



## MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Scott Morgan, Interim City Manager

**THRU:** Lisa Frazier, AICP, Growth Management Director

**DATE:** March 6, 2025

**RE:** Resolution 2025-08, granting a conditional use to allow an educational institution in LI (Light Industrial and Warehousing District) zoning, in accordance with Section 173.01, Palm Bay Code of Ordinances, on property located south of and adjacent to Treeland Boulevard, in the vicinity east of San Filippo Boulevard (3.7 acres) (Case CU25-00002, Treeland Property Owner LLC). (Quasi-Judicial Proceeding) (CONTINUED FROM 02/06/25 RCM)

### SUMMARY:

As you may recall, the above request was scheduled for the February 6, 2025, regular Council meeting. Council voted to continue the request at the applicant's request.

Treeland Property Owner, LLC (Kelly Delmonico and John Euliano, Reps.) has submitted a Conditional Use request to allow an educational institution known as Brevard Nursing Academy in the Light Industrial and Warehousing District. The subject property is a 3.7-acre site with a 35,793 square foot commercial building at 1470 Treeland Boulevard SE. The site was originally developed as the Florida Education and Research Foundation, Brevard Lab Site in 1994-95.

Currently, Brevard Nursing Academy has been operating at 1581 Robert J. Conlan Boulevard NE, in a Light Industrial and Warehousing district. Now under new management, the academy would like to relocate to allow room for expansion in hopes of including additional technical and trade school programs. They would like to stay within Palm Bay and have selected 1470 Treeland Boulevard SE.

Prior to the code change in September 2024, vocational and trade schools were a permitted use in Light Industrial and Warehousing districts. If Brevard Nursing Academy was to remain at 1581 Robert J. Conlan Boulevard NE, the use would be allowed to continue in compliance with Section 173.103, Nonconforming Uses of Land, without a conditional use approval. Under the new Land Development Code, all educational facilities have been defined as "educational institutions" and classified as a conditional use in Light Industrial and Warehousing districts. The relocation to a new facility has now triggered the requirement for a conditional use review for Brevard Nursing Academy.

Conditional Use requests are evaluated upon items (1) through (8) of the Review Criteria of Section 174.024(F) of the Code of Ordinances. The proposed development meets the minimum requirements for approval of a conditional use. City Council has the authority to request additional and reasonable conditions and safeguards associated with this conditional use.

**REQUESTING DEPARTMENT:**

Growth Management

**STAFF RECOMMENDATION:**

Motion to approve a conditional use for an educational institution at 1470 Treeland Boulevard SE.

**Planning & Zoning Board Recommendation:**

Planning and Zoning Board minutes are not fully transcribed at this time; the following is an excerpt:

**Motion** by Mr. Filiberto, **Seconded** by Mr. Warner to submit Case CU25-00002 to the City Council for approval.

**Result:** Carried 4 to 0

**Aye:** Karaffa, Warner, Filiberto, McNally

**Nay:** None

**Abstain:** None

**ATTACHMENTS:**

1. CU25-00002 Staff Report
2. CU25-00002 Survey
3. CU25-00002 Citizen Participation Plan Report
4. CU25-00002 Application
5. CU25-00002 Letters of Authorization
6. CU25-00002 Legal Acknowledgement
7. CU25-00002 Legal Ad
8. CU25-00002 Resolution