

ORDINANCE 2024-11

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, APPROVING A FINAL DEVELOPMENT PLAN TO BE KNOWN AS 'PALM BAY POINTE EAST' IN PUD (PLANNED UNIT DEVELOPMENT) ZONING; WHICH PROPERTY IS LOCATED EAST OF AND ADJACENT TO BABCOCK STREET, IN THE VICINITY NORTH AND SOUTH OF ST. JOHNS HERITAGE PARKWAY, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR A COMMENCEMENT PERIOD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application for Final Development Plan approval in PUD (Planned Unit Development) zoning to allow a commercial subdivision to be known as 'Palm Bay Pointe East' on property legally described herein, has been made by Kimaya, 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 approval of the application, and

WHEREAS, all provisions applicable to the Planned Unit Development (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, after due deliberation and consideration, reviewed and considered the reports, documents, testimony, and other materials presented, and has determined that such development plan will neither be injurious to the neighborhood nor otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT ENACTED 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 Final Development Plan approval for 'Palm Bay Pointe East' on property zoned PUD (Planned Unit Development), which property is legally described herein as Exhibit 'A'.

SECTION 2. The Final Development Plan is granted subject to the staff comments contained in the Staff Report, incorporated herein as Exhibit 'B', and the following items being submitted with construction plans as follows:

- A. A preliminary subdivision plat and a boundary and title opinion.
- B. Deed restrictions establishing development standards.

SECTION 3. The property shall be developed in substantial conformance with the Final Development Plan, which is, by reference, incorporated herein as Exhibit 'C', except as may be modified by the conditions of approval. The applicant shall comply with all provisions of the Code of Ordinances of the City of Palm Bay and all other state and federal rules, regulations, and statutes.

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

Read in title only at Meeting 2024- , held on , 2024; and
read in title only and duly enacted at Meeting 2024- , held on , 2024.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

City of Palm Bay, Florida
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Reviewed by CAO: _____

Applicant: Kimaya, LLC
Case: FD23-00010

cc: Brevard County Recording
Applicant
Case File