



STAFF REPORT

LAND DEVELOPMENT DIVISION

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Prepared by

Debbie Flynn, Senior Planner

CASE NUMBER

CPZ24-00008

PLANNING & ZONING BOARD HEARING DATE

January 8, 2025

PROPERTY OWNER & APPLICANT

Eyal Pasternak, President of EYP Holding, Inc. (Kelly Delmonico, AICP, Land Development Strategies, LLC)

PROPERTY LOCATION/ADDRESS

Port Malabar Industrial Park Subdivision Lots 7, 8, & 9 Blk 1 together W S 300 ft of Tract D, Palm Bay, Brevard County, Florida, containing approximately 2.14 acres. Located on the northeast corner of Clearmont Street NE and Franklin Drive NE; Tax Accounts 2832154, 2832155, 2832156, and 2832144

SUMMARY OF REQUEST

The applicant is requesting a rezoning from CC, Community Commercial to LI, Light Industrial and Warehousing.

Existing Zoning

CC, Community Commercial

Existing Land Use

COM, Commercial

Site Improvements

Vacant land

Site Acreage

2.14 acres

SURROUNDING ZONING & USE OF LAND

North

LI, Light Industrial and Warehousing; Small Equipment Manufacturing Plant

East

CC, Community Commercial; Brevard County Retention Pond

South

LI, Light Industrial and Warehousing; L3 Harris Technologies, Inc.

West

LI, Light Industrial and Warehousing; Florida Power & Light Co.

**COMPREHENSIVE PLAN
COMPATIBILITY**

Yes, subject to approval of Case CP24-00012

BACKGROUND:

The subject property consists of four contiguous parcels, generally located at the northeast corner of Clearmont Street NE and Franklin Drive NE, covering approximately 2.14 acres. Currently the parcels have a future land use of Commercial.

The applicant is requesting to change the zoning from CC, Community Commercial to LI, Light Industrial and Warehousing. This change in zoning would allow the potential purchaser of the property to build flex space for light industrial uses that support surrounding existing industrial businesses.

ANALYSIS:

All proposed rezonings 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) The applicant's need and justification for the change and whether it aligns with the community's current or future needs:

There is a demand within the community for flex space for light industrial uses that support surrounding existing industrial businesses, such as L3Harris. In order to provide flex space units for rent for light industrial purposes, the property must be rezoned from CC (Community Commercial) to LI (Light Industrial). The subject property is surrounded by Light Industrial zoning to the north, west, and south, and has a Brevard County retention pond to the east.

(B) The effect of the change, if any, on a particular property and surrounding properties:

The result of rezoning the property to Light Industrial (LI) would be to allow the additional uses permitted under LI. The property to the north, west, and south are already zoned Light Industrial, and the request is compatible with the area.

(C) The amount of existing undeveloped land in the general area of the city having the same classification as that requested:

There are not significant vacant LI-zoned properties within the area. The availability LI

properties in the area appear to contain significant wetlands or are owned by the city or other government agency.

- (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:

The Comp Plan objective FLU-1.7 sets for the desire of the city to "Expand, protect, and promote the City's industrial market". This request is consistent with that objective, especially within this existing industrial employment center.

- (E) Whether the requested district is substantially different from that of the surrounding area:

The subject property is surrounded by Light Industrial zoning to the north, west, and south, and has a Brevard County retention pond to the east. The rezoning request would allow the property to match the majority of the properties surrounding it.

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

The area in question is right on the edge of a transition area between commercial and industrial future land uses and zoning districts. Rezoning to light industrial is within keeping of the area and is appropriate for this industrial subdivision. The character of the area is supportive of the proposed light industrial use. This property is adjacent to a large and intense L3Harris industrial campus.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed rezoning from CC, Community Commercial to LI, Light Industrial and Warehousing for Case CPZ24-00008.

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



AERIAL LOCATION MAP

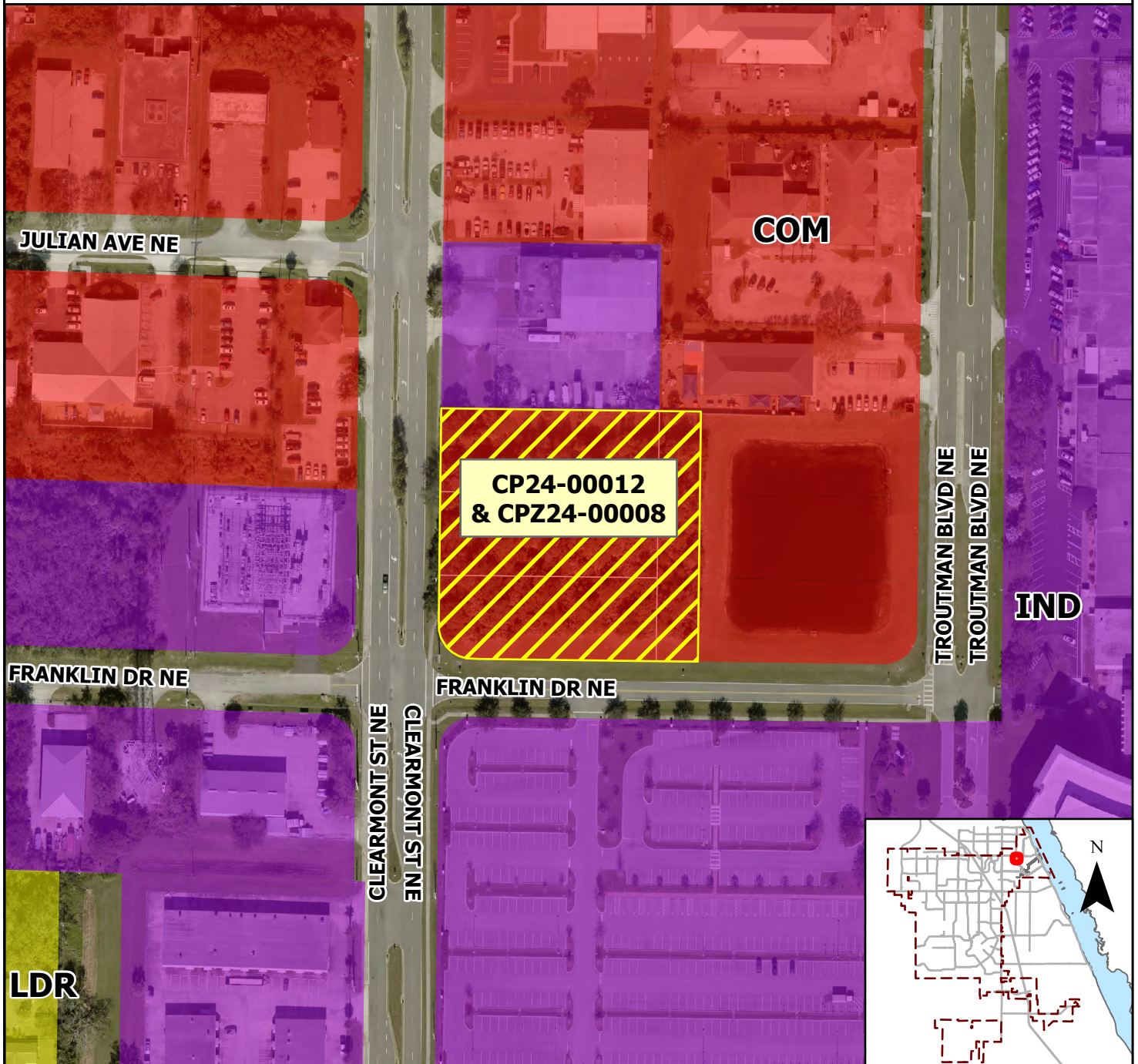
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Subject Property

Located on the northeast corner of Clearmont Street NE and Franklin Drive NE



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FUTURE LAND USE MAP

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Subject Property

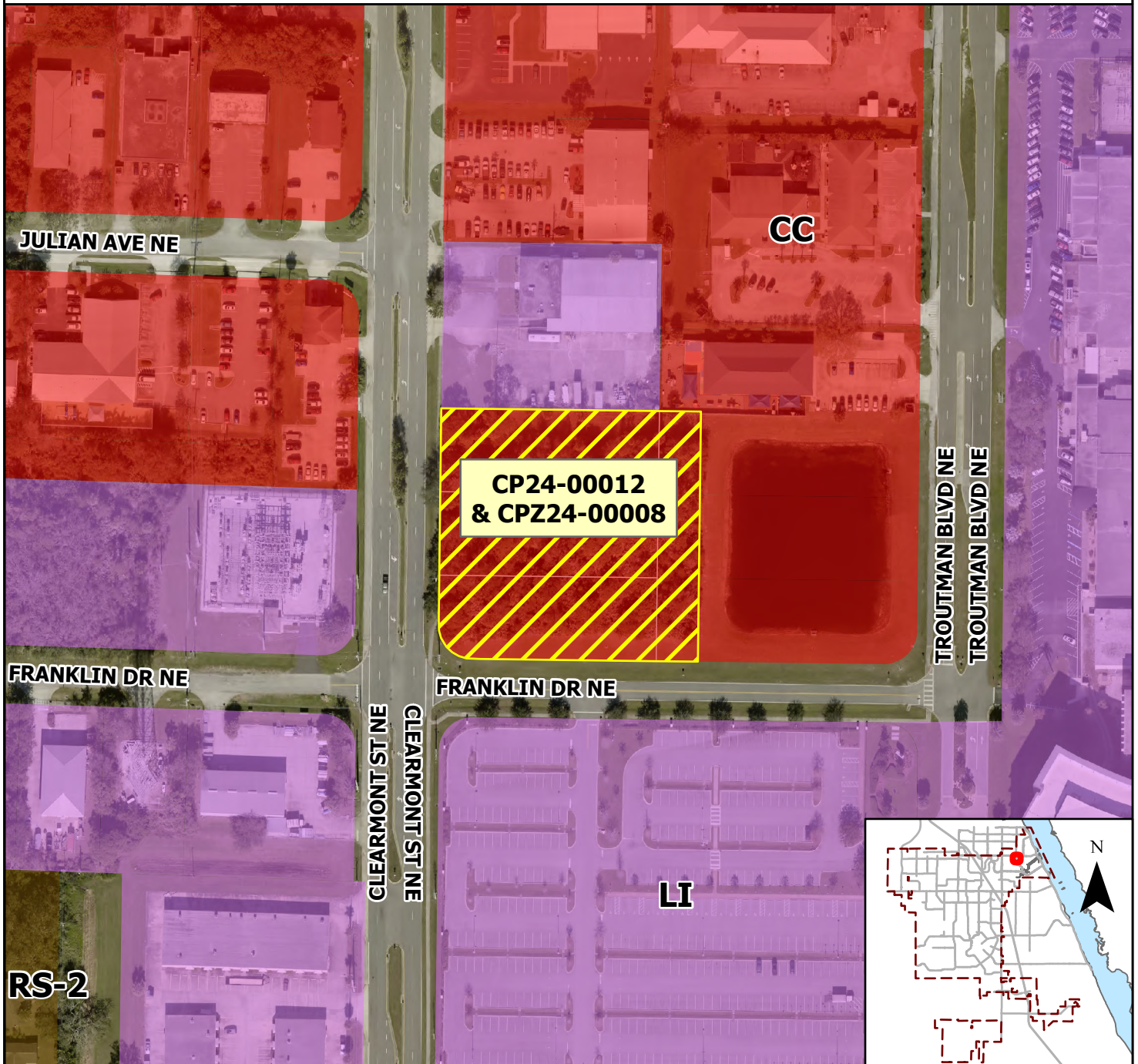
Located on the northeast corner of Clearmont Street NE and Franklin Drive NE

Future Land Use Classification

COM - Commercial



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ZONING MAP

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Subject Property

Located on the northeast corner of Clearmont Street NE and Franklin Drive NE

Zoning District

CC - Community Commercial