



LAND DEVELOPMENT DIVISION

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

<https://ims.palmbayflorida.org>

PLANNING AND ZONING BOARD FACTORS OF ANALYSIS

(1) 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;

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

- (b) Whether the proposed amendment will adversely affect the level of service of public facilities;

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

- (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;

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

(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;

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

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

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

(f) Whether the requested amendment is consistent with all elements of the Comprehensive Plan and established Levels of Service.

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

(g) Whether the request maximizes compatibility (consistent with the definition found in [Florida Statutes 163.31649](#)) between uses;

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

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

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

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

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

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

Applicant Response:

The Applicant is not requesting an amendment to the Future Land Use Map. The Applicant is requesting a rezoning with a companion conditional use application to allow development of the property with a convenience store and retail automotive gas/fuel sales.

(2) 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;

Applicant Response:

The applicant intends to develop the property with a retail automotive gas/fuel sales use and must rezone the property (as well as apply for a Conditional Use) to do so. The applicant determined that the market supports such a use at this location. The stated intent of the Community Commercial District is "to locate and establish areas within the city which are deemed to be uniquely suited for the development and maintenance of community commercial facilities, the areas to be primarily located in or near the intersection of arterial roadways . . . " (See Sec. 185.043, Code of Ordinances). This property is located at the intersection of arterial roadways (Malabar Road and Babcock Road) and is an ideal location for the uses allowed in the Community Commercial District.

- (b) The effect of the change, if any, on a particular property and surrounding properties;

Applicant Response:

The designation of the Community Commercial zoning district for the subject property is compatible with the surrounding area and is consistent with the City's desire and plan for the expansion of commercial development.

- (c) The amount of existing undeveloped land in the general area of the city having the same classification as that requested;

Applicant Response:

The intent of the Community Commercial classification is intended for areas of the city which are uniquely suited for the development and maintenance of community commercial facilities, that are primarily located in or near the intersection of arterial roadways. The uses and development standards included in the district are intended to for proper location and development standards and provisions that are appropriate to ensure proper development and functioning of uses within the district. The property is located at the southeastern quadrant of the intersection of Babcock Street and Malabar Road. The properties are the northeastern quadrant, northwestern quadrant, and southwestern quadrant of this intersection are all already zoned Community Commercial. There does not appear to be many undeveloped lots left in this general area having the Community Commercial zoning classification, and there are none at this interchange.

- (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;

Applicant Response:

The proposed rezoning furthers the purpose of Table FLU-1 to support low to moderate intensity commercial development within the Commercial Future Land Use Category, and furthers Policy FLU-1.4A to direct commercial activities to development at nodes. The proposed rezoning also furthers the purpose of LDC Sec. 185.043(A) to locate and establish areas within the city which are deemed to be uniquely suited for the development and maintenance of community commercial facilities, the areas to be primarily located in or near the intersection of arterial roadways; to designate those uses and services deemed appropriate and proper for location and development within the subject district; and to establish such development standards and provisions as are appropriate to ensure proper development and functioning of uses within the district.

- (e) Whether the requested district is substantially different from that of the surrounding area; and

Applicant Response:

The requested zoning district is not substantially different from that of the surrounding area. The property is located at the southeastern quadrant of the intersection of Babcock Street and Malabar Road. The properties at the northeastern quadrant, northwestern quadrant, and southwestern quadrant of this intersection are all already zoned Community Commercial.

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

Applicant Response:

The property is located at the southeastern quadrant of the intersection of Babcock Street and Malabar Road. The properties in the northeastern quadrant, northwestern quadrant, and southwestern quadrant of this intersection are all already zoned Community Commercial. The adjacent properties to the east and south of the subject property are all zoned General Commercial. Community Commercial provides a transition between the interchange of Babcock Street and Malabar Road and the heavier commercial uses in the General Commercial district as you move further east and south of said interchange.

Please note: You may add supplemental information or documents to this form for consideration.