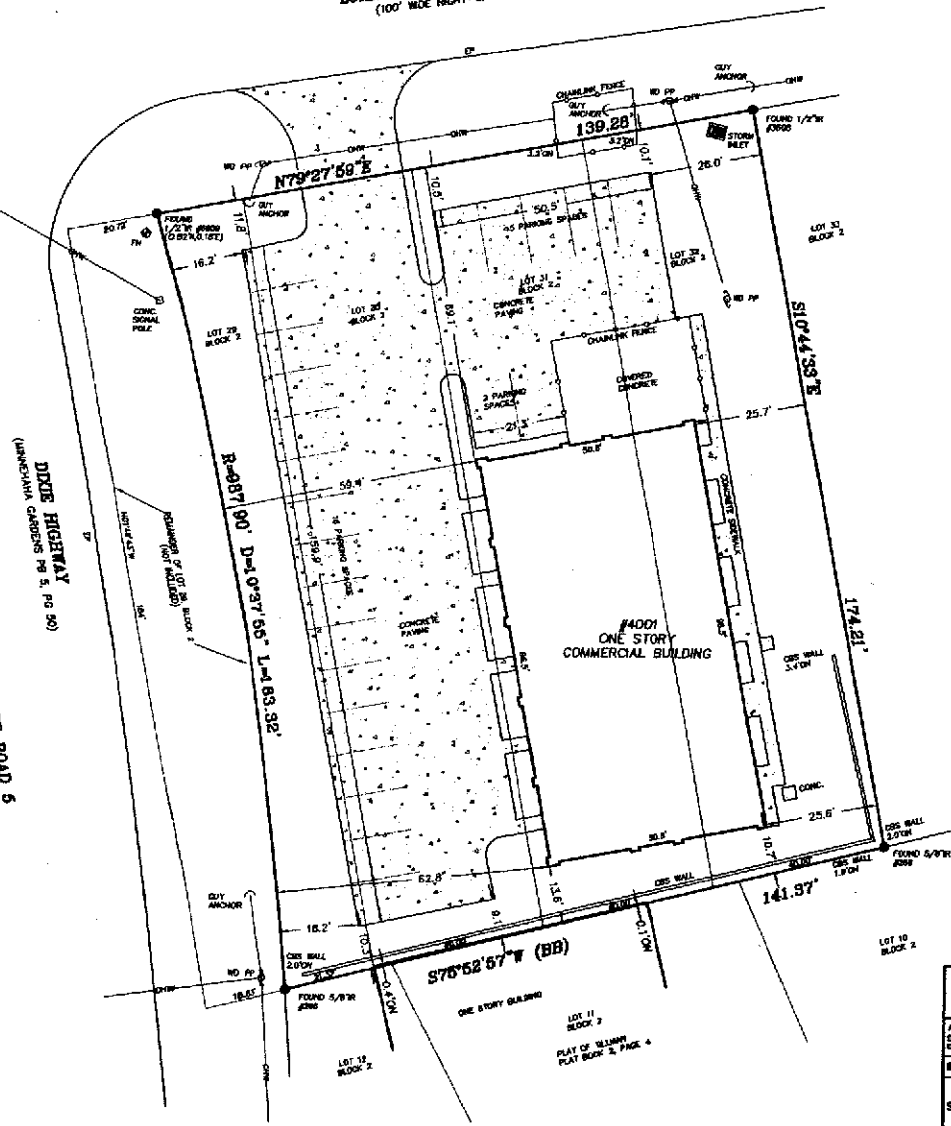


KIRKLAND ROAD (POSTED)
LOIZEAUX BOULEVARD (PLAT)
(100' WIDE RIGHT-OF-WAY)

Gateway Properties LLC.

U.S. HIGHWAY NO. 1 / STATE ROAD 5
(RIGHT-OF-WAY WITH VARIATIONS)

DIXIE HIGHWAY
(UNIMPROVED CARRIAGE PG 5, PG 50)



DESCRIPTION:
LOTS 29, 30, 31 AND 32, BLOCK 2, PLAT OF TILLMAN, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 2, PAGE 4, OF THE PUBLIC RECORDS OF BREVARD COUNTY,
FLORIDA, LESS AND EXCEPT ROAD RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1

BOUNDARY SURVEY PREPARED FOR:
TGP PROPERTIES, LLC
MOSLEY & WALLER P.A.
FIRST AMERICAN TITLE INSURANCE COMPANY
HBT OF PALM BEACH, LLC

AAL LAND SURVEYING SERVICES, INC.

ACCORDING TO F.A.R.M. (RECORDING)
DATED AUGUST 11, 1982, THIS PROPERTY
IS LOCATED WITHIN FLOOD ZONE 2.

BOUNDARY SURVEY

SCALE: 1" = 20'



JOB # 25864

REVISION:

REVISION:

REVISION:

Field Survey: August 22, 2022

SECTION 34, TOWNSHIP 36S, RANGE 31E

L.S. #0023

- NOTES:
- THIS SURVEY AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
 - THIS SURVEY IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
 - THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RUMED SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
 - NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXPRESSED OR IMPLIED BY THE SURVEYOR.
 - THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT, AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS (OTHER RECORDS OR IMPLIED).
 - BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.
 - NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
 - ELEVATIONS, IF SHOWN, ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1988, UNLESS OTHERWISE NOTED.

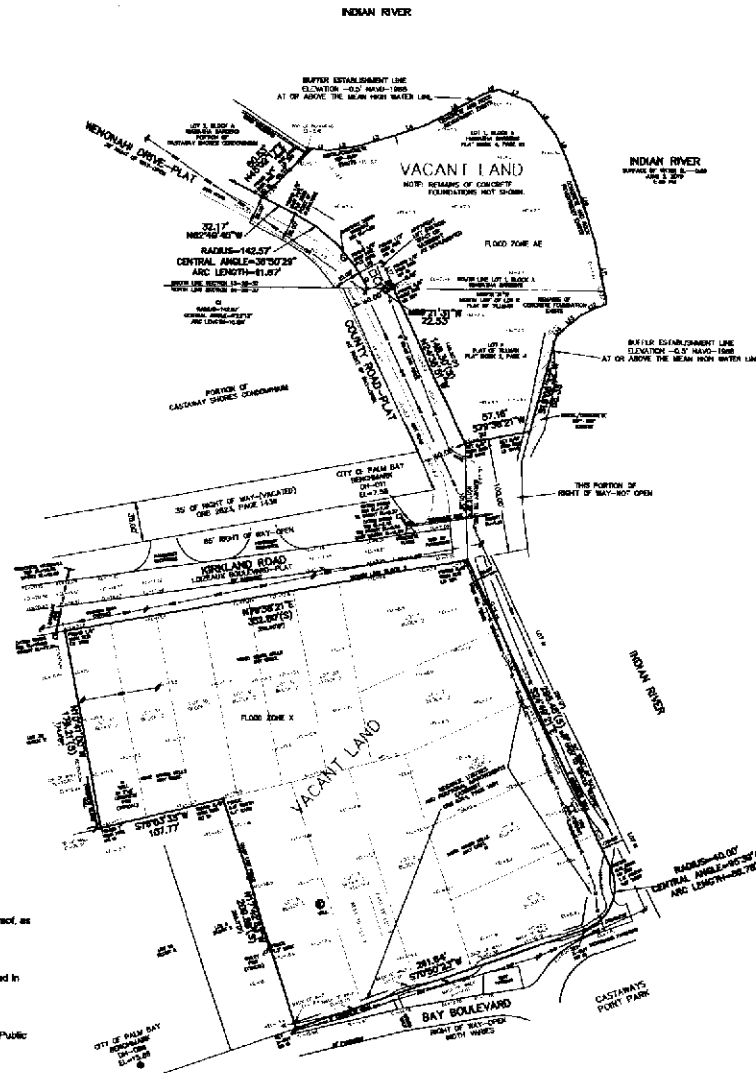
3870 MYRTON ROAD, WEST MELBOURNE, FL 32904 L.S.#0023

PHONE: (321)768-8110 FAX: (321)768-8771 E-MAIL: aal@surveyaalservices.com

ANDREW W. POWERS
P.L.S. No. 5383

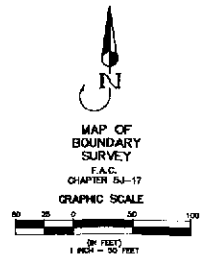
MARTIN L. MARDUCK
P.L.S. No. 5007

- LEGEND
- PLAT
 - MEASUREMENT
 - DEED
 - FOUND
 - IRON ROD
 - IRON PIPE
 - CONCRETE MONUMENT
 - CENTERLINE
 - RIGHT OF WAY
 - UTILITY
 - DRIVEWAY
 - EASEMENT
 - PAVED FLOOR
 - ELEVATION
 - DECK
 - RADIUS
 - ARC LENGTH
 - BASES OF BEARINGS
 - NEED RADIAL
 - RAW AND DISK
 - CONCRETE
 - ASPHALT
 - POINT ON LINE
 - PERMANENT REFERENCE MARKER



LINE	LENGTH	BEARING
1	15.82	S87°18'00"E
2	28.87	N00°00'00"E
3	28.87	N00°00'00"E
4	27.82	N00°00'00"E
5	31.77	N00°00'00"E
6	12.83	N00°00'00"E
7	28.14	S00°00'00"E
8	28.88	S00°00'00"E
9	27.45	S00°00'00"E
10	25.58	S00°00'00"E
11	28.83	S00°00'00"E
12	24.51	S00°00'00"E
13	18.39	S00°00'00"E
14	6.88	S00°00'00"E
15	27.87	S00°00'00"E
16	22.03	S00°00'00"E
17	8.88	S00°00'00"E

Harmony Landing Survey



CERTIFIED TO:
STANBURY LANDING, LLC
A FLORIDA LIMITED LIABILITY COMPANY
SUNRISE BANK
FREDERICK HANSEN
COMMONWEALTH LAND TITLE INSURANCE COMPANY

SURVEY DATE: November 18, 2022 JOB NO: 14-214
SCALE: 1" = 30' FIELD BOOK: 113 PAGE: 51

WJS LAND SURVEYING, INC.

2400 CORDON STREET SU. 100 WEST PALM BEACH, FL 33411
TEL: 561.833.1111 FAX: 561.833.1112

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL POWER OF ATTORNEY OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE:
WILLIAM J. SUTTER FLORIDA CERTIFICATE NO. 4270
CERTIFICATE OF AUTHORIZATION #33 0419

STATE OF FLORIDA
COPYRIGHT © 2022 WILLIAM J. SUTTER LAND SURVEYING, INC. ALL RIGHTS RESERVED

DESCRIPTION
Lot 33, 34, 35, 36, 37 and 38, Block 2, PLAT OF TILLMAN, according to the Plat thereof, as recorded in Plat Book 2, Page 4, of the Public Records of Brevard County, Florida.
AND
Lot 1, Block A, Section One, Hawshee Gardens, according to the Plat thereof recorded in Plat Book 4, Page 21, Public Records of Brevard County, Florida.
AND
Lot K, Plat of Tillman, according to the plat thereof, recorded in Plat Book 2, Page 4, Public Records of Brevard County, Florida.
AND
Lots 1 through 8 and the East 15 feet of Lot 7, Block 2, PLAT OF TILLMAN, according to the Plat thereof, as recorded in Plat Book 2, at Page 4, of the Public Records of Brevard County, Florida.
AND
The West 35 feet of Lot 7 and all of Lot 8, Block 2, PLAT OF TILLMAN, according to the Plat thereof, as recorded in Plat Book 2, Page 4, of the Public Records of Brevard County, Florida.

- NOTES:
1.) REAMER BASED ON THE ASSUMPTION THAT THE NORTH LINE OF BLOCK 2, PLAT OF TILLMAN BEARS SPOCITY 1188.00' FROM THE EAST LINE OF LOT 1.
2.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.
3.) NO TO EXISTING AND EXISTING.
4.) PROPERTY LIES WITHIN FLOOD ZONE X AND AE FOR FLOOD INSURANCE RATE. MAP NUMBER 1500000000.
5.) PARCELS SHOWN ARE OF 100 PLAT(S) OR SURVEY(S).
6.) ONE HUNDRED OFFICIAL RECORD BOOK.
7.) ELEVATIONS 24-27.88' BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
8.) UNDESIGNED UTILITIES NOT LOCATED.
9.) ELEVATIONS 6-3-18.

STEAMBOAT LANDING LLC. & GATEWAY MEDICAL PROPERTY LLC.

February 6, 2023

Citizen participation Report

Applicant: Steamboat Landing LLC. & Gateway Medical Property LLC.
Project Site Address: 2930 Kirkland Rd., NE, Palm Bay, FL. 32905, 3105 Bay Blvd., NE, Palm Bay, FL. 32905, & 4001 Dixie Highway, Palm Bay, FL. 32905

Dates & Locations:

- ◆ January 31st. 2023 Time: 6:00 – 7:30 p.m.
- ◆ Hyatt Place 11435 Sportsman Lane N.E. Palm Bay, Fla. 32905

Contents:

- ◆ Notification of Citizen Participation (see attached)
- ◆ Overview of Changes to Zoning Request (see attached)
- ◆ Mail Copies 108 total
- ◆ Date Mailed January 27, 2023

Residents & Property owner location number in attendance:

- ◆ The notices were mailed via the U.S. Mail and delivered to the residents and business owner within a 500 ft. radius of the zoning and future land change request.
- ◆ The number of residents & owners that participate in the citizens participation meeting was 10 people in total.

Summary of Concerns:

- ◆ The residents and owners of the meeting brought up a number of questions and concerns as follows: (1.) Kirkland Rd. is narrow and how will two vehicles be able to pass. (2.) If at some time Bay Blvd. (the dirt road section) would it be paved. (3.) what type of protection to the wildlife in and around the property will be provided. (4.) can the city build a turn-around at the end of the dirt road for them. (5.) what is the construction height of the building that will be built along the point. (6.) they have a problem with homeless people will we have security in the area. (7.) when will construction start. (8.) will there be enough parking, did not want people parking in the condos parking lot. (9.) will there be sidewalks and roadside enhancement going in. (10.) will there be drainage in the area to support the rainfall. (11.) will there be a traffic light. (12.) will there be access from Bay Blvd. the asphalt roadway to the park and to Kirkland Rd. thru the development.

Respond to Residents & Owners Concerns:

- ◆ The developers respond to the citizens questions was as follows: (1.) We believe that the roadway traffic was reviewed and found to be within the requirements prior to the city issuing the permit for the memory care facility. (2.) Yes, Bay Blvd. roadway would be enhanced and constructed from the northern most part of the property owned by the development to Kirkland Rd. during the construction of Phase II which would not happen for two years. (3.) The residents were assured that the wildlife in the area will be protected, and very limited work was forecast to take place that had any impact to the wildlife. (4.) We were unable to inform the residents of the city's future plans with roadway development on the balance of the dirt road Bay Blvd. (5.) We explained that was not known at this time seeing that Phase II of the development was over two years away. (6.) We informed them that once construction started, and more activity began in the area that there would be larger police presents we feel like when any new development starts the homeless move on to an area not so occupied. (7.) We explained we. Were in the process of acquiring our HUD loan and that the loan process was in underway and it takes about 3 to 4 months. (8.) We informed them that the city requires every project or development to stand on their own merit, there would be ample parking for the development. (9.) We explained the city requires travel ways in and around the development and yes there would be sidewalks and roadway enhancements. (10.) Yes, we explained to the residents that the city will require the entire development meets the states requirements as far as drainage is concerned. (11.) We told them we are not aware of a traffic light at this point due to the small-scale impact that Phase I has to the development, but that it could be required once traffic at the county level or city level reviewed the projects requirements for Phase II or III. (12.) Yes, however it is not a travel roadway, but the city requires that life safety be meet i.e. fire truck access and emergency vehicles can travel thru the development from Bay Blvd. to Kirkland Rd.

Applicant Position on Residents Issues & Concerns:

- ◆ Steamboat Landing LLC. and Gateway Properties LLC. found no real concerns with the questions and or request that came out of the meeting most of the questions and items we already being addressed thru the permitting of the first phase weather it was sidewalks and drainage or the roadway enhancement.
- ◆ There were questions that we were unable to answer in reference to the city or county i.e. the traffic light or constructing a turn-arounds at the end of the dirt rd. Bay Blvd. for the residents, we did our best to address their concerns and provide them with a clear respond but in general everything that was spoken about was already implemented or was going to be required by the city of Palm Bay for the development.

Thank you.

Curtis Mckinney, James Mayes
Managing Members

**Steamboat Landing LLC. &
Gateway Properties LLC.**

1/31/23

Citizen Participation Plan

**Hyatt Place
11435 Sportsman Lane NE
Palm Bay Fla. 32905**

1.) Overview of Changes to Zoning Request:

- Our group met with the city back in mid-January to research a change in zoning that would better support development within the parcels we currently own based upon the current market study that was just completed in December 2022.
- We have noticed that the market study has shown a strong increase and demand for **IL adult congregated living space**, this allows a reduction in medical need, nursing, staffing, and healthcare to be met within the development.
- The request that our organization will be pursuing within the city of Palm Bay as noted in the mailer that was provided to you is a request to increase our density from the current zoning on **4 - parcels 2825921 / 2832536 / 2832554 / 2832559** from BMUV to BMU.
- There is **1 - parcel 2832553** located along the waterfront that has an RM-20 zoning which will also be a part of the request to rezone to BMU.
- There is **1 - parcel 2832558** located at the corner of Kirkland Rd. and U.S. 1 that we will be requesting the zoning change on from MFR to BMU along with a future land use change.
- With the zoning change that's being requested it allows for an increase in density from our current zoning of 10 units per ac. In the BMUV parcels to 40 units per ac. With BMU zoning, it allows for an increase in density on the parcel that has RM-20 that's twenty units per ac. to 40 units per ac.
- The changes will not affect the overall commercial development in the district we are still allowed to develop up to 20% commercial which allows for waterfront restaurant & dining & bar in the area along with other retail stores.

Thank you.

**Curtis McKinney, James Mayes
Managing Members**

2108 W. New Haven Ave, W. Melbourne Florida 32904

Office 321-727-0059

Steamboat Landing LLC.

Citizens Information Meeting Sign-In

January 31, 2023

Name	Address	Email or Phone
Jeffrey Goodland	Castaway Cove	407 707 3907
Ann Blomley	Castaway Cove	865-924-4238
Frank McCarty-Green	Castaway shores	fmgreene12@gmail.com
Vicki Fink	11	305-899-8788
Marion Eddy	Castaway Shores	marione@midmaine.com
DAVID Jellison	3225 Kirkland Rd NE	dsjellison@yahoo.com
Orta Murphy	2929 Kirkland NE Palm Bay	32905-631-484-4233
Michael Watts	3229 Kirkland NE	631 4283831
KATHY BRITO	3315 KIRKLAND	kleonard58@hotmail.com
Granny Jellison	3225 Kirkland NE	dsjellison@yahoo.com

STEAMBOAT LANDING LLC. & GATEWAY MEDICAL PROPERTY LLC.

January 25, 2023

Notice of Citizen Information Meeting

January 31, 2023, at 6:00 p.m.

Applicant: Steamboat Landing LLC. & Gateway Medical Property LLC.

Project Site Address: 2930 Kirkland Rd., NE, Palm Bay, FL. 32905, 3105 Bay Blvd., NE, Palm Bay, FL. 32905,
& 4001 Dixie Highway, Palm Bay, FL. 32905

Dear Sir Or Madame,

Steamboat Landing LLC. & Gateway Medical Property LLC. will submit application for a Future Land Use Change and Zoning Change as recorded in the property appraiser's web site under parcel account numbers listed below.

Future Land Use Change and Zoning Change from BMUV to BMU: for 2 parcels that are located east of Bay Blvd. NE (dirt road section along the waterfront), on and near the NE and SW corner of Kirkland Rd. and Bay Blvd.

- Parcel #1, 2825921
- Parcel #2, 2832536

Future Land Use Change and Zoning Change from BMUV to BMU: for 2 parcels that are located south of Kirkland Rd. and north of Bay Blvd. NE (asphalt roadway into park).

- Parcel #3, 2832554
- Parcel #4, 2832559

Future Land Use Change from MFR to BMU & Zoning Change from RM – 20 to BMU: for a single parcel that is located along the waterfront between Kirkland Rd. and Bay Blvd. NE (section along waterfront abutting water).

- Parcel #5, 2832553

Future Land Use Change and Zoning Change from BMUV to BMU: for a single parcel that is located on the NW corner of Kirkland Blvd. and U.S.1

- Parcel #6, 2832558

On behalf of Steamboat Landing LLC. & Gateway Medical Property LLC., we are inviting you to an informational meeting to discuss our request. Any questions or answers you may have and any recorded feedback you may have to offer will be presented to City Staff at the Planning & Zoning Board and City Commission meeting as we move thru the review and public hearing process for this request.

I have attached all the **parcels locations along with the parcel I.D. numbers for your use on an aerial view** of all of the properties that we will be requesting the future land use change and zoning change, there will be additional information and drawings at the meeting for your review and we will be more than happy to provide a thorough answer or response to your questions and concerns.

The Meeting is Scheduled as Follows in the Conference Center:

Date: January 31, 2023

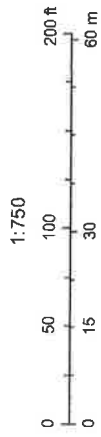
Time: 6-7:30 p.m.

Place: HYATT PLACE (New Hotel South of Bass Pro / Palm Bay Rd.)
11435 Sportsman Lane N.E.
Palm Bay, Florida 32905
321-332-0212 Ph.

Professionally,



Curt McKinney
Mang. Member



All BCPAO maps and/or map applications are maintained for assessment and illustrative purposes only and do not represent surveys, plats, or any other legal instrument. Likewise, measurement and location tools are for assessment and illustrative purposes only and do not necessarily reflect real-world conditions. Due to the nature of Geographic Information Systems (GIS) and cadastral mapping, map layers may not precisely align and may not represent precise location, shape, and/or legal boundaries. Only a Florida-licensed surveyor can determine legally-relevant property boundaries, elevation, distance, area, and/or location in Florida.

Map created November 15, 2022 (map data dates may vary)



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0 65 130 260 ft
0 20 40 80 m



All BCPAO maps and/or map applications are maintained for assessment and illustrative purposes only and do not represent surveys, plats, or any other legal instrument. Likewise, measurement and location tools are for assessment and illustrative purposes only and do not necessarily reflect real-world conditions. Due to the nature of Geographic Information Systems (GIS) and cadastral mapping, map layers may not precisely align and may not represent precise location, shape, and/or legal boundaries. Only a Florida-licensed surveyor can determine legally-relevant property boundaries, elevation, distance, area, and/or location in Florida.

Map created November 15, 2022 (map data dates may vary)

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Dr. Robert E. Schiller, Ed.D., Interim Superintendent



May 02, 2023

Ms. Tania Ramos
Senior Planner
City of Palm Bay
Growth Management Department
120 Malabar Road SE
Palm Bay, Florida 32907

**RE: Proposed Harmony Landing Development (Steamboat Landing LLC)
School Impact Analysis – Capacity Determination CD-2023-13**

Dear Ms. Tania Ramos,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account number 2825921 (Parcel ID number: 28-37-13-52-A-1), Tax Account number 2832536 (Parcel ID number: 28-37-24-25-*K), Tax Account number 2832559 (Parcel ID number: 28-37-24-25-2-33), Tax Account number 2832554 (Parcel ID number: 28-37-24-25-2-7), Tax Account number 2832553 (Parcel ID number: 28-37-24-25-2-1) and Tax Account number 2832558 (Parcel ID number: 28-37-24-25-2-29) containing a total of approximately 4.12 acres in the City of Palm Bay, Florida. The proposed development includes 164 multi-family homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 and Amended Appendix "A"-School District Student Generation Multiplier (approved April 11, 2022) of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2023-24 to 2027-28 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2022-23 to 2027-28* which is attached for reference.

Multi-Family Homes	164		
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.11	18.04	18
Middle	0.02	3.28	3
High	0.05	8.2	8
Total	0.18		29

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x11418 • FAX: (321) 633-4646



An Equal Opportunity Employer

**FISH Capacity (including relocatable classrooms) from the
Financially Feasible Plan (FFP) Data and Analysis for School Years 2023-24 to
2027-28**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	983	983	983	983	983
Stone	1,076	1,076	1,076	1,076	1,076
Palm Bay	2,657	2,657	2,657	2,657	2,657

Projected Student Membership

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	613	610	627	630	636
Stone	708	799	823	890	977
Palm Bay	1,495	1,581	1,683	1,704	1,700

Students Generated by Newly Issued SCADL Reservations Since FFP

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	53	80	99	119	121
Stone	10	15	21	26	27
Palm Bay	24	37	46	56	57

**Cumulative Students Generated by
Proposed Development**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	-	4	11	18	18
Stone	-	1	2	3	3
Palm Bay	-	2	5	8	8

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	666	694	737	767	775
Stone	718	815	846	919	1,007
Palm Bay	1,519	1,620	1,734	1,768	1,765

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Palm Bay Elem	317	289	246	216	208
Stone	358	261	230	157	69
Palm Bay	1,138	1,037	923	889	892

At this time, Palm Bay Elementary School, Stone Middle School, and Palm Bay Magnet Senior High School are projected to have enough capacity for the total of projected and potential students from the Harmony Landing (Steamboat LLC) development.

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Black', with a long horizontal flourish extending to the right.

Karen M. Black, AICP
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years
2022-23 to 2027-28*

Copy: Susan Hann, AICP, Assistant Superintendent of Facility Services
File CD-2023-13

David G. Lindemann, AICP, Director of Planning & Project Management,
Facilities Services
File CD-2023-13

Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the **100%** Level of Service

Data and Analysis for School Years 2022-23 to 2027-28



Summary				2022-23			2023-24			2024-25			2025-26			2026-27			2027-28		
Highest Utilization Elementary Schools:						93%			99%			100%			99%			99%			100%
Highest Utilization Middle Schools:						88%			88%			94%			92%			91%			100%
Highest Utilization Jr / Sr High Schools:						83%			83%			81%			78%			77%			76%
Highest Utilization High Schools:						107%			99%			97%			98%			100%			100%

School	Type	Grades	Utilization Factor	School Year 2022-23			School Year 2023-24			School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28		
				FISH Capacity	10/14/22 Membership	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization

Elementary School Concurrency Service Areas																					
Allen	Elementary	PK-6	100%	751	598	80%	751	598	80%	751	635	85%	751	704	94%	751	720	96%	773	766	99%
Andersen	Elementary	K-6	100%	884	568	64%	884	568	64%	884	549	62%	884	537	61%	884	530	60%	884	501	57%
Apollo	Elementary	K-6	100%	902	731	81%	902	731	81%	902	749	83%	902	753	83%	902	736	82%	902	718	80%
Atlantis	Elementary	PK-6	100%	739	620	84%	739	620	84%	739	608	82%	739	596	81%	739	585	79%	739	572	77%
Audubon	Elementary	PK-6	100%	761	450	59%	761	450	59%	761	435	57%	761	422	55%	761	419	55%	761	426	56%
Cambridge	Elementary	PK-6	100%	787	495	63%	787	495	63%	787	511	65%	787	505	64%	787	510	65%	787	524	67%
Cape View	Elementary	PK-6	100%	570	305	54%	570	288	51%	570	309	54%	570	314	55%	570	315	55%	570	329	58%
Carroll	Elementary	K-6	100%	751	626	83%	751	633	84%	751	643	86%	751	623	83%	751	619	82%	751	628	84%
Challenger 7	Elementary	PK-6	100%	573	503	88%	573	503	88%	573	474	83%	573	462	81%	573	433	76%	573	413	72%
Columbia	Elementary	PK-6	100%	751	506	67%	751	512	68%	751	531	71%	751	522	70%	751	538	72%	751	538	72%
Coquina	Elementary	K-6	100%	711	560	79%	711	560	79%	711	565	79%	711	602	85%	711	590	83%	711	585	82%
Creel	Elementary	PK-6	100%	1,114	626	56%	1,114	660	59%	1,114	668	60%	1,114	668	60%	1,114	667	60%	1,114	658	59%
Croton	Elementary	PK-6	100%	795	488	61%	795	488	61%	795	514	65%	795	528	66%	795	542	68%	795	542	68%
Discovery	Elementary	PK-6	100%	980	643	66%	980	664	68%	980	675	69%	980	671	68%	980	720	73%	980	761	78%
Endeavour	Elementary	PK-6	100%	968	719	74%	968	750	77%	968	717	74%	968	707	73%	968	674	70%	968	671	69%
Enterprise	Elementary	K-6	100%	729	597	82%	729	597	82%	729	578	79%	729	552	76%	729	538	74%	729	529	73%
Fairglen	Elementary	PK-6	100%	789	617	78%	789	617	78%	789	617	78%	789	632	80%	789	635	80%	789	625	79%
Gemini	Elementary	K-6	100%	711	468	66%	711	477	67%	711	465	65%	711	468	66%	711	455	64%	711	457	64%
Golfview	Elementary	PK-6	100%	777	441	57%	777	441	57%	777	460	59%	777	481	62%	777	489	63%	777	503	65%
Harbor City	Elementary	PK-6	100%	629	403	64%	629	405	64%	629	457	73%	629	474	75%	629	494	79%	629	509	81%
Holland	Elementary	PK-6	100%	605	432	71%	605	450	74%	605	451	75%	605	444	73%	605	442	73%	605	431	71%
Imperial Estates	Elementary	K-6	100%	729	659	90%	729	684	94%	729	712	98%	729	724	99%	751	742	99%	795	779	98%
Indianlantic	Elementary	K-6	100%	798	686	86%	798	686	86%	798	685	86%	798	671	84%	798	676	85%	798	651	82%
Jupiter	Elementary	PK-6	100%	930	729	78%	930	735	79%	930	801	86%	930	882	95%	974	940	97%	1,040	1,030	99%
Lockmar	Elementary	PK-6	100%	892	585	66%	892	585	66%	892	569	64%	892	552	62%	892	558	63%	892	559	63%
Longleaf	Elementary	PK-6	100%	790	631	80%	790	637	81%	790	613	78%	790	590	75%	790	563	71%	790	528	67%
Manatee	Elementary	K-6	100%	998	898	90%	998	910	91%	998	889	89%	998	845	85%	998	888	89%	998	881	88%
McAuliffe	Elementary	PK-6	100%	838	621	74%	838	621	74%	838	580	69%	838	568	68%	838	553	66%	838	528	63%
Meadowlane Intermediate	Elementary	3-6	100%	1,114	825	74%	1,114	825	74%	1,114	779	70%	1,114	773	69%	1,114	805	72%	1,114	843	76%
Meadowlane Primary	Elementary	K-6	100%	824	651	79%	824	666	81%	824	660	80%	824	630	76%	824	618	75%	824	613	74%
Mila	Elementary	PK-6	100%	707	435	62%	707	435	62%	707	439	62%	707	396	56%	707	383	54%	707	362	51%
Mims	Elementary	PK-6	100%	725	464	64%	725	464	64%	725	481	66%	725	512	71%	725	525	72%	725	513	71%
Oak Park	Elementary	PK-6	100%	968	505	52%	968	505	52%	968	471	49%	968	478	49%	968	475	49%	968	447	46%
Ocean Breeze	Elementary	PK-6	100%	654	554	85%	654	550	84%	654	542	83%	654	533	81%	654	534	82%	654	531	81%
Palm Bay Elem	Elementary	PK-6	100%	983	586	60%	983	613	62%	983	610	62%	983	627	64%	983	630	64%	983	636	65%
Pinewood	Elementary	PK-6	100%	569	521	92%	591	521	88%	591	541	92%	613	572	93%	613	598	98%	613	600	98%
Port Malabar	Elementary	PK-6	100%	852	640	75%	852	640	75%	852	683	80%	852	746	88%	852	760	89%	852	795	93%
Quest	Elementary	PK-6	100%	932	693	74%	932	693	74%	932	684	73%	932	681	73%	932	685	73%	932	697	75%
Riviera	Elementary	PK-6	100%	777	699	90%	777	714	92%	777	718	92%	799	780	98%	843	827	98%	887	866	98%
Roosevelt	Elementary	K-6	100%	599	288	48%	599	298	50%	599	269	45%	599	256	43%	599	239	40%	599	220	37%
Sabal	Elementary	PK-6	100%	785	500	64%	785	500	64%	785	503	64%	785	516	66%	785	534	68%	785	535	68%
Saturn	Elementary	PK-6	100%	998	649	65%	998	649	65%	998	677	68%	998	821	82%	998	794	80%	998	786	79%
Sea Park	Elementary	PK-6	100%	461	337	73%	461	337	73%	461	327	71%	461	321	70%	461	326	71%	461	329	71%
Sherwood	Elementary	PK-6	100%	609	459	75%	609	459	75%	609	458	75%	609	457	75%	609	450	74%	609	441	72%
Sunrise	Elementary	PK-6	100%	913	759	83%	913	767	84%	913	836	92%	935	908	97%	1,023	1,004	98%	1,067	1,067	100%
Suntree	Elementary	K-6	100%	755	600	79%	755	602	80%	755	561	74%	755	541	72%	755	516	68%	755	480	64%
Surfside	Elementary	K-6	100%	541	442	82%	541	442	82%	541	425	79%	541	418	77%	541	417	77%	541	407	75%
Tropical	Elementary	K-6	100%	910	669	74%	910	669	74%	910	614	67%	910	600	66%	910	572	63%	910	545	60%
Turner	Elementary	PK-6	100%	874	555	64%	874	564	65%	874	589	67%	874	647	74%	874	675	77%	874	691	79%
University Park	Elementary	PK-6	100%	811	487	60%	811	487	60%	811	545	67%	811	592	73%	811	642	79%	811	658	81%
Viera Elem	Elementary	K-6	100%	1,030	695	67%	1,030	717	70%	1,030	759	74%	1,030	857	83%	1,030	926	90%	1,074	1,061	99%
Westside	Elementary	K-6	100%	857	799	93%	857	846	99%	923	922	100%	989	974	98%	1,033	988	96%	1,099	1,100	100%
Williams	Elementary	PK-6	100%	715	451	63%	715	450	63%	715	443	62%	715	414	58%	715	411	57%	715	415	58%
Elementary Totals				42,215	30,468		42,237	30,778		42,303	30,996		42,435	31,549		42,677	31,905		43,007	32,280	

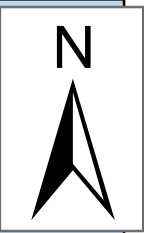
				School Year 2022-23			School Year 2023-24			School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28		
School	Type	Grades	Utilization Factor	FISH Capacity	10/14/22 Membership	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Middle School Concurrency Service Areas																					
Central	Middle	7-8	90%	1,514	1,129	75%	1,514	1,129	75%	1,514	1,158	76%	1,514	1,228	81%	1,514	1,289	85%	1,514	1,377	91%
DeLaura	Middle	7-8	90%	960	842	88%	960	844	88%	960	902	94%	960	820	85%	960	789	82%	960	826	86%
Hoover	Middle	7-8	90%	680	505	74%	680	505	74%	680	534	79%	680	574	84%	680	577	85%	680	588	86%
Jackson	Middle	7-8	90%	660	550	83%	660	550	83%	660	545	83%	660	538	82%	660	555	84%	660	588	89%
Jefferson	Middle	7-8	90%	873	608	70%	873	608	70%	873	600	69%	873	609	70%	873	563	64%	873	548	63%
Johnson	Middle	7-8	90%	1,064	610	57%	1,064	610	57%	1,064	650	61%	1,064	698	66%	1,064	753	71%	1,064	825	78%
Kennedy	Middle	7-8	90%	869	671	77%	869	671	77%	869	687	79%	869	670	77%	869	669	77%	869	677	78%
Madison	Middle	7-8	90%	781	446	57%	781	453	58%	781	484	62%	781	452	58%	781	476	61%	781	593	76%
McNair	Middle	7-8	90%	616	365	59%	616	369	60%	616	346	56%	616	354	57%	616	337	55%	616	347	56%
Southwest	Middle	7-8	90%	1,230	920	75%	1,230	920	75%	1,230	1,024	83%	1,230	1,127	92%	1,289	1,174	91%	1,289	1,285	100%
Stone	Middle	7-8	90%	1,076	668	62%	1,076	708	66%	1,076	799	74%	1,076	823	76%	1,076	890	83%	1,076	977	91%
Middle Totals				10,323	7,314		10,323	7,367		10,323	7,729		10,323	7,893		10,382	8,072		10,382	8,631	
Junior / Senior High School Concurrency Service Areas																					
Cocoa	Jr / Sr High	PK, 7-12	90%	2,097	1,545	74%	2,097	1,536	73%	2,097	1,555	74%	2,097	1,525	73%	2,097	1,518	72%	2,097	1,470	70%
Cocoa Beach	Jr / Sr High	7-12	90%	1,445	983	68%	1,445	1,000	69%	1,445	1,000	69%	1,445	941	65%	1,445	928	64%	1,445	867	60%
Space Coast	Jr / Sr High	7-12	90%	1,852	1,534	83%	1,852	1,534	83%	1,852	1,505	81%	1,852	1,450	78%	1,852	1,428	77%	1,852	1,402	76%
Jr / Sr High Totals				5,394	4,062		5,394	4,070		5,394	4,060		5,394	3,916		5,394	3,874		5,394	3,739	
Senior High School Concurrency Service Areas																					
Astronaut	High	9-12	95%	1,451	1,109	76%	1,451	1,109	76%	1,451	1,123	77%	1,451	1,129	78%	1,451	1,164	80%	1,451	1,158	80%
Bayside	High	9-12	95%	2,263	1,851	82%	2,263	1,885	83%	2,263	2,023	89%	2,263	2,099	93%	2,263	2,175	96%	2,382	2,371	100%
Eau Gallie	High	PK, 9-12	95%	2,221	1,582	71%	2,221	1,582	71%	2,221	1,597	72%	2,221	1,625	73%	2,221	1,631	73%	2,221	1,693	76%
Heritage	High	9-12	95%	2,314	2,033	88%	2,314	2,055	89%	2,314	2,065	89%	2,314	2,057	89%	2,314	2,099	91%	2,314	2,171	94%
Melbourne	High	9-12	95%	2,370	2,245	95%	2,370	2,245	95%	2,370	2,245	95%	2,370	2,248	95%	2,370	2,284	96%	2,370	2,345	99%
Merritt Island	High	PK, 9-12	95%	1,962	1,546	79%	1,962	1,546	79%	1,962	1,512	77%	1,962	1,457	74%	1,962	1,437	73%	1,962	1,454	74%
Palm Bay	High	PK, 9-12	95%	2,657	1,483	56%	2,657	1,495	56%	2,657	1,581	60%	2,657	1,683	63%	2,657	1,704	64%	2,657	1,700	64%
Rockledge	High	9-12	95%	1,836	1,559	85%	1,836	1,559	85%	1,836	1,640	89%	1,836	1,699	93%	1,836	1,693	92%	1,836	1,620	88%
Satellite	High	PK, 9-12	95%	1,527	1,518	99%	1,551	1,536	99%	1,551	1,433	92%	1,551	1,413	91%	1,551	1,359	88%	1,551	1,299	84%
Titusville	High	9-12	95%	1,813	1,313	72%	1,813	1,333	74%	1,813	1,335	74%	1,813	1,351	75%	1,813	1,316	73%	1,813	1,322	73%
Viera	High	PK, 9-12	95%	2,141	2,289	107%	2,474	2,319	94%	2,474	2,391	97%	2,474	2,417	98%	2,569	2,579	100%	2,664	2,660	100%
High Totals				22,555	18,528		22,912	18,664		22,912	18,945		22,912	19,178		23,007	19,441		23,221	19,793	
Schools of Choice (Not Concurrency Service Areas)																					
Freedom 7	Elementary	K-6	100%	475	403	85%	475	414	87%	475	414	87%	475	414	87%	475	414	87%	475	414	87%
Stevenson	Elementary	K-6	100%	569	506	89%	569	508	89%	569	508	89%	569	508	89%	569	508	89%	569	508	89%
South Lake	Elementary	K-6	100%	481	434	90%	657	453	69%	657	471	72%	657	489	74%	657	507	77%	657	529	81%
West Melbourne	Elementary	K-6	100%	618	549	89%	618	552	89%	794	570	72%	794	588	74%	794	606	76%	794	624	79%
Edgewood	Jr / Sr High	7-12	90%	1,077	938	87%	1,077	950	88%	1,077	950	88%	1,077	950	88%	1,077	950	88%	1,077	950	88%
West Shore	Jr / Sr High	7-12	90%	1,264	930	74%	1,264	950	75%	1,264	950	75%	1,264	950	75%	1,264	950	75%	1,264	950	75%
Schools of Choice				4,484	3,760		4,660	3,827		4,836	3,863		4,836	3,899		4,836	3,935		4,836	3,975	
Brevard Totals				84,971	64,132		85,526	64,706		85,768	65,593		85,900	66,435		86,296	67,227		86,840	68,418	

Notes

1. FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2022-23 are reported from the FISH database as of October 14, 2022.
2. Student Membership is reported from the Fall Final Membership Count (10/14/2022).
3. Davis Demographics SchoolSite Enrollment Forecasting Extension for ArcGIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
4. Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Nongecoded student addresses are assumed to continue in their attendance schools.
 - Charter School Growth.
5. In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.
6. If student projections are accurate, the school board could add additional classroom capacity, implement attendance boundary changes, or add relocatable classrooms. A south area elementary school is planned for the future growth, but the exact timing hasn't been established.
 - If only relocatable classrooms are used for the next 5 years, the following changes would be needed to accommodate projected growth. These schools are being analyzed for the best options to accommodate additional students.
 - Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations
 - For school year 2023-24, no additional capacity is needed.
 - For school year 2024-25, a total of 3 intermediate classrooms are projected for Westside Elementary School
 - For school year 2025-26, a total of 6 intermediate classrooms are projected for Pinewood (1), Riveria (1), Sunrise (1) and Westside (3) Elementary Schools.
 - For school year 2026-27, a total of 14 intermediate classrooms are projected for Imperial Estates (1), Jupiter (2), Riviera (2), Sunrise (4), Westside (2) Elementary Schools, and Southwest Middle School (3). 4 High School relocatable classrooms are proposed for Viera High School.
 - For school year 2027-28, a total of 15 intermediate classrooms are projected for Roy Allen (1), Imperial Estates (2), Jupiter (3), Riveria (2), Viera El (2), Sunrise (2), and Westside (3) Elementary Schools. 9 High School relocatable classrooms are proposed for Bayside (5) and Viera (4) High.
7. A classroom addition is planned for construction at Viera High School for 2023-24. The factored capacity is adjusted for the proposed 350 student stations.
8. A classroom addition is planned for construction at South Lake Elementary School for 2023-24. The factored capacity is adjusted for the proposed 176 student stations.
9. A classroom addition is planned for construction at West Melbourne School of Science for 2024-25. The factored capacity is adjusted for the proposed 176 student stations.
10. Capacity adjusted for Board approved addition of one relocatable each at Pinewood Elementary and Satellite High Schools for school year 2024-25 forward.



Harmony Landing Location Map



Project Details: CPZ23-00003

Project Type: Rezoning Comprehensive Plan Zoning Amendment

Project Location: 2930 KIRKLAND RD NE Palm Bay, FL 32905
Milestone: Submitted
Created: 4/13/2023
Description: Steamboat Landing
Assigned Planner: Tania Ramos

Contacts

Contact	Information
Owner/Applicant	STEAMBOAT LANDING LLC 2108 W NEW HAVEN AVE W MELBOURNE, FL 32904
Legal Representative	Curtis McKinney 2108 West New Haven Avenue West Melbourne, FL 32904 (321) 727-0059 mckinneyconstruc@att.net
Assigned Planner	Tania Ramos FL tania.ramos@palmbayflorida.org
Submitter	Curtis McKinney 2108 West New Haven Avenue West Melbourne, FL 32904 julievitt@att.net

Fields

Field Label	Value
Block	2
Lot	33
Section Township Range	24-28-37
Subdivision	25
Year Built	
Use Code	0007
Use Code Desc	VACANT RESIDENTIAL LAND (MULTI-FAMILY, PLATTED)

Project Details: CPZ23-00003

LotSize	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	2832559
Flu Description	Bayfront Mixed Use Village
Flu Code	BMUV
Zoning Description	Bayfront Mixed Use / Village
Zoning Code	BMUV
Size of Area (acres)	
Present Use of Property	Vacant
Zoning Classification Desired	BMU
Structures On Property?	False
Intended Use of Property	Assisted Living Facility
Justification for Change	To increase density
Is Submitter the Representative?	False
Ordinance Number	

Acknowledgement Log

Header:
Legal Acknowledgement

Text:
I, the submitter, understand that this application must be complete and accurate before consideration by the City of Palm Bay and certify that all the answers to the questions in said application, and all data and matter attached to and made 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 application and that the facts stated in it are true.

Accepted By:
Curtis McKinney
On:
4/13/2023 1:20:01 PM

☒ CPZ23-00003

Select Language | ▼

Gm

A Daily Publication By:



CITY OF PALM BAY
SUITE 201
120 MALABAR RD SE
PALM BAY, FL, 32907

RECEIVED

MAY 22 2023

City of Palm Bay
Accounting Division

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) dated:
or by publication on the newspaper's website, if authorized,
on

05/18/2023

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 18th of May 2023,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$268.66

Ad No: 0005705290

Customer No: BRE-6CI213

This is not an invoice

of Affidavits 1

NANCY HEYRMAN
Notary Public
State of Wisconsin

CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on July 6, 2023, and by the City Council on July 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1.CP23-00004 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Neighborhood Center and Urban Mixed Use to Urban Mixed Use

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE

2.**CP23-00803 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Zoning Amendment from BMUV, Bayfront Mixed Use Village District and RM-20, Multiple-Family Residential District to BMU, Bayfront Mixed Use District

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE

3.**CU23-00005 - Ascot Palm Bay Holdings, LLC (Ana Saunders P.E., BSE Consultants, Inc., Rep.)

A Conditional Use to allow retail automotive gas/fuel sales in a CC, Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances

A Portion of Block 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.16 acres. Located at the intersection of St. John's Heritage Parkway and Emerson Drive NW

4.**CU23-00002 - David Moullem Trust; Pirzadeh, Siroot; Pirzadeh, Mahnaz (Holly Irish, Vector Civil Engineering, Reps.)

A Conditional Use to allow for a Dollar General/Retail Store with a gross floor area over 5,000 square feet in an NC, Neighborhood Commercial District

A Portion of Block O, Subdivision G1, Section 02, Township 29, Range 36, Brevard County, Florida, containing approximately 1.75 acres. Generally located south of and adjacent to Jupiter Boulevard SW and west of and adjacent to Garvey Road SW

5.CP23-00005 - Vision 43 LLC (Holly Tanner, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to Commercial Use

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE

6.**CP23-00004 - Vision 43 LLC (Holly Tanner, Rep.)

A Zoning Amendment from an RS-3, Single Family Residential District to an HC, Highway Commercial District

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE

7.123-00010 - Chelsea Anderson

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.054, GC - General Commercial District, to amend the conditional uses to allow for car washes by conditional use in the General Commercial zoning district

8.123-00012 - City of Palm Bay (Growth Management Department)

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.069 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures

9.123-00004 - City of Palm Bay (Growth Management Department)

A textual amendment to Section 185.201 of the City of Palm Bay's Land Development Code to modify the procedure for amendment applications

**Indicates quasi-judicial request(s)

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council 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.
Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.
Jesse Anderson
Assistant Growth Management Director



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Alexandra Bernard, Growth Management Director

DATE: June 7, 2023

SUBJECT: CP23-00005 – Garden Center Expansion - Vision 43 LLC (Holly Tanner, Rep.) - A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to Commercial Use. Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE

ATTACHMENTS:

Description

- ▣ CP23-00005 Staff Report
- ▣ CP23-00005 Site Sketch
- ▣ CP23-00005 Citizen Participation Plan Report
- ▣ CP23-00005 Application
- ▣ CP23-00005 Letter of Authorization
- ▣ CP23-00005 Legal Acknowledgement
- ▣ CP23-00005 Legal Ad



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Alix Bernard, Principal Planner

CASE NUMBER

CP23-00005

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

PROPERTY OWNER & APPLICANT

Alex Exceus, Vision 43 LLC (Holly Tanner, Rep.)

PROPERTY LOCATION/ADDRESS

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida; containing approximately 0.38 acres. Located east of and adjacent to Magnolia St NE, in the vicinity of Palm Bay Road NE. 1519 Magnolia Dr. NE; Tax Account 2832227

SUMMARY OF REQUEST

The applicant is requesting a Small-Scale Comprehensive Plan Future Land Use Map amendment from LDR, Low Density Residential (previously SFR, Single Family Residential) to Commercial.

Existing Zoning

RS-3, Single Family Residential

Existing Land Use

Low Density Residential (previously SFR, Single Family Residential)

Site Improvements

Undeveloped Land

Site Acreage

0.38 acres

SURROUNDING FUTURE LAND USE & USE OF LAND

North

LDR, Low Density Residential; Single-Family Home

East

LDR, Low Density Residential; Vacant

South

COM, Commercial; Nursery Garden Center

West

COM, Commercial & LDR, Low Density Residential; Single-Family Home and Vacant

BACKGROUND:

The subject property is located east of and adjacent to Magnolia Street NE, in the vicinity north of Palm Bay Road. There is one 0.38-acre parcel that is included in this request, which is currently vacant land. Located at 1519 Magnolia Dr. NE; Tax Account number 2832227.

The applicant is requesting to expand their current landscape nurse business located 2795 Palm Bay Road NE to the vacant parcel to the North which is 0.38 acres that has a current Future Land Use of Low Density Residential. The proposed expansion of the landscape nurse to this piece of land will require a Future Land Use change from Low Density Residential to Commercial.

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-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 that support the present and future population of the City of Palm Bay.

The subject parcel is located within the Kirby Industrial Special Character District, which is within the Bayfront Redevelopment District. The goal of the Kirby Industrial District is to enhance the corridor along Palm Bay Road with commercial uses and encourage the potential of new development. The goal of the Bayfront Redevelopment Plan is to have the district be developed as an attractive, inviting, and economically successful mixed-use environment that promotes a positive image and identity for the community. The intended use for the 0.38-acre property is for the expansion of a nursery/garden center which is a commercial use. The proposed land use amendment would be considered compatible with the adjacent commercial uses to the south, both east and west of the subject parcel, along the Palm Bay Road corridor. All properties in the surrounding area on Palm Bay Road have a Future Land Use of Commercial from Main Street to Robert J. Conlan Blvd. NE.

2. 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 as required by State and Federal regulations and per Comprehensive Plan Policy CON-1.5L.

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

3. HOUSING ELEMENT

The proposed FLU amendment does not adversely impact the supply and variety of safe, decent, attractive, and affordable housing within the City.

4. INFRASTRUCTURE 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 the 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

5. INTERGOVERNMENTAL COORDINATION ELEMENT

Public Schools: The proposed FLU amendment to Commercial will not add any additional housing units. No impacts to the public-school system area are anticipated.

6. RECREATION AND OPEN SPACE ELEMENT

The proposed FLU amendment to Commercial would not increase the demand for recreation services as there is no increase in density.

7. TRANSPORTATION ELEMENT

The objectives of the Comprehensive Plan's Transportation Element are to provide a safe, balanced, efficient transportation system that maintains the roadway level of service and adequately serves the needs of the community. If developed, a traffic impact analysis may 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.

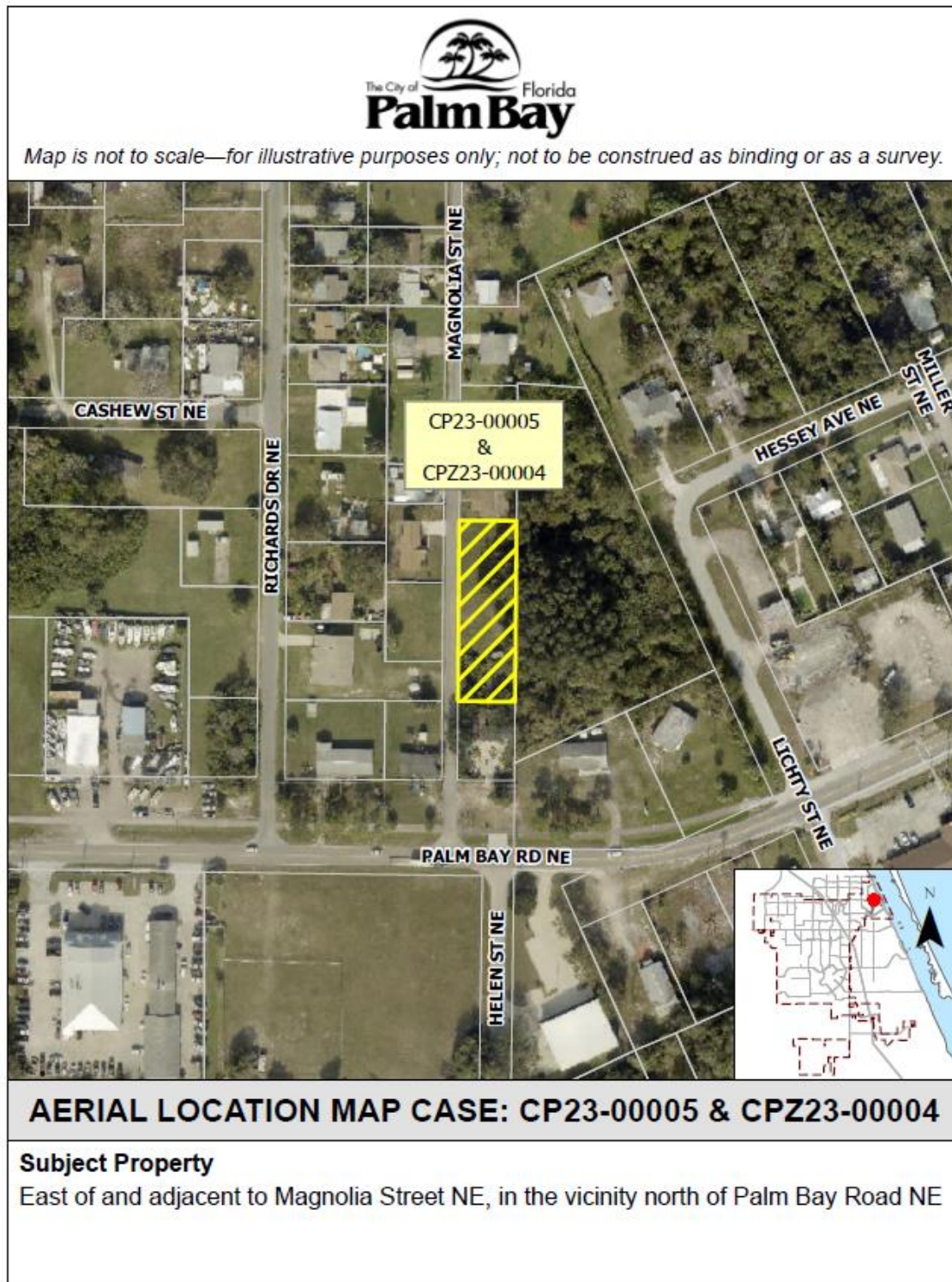
8. PROPERTY RIGHTS ELEMENT

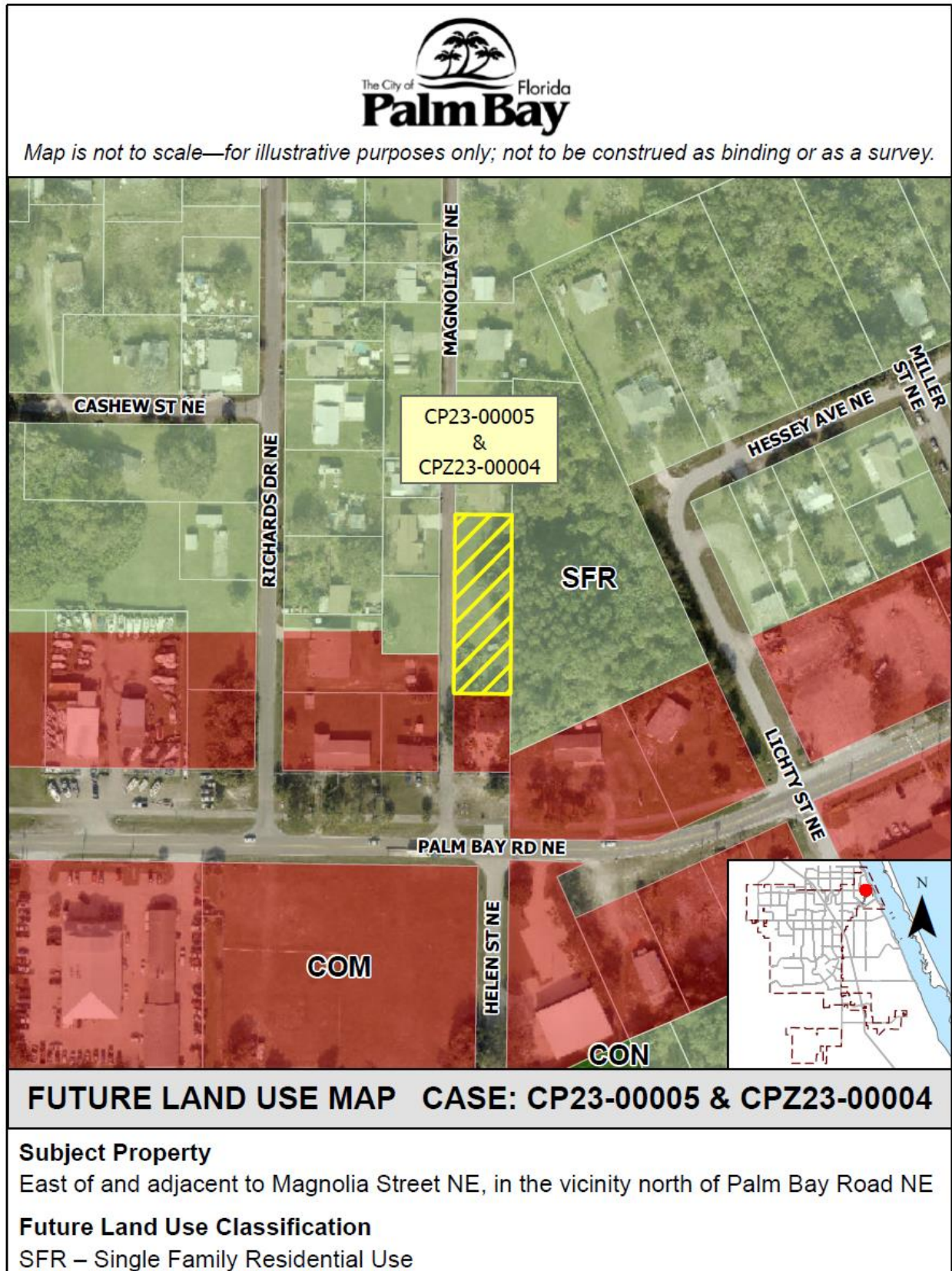
The goal of the Comprehensive Plan's Property Rights Element is for the City to respect judicially acknowledged and constitutionally protected private property rights.

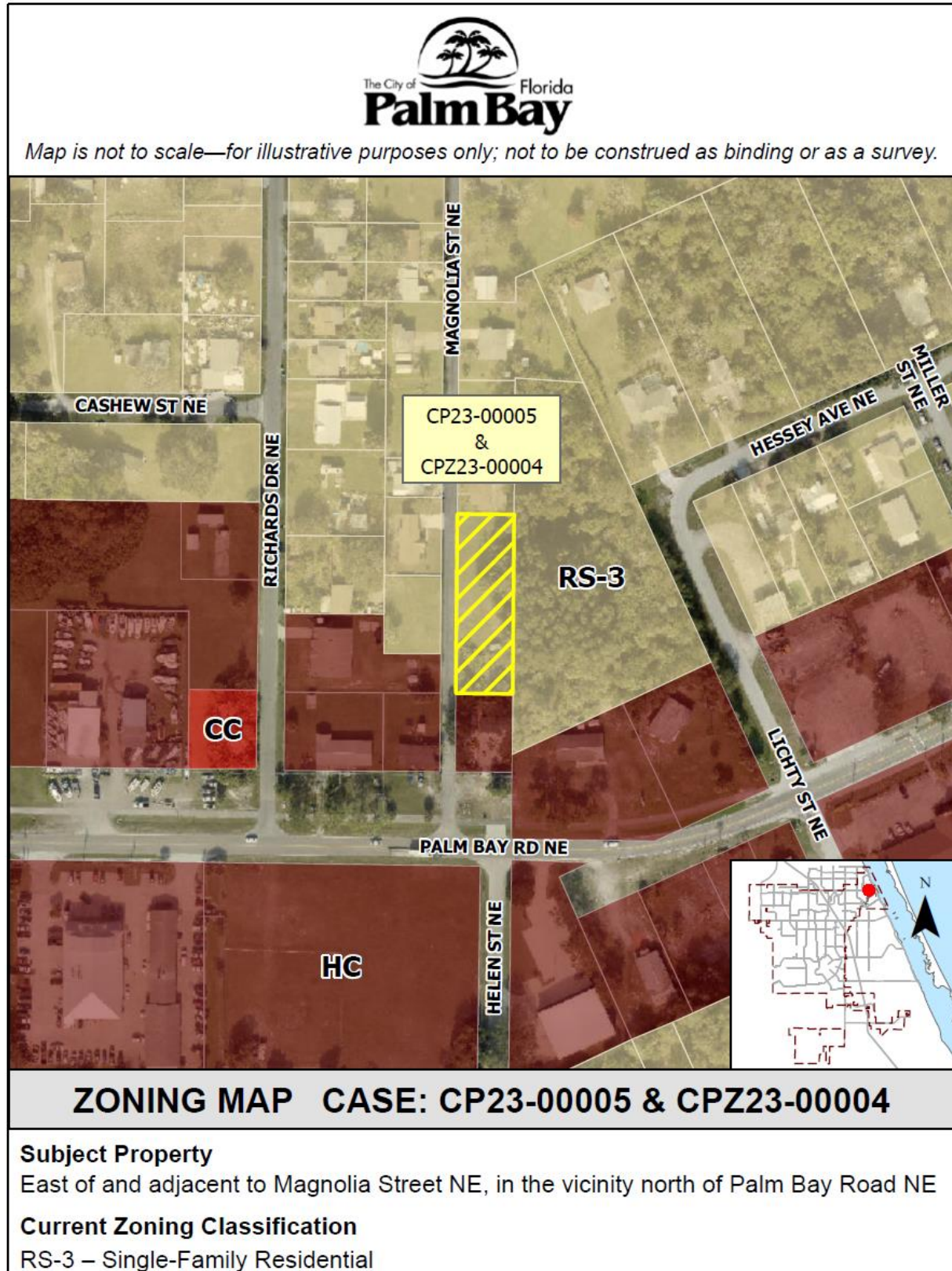
This proposed land-use change does not appear to infringe upon the property rights of the applicant.

STAFF FINDINGS:

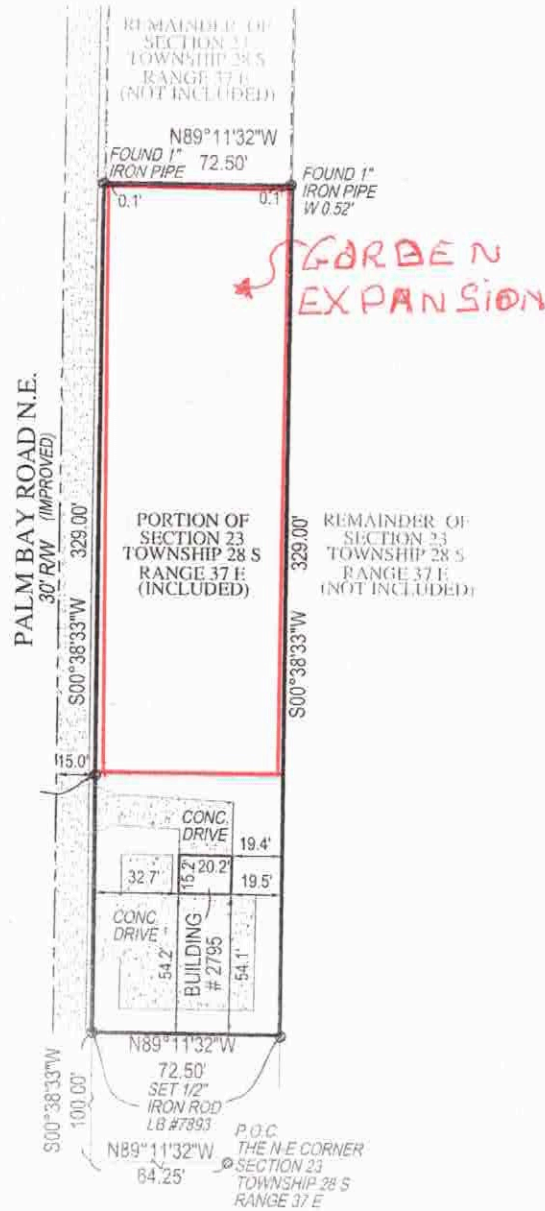
Case CP23-00005 meets the minimum requirements of a Small-Scale Comprehensive Plan Future Land Use amendment request and staff recommends approval.







GE 1 OF 1
ARY SURVEY



OWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED
 (P) NOT DETERMINED
 (P) OWN ARE BASED ON N.G.V.D. 1929 DATUM, UNLESS OTHERWISE NOTED
 ES, GRAPHIC REPRESENTATION HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE
 BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL
 (P) OWN ARE THE BASIS FOR THE PLAT.



CITIZEN PARTICIPATION REPORT

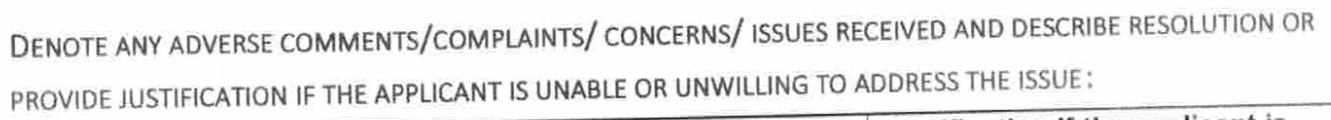
Applicant should follow established Citizen Participation Plan as specified in § 169.005 CITIZEN PARTICIPATION PLANS.

CASE DETAILS

Applicant Name	VISION 43
Project Name	GARDEN Center expansion
Date of Submission	4/10/2023

INFORMATION ON THE CITIZEN PARTICIPATION MEETING

Notice to the Public (Date)	3/20/2023
Date of CPP	4/7/2023
Location of the Meeting	2795 PALM BAY Rd NE PALM BAY
Number of Attendees	4

[illegible]



Immediately following this page, attach the documents below:

Copy of notice sent (separate attachment)

Material distributed or presented at the meeting (separate attachment)

Sign-In Sheets

*All the property owners within a 500-foot radius of the subject parcel shall be informed about the meeting date, time and location

I hereby certify that information provided as part of this report is correct.

Signature, _____

Typed Name and Title: _____

Date: 4/7/2023



March 19, 2023

Re: Notice of Citizen Participation Plan Meeting on April 7th, 2023, at 5:30pm

Applicant: Vision 43 Nursery & Landscape Design

Project Site Address: 1519 Magnolia Dr. NE, Palm Bay FL 32905

Zoning Request: RS3 to HC

Dear Neighbor,

Vision 43 Garden Center & Landscape Design submitted a conditional use application for our parcel behind our Nursery for City of Palm Bay approval to change existing zoning RS3 (Residential) to HC (Highway Commercial) . We would like to invite you to an informational meeting to discuss the zoning request. We would like to answer any questions you may have and record feedbacks that we would submit to City of Palm Bay staff for review and further actions.

If you have any questions you wish to submit in advance, we would appreciate the opportunity to review and have the appropriate information prior to the meeting.

The meeting is scheduled as follows:

April 7th, 2023

5:30 to 6:30PM

Vision 43 Nursery & Landscape Design

2795 Palm Bay Road NE

Palm Bay, FL 32905

We hope to see there! In the interim please do not hesitate to email me at:

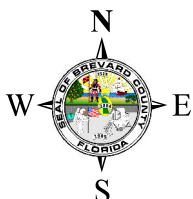
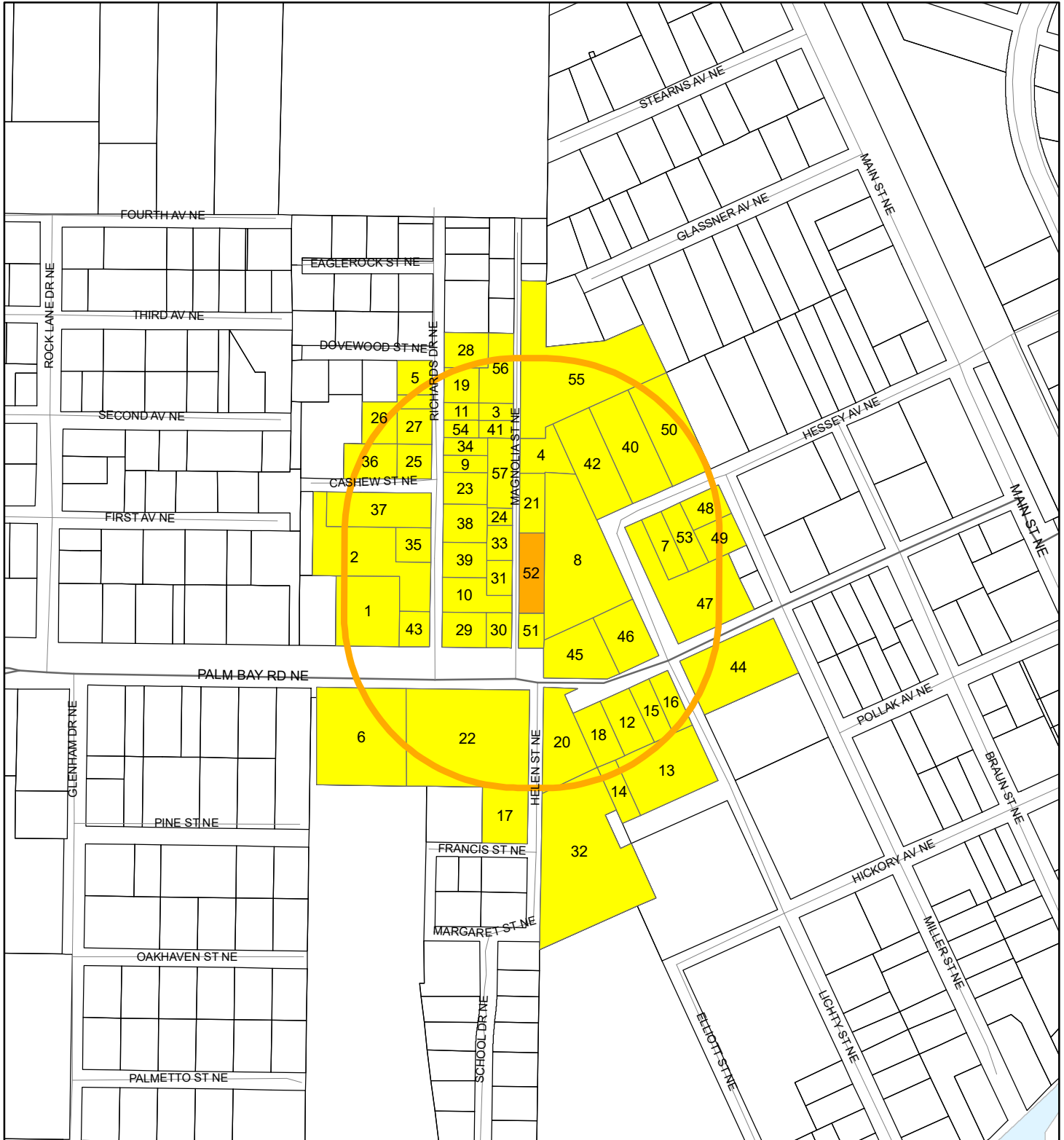
Vision43llc@gmail.com

Sincerely,

Alex Exceus

RADIUS MAP

VISION 43 LLC
Alex_Exceus_2832227



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/14/2022

- Buffer
- Subject Property
- Notify Property
- Parcels

AZUR VENTURES LLC
2723 PALM BAY RD NE
PALM BAY FL 32905-

BALDWIN, CATHERINE S
1850 W VIRGINIA AVENUE
MERRITT ISLAND FL 32952-

BARKER, JUDY
1537 MAGNOLIA ST NE
PALM BAY FL 32905-3519

BEAUMONT, ELOINA
60 WILMOT RD
NEW ROCHELLE NY 10804-1517

BODY SHOP BOB LLC
1100 BROOK ST NE
PALM BAY FL 32905-4902

BOWERS, BRENT
445 E CHEYENNE MOUNTAIN BLVD,
STE C180
COLORADO SPRINGS CO 80906-1528

BREVARD LAND AND ASSET
DEVELOPMENT LLC
6243 ANDREOZZI LN
WINDERMERE FL 34786-7314

BURGOS, JUAN C
1539 RICHARDS DR NE
PALM BAY FL 32905-

BURROWS, DEBORAH A
1509 RICHARDS DRIVE NE
PALM BAY FL 32905-3527

CLOUSE, SANEH
1557 RICHARDS DRIVE NE
PALM BAY FL 32905-3527

DIOCESE OF ORLANDO
NOONAN, JOHN G BISHOP
50 E ROBINSON ST
ORLANDO FL 32801-1619

DIOCESE OF ORLANDO
NOONAN, JOHN G BISHOP
50 E ROBINSON STREET
ORLANDO FL 32801-1619

FUNELAS, NOEL
BARRIOS, ROGER TOMAS LUCES
2775 FRANCIS ST NE
PALM BAY FL 32905-4203

HAMILTON, DARRIN ALAN
234 BRANDT NE AVE NE
PALM BAY FL 32907-2467

HESCH, LEONARD T III
1563 RICHARDS DR NE
PALM BAY FL 32905-

KILMER PROPERTIES INC
5268 CRITTER LN
WEST MELBOURNE FL 32904-9707

KRAUSE, ROBIN SUE
1531 MAGNOLIA ST NE
PALM BAY FL 32905-

LAFFERTY HOLDINGS LLC
4165 ORANGE DR
MELBOURNE FL 32904-9568

LALICH, ANTHONY P
LALICH, ERIN C
1533 RICHARDS DR NE
PALM BAY FL 32905-

LALICH, OLGAM
1526 MAGNOLIA ST NE
PALM BAY FL 32905-

LEE, PAMELA A
2506 2ND AVE NE
PALM BAY FL 32905-3544

LEE, PAMELA ANN
2506 2ND AVE NE
PALM BAY FL 32905-3544

LEVY, ALFRED K JR
LEVY, CAROL O TRUST
2060 BENJAMIN RD
MALABAR FL 32950-

MC LAUGHLIN, LOIS M
2759 PALM BAY RD NE
PALM BAY FL 32905-3556

MCALONEY, RONALD H,JR
MCALONEY, LUCY A
PO BOX 36
GRANT FL 32949-0036

PALM BAY, CITY OF
120 SE MALABAR ROAD
PALM BAY FL 32909-

PAUL, SIGMUND
PAUL, CHERYLINE
5 OVERTON LEA BLVD
SYDNEYHAM VICTORIA 3037
-

PLAIA, ROBERT
PLAIA, CYNTHIA
1545 RICHARDS DR NE
PALM BAY FL 32905-3527

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Page2

PRATT, JOHN
PRATT, VERA
2754 CASHEW ST NE
PALM BAY FL 32905-

PRATT, JOHN EARL
PRATT, V JOYCE
2754 CASHEW ST NE
PALM BAY FL 32905-

SALAZAR, MIGUEL,III
1521 RICHARDS DR NE
PALM BAY FL 32905-3527

SCHOEMMELL, VICTORIA
2809 HESSEY NE AVE NE
PALM BAY FL 32905-4229

SHAW, AUTUMN
1544 MAGNOLIA ST NE
PALM BAY FL 32905-3520

SIMCOX, HEATHER
2801 HESSEY AVE NE
PALM BAY FL 32905-4229

THEODORE DOUKAS & GALE C DOUKAS
REVOCABLE LIVING TRUST
1593 ANGLERS NE DR NE
PALM BAY FL 32905-4323

TRIM HOLDINGS CORPORATION INC
1550 ORANGE BLOSSOM TRL NE
PALM BAY FL 32905-3632

TRINITY BAPTIST CHURCH
PO BOX 061452
PALM BAY FL 32906-1452

TRINITY BAPTIST CHURCH OF
PALM BAY INC
2803 PALM BAY RD NE
PALM BAY FL 32905-4215

TRUTH REVEALED INTERNATIONAL
MINISTRIES INC
1550 ORANGE BLOSSOM NE TRL NE
PALM BAY FL 32905-3632

TUOHEY, BRENDA C
1496 MILLER ST NE
PALM BAY FL 32905-

TUOHEY, MICHAEL
1496 MILLER ST NE
PALM BAY FL 32905-

TUOHEY, MICHAEL
TUOHEY, BRENDA C
1496 MILLER ST NE
PALM BAY FL 32905-

VISION 43 LLC
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PALM BAY FL 32905-4215

WALLACE, JEREMIAH JAMES
WALLACE, SHEILA LYN
1515 SUMTER LN
MELBOURNE FL 32904-8745

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YOUNG, DONNA C
1555 MAGNOLIA ST NE
PALM BAY FL 32905-3519

YOUNG, HARRY D,JR
YOUNG, DONNA C
1555 MAGNOLIA ST NE
PALM BAY FL 32905-3519

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| | | |

AZUR VENTURES LLC|2723 PALM BAY RD NE||PALM BAY FL 32905-
BALDWIN, CATHERINE S||1850 W VIRGINIA AVENUE||MERRITT ISLAND FL 32952-
BARKER, JUDY||1537 MAGNOLIA ST NE||PALM BAY FL 32905-3519
BEAUMONT, ELOINA||60 WILMOT RD||NEW ROCHELLE NY 10804-1517
BODY SHOP BOB LLC||1100 BROOK ST NE||PALM BAY FL 32905-4902
BOWERS, BRENT||445 E CHEYENNE MOUNTAIN BLVD, |STE C180||COLORADO SPRINGS CO
80906-1528
BREVARD LAND AND ASSET|DEVELOPMENT LLC|6243 ANDREOZZI LN||WINDERMERE FL 34786-7314
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BURROWS, DEBORAH A||1509 RICHARDS DRIVE NE||PALM BAY FL 32905-3527
CLOUSE, SANEH||1557 RICHARDS DRIVE NE||PALM BAY FL 32905-3527
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HAMILTON, DARRIN ALAN||234 BRANDT NE AVE NE||PALM BAY FL 32907-2467
HESCH, LEONARD T III||1563 RICHARDS DR NE||PALM BAY FL 32905-
KILMER PROPERTIES INC||5268 CRITTER LN||WEST MELBOURNE FL 32904-9707
KRAUSE, ROBIN SUE||1531 MAGNOLIA ST NE||PALM BAY FL 32905-
LAFFERTY HOLDINGS LLC||4165 ORANGE DR||MELBOURNE FL 32904-9568
LALICH, ANTHONY P|LALICH, ERIN C|1533 RICHARDS DR NE||PALM BAY FL 32905-
LALICH, OLGA M||1526 MAGNOLIA ST NE||PALM BAY FL 32905-
LEE, PAMELA A||2506 2ND AVE NE||PALM BAY FL 32905-3544
LEE, PAMELA ANN||2506 2ND AVE NE||PALM BAY FL 32905-3544
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MC LAUGHLIN, LOIS M||2759 PALM BAY RD NE||PALM BAY FL 32905-3556
MCALONEY, RONALD H,JR|MCALONEY, LUCY A|PO BOX 36||GRANT FL 32949-0036
PALM BAY, CITY OF||120 SE MALABAR ROAD||PALM BAY FL 32909-
PAUL, SIGMUND|PAUL, CHERYLINE|5 OVERTON LEA BLVD|SYDNEYHAM VICTORIA 3037| -
PLAIA, ROBERT|PLAIA, CYNTHIA|1545 RICHARDS DR NE||PALM BAY FL 32905-3527

Alex_Exceus_2832227|Page2| | |

PRATT, JOHN|PRATT, VERA|2754 CASHEW ST NE||PALM BAY FL 32905-
PRATT, JOHN EARL|PRATT, V JOYCE|2754 CASHEW ST NE||PALM BAY FL 32905-
SALAZAR, MIGUEL,III||1521 RICHARDS DR NE||PALM BAY FL 32905-3527
SCHOEMMELL, VICTORIA||2809 HESSEY NE AVE NE||PALM BAY FL 32905-4229
SHAW, AUTUMN||1544 MAGNOLIA ST NE||PALM BAY FL 32905-3520
SIMCOX, HEATHER||2801 HESSEY AVE NE||PALM BAY FL 32905-4229
THEODORE DOUKAS & GALE C DOUKAS |REVOCABLE LIVING TRUST||1593 ANGLERS NE DR NE||PALM
BAY FL 32905-4323
TRIM HOLDINGS CORPORATION INC||1550 ORANGE BLOSSOM TRL NE||PALM BAY FL 32905-3632
TRINITY BAPTIST CHURCH||PO BOX 061452||PALM BAY FL 32906-1452
TRINITY BAPTIST CHURCH OF |PALM BAY INC||2803 PALM BAY RD NE||PALM BAY FL 32905-4215
TRUTH REVEALED INTERNATIONAL |MINISTRIES INC||1550 ORANGE BLOSSOM NE TRL NE||PALM
BAY FL 32905-3632
TUOHEY, BRENDA C||1496 MILLER ST NE||PALM BAY FL 32905-
TUOHEY, MICHAEL||1496 MILLER ST NE||PALM BAY FL 32905-
TUOHEY, MICHAEL|TUOHEY, BRENDA C|1496 MILLER ST NE||PALM BAY FL 32905-
VISION 43 LLC||2795 PALM BAY NE RD NE||PALM BAY FL 32905-4215
WALLACE, JEREMIAH JAMES|WALLACE, SHEILA LYN|1515 SUMTER LN||MELBOURNE FL 32904-8745

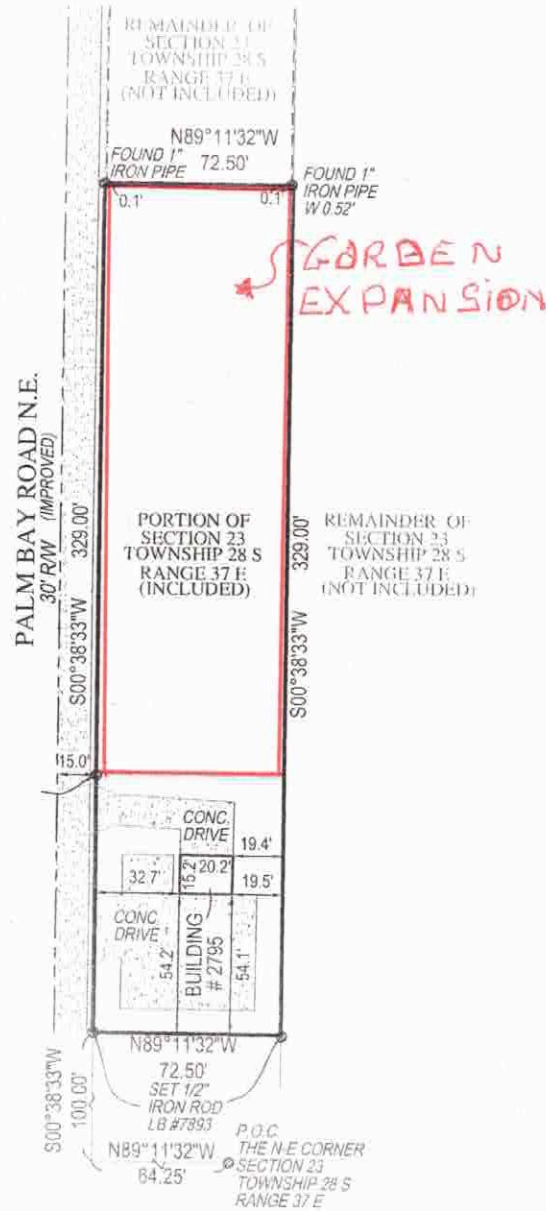
WHITT, KRISTINA A||1551 RICHARDS DR NE||PALM BAY FL 32905-3527
YOUNG, HARRY D JR|YOUNG, DONNA C|1555 MAGNOLIA ST NE||PALM BAY FL 32905-3519
YOUNG, HARRY D,JR|YOUNG, DONNA C|1555 MAGNOLIA ST NE||PALM BAY FL 32905-3519

BUFF_ID	TAXID	PARCELID	OWNER1	OWNER2	MAIL1	MAIL2	CITY_STATE_ZIP5_ZIP4
1	2832271	28 3723-00-112	AZUR VENTURES LLC		2723 PALM BAY RD NE		PALM BAY FL 32905-
2	2851647	28 3723-00-116	AZUR VENTURES LLC		2723 PALM BAY RD NE		PALM BAY FL 32905-
3	2832208	28 3723-00-42	BALDWIN, CATHERINE S		1850 W VIRGINIA AVENUE		MERRITT ISLAND FL 32952-
4	2832224	28 3723-00-63	BARKER, JUDY		1537 MAGNOLIA ST NE		PALM BAY FL 32905-3519
5	2832265	28 3723-00-107	BEAUMONT, ELOINA		60 WILMOT RD		NEW ROCHELLE NY 10804-1517
6	2832305	28 3723-00-777	BODY SHOP BOB LLC		1100 BROOK ST NE		PALM BAY FL 32905-4902
7	2832702	28 3724-25-23-7	BOWERS, BRENT		445 E CHEYENNE MOUNTAIN BLVD,	STE C180	COLORADO SPRINGS CO 80906-1528
8	2832525	28 3724-25-* -E	BREVARD LAND AND ASSET	DEVELOPMENT LLC	6243 ANDREOZZI LN		WINDERMERE FL 34786-7314
9	2832197	28 3723-00-29	BURGOS, JUAN C		1539 RICHARDS DR NE		PALM BAY FL 32905-
10	2832201	28 3723-00-33	BURROWS, DEBORAH A		1509 RICHARDS DRIVE NE		PALM BAY FL 32905-3527
11	2832195	28 3723-00-27.1	CLOUSE, SANEH		1557 RICHARDS DRIVE NE		PALM BAY FL 32905-3527
12	2832691	28 3724-25-21-7.01	DIOCESE OF ORLANDO	NOONAN, JOHN G BISHOP	50 E ROBINSON ST		ORLANDO FL 32801-1619
13	2832688	28 3724-25-21-1	DIOCESE OF ORLANDO	NOONAN, JOHN G BISHOP	50 E ROBINSON ST		ORLANDO FL 32801-1619
14	2832689	28 3724-25-21-5	DIOCESE OF ORLANDO	NOONAN, JOHN G BISHOP	50 E ROBINSON STREET		ORLANDO FL 32801-1619
15	2832692	28 3724-25-21-9	DIOCESE OF ORLANDO	NOONAN, JOHN G BISHOP	50 E ROBINSON ST		ORLANDO FL 32801-1619
16	2832693	28 3724-25-21-10	DIOCESE OF ORLANDO	NOONAN, JOHN G BISHOP	50 E ROBINSON ST		ORLANDO FL 32801-1619
17	2832280	28 3723-00-751	FUNELAS, NOEL	BARRIOS, ROGER TOMAS LUCES	2775 FRANCIS ST NE		PALM BAY FL 32905-4203
18	2832690	28 3724-25-21-6	HAMILTON, DARRIN ALAN		234 BRANDT NE AVE NE		PALM BAY FL 32907-2467
19	2832193	28 3723-00-26	HESCH, LEONARD T III		1563 RICHARDS DR NE		PALM BAY FL 32905-
20	2832524	28 3724-25-* -D	KILMER PROPERTIES INC		5268 CRITTER LN		WEST MELBOURNE FL 32904-9707
21	2832225	28 3723-00-64	KRAUSE, ROBIN SUE		1531 MAGNOLIA ST NE		PALM BAY FL 32905-
22	2832279	28 3723-00-750	LAFFERTY HOLDINGS LLC		4165 ORANGE DR		MELBOURNE FL 32904-9568
23	2832198	28 3723-00-30	LALICH, ANTHONY P	LALICH, ERIN C	1533 RICHARDS DR NE		PALM BAY FL 32905-
24	2832213	28 3723-00-48	LALICH, OLGA M		1526 MAGNOLIA ST NE		PALM BAY FL 32905-
25	2832182	28 3723-00-15	LEE, PAMELA A		2506 2ND AVE NE		PALM BAY FL 32905-3544
26	2832269	28 3723-00-110	LEE, PAMELA ANN		2506 2ND AVE NE		PALM BAY FL 32905-3544
27	2832238	28 3723-00-80	LEE, PAMELA ANN		2506 2ND AVE NE		PALM BAY FL 32905-3544
28	2832192	28 3723-00-25	LEVY, ALFRED K JR	LEVY, CAROL O TRUST	2060 BENJAMIN RD		MALABAR FL 32950-
29	2832202	28 3723-00-35	MC LAUGHLIN, LOIS M		2759 PALM BAY RD NE		PALM BAY FL 32905-3556
30	2832217	28 3723-00-52	MC LAUGHLIN, LOIS M		2759 PALM BAY RD NE		PALM BAY FL 32905-3556

31|2832215|28 3723-00-50|MCALONEY, RONALD H,JR|MCALONEY, LUCY A|PO BOX 36||GRANT FL 32949-0036
32|2858414|28 3724-25-*--C.01|PALM BAY, CITY OF||120 SE MALABAR ROAD||PALM BAY FL 32909-
33|2832214|28 3723-00-49|PAUL, SIGMUND|PAUL, CHERYLINE|5 OVERTON LEA BLVD|SYDNEYHAM VICTORIA 3037| -
34|2832196|28 3723-00-28|PLAIA, ROBERT|PLAIA, CYNTHIA|1545 RICHARDS DR NE||PALM BAY FL 32905-3527
35|2832185|28 3723-00-18|PRATT, JOHN|PRATT, VERA|2754 CASHEW ST NE||PALM BAY FL 32905-
36|2832181|28 3723-00-14|PRATT, JOHN|PRATT, VERA|2754 CASHEW ST NE||PALM BAY FL 32905-
37|2832183|28 3723-00-16|PRATT, JOHN EARL|PRATT, V JOYCE|2754 CASHEW ST NE||PALM BAY FL 32905-
38|2832199|28 3723-00-31|SALAZAR, MIGUEL,III||1521 RICHARDS DR NE||PALM BAY FL 32905-3527
39|2832200|28 3723-00-32|SALAZAR, MIGUEL,III||1521 RICHARDS DR NE||PALM BAY FL 32905-3527
40|2832730|28 3724-25-26-23|SCHOEMMELL, VICTORIA||2809 HESSEY NE AVE NE||PALM BAY FL 32905-4229
41|2832210|28 3723-00-44|SHAW, AUTUMN||1544 MAGNOLIA ST NE||PALM BAY FL 32905-3520
42|2832732|28 3724-25-26-25|SIMCOX, HEATHER||2801 HESSEY AVE NE||PALM BAY FL 32905-4229
43|2832186|28 3723-00-19|THEODORE DOUKAS & GALE C DOUKAS |REVOCABLE LIVING TRUST||1593 ANGLERS NE DR NE||PALM BAY FL 32905-4323
44|2832686|28 3724-25-20-6|TRIM HOLDINGS CORPORATION INC||1550 ORANGE BLOSSOM TRL NE||PALM BAY FL 32905-3632
45|2832695|28 3724-25-22-3|TRINITY BAPTIST CHURCH||PO BOX 061452||PALM BAY FL 32906-1452
46|2832694|28 3724-25-22-1|TRINITY BAPTIST CHURCH OF |PALM BAY INC||2803 PALM BAY RD NE||PALM BAY FL 32905-4215
47|2832698|28 3724-25-23-2|TRUTH REVEALED INTERNATIONAL |MINISTRIES INC||1550 ORANGE BLOSSOM NE TRL NE||PALM BAY FL 32905-3632
48|2853177|28 3724-25-23-9.01|TUOHEY, BRENDA C||1496 MILLER ST NE||PALM BAY FL 32905-
49|2832704|28 3724-25-23-9|TUOHEY, MICHAEL||1496 MILLER ST NE||PALM BAY FL 32905-
50|2832729|28 3724-25-26-21|TUOHEY, MICHAEL|TUOHEY, BRENDA C|1496 MILLER ST NE||PALM BAY FL 32905-
51|2832228|28 3723-00-67|VISION 43 LLC||2795 PALM BAY NE RD NE||PALM BAY FL 32905-4215
52|2832227|28 3723-00-66|VISION 43 LLC||2795 PALM BAY NE RD NE||PALM BAY FL 32905-4215
53|2832703|28 3724-25-23-8|WALLACE, JEREMIAH JAMES|WALLACE, SHEILA LYN|1515 SUMTER LN||MELBOURNE FL 32904-8745
54|2832194|28 3723-00-27|WHITT, KRISTINA A||1551 RICHARDS DR NE||PALM BAY FL 32905-3527
55|2832222|28 3723-00-60|YOUNG, HARRY D JR|YOUNG, DONNA C|1555 MAGNOLIA ST NE||PALM BAY FL 32905-3519
56|2832206|28 3723-00-40|YOUNG, HARRY D JR|YOUNG, DONNA C|1555 MAGNOLIA ST NE||PALM BAY FL 32905-3519

57|2832211|28 3723-00-45|YOUNG, HARRY D,JR|YOUNG, DONNA C|1555 MAGNOLIA ST NE||PALM
BAY FL 32905-3519

GE 1 OF 1
ARY SURVEY



OWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED
 (P) NOT DETERMINED
 OWN ARE BASED ON N.G.V.D. 1929 DATUM, UNLESS OTHERWISE NOTED
 ES, GRAPHIC REPRESENTATION HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE
 BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL
 BE THE BASIS FOR RESOLUTION OF ANY DISCREPANCY.

Project Details: CP23-00005

Project Type: Comprehensive Plan Future Land Use Map

Project Location: 1519 MAGNOLIA DR NE Palm Bay, FL 32905
Milestone: Approved
Created: 4/10/2023
Description: Garden Center Expansion
Assigned Planner: Alexandra Bernard

Contacts

Contact	Information
Owner/Applicant	ALEX EXCEUS 2795 PALM BAY ROAD NE PALM BAY, FL 32905 (917) 974-3220 vision43llc@gmail.com
Legal Representative	Holly Tanner 2300 Avocado Ave Melbourne, FL 32935 (321) 474-5421 Holly@lhtanner.com
Assigned Planner	Alexandra Bernard 120 Malabar Rd Palm Bay, FL 32907 alexandra.bernard@palmbayflorida.org
Submitter	Alex Exceus 2795 PALM BAY ROAD NE PALM BAY, FL 32905 vision43llc@gmail.com

Fields

Field Label	Value
Block	66
Lot	
Section Township Range	23-28-37
Subdivision	00
Year Built	
Use Code	0009
Use Code Desc	VACANT RESIDENTIAL LAND (SINGLE FAMILY, UNPLATTED)

Project Details: CP23-00005

LotSize	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	2832227
Flu Description	
Flu Code	
Zoning Description	
Zoning Code	
Total Acreage	
Present Land Use Classification	SFR
Proposed Land Use Classification	COM
Structures On Property?	False
List Structures	
Rezoning Submitted?	True
Development Submitted?	False
Justification for Change	COMPANY HAS BEEN GROWING FOR THE PAST TWO YEARS. CURRENT SPACE IS GETTING TOO SMALL, WE WANT TO EXPENDING THE GARDEN CENTER TO OUR ADJACENT LOT
Specific Use Intended for Property	GARDEN CENTER
Project Scale	Small Scale (50 acres or less)
Present Use of Property	NOT BEING USED
Is Owner the Representative?	False
Ordinance Number	

MONDAY APRIL 21, 2023

Re: Letter of Authorization

As the property owner of the site legally described as:

THE NORTH 229 FEET OF THE SOUTH 429 FEET OF THE EAST 72.5 FEET OF THE EAST 5 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNS OF SECTION 23, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BEING LOTS 3, 4, 5 AND 7,

I, Owner Name: ALEX EXCEUS

Address: 2795 PALM BAY ROAD NE PALM BAY FLORIDA 32905

Telephone: 917-974-3220

Email: VISION43LLC@GMAIL.COM

hereby authorize:

Representative: HOLLY TANNER OF L.H. TANNER CONSTRUCTION

Address: 2300 AVOCADO AVE. MELBOURNE, FLORIDA 32935

Telephone: 321.474.5421

Email: HOLLY@LHTANNER.COM

to represent the request(s) for:

1519 MAGNOLIA STREET REZONING. & COMPREHENSIVE PLAN FUTURE LAND USE REQUEST.

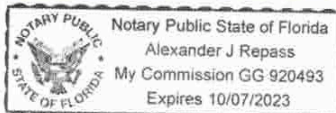
(Property Owner Signature)

STATE OF Florida

COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 24th day of April, 2023 by

Alex Exceus, property owner.



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

FL DL



Acknowledgement Log

Connection lost. Reconnecting in 7 seconds...

Reconnect



Header:

Legal Acknowledgement

Text:

I, the submitter, understand that this application must be complete and accurate before consideration by the City of Palm Bay and certify that all the answers to the questions in said application, and all data and matter attached to and made 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 application and that the facts stated in it are true.

Accepted By:

Alex Exceus

On:

4/10/2023 5:46:41 PM

CP23-00005

Gm

A Daily Publication By:



CITY OF PALM BAY
SUITE 201
120 MALABAR RD SE
PALM BAY, FL, 32907

RECEIVED

MAY 22 2023

City of Palm Bay
Accounting Division

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) dated:
or by publication on the newspaper's website, if authorized,
on

05/18/2023

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 18th of May 2023,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$268.66

Ad No: 0005705290

Customer No: BRE-6CI213

This is not an invoice

of Affidavits 1

NANCY HEYRMAN
Notary Public
State of Wisconsin

CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on July 6, 2023, and by the City Council on July 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1.CP23-00004 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Neighborhood Center and Urban Mixed Use to Urban Mixed Use

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE.

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4.**CU23-00002 - David Moullem Trust; Pirzadeh, Siroot; Pirzadeh, Mahnaz (Holly Irish, Vector Civil Engineering, Reps.)

A Conditional Use to allow for a Dollar General/Retail Store with a gross floor area over 5,000 square feet in an NC, Neighborhood Commercial District.

A Portion of Block O, Subdivision G1, Section 02, Township 29, Range 36, Brevard County, Florida, containing approximately 1.75 acres. Generally located south of and adjacent to Jupiter Boulevard SW and west of and adjacent to Garvey Road SW.

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Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE.

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Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE.

7.123-00010 - Chelsea Anderson

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.054, GC - General Commercial District, to amend the conditional uses to allow for car washes by conditional use in the General Commercial zoning district.

8.123-00012 - City of Palm Bay (Growth Management Department)

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.069 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures.

9.123-00004 - City of Palm Bay (Growth Management Department)

A textual amendment to Section 185.201 of the City of Palm Bay's Land Development Code to modify the procedure for amendment applications.

**Indicates quasi-judicial request(s).

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council 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.
Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.
Jesse Anderson
Assistant Growth Management Director



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Alexandra Bernard, Growth Management Director

DATE: June 7, 2023

SUBJECT: **CPZ23-00004 – Garden Center Expansion - Vision 43 LLC (Holly Tanner, Rep.)
- A Zoning Amendment from an RS-3, Single Family Residential District to an HC, Highway Commercial District. Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE

**Quasi-Judicial Proceeding.

ATTACHMENTS:

Description

- ▣ CPZ23-00004 Staff Report
- ▣ CPZ23-00004 Site Sketch
- ▣ CPZ23-00004 Citizen Participation Plan Report
- ▣ CPZ23-00004 Application
- ▣ CPZ23-00004 Letter of Authorization
- ▣ CPZ23-00004 Legal Acknowledgement
- ▣ CPZ23-00004 Legal Ad



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Alix Bernard, Principal Planner

CASE NUMBER

CPZ23-00004

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

PROPERTY OWNER & APPLICANT

Alex Exceus, Vision 43 LLC (Holly Tanner, Rep.)

PROPERTY LOCATION/ADDRESS

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida; containing approximately 0.38 acres. Located east of and adjacent to Magnolia St NE, in the vicinity of Palm Bay Road NE. 1519 Magnolia Dr. NE; Tax Account 2832227

SUMMARY OF REQUEST

The applicant is requesting a rezoning from RS-3, Single Family Residential to HC, Highway Commercial.

Existing Zoning

RS-3, Single Family Residential

Existing Land Use

Single Family Residential

Site Improvements

Undeveloped Land

Site Acreage

0.38 acres

SURROUNDING ZONING & USE OF LAND

North

RS-3 , Single Family Residential; Single-Family Home

East

RS-3 , Single Family Residential; Vacant

South

HC, Highway Commercial; Nursery Garden Center

West

HC , Highway Commercial & RS-3 , Single Family Residential; Single-Family Home and Vacant

BACKGROUND:

The subject property is located east of and adjacent to Magnolia Street NE, in the vicinity north of Palm Bay Road. There is one 0.38-acre parcel that is included in this request, which is currently vacant land. Located at 1519 Magnolia Dr. NE; Tax Account number 2832227.

The applicant is requesting to expand their current landscape nursesey business located 2795 Palm Bay Road NE to the vacant parcel to the North which is 0.38 acres that has a current zoning of residential (RS-3). The request is to rezone to Highway Commercial, no homes are proposed to be developed therefore a determination from The School Board of Brevard County is not required.

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 the change is ‘the current space is getting too small; we are expanding the garden center to our adjacent lot’. The Highway Commercial zoning district shall be in areas that are deemed to be uniquely suited for development. The adjacent properties fronting on Palm Bay Road are also zoned Highway Commercial and for that reason the proposed request is compatible with the request of expanding the landscape nursery.

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 the Highway Commercial zoning district for the subject property is compatible with the surrounding area and is consistent with the City’s desire and plan for redevelopment in the Kirby Industrial District. The proposed rezoning would be considered compatible with the adjacent commercial uses to the south, both east and west of the subject parcel, along the Palm Bay Road corridor. All properties in the surrounding area on Palm Bay Road have a zoning classification of Highway Commercial from Main Street to Robert J. Conlan Blvd. NE.

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.*

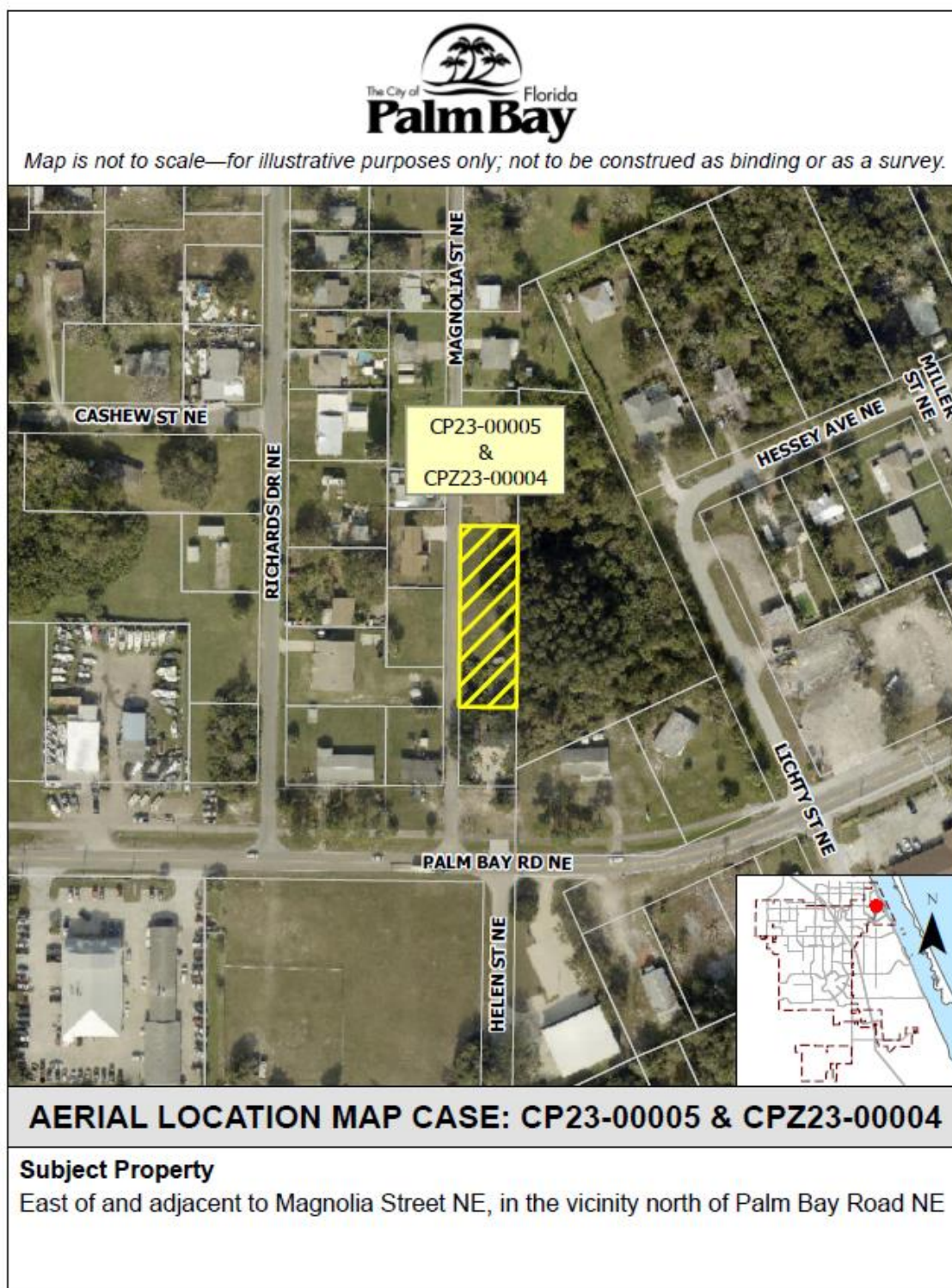
There are a few undeveloped lots with HC, Highway Commercial zoning in the general area and throughout the city.

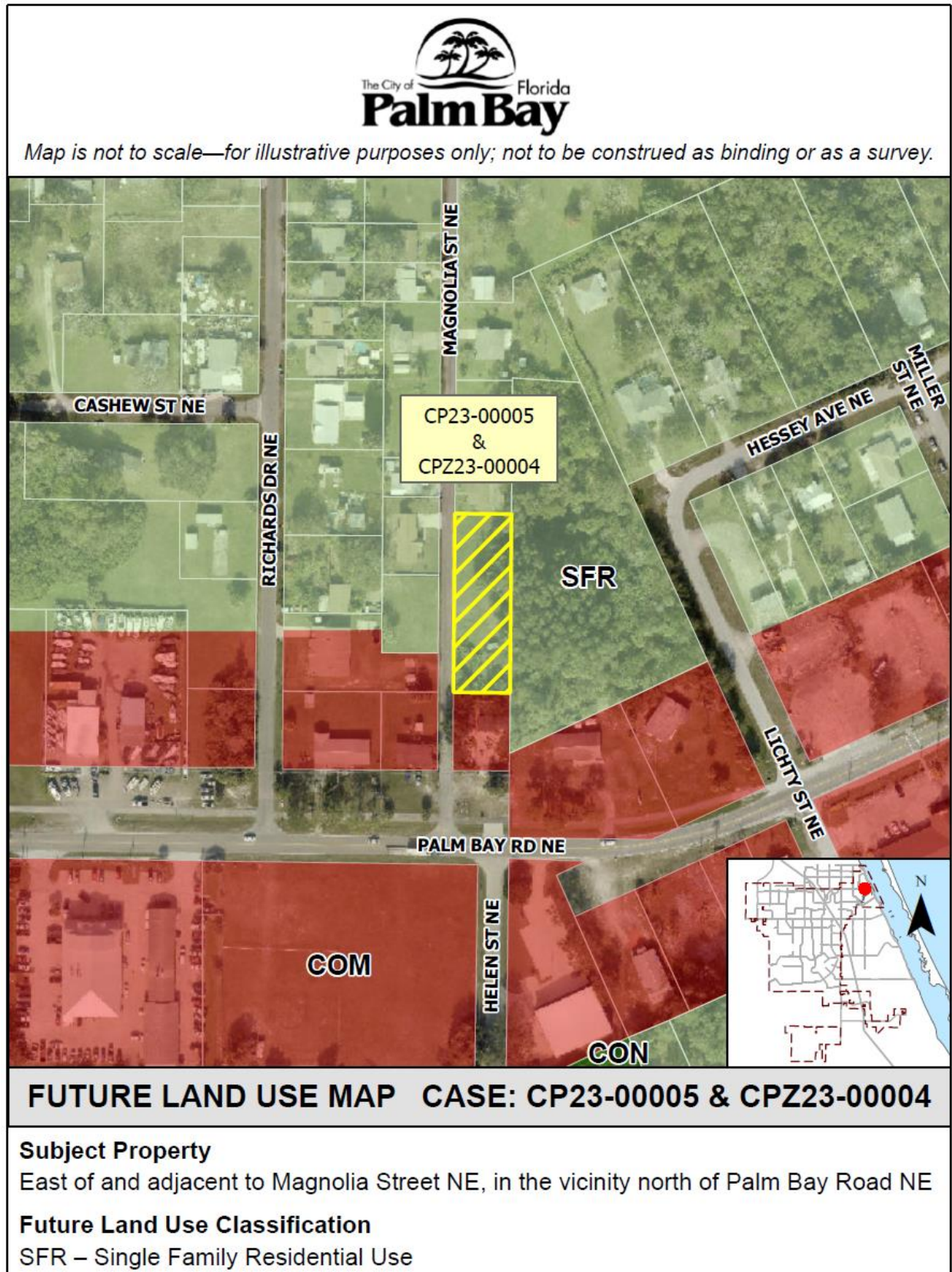
Item 4 - *The relationship of the proposed amendment to the purpose of the city plan for development, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and the Comprehensive Plan (Plan).*

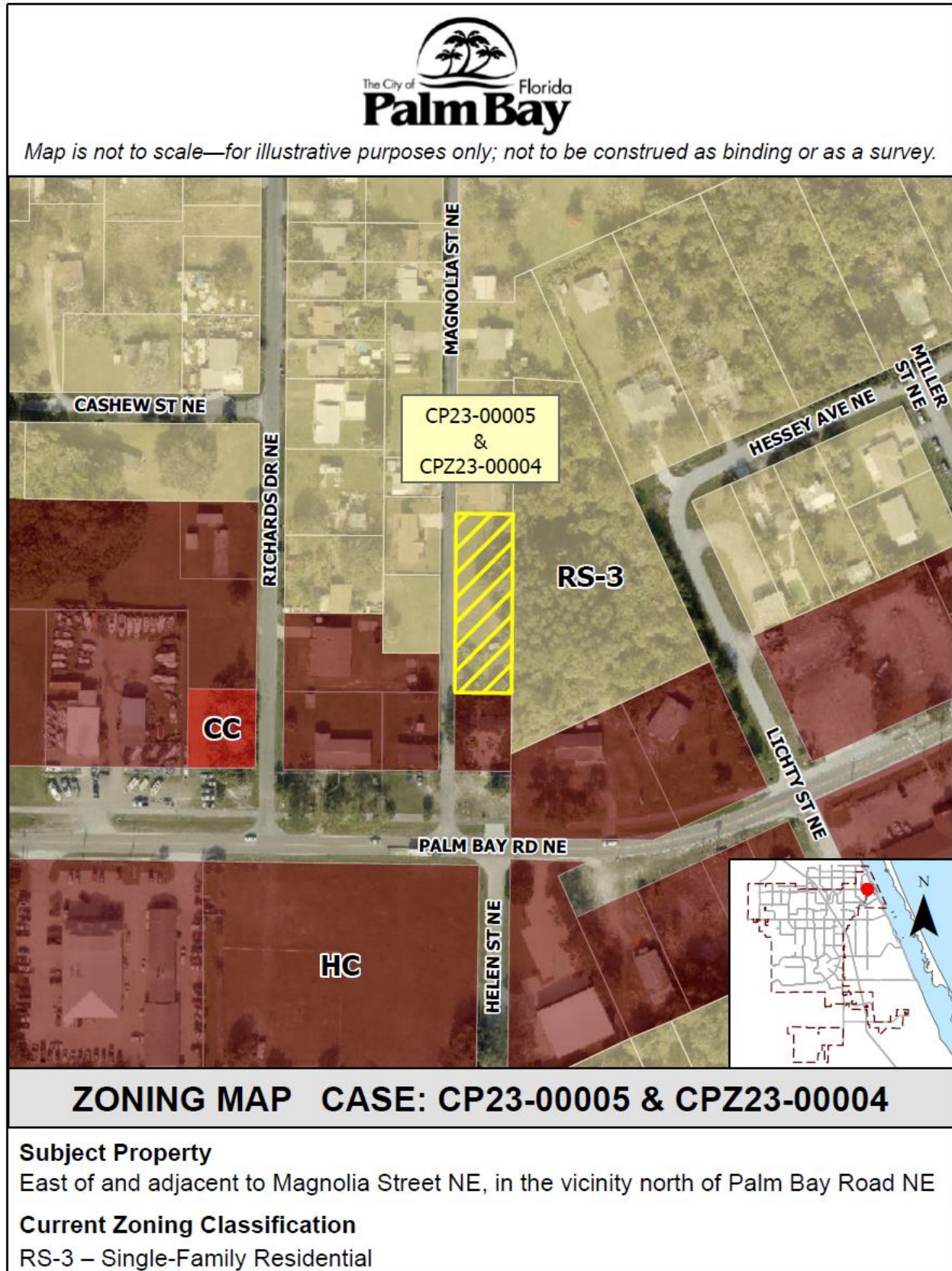
The proposed amendment will further the purposes of Chapter 185, the Zoning Code in accordance with section 185.005 (B) Encouraging the most appropriate use of land, water and resources.

STAFF RECOMMENDATION:

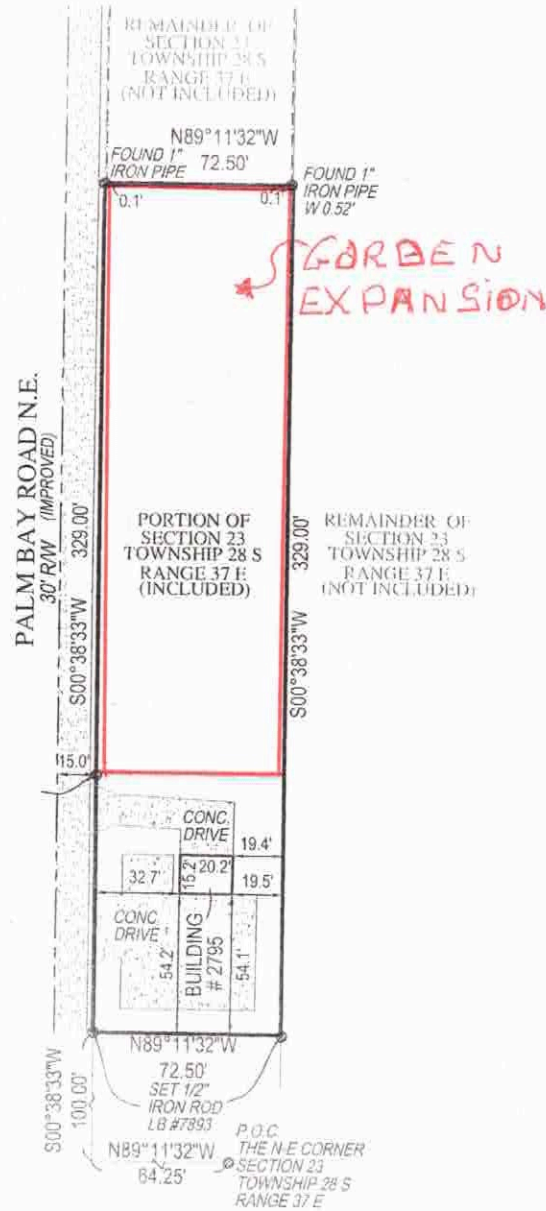
Case CPZ23-00004 meets the minimum requirements for rezoning and staff recommends approval.







GE 1 OF 1
ARY SURVEY



OWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED
 (P) NOT DETERMINED
 (P) OWN ARE BASED ON N.G.V.D. 1929 DATUM, UNLESS OTHERWISE NOTED
 ES, GRAPHIC REPRESENTATION HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE
 BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL
 (P) OWN ARE THE BASIS FOR THE PLAT.



CITIZEN PARTICIPATION REPORT

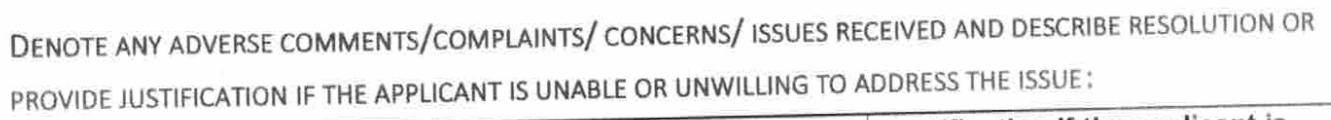
Applicant should follow established Citizen Participation Plan as specified in § 169.005 CITIZEN PARTICIPATION PLANS.

CASE DETAILS

Applicant Name	VISION 43
Project Name	GARDEN Center expansion
Date of Submission	4/10/2023

INFORMATION ON THE CITIZEN PARTICIPATION MEETING

Notice to the Public (Date)	3/20/2023
Date of CPP	4/7/2023
Location of the Meeting	2795 PALM BAY Rd NE PALM BAY
Number of Attendees	4

[illegible]



Immediately following this page, attach the documents below:

Copy of notice sent (separate attachment)

Material distributed or presented at the meeting (separate attachment)

Sign-In Sheets

*All the property owners within a 500-foot radius of the subject parcel shall be informed about the meeting date, time and location

I hereby certify that information provided as part of this report is correct.

Signature, _____

Typed Name and Title: _____

Date: 4/7/2023

ALEX EXCELS COUNCILOR.



March 19, 2023

Re: Notice of Citizen Participation Plan Meeting on April 7th, 2023, at 5:30pm

Applicant: Vision 43 Nursery & Landscape Design

Project Site Address: 1519 Magnolia Dr. NE, Palm Bay FL 32905

Zoning Request: RS3 to HC

Dear Neighbor,

Vision 43 Garden Center & Landscape Design submitted a conditional use application for our parcel behind our Nursery for City of Palm Bay approval to change existing zoning RS3 (Residential) to HC (Highway Commercial) . We would like to invite you to an informational meeting to discuss the zoning request. We would like to answer any questions you may have and record feedbacks that we would submit to City of Palm Bay staff for review and further actions.

If you have any questions you wish to submit in advance, we would appreciate the opportunity to review and have the appropriate information prior to the meeting.

The meeting is scheduled as follows:

April 7th, 2023

5:30 to 6:30PM

Vision 43 Nursery & Landscape Design

2795 Palm Bay Road NE

Palm Bay, FL 32905

We hope to see there! In the interim please do not hesitate to email me at:

Vision43llc@gmail.com

Sincerely,

Alex Exceus

Project Details: CPZ23-00004

Project Type: Rezoning Comprehensive Plan Zoning Amendment

Project Location: 1519 MAGNOLIA DR NE Palm Bay, FL 32905
Milestone: Submitted
Created: 4/24/2023
Description: Garden Center Expansion
Assigned Planner: Alexandra Bernard

Contacts

Contact	Information
Owner/Applicant	VISION 43 LLC 2795 PALM BAY NE RD NE PALM BAY, FL 32905
Legal Representative	Holly Tanner 2300 Avocado Ave Melbourne, FL 32935 (321) 474-5421 holly@lhtanner.com
Assigned Planner	Alexandra Bernard 120 Malabar Rd Palm Bay, FL 32907 alexandra.bernard@palmbayflorida.org
Submitter	Alex Exceus 2795 PALM BAY ROAD NE PALM BAY, FL 32905 vision43llc@gmail.com

Fields

Field Label	Value
Block	66
Lot	
Section Township Range	23-28-37
Subdivision	00
Year Built	
Use Code	0009
Use Code Desc	VACANT RESIDENTIAL LAND (SINGLE FAMILY, UNPLATTED)

Project Details: CPZ23-00004

LotSize	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	2832227
Flu Description	Commercial
Flu Code	COM
Zoning Description	Single-Family Residential
Zoning Code	RS-3
Size of Area (acres)	
Present Use of Property	RS-3
Zoning Classification Desired	HC
Structures On Property?	False
Intended Use of Property	Garden Center
Justification for Change	Current space is getting too small, we are expanding the garden center to our adjacent lot.
Is Owner the Representative?	False
Ordinance Number	

MONDAY APRIL 21

, 20²³

Re: Letter of Authorization

As the property owner of the site legally described as:

THE NORTH 229 FEET OF THE SOUTH 429 FEET OF THE EAST 72.5 FEET OF THE EAST 5 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNS OF SECTION 23, TOWNSHIP 28 SOUTH, RANGE 37 EAST, BEING LOTS 3, 4, 5 AND 7,

I, Owner Name: ALEX EXCEUS

Address: 2795 PALM BAY ROAD NE PALM BAY FLORIDA 32905

Telephone: 917-974-3220

Email: VISION43LLC@GMAIL.COM

hereby authorize:

Representative: HOLLY TANNER OF L.H. TANNER CONSTRUCTION

Address: 2300 AVOCADO AVE. MELBOURNE, FLORIDA 32935

Telephone: 321.474.5421

Email: HOLLY@LHTANNER.COM

to represent the request(s) for:

1519 MAGNOLIA STREET REZONING.


(Property Owner Signature)

STATE OF

Florida

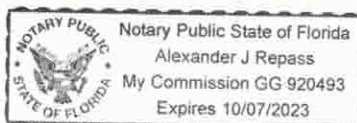
COUNTY OF

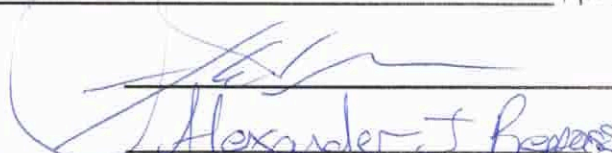
Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 24th day of April, 20 23 by

Alex Exceus

, property owner.





Notary Public

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

FL DL

Acknowledgement Log

Header:

Legal Acknowledgement

Text:

I, the submitter, understand that this application must be complete and accurate before consideration by the City of Palm Bay and certify that all the answers to the questions in said application, and all data and matter attached to and made 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 application and that the facts stated in it are true.

Accepted By:

Alex Exceus

On:

4/24/2023 10:05:31 AM

☒ CPZ23-00004

Select Language ▼

 Home |  City of Palm Bay

© 2023 - Intuitive Municipal Solutions, LLC

Gm

A Daily Publication By:



CITY OF PALM BAY
SUITE 201
120 MALABAR RD SE
PALM BAY, FL, 32907

RECEIVED

MAY 22 2023

City of Palm Bay
Accounting Division

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Sworn to and Subscribed before me this 18th of May 2023,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$268.66

Ad No: 0005705290

Customer No: BRE-6CI213

This is not an invoice

of Affidavits 1

NANCY HEYRMAN
Notary Public
State of Wisconsin

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Jesse Anderson
Assistant Growth Management Director



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Alexandra Bernard, Growth Management Director

DATE: June 7, 2023

SUBJECT: T23-00010 – Car Wash In GC District - Chelsea Anderson - A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.054, GC – General Commercial District; to amend the conditional uses to allow for car washes by conditional use in the General Commercial zoning district

ATTACHMENTS:

Description

- ▣ T23-00010 Staff Report
- ▣ T23-00010 Proposed Language
- ▣ T23-00010 Application
- ▣ T23-00010 Letter of Authorization
- ▣ T23-00010 Legal Acknowledgement
- ▣ T23-00010 Legal Ad



STAFF REPORT
LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Alix Bernard, Principal Planner

CASE NUMBER

T23-00010

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

APPLICANT

Anthony Daniele, Royal Wash PSL, LLC
(Chelsea Anderson, Rep)

PROPERTY LOCATION/ADDRESS

Not Applicable

SUMMARY OF REQUEST

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code; Section 185.054, GC - General Commercial District to allow for car washes as a conditional use in the General Commercial zoning district.

Existing Zoning

Not Applicable

Existing Land Use

Not Applicable

Site Improvements

Not Applicable

Site Acreage

Not Applicable

SURROUNDING ZONING & USE OF LAND

North

Not Applicable

East

Not Applicable

South

Not Applicable

West

Not Applicable

BACKGROUND:

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code; Section 185.054, GC - General Commercial District to allow for car washes as a conditional use in the General Commercial zoning district.

The applicant for this amendment is Anthony Daniele, Royal Wash PSL, LLC (Chelsea Anderson, Rep) is requesting that car washes be allowed as conditional use in General Commercial zoning district.

Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in ~~strikethrough~~ format.

ANALYSIS:

The Zoning Code is based on and has been adopted to effectuate and implement the policies of the city's comprehensive plan to protect, preserve and improve the public health, safety, and welfare of the inhabitants of the city.

Section 185.054(A) states that the provisions of the General Commercial district are intended to apply to areas which are deemed to be uniquely suited for heavy commercial development. Such areas are to be developed in an intensive manner and are designed to provide opportunities for small businesses of a variety of types. The uses and development standards included in the district are intended to provide additional opportunities for businesses to locate within the city by providing a mix of service, warehousing, commercial, wholesaling, storage and similar businesses and uses.

The applicant has requested a textual amendment to allow for car washes in the General Commercial district by conditional use and will be making application in the near future for a conditional use request for a proposed car wash on the southeast corner of Malabar Road and Babcock Street.

The Code currently allows car washes as a conditional use in both the Highway Commercial zoning district, a more intense zoning district and Community Commercial, a zoning district providing for lesser intensity uses.

STAFF RECOMMENDATION:

Case T23-00010 meets the minimum requirements for a textual amendment, and staff recommends approval.

TITLE XVII: LAND DEVELOPMENT CODE**CHAPTER 185: Zoning****§ 185.054 GC - GENERAL COMMERCIAL DISTRICT.****(D) Conditional uses.**

- (1) Permitted uses located on a parcel of ten (10) or more acres of area.
- (2) Commercial towers.
- (3) Security dwelling unit, subject to the provisions established in § 185.088(I).
- (4) Canine day care, and related services:

(a) There shall be no more than one (1) dog per thirty-five (35) square feet of the area within the facility that the dogs will be housed.

(b) The facility must have an outdoor area for exercise and bathroom relief. Said area shall be enclosed with a minimum six (6) foot tall fence.

(c) All kennels and housing areas shall be within an air-conditioned building. Outside kenneling will not be permitted.

(d) Fecal matter shall be disposed of on a daily basis.

(e) Dogs shall be indoors between the hours of 10:00 p.m. and 6:00 a.m.

(5) Dancing in eating and drinking establishments.

(6) Churches.

(7) Event halls, subject to the provisions established in § 185.088(J).

(8) Indoor commercial recreation; occupying more than five thousand (5,000) square feet of gross floor area in buildings with multiple tenants.

>> (9) Car washes.<<

§ 185.054 GC - GENERAL COMMERCIAL DISTRICT.

(D) Conditional uses.

- (1) Permitted uses located on a parcel of ten (10) or more acres of area.
- (2) Commercial towers.
- (3) Security dwelling unit, subject to the provisions established in § 185.088(I).
- (4) Canine day care, and related services:

(a) There shall be no more than one (1) dog per thirty-five (35) square feet of the area within the facility that the dogs will be housed.

(b) The facility must have an outdoor area for exercise and bathroom relief. Said area shall be enclosed with a minimum six (6) foot tall fence.

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(8) Indoor commercial recreation; occupying more than five thousand (5,000) square feet of gross floor area in buildings with multiple tenants.

>> (9) Car washes.<<

Project Details: T23-00010

Project Type: Code Textual Amendment

Project Location: ,
Milestone: Submitted
Created: 4/14/2023
Description: Car Wash Code Textual Amendment
Assigned Planner: Alexandra Bernard

Contacts

Contact	Information
Supplemental Contact	Anthony Daniele 2851 Monroe Avenue Rochester, NY 14618 (585) 271-1111 ajd@danielefamily.com
Assigned Planner	Alexandra Bernard 120 Malabar Rd Palm Bay, FL 32907 alexandra.bernard@palmbayflorida.org
Submitter	Chelsea Anderson 1530 US Highway 1 Rockledge, FL 32955 canderson@mangrovelegal.com

Fields

Field Label	Value
Section Proposed to be Changed	185.054(D)
Proposed Language	See attached proposed language.
Justification for Proposed Change	The purpose of this proposed code textual amendment is to allow car washes as a conditional use in the General Commercial (GC) zoning district. Car washes are already allowable as conditional uses in the Highway Commercial and Community Commercial districts, which are less intensive commercial zoning districts. As the General Commercial zoning district is intended for heavy commercial development designed to provide opportunities for small businesses of a variety of types as stated in City Zoning Code Sec. 185.054(A), allowing car washes as a conditional use in this district is appropriate and consistent with the intent of the GC zoning district.
Ordinance Number	

April 17th, 2023

Re: Letter of Authorization

As the property owner of the site legally described as:

Parcel ID 29-37-03-25-2211-1; 29-37-03-25-2211-4; 29-37-03-25-2211-5;
29-37-03-25-2211-6

I, Owner Name: Royal Wash PSL, LLC

Address: 2851 Monroe Ave., Rochester, NY 14618

Telephone: (585) 271-1111

Email: ajd@danielefamily.com

hereby authorize:

Representative: Chelsea Anderson, Esq.; Mangrove Title and Legal PLLC

Address: 1530 US Highway 1, Rockledge FL 32955

Telephone: (321)212-7750

Email: canderson@mangrovelegal.com

to represent the request(s) for:

textual amendment to allow car wash as a conditional use in GC zoning



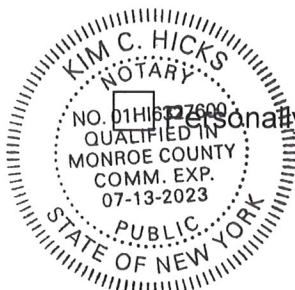
(Property Owner Signature)

STATE OF New York

COUNTY OF Monroe

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 17th day of April, 2023 by

Anthony Daniele, member, property owner.



Kim C Hicks, Notary Public

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

NYS DL # 234 256 379

Acknowledgement Log

Header:

Legal Acknowledgement

Text:

I, the submitter, understand that this application must be complete and accurate before consideration by the City of Palm Bay and certify that all the answers to the questions in said application, and all data and matter attached to and made 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 application and that the facts stated in it are true.

Accepted By:

Chelsea Anderson

On:

4/14/2023 2:19:53 PM

☒ T23-00010

Select Language ▼

 Home |  City of Palm Bay

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Gm

A Daily Publication By:



CITY OF PALM BAY
SUITE 201
120 MALABAR RD SE
PALM BAY, FL, 32907

RECEIVED

MAY 22 2023

City of Palm Bay
Accounting Division

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) dated:
or by publication on the newspaper's website, if authorized,
on

05/18/2023

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 18th of May 2023,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$268.66

Ad No: 0005705290

Customer No: BRE-6CI213

This is not an invoice

of Affidavits 1

NANCY HEYRMAN
Notary Public
State of Wisconsin

CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING

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A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Neighborhood Center and Urban Mixed Use to Urban Mixed Use

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE.

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Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE.

7.123-00010 - Chelsea Anderson

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.054, GC - General Commercial District, to amend the conditional uses to allow for car washes by conditional use in the General Commercial zoning district.

8.123-00012 - City of Palm Bay (Growth Management Department)

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.069 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures.

9.123-00004 - City of Palm Bay (Growth Management Department)

A textual amendment to Section 185.201 of the City of Palm Bay's Land Development Code to modify the procedure for amendment applications.

**Indicates quasi-judicial request(s).

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council 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.
Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.
Jesse Anderson
Assistant Growth Management Director



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Alexandra Bernard, Growth Management Director

DATE: June 7, 2023

SUBJECT: T23-00012 - Conditional Uses - City of Palm Bay (Growth Management Department) - A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.089 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures

ATTACHMENTS:

Description

- ▣ T23-00012 Staff Report
- ▣ T23-00012 Proposed Language
- ▣ T23-00012 Application
- ▣ T23-00012 Legal Ad



STAFF REPORT
LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Alix Bernard, Principal Planner

CASE NUMBER

T23-00012

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

APPLICANT

City of Palm Bay Growth Management

PROPERTY LOCATION/ADDRESS

Not Applicable

SUMMARY OF REQUEST

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, incorporating a new section 185.089 'Conditional Uses; Conditions Governing Applications' and repealing section 185.202, Conditional Uses; Conditions Governing Application; Procedures contained in Administration and Enforcement, Palm Bay Code of Ordinances.

Existing Zoning

Not Applicable

Existing Land Use

Not Applicable

Site Improvements

Not Applicable

Site Acreage

Not Applicable

SURROUNDING ZONING & USE OF LAND

North

Not Applicable

East

Not Applicable

South

Not Applicable

West

Not Applicable

BACKGROUND:

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, incorporating a new Section 185.089 'Conditional Uses; Conditions Governing Applications' and repealing Section 185.202, Conditional Uses; Conditions Governing Applications; Procedures' contained in Administration and Enforcement, Palm Bay Code of Ordinances.

The applicant for this amendment is the City of Palm Bay Growth Management Department. The proposed textual amendment is to provide more structure and defined parameters to the length of the conditional use process.

Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in ~~striketrough~~ format.

ANALYSIS:

The Palm Bay Code of Ordinances states that the City Council shall hear and decide conditional uses after review of the Planning and Zoning Board for study and written, advisory recommendations. The City Council may either grant conditional uses with such conditions and safeguards as are appropriate under this chapter or other applicable code or ordinance provisions, or deny conditional uses when not in harmony with the purpose and intent of the Land Development Code.

As currently written, the Code authorizes the City Council to provide a time for which the conditional use is valid; however, the current language does not provide a length of time that is fair and consistent across different applications, nor parameters for the proposed timing. The proposed textual amendment will implement regulations for the length of time that a conditional use is valid and provides procedures for requesting an extension to the granted conditional use.

The proposed textual amendment also seeks to incorporate all references to conditional uses, application, and procedures under one section.

STAFF RECOMMENDATION:

Case T23-00012 meets the minimum requirements for a textual amendment, and staff recommends approval.

TITLE XVII: LAND DEVELOPMENT CODE

CHAPTER 185: Conditional Uses

>> 185.089 CONDITIONAL USES; CONDITIONS GOVERNING APPLICATION; PROCEDURES.

(A) The City Council shall hear and decide conditional uses after review of the Planning and Zoning Board. All applications for conditional uses shall be submitted to the Planning and Zoning Board for study and written, advisory recommendations. The City Council may either grant conditional uses with such conditions and safeguards as are appropriate under this chapter or other applicable code or ordinance provisions, or deny conditional uses when not in harmony with the purpose and intent of this chapter. A conditional use shall not be considered by the City Council unless and until:

(1) A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

(2) Proposed conditional uses for planned development shall also be submitted to the Planning and Zoning Board for study, and the written recommendation of the Planning and Zoning Board shall be considered as part of the official record when hearing an application for a planned development.

(3) Public notice shall be given as required by state statutes. Notice of such hearing shall be posted on the property for which conditional use is sought.

(4) A courtesy notice shall be mailed, at the applicant's expense, to the property owners of record within a radius of five hundred (500) feet, provided, however, that failure to mail or receive such courtesy notice shall not affect any action or proceedings taken hereunder.

(B) In granting any conditional use, the City Council may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this chapter. ~~The City Council shall prescribe a time limit within which the action for which the conditional use is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the conditional use.~~ The conditional use shall commence within two (2) years of the date that the conditional use is granted, as evidenced by the issuance of a certificate of occupancy, certificate of completion and/or business tax receipt, as applicable. One (1) administrative extension of one (1) year may be approved by the City Manager, or designee, following a written request by the applicant within 60 days prior to the date of expiration. <<

~~§ 185.202 CONDITIONAL USES; CONDITIONS GOVERNING APPLICATION; PROCEDURES.~~

~~(A) The City Council shall hear and decide conditional uses after review of the Planning and Zoning Board. All applications for conditional uses shall be submitted to the Planning and Zoning Board for study and written, advisory recommendations. The City Council may either grant conditional uses with such conditions and safeguards as are appropriate under~~

~~this chapter or other applicable code or ordinance provisions, or deny conditional uses when not in harmony with the purpose and intent of this chapter. A conditional use shall not be granted by the City Council unless and until:~~

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~~—(3) Public notice shall be given as required by state statutes. The owner of the property for which conditional use is sought or his agent shall be notified by certified mail. Notice of such hearing shall be posted on the property for which conditional use is sought.~~

~~—(4) A courtesy notice may be mailed to the property owners of record within a radius of five hundred (500) feet, provided, however, that failure to mail or receive such courtesy notice shall not affect any action or proceedings taken hereunder.~~

~~—(5) Any party may appear in person, or be represented by a duly authorized representative.~~

~~—(B) In granting any conditional use, the City Council may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this chapter and punishable as provided by this chapter. The City Council shall prescribe a time limit within which the action for which the conditional use is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the conditional use.~~

~~{('74 Code, § 25-293) (Ord. 89-08, passed 4-27-89; Am. Ord. 95-45, passed 10-19-95; Am. Ord. 2016-17, passed 4-21-16)}~~

TITLE XVII: LAND DEVELOPMENT CODE

CHAPTER 185: Conditional Uses

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(B) In granting any conditional use, the City Council may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this chapter. ~~The City Council shall prescribe a time limit within which the action for which the conditional use is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the conditional use.~~ The conditional use shall commence within two (2) years of the date that the conditional use is granted, as evidenced by the issuance of a certificate of occupancy, certificate of completion and/or business tax receipt, as applicable. One (1) administrative extension of one (1) year may be approved by the City Manager, or designee, following a written request by the applicant within 60 days prior to the date of expiration. <<

~~§ 185.202 CONDITIONAL USES; CONDITIONS GOVERNING APPLICATION; PROCEDURES.~~

~~—(A) The City Council shall hear and decide conditional uses after review of the Planning and Zoning Board. All applications for conditional uses shall be submitted to the Planning and Zoning Board for study and written, advisory recommendations. The City Council may either grant conditional uses with such conditions and safeguards as are appropriate under this chapter or other applicable code or ordinance provisions, or deny conditional uses when not in harmony with the purpose and intent of this chapter. A conditional use shall not be granted by the City Council unless and until:~~

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Project Details: T23-00012

Project Type: **Code Textual Amendment**

Project Location: ,
Milestone: **Submitted**
Created: **5/8/2023**
Description: **Conditional Uses**
Assigned Planner: **Alexandra Bernard**

Contacts

Contact	Information
Supplemental Contact	
Submitter	Alexandra Bernard 120 Malabar Rd Palm Bay, FL 32907 alexandra.bernard@palmbayflorida.org
Assigned Planner	Alexandra Bernard 120 Malabar Rd Palm Bay, FL 32907 alexandra.bernard@palmbayflorida.org

Fields

Field Label	Value
Section Proposed to be Changed	A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.089 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures.

Project Details: T23-00012

Proposed Language	<p>(B) In granting any conditional use, the City Council may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this chapter and punishable as provided by this chapter. The City Council shall prescribe a time limit within which the action for which the conditional use is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the conditional use.</p> <p>>> (1) The conditional use shall commence within four (4) years of the date that the conditional use is approved, as evidenced by the issuance of a certificate of occupancy, certificate of completion and/or business tax receipt, as applicable. One (1) administrative extension of one (1) year may be approved by the City Manager or designee prior to expiration if the applicant has submitted a complete application for a development order and has obtained all requested permits from the applicable regulatory agencies.</p> <p>(2) No person may resubmit a conditional use request within one (1) year after the first denial of said request by City Council or two (2) years after the second denial. A resubmittal is considered to be a request for an identical conditional use. A submittal with a significant change in a conditional use will not be considered identical. <<</p>
Justification for Proposed Change	The proposed textual amendment will provide for clearer parameters in referencing the length of time that a conditional use is valid for.
Ordinance Number	

Gm

A Daily Publication By:



CITY OF PALM BAY
SUITE 201
120 MALABAR RD SE
PALM BAY, FL, 32907

RECEIVED

MAY 22 2023

City of Palm Bay
Accounting Division

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Sworn to and Subscribed before me this 18th of May 2023,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$268.66

Ad No: 0005705290

Customer No: BRE-6CI213

This is not an invoice

of Affidavits 1

NANCY HEYRMAN
Notary Public
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7.123-00010 - Chelsea Anderson

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.054, GC - General Commercial District, to amend the conditional uses to allow for car washes by conditional use in the General Commercial zoning district.

8.123-00012 - City of Palm Bay (Growth Management Department)

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Conditional Uses to incorporate a new section 185.069 conditional uses; conditions governing applications and repealing section 185.202 conditional uses; Conditions governing applications; procedures.

9.123-00004 - City of Palm Bay (Growth Management Department)

A textual amendment to Section 185.201 of the City of Palm Bay's Land Development Code to modify the procedure for amendment applications.

**Indicates quasi-judicial request(s).

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council 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.
Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.
Jesse Anderson
Assistant Growth Management Director



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Jesse Anderson, Ph.D., Assistant Growth Management Director

DATE: June 7, 2023

SUBJECT: T23-00004 – Planning and Zoning Board Factors of Analysis - City of Palm Bay (Growth Management Department) - A textual amendment to Section 185.201 of the City of Palm Bay's Land Development Code to modify the procedure for amendment applications

ATTACHMENTS:

Description

- 📎 T23-00004 Staff Report
- 📎 T23-00004 Application
- 📎 T23-00004 Legal Ad



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Jesse Anderson, Assistant Director, Growth Management

CASE NUMBER

T23-00004

PLANNING & ZONING BOARD HEARING DATE

June 7, 2023

APPLICANT

City of Palm Bay

PROPERTY LOCATION/ADDRESS

Not Applicable

SUMMARY OF REQUEST

A textual amendment to the City of Palm Bay's Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.202 to establish factors of analysis for the Planning and Zoning Board.

Existing Land Use

Not Applicable

Site Improvements

Not Applicable

Site Acreage

Not Applicable

SURROUNDING ZONING & USE OF LAND

North

Not Applicable

East

Not Applicable

South

Not Applicable

West

Not Applicable

BACKGROUND:

A textual amendment to the City of Palm Bay's Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.202 to establish factors of analysis for the Planning and Zoning Board. The proposed Textual Amendment changes to the Land Development Code are provided below:

Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in ~~striketrough~~ format.

SECTION PURPOSE AND INTENT:

The procedures set forth in this code are based on, consistent with, related to and adopted to effectuate and implement the policies of the City's Comprehensive Plan and adopted Strategic Plans. These established procedures are intended to protect, preserve, and improve the public health, safety, order, appearance, convenience, and welfare of the inhabitants of the City, by considering a variety of factors when assessing amendments to established regulations, restrictions, and boundaries, such as:

- (A) Congestion in the streets;
- (B) Appropriate use of land, water and resources;
- (C) Adequate light and air;
- (D) Safety from fire and other dangers;
- (E) The overcrowding of land;
- (F) The character and stability of residential, commercial, industrial and other areas;
- (G) The adequate provisions for transportation, water supply, sewerage, drainage, sanitation, recreation, schools, housing, and other services; and
- (H) Conserving and enhancing the standard of living within the city.

ANALYSIS:

The proposed textual amendment will codify language that establishes Factors of Analysis required for the Planning and Zoning Board to consider when making recommendations on amendment requests to City Council. The consideration of these factors will result in more thorough analyses of requests to ensure they comply with and further the initiatives of pertinent Florida Statutes, the Comprehensive Plan, any supporting Strategic Plans, and the Land Development Code. Examples of topical areas considered within these Factors of Analysis are local economic impacts, environmental impacts, land use compatibility and consistency, and public health and welfare. The adoption of these Factors of Analysis will assist Council

Members in their determination on amendment requests by better informing Council Members on the factors behind the recommendation from the Planning and Zoning Board and by providing the City Council with specific factors to consider when reviewing amendment requests.

STAFF RECOMMENDATION:

Case T23-00004 is recommended for approval.

TITLE XVII: LAND DEVELOPMENT CODE

Chapter 185: Zoning Code

185.201. Procedure.

The procedure for amendment of this chapter shall be as follows:

A. A district boundary may be initiated by:

- (1) The owner or owners of at least seventy-five percent (75%) of the property described in the application;
- (2) Tenant or tenants, with owner's sworn-to consent;
- (3) Duly authorized agents evidenced by a written power of attorney;
- (4) City Council;
- (5) Planning and Zoning Board;
- (6) Any department or agency of the city.

B. Any amendment to this chapter other than a district boundary change may be proposed by:

- (1) City Council;
- (2) Planning and Zoning Board;
- (3) Any department or agency of the city;
- (4) Any individual, corporation, or agency.

C. All proposed amendments shall be submitted to the Planning and Zoning Board which shall ~~study such proposals to determine~~>> analyze the factors of analysis applicable to the proposed amendment prior to making a recommendation to City Council<<

- (1) ~~The need and justification for the change;~~ >> Future Land Use Map Amendment Factors of Analysis
 - (a) Whether the proposed amendment will have a favorable or unfavorable effect on the city's budget, or the economy of the city;
 - (b) Whether the proposed amendment will adversely affect the level of service of public facilities;
 - (c) Whether the proposed amendment will adversely affect the environment or the natural or historical resources of the city or the region as a result of the proposed amendment;
 - (d) Whether the amendment will have a favorable or adverse effect on the ability of people to find adequate housing reasonably accessible to their places of employment;
-

- (e) Whether the proposed amendment will promote or adversely impact the public health, safety, welfare, or aesthetics of the region or the city;
 - (f) Whether the requested amendment is consistent with all elements of the Comprehensive Plan and established Levels of Service.
 - (g) Whether the request maximizes compatibility (consistent with the definition found in Florida Statutes 163.31649) between uses;
 - (h) Whether the request provides for a transition between areas of different character, density or intensity;
 - (i) Whether the request relocates higher density and intensity uses in areas which already feature adequate vehicular access and access to public facilities; and
 - (j) Whether the request considers land use equity in accordance with Policy FLU – 1.12A of the Comprehensive Plan. <<
- (2) ~~When pertaining to the rezoning of land, the effect of the change, if any, on the particular property and on surrounding properties; >>~~
Zoning Map Amendment Factors of Analysis
- (a) The applicant's need and justification for the change and whether it aligns with the community's current or future needs;
 - (b) the effect of the change, if any, on a particular property and surrounding properties;
 - (c) The amount of existing undeveloped land in the general area of the city having the same classification as that requested;
 - (d) Whether the proposed amendment furthers the purpose of the city's Comprehensive Plan, or other strategic plans applicable to the proposed development and the provisions in the Land Development Code;
 - (e) Whether the requested district is substantially different from that of the surrounding area; and
 - (f) Whether the request provides for a transition between areas of different character, density or intensity.<<
- (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;~~
- (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 plan.~~

D. When a change of zoning classification of a single parcel is proposed, or a group of not more than five hundred (500) parcels, of any property within the city, a

notice shall be mailed to each property owner whose zoning classification is proposed to be changed, using owner's current address of record, as maintained by the Tax Assessor, and be postmarked not later than ten (10) days prior to the scheduled hearing. Prior to the effective date of any zoning classification change, the City Council shall cause an affidavit to be filed with the City Clerk certifying its compliance with the provisions of this section. A failure to give notice shall not affect the validity of zoning except as to the property of the complaining owner.

E. When any proposed change of a zoning district boundary lies within five hundred (500) feet of the boundary of an incorporated or unincorporated area, notice shall be forwarded to the Planning Board or governing body of such incorporated or unincorporated areas in order to give such body an opportunity to appear at the hearing and express its opinion on the effect of the district boundary change.

F. The Planning and Zoning Board shall submit the request for change or amendment to the City Council with written reasons for its recommendation.

G. The City Council shall hold public hearings on the recommendation of the Planning and Zoning Board, giving public notice as required by the state statutes and by posting notice in city hall.

('74 Code, § 25-292) (Ord. 89- 08, passed 4-27-89; Am. Ord. 95- 45, passed 10-19-95; Am. Ord. 2016-17, passed 4-21-16)

Project Details: T23-00004

Project Type: Code Textual Amendment

Project Location: ,
Milestone: **Approved**
Created: **4/3/2023**
Description: **PZ Board Factors of Analysis**
Assigned Planner: **Jesse Anderson**

Contacts

Contact	Information
Supplemental Contact	
Submitter	Jesse Anderson 120 Malabar Road Palm Bay, FL 32909 (321) 733-3042 jesse.anderson@palmbayflorida.org
Assigned Planner	Jesse Anderson Palm Bay, FL 32907 jesse.anderson@palmbayflorida.org

Fields

Field Label	Value
Section Proposed to be Changed	185.201 and 185.202
Proposed Language	See additional upload
Justification for Proposed Change	Providing findings for applicants to respond to for staff and PZ Board Analysis
Ordinance Number	

Gm

A Daily Publication By:



CITY OF PALM BAY
SUITE 201
120 MALABAR RD SE
PALM BAY, FL, 32907

RECEIVED

MAY 22 2023

City of Palm Bay
Accounting Division

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) dated:
or by publication on the newspaper's website, if authorized,
on

05/18/2023

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 18th of May 2023,
by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$268.66

Ad No: 0005705290

Customer No: BRE-6CI213

This is not an invoice

of Affidavits 1

NANCY HEYRMAN
Notary Public
State of Wisconsin

CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on July 6, 2023, and by the City Council on July 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1.CP23-00004 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Neighborhood Center and Urban Mixed Use to Urban Mixed Use

Lot 1, Block A, Hiawatha Gardens, Section 13, Township 28, Range 37, along with Lot K, Plat of Tillman, Section 24, Township 28, Range 37, and Lots 1 - 8 and 29 - 38, Block 2, Plat of Tillman, Section 24, Township 28, Range 37, Brevard County, Florida, containing approximately 4.12 acres. Located east of and adjacent to Dixie Highway NE, in the vicinity of Kirkland Road NE and Bay Boulevard NE

2.**CP23-00803 - Steamboat Landing, LLC and Gateway Medical Property, LLC (Curtis J. McKinney, Rep.)

A Zoning Amendment from BMUV, Bayfront Mixed Use Village District and RM-20, Multiple-Family Residential District to BMU, Bayfront Mixed Use District

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3.**CU23-00005 - Ascot Palm Bay Holdings, LLC (Ana Saunders P.E., BSE Consultants, Inc., Rep.)

A Conditional Use to allow retail automotive gas/fuel sales in a CC, Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances

A Portion of Block 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.16 acres. Located at the intersection of St. John's Heritage Parkway and Emerson Drive NW

4.**CU23-00002 - David Moullem Trust; Pirzadeh, Siroot; Pirzadeh, Mahnaz (Holly Irish, Vector Civil Engineering, Reps.)

A Conditional Use to allow for a Dollar General/Retail Store with a gross floor area over 5,000 square feet in an NC, Neighborhood Commercial District

A Portion of Block O, Subdivision G1, Section 02, Township 29, Range 36, Brevard County, Florida, containing approximately 1.75 acres. Generally located south of and adjacent to Jupiter Boulevard SW and west of and adjacent to Garvey Road SW

5.CP23-00005 - Vision 43 LLC (Holly Tanner, Rep.)

A Small-Scale Comprehensive Plan Future Land Use Map Amendment from Low Density Residential to Commercial Use

Block 66, Section 23, Township 28, Range 37, Brevard County, Florida, containing approximately 0.38 acres. Located east of and adjacent to Magnolia Street NE, in the vicinity of Palm Bay Road NE

6.**CP23-00004 - Vision 43 LLC (Holly Tanner, Rep.)

A Zoning Amendment from an RS-3, Single Family Residential District to an HC, Highway Commercial District

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