

RESOLUTION 2024-04

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, GRANTING APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR A PROPOSED MIXED-USE SUBDIVISION TO BE KNOWN AS 'PALM BAY SUITES AND RESIDENCES' IN HC (HIGHWAY COMMERCIAL DISTRICT) ZONING, WITH A TENTATIVE ZONING OF PUD (PLANNED UNIT DEVELOPMENT); WHICH PROPERTY IS LOCATED WEST OF AND ADJACENT TO ROBERT J. CONLAN BOULEVARD, IN THE VICINITY SOUTH OF COMMERCE PARK DRIVE, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR FILING OF THE FINAL DEVELOPMENT PLAN APPLICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application for a Preliminary Development Plan in HC (Highway Commercial District) zoning to permit a mixed-use subdivision to be known as 'Palm Bay Suites and Residences' has been made by Palm Bay Development Group, LLC, and

WHEREAS, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on February 7, 2024, which voted to recommend to the City Council denial of the application, and

WHEREAS, all provisions applicable to the Preliminary PUD under Chapter 185, Zoning, of the Palm Bay Code of Ordinances, have been satisfied by the applicant, and

WHEREAS, the City Council of the City of Palm Bay has determined that such Preliminary PUD will neither be injurious to adjacent lands nor otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby grants Preliminary Development Plan approval for 'Palm Bay Suites and Residences' on property zoned HC (Highway Commercial District), with a tentative zoning of PUD (Planned Unit Development), which property is legally described as follows:

Tract 1 and Tract 2, Palm Bay Colony Section One, according to the plat thereof, as recorded in Plat Book 24, Page(s) 37-40, inclusive, of the Public Records of Brevard County, Florida; --AND-- Tract 7 and Tract 8, Less that portion of Tract 8 as described in Official Records Book 7775 page 2062, Palm Bay Colony Section Four, according to the Plat thereof, as recorded in Plat Book 24, Page(s) 37-40, inclusive, of the Public Records of Brevard County, Florida; all in Section 14, Township 28S, Range 37E; containing 26.5 acres, more or less.

SECTION 2. The Preliminary Development Plan, incorporated herein as Exhibit 'A', is granted subject to the staff comments contained in the Staff Report, which is, by reference, incorporated herein as Exhibit 'B'.

SECTION 3. The developer shall have one (1) year from the date of this resolution in which to file a Final Development Plan application. Failure to file said application within one (1) year shall void the Preliminary Development Plan approval unless an extension for filing the Final Development Plan application has been granted by the City Council.

SECTION 4. This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2024- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2024.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Applicant: Palm Bay Development Group, LLC
Case: PD23-00008

cc: Brevard County Recording
Applicant
Case File