

RESOLUTION 2024-15

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, GRANTING APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR A PROPOSED MIXED-USE DEVELOPMENT TO BE KNOWN AS 'MALABAR VILLAGE' IN CC (COMMUNITY COMMERCIAL DISTRICT) ZONING, WITH A TENTATIVE ZONING OF PUD (PLANNED UNIT DEVELOPMENT); WHICH PROPERTY IS LOCATED SOUTH OF AND ADJACENT TO MALABAR ROAD, IN THE VICINITY OF THE SOUTHWEST CORNER OF MALABAR ROAD AND ALLISON 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 CC (Community Commercial District) zoning to permit a proposed mixed-use development containing 424 multiple-family residential units and three (3) adjacent commercial parcels to be known as 'Malabar Village' has been made by Vacation Finance, LLC, and

WHEREAS, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on April 3, 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 'Malabar Village' on property zoned CC (Community

Commercial), with a tentative zoning of PUD (Planned Unit Development), which property is legally described as follows:

Tax Parcel 4, of the Public Records of Brevard County, Florida; Section 4, Township 29S, Range 36E; containing 32.8 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-XX, 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: Vacation Finance, LLC
Case: PD23-00006

cc: Brevard County Recording
Applicant
Case File