



STAFF REPORT

LAND DEVELOPMENT DIVISION

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Prepared by

Kimberly Haigler, Senior Planner

CASE NUMBER

CP23-00012

PLANNING & ZONING BOARD HEARING DATE

February 7, 2024

PROPERTY OWNER & APPLICANT

Vishaal Gupta- Kimaya, LLC (Jake Wise, P.E., Construction Engineering Group, LLC. Rep.)

PROPERTY LOCATION/ADDRESS

A portion of Sections 3 and 4, Township 30, Range 37, Brevard County, Florida; containing approximately 27.72 acres. Located in the vicinity northwest of the corner of Babcock Street SE and St. Johns Heritage Parkway SE; Tax Accounts 3027881, 3000215

SUMMARY OF REQUEST

The applicant is requesting a Small-Scale Comprehensive Plan Future Land Use Map Amendment from COM, Commercial; LDR, Low Density Residential; and HDR, High Density Residential to NC, Neighborhood Center

Existing Zoning

PUD, Planned Unit Development

Existing Land Use

COM, Commercial; LDR, Low Density Residential; and HDR, High Density Residential

Site Improvements

vacant land

Site Acreage

27.72 acres

SURROUNDING FUTURE LAND USE & USE OF LAND

North

COM, Commercial and LDR, Low Density Residential

East

LDR, Low Density Residential and HDR, High Density Residential

South

COM, Commercial; Vacant

West

COM, Commercial; Vacant

BACKGROUND:

The subject property is located in the vicinity northwest of the corner of Babcock Street SE and St. Johns Heritage Parkway SE. The area is a 27.72-acre tract of a 84.75 acre proposed mixed use development to be called Palm Bay Pointe West.

In 2022, the owner requested a Future Land Use change from Commercial (COM) to Multifamily Residential (MFR) for a larger 38.3-acre tract (CP-31-2022). At the time the proposal was for 760 multifamily units. CP-31-2022 was passed unanimously by the Planning and Zoning Board; however, it was denied by City Council. Council Members voiced concern over the loss of commercial land and a desire for a development that was more of a mixed use.

The owner of the property is now requesting a change of Future Land Use to Neighborhood Center (NC) and has also submitted concurrently for a Preliminary Development Plan (PD23-00005) and a Final Development Plan (FD23-00012). The proposed multifamily complex will include 668 units. The proposed Palm Bay Pointe West development will consist of 16 commercial parcels, totaling approximately 41 acres. The vacant commercial parcels are situated adjacent to St. Johns Heritage Parkway SE and Babcock Street SE.

The City's Comprehensive Plan states that the purpose of the Neighborhood Center Land Use Classification is to create areas accommodating high residential densities complemented by neighborhood-scale commercial and office uses. Typical uses shall include a range of housing types, commercial, office, recreation, and institutional uses. The proposed tract will consist solely of multifamily development. The maximum density permitted in Neighborhood Center is 25 dwelling units per acre. The proposed density is 24.1. The maximum intensity (FAR, Floor to Area Ratio) permitted in this classification is 0.5. The proposed intensity is 0.67. A requirement of approval for the preliminary and final development plans is that the plans are revised to reduce the FAR to 0.5.

ANALYSIS:

All proposed amendments shall be submitted to the Planning and Zoning Board which shall analyze the factors of analysis applicable to the proposed amendment prior to making a recommendation to City Council.

(A) Whether the proposed amendment will have a favorable or unfavorable effect on the city's budget, or the economy of the city.

The applicant states that this project will increase the tax base from both real estate tax and sales tax. In addition, they anticipate a substantial increase in fees and revenue for the City.

(B) Whether the proposed amendment will adversely affect the level of service of public facilities

The applicant states that they are currently coordinating with the City to expand water supply capacity and extend existing water mains. Additionally, they add that residential development generates far less traffic than commercial,

Utilities: The Utilities Department has no objection to the proposed Future Land Use Map Amendment from Commercial to Multi-Family Residential Use. Note, this region is currently at capacity for water and sewer service. The Utilities Department is coordinating with outside entities to complete infrastructure projects critical to servicing the southern portion 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.

Drainage: The Public Works Department has no objection to the proposed FLU amendment. 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.

Public Schools: The School Board has determined that when considering the adjacent elementary school, middle school, and high school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the Palm Bay Pointe West development.

Recreation and Open Space: The proposed development would provide a minimum of 21.69 acres of open space. Additionally, the multifamily residential development will provide 2 recreational areas with a clubhouse and pool as well as designated dog park and tot lot areas.

Transportation: 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. The Public Works Department Level of Service Analysis has determined that the adjacent roadways have the capacity.

(C) Whether the proposed amendment will adversely affect the environment or the natural or historical resources of the city or the region as result of the proposed amendment

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 Policy CON-1.6.

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

There are no known historical resources on the subject property that would be impacted due to this amendment. During any development review, an environmental assessment will be required prior to any construction.

- (D) Whether the proposed amendment will have a favorable or adverse effect on the ability of people to find adequate housing reasonably accessible to their places of employment

The proposed multifamily residential development will provide a housing option that is not currently available in this region of the City. The applicant asserts that the project will increase the need for development in the adjacent vacant commercial parcels. There is currently no commercial development in this area.

- (E) Whether the proposed amendment will promote or adversely impact the public health, safety, welfare, or aesthetics of the region or the city.

The applicant states that the proposed land use change will be “less intense, reduce utility needs, increase green space, increase landscaping, and help spur future commercial development.” Additionally, the developer has offered to work with the City to establish a new site for a new police/fire station.

- (F) Whether the requested amendment is consistent with all elements of the Comprehensive Plan and established Levels of Services.

The requested amendment is consistent with all elements of the Comprehensive Plan and established Levels of Service by providing a new variety of housing and supporting future commercial growth that is not currently in the region.

- (G) Whether the request maximizes compatibility (consistent with the definition found in Florida Statutes 163.31649) between uses.

The request maximizes compatibility between uses in the relative proximity. Commercial development is expected at the intersection of arterial roads and the multifamily development provides a good transition between the commercial to the east and single family residential to the west.

- (H) Whether the request provides for a transition between areas of different character, density or intensity.

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

The Comprehensive Plan (Plan) FLU Objective FLU-1.8 is to ensure that future development activity shall be compatible with established neighborhoods and strive to enhance the character of the community.

The proposed multifamily development provides a good transition between the commercial to the east and single family residential to the west.

- (I) Whether the request relocates higher density and intensity uses in areas which already feature adequate vehicular access and access to public facilities

The applicant asserts that their request “reduces density and intensity with less traffic, less utility use, more green space, and supports future commercial.”

- (J) Whether the request has potential for creating land use inequities per Policy FLU 1.12A of the Comprehensive Plan.

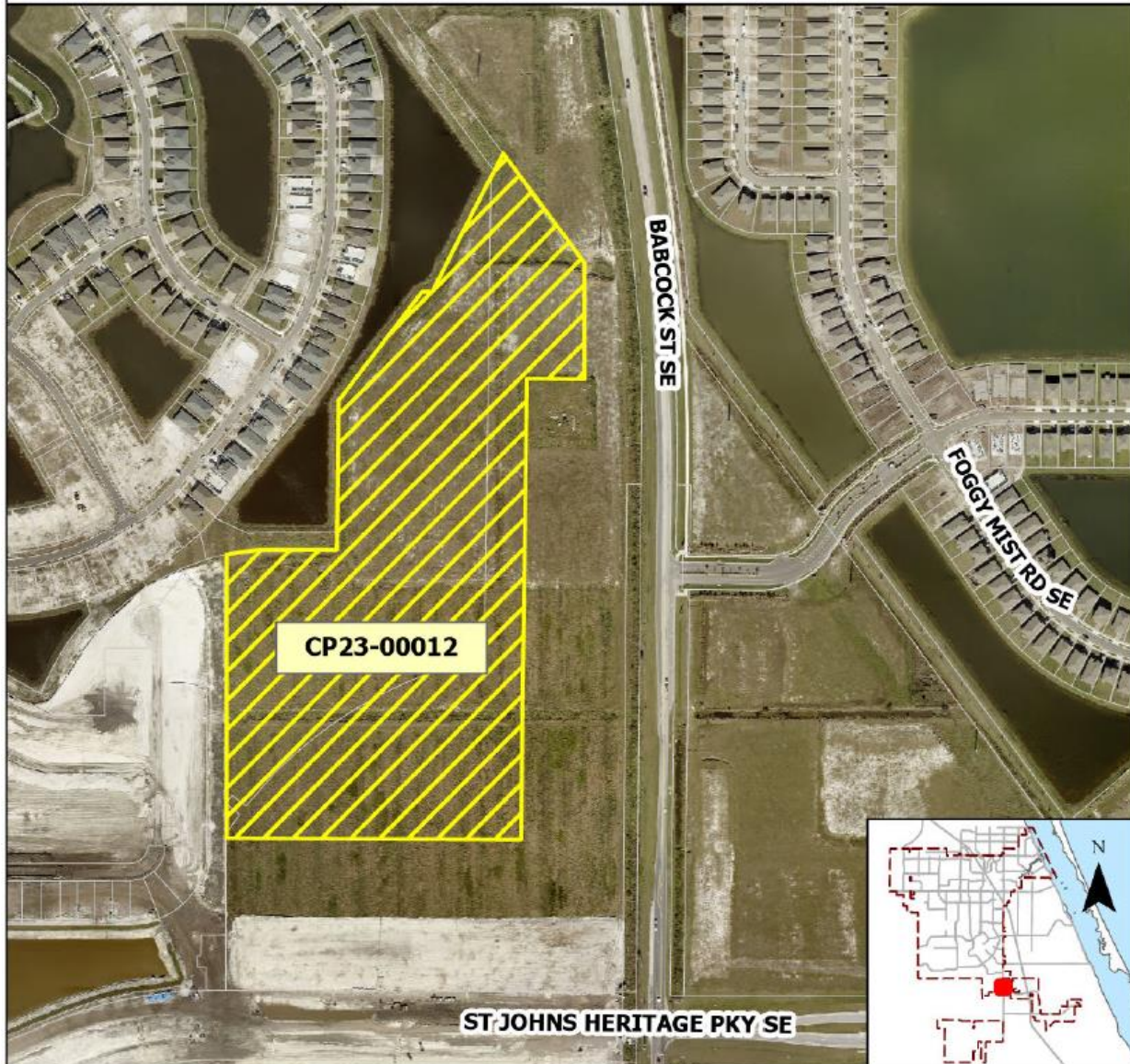
The applicant does not expect this to create land use inequities. The request for a 27.72-acre multifamily development adjacent to 57.3 acres of Commercial parcels, located at an intersection of arterial roads, will create a more transit friendly environment and needed job growth, reducing the employment to housing ratio.

STAFF FINDINGS:

Case CP23-00012 is recommended for approval.



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



AERIAL LOCATION MAP

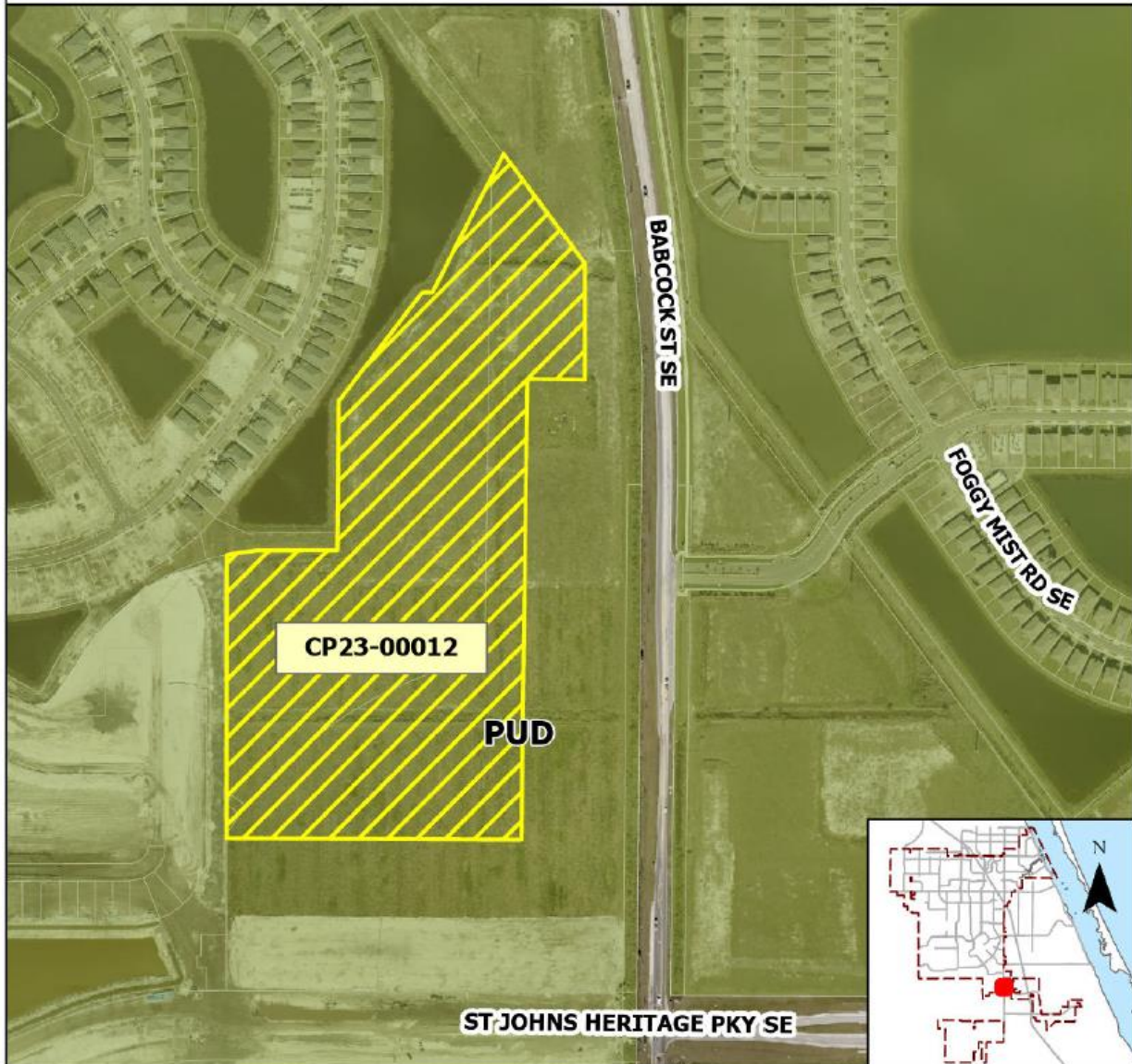
CASE: CP23-00012

Subject Property

In the vicinity northwest of the corner of Babcock Street SE and St. Johns Heritage Parkway SE



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ZONING DISTRICT MAP

CASE: CP23-00012

Subject Property

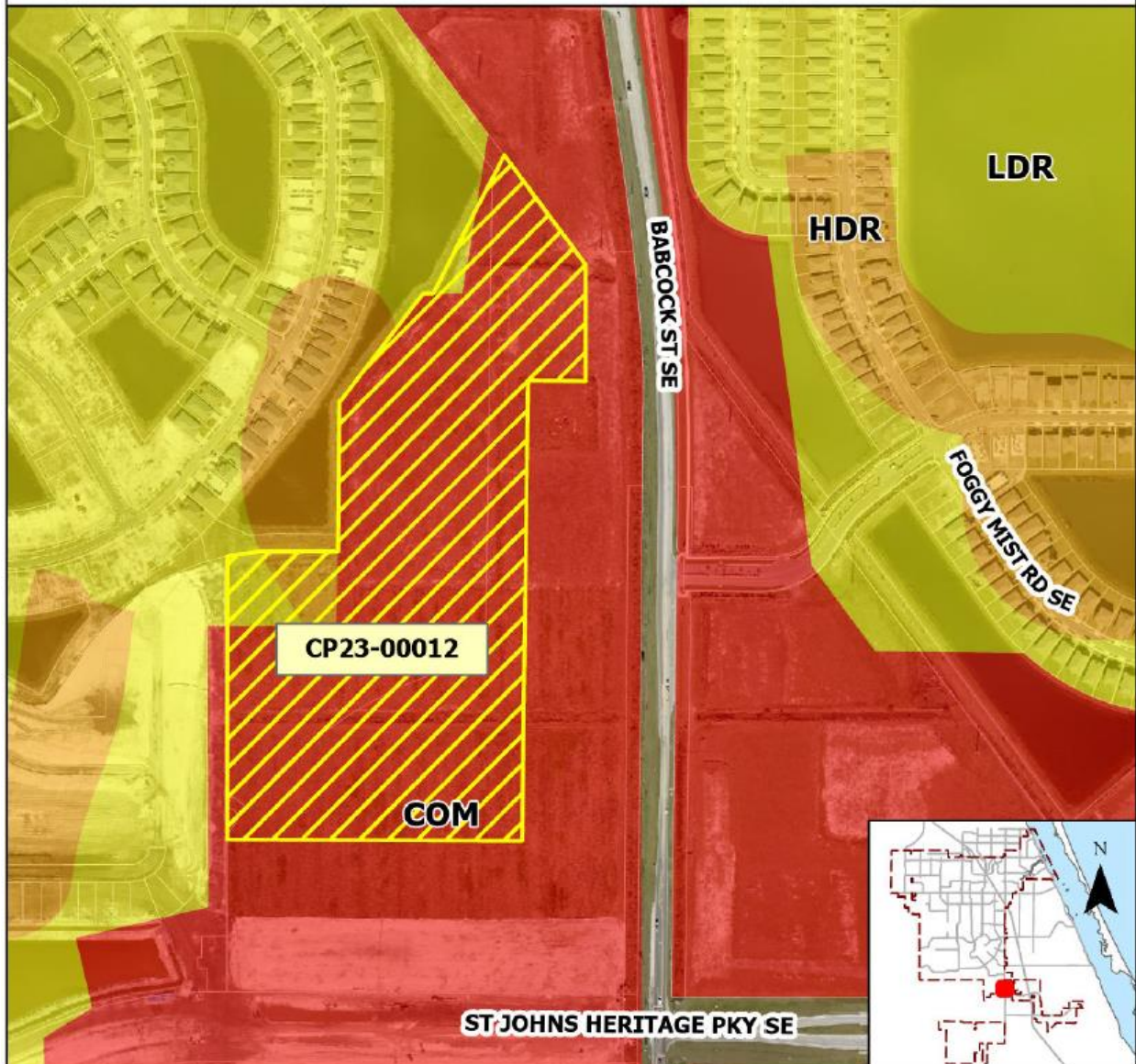
In the vicinity northwest of the corner of Babcock Street SE and St. Johns Heritage Parkway SE

Current Zoning Classification

PUD - Planned Unit Development



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FUTURE LAND USE MAP

CASE: CP23-00012

Subject Property

In the vicinity northwest of the corner of Babcock Street SE and St. Johns Heritage Parkway SE

Future Land Use Classification

COM - Commercial, LDR - Low Density Residential, HDR - High Density Residential