

**REVISED**

STAFF REPORT

LAND DEVELOPMENT DIVISION

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Prepared by

Tania Ramos, Principal Planner

CASE NUMBER

PS24-00001

PLANNING & ZONING BOARD HEARING DATE

July 16, 2024

PROPERTY OWNER & APPLICANT

John Ryan, Chaparral Properties, LLC.
(Jake Wise, P.E., Construction
Engineering Group, LLC., Rep.)

PROPERTY LOCATION/ADDRESS

Tax Parcels 750, 751, 752, and 753, Section 04,
Township 29, Range 36, along with Tax Parcels 3 and
4, Section 09, Township 29, Range 36, Brevard
County, Florida. Located south of Malabar Road SW,
in the vicinity south of Abilene Drive SW; Tax Accounts
2903866, 2903868, 3030091, 2903867, 2960819, and
2963407.

SUMMARY OF REQUEST

The applicant requests Preliminary Subdivision Plan
approval for a 522 >>521<< -lot residential subdivision to be
known as Chaparral P.U.D. Phase Four A-B and Five A-B.

Existing Zoning

PUD, Planned Unit Development

Future Land Use

LDR, Low Density Residential

Site Improvements

Vacant Land

Site Acreage

160.51 acres

SURROUNDING ZONING & USE OF LAND**North**

PUD, Planned Unit Development and SR, Suburban
Residential (Brevard County); Single-Family Homes

East

GU, General Use Holding; Gun Range

South

GU, General Use (Brevard County); Vacant Land

West

GU, General Use and RR-1, Rural Residential (Brevard
County); Vacant Land

**COMPREHENSIVE PLAN
COMPATIBILITY**

Yes, the Future Land Use is Low Density Residential.

BACKGROUND:

>>The subject property was part of a project initially granted Preliminary PUD approval with conditions in 2005 under PUD-13-2005.

On August 15, 2006, three Future Land Use Map Amendments to assign the Single-Family Residential Use were granted that include all the property in the Chaparral PUD as it exists today.

- Ordinance 2006-93 included 250 acres and was approved with the maximum density limited to 3 units per gross acre. This approval has no expiration date.
- Ordinance 2006-100 included 20 acres and was approved with the maximum density limited to 3 units per gross acre. This approval has no expiration date.
- Ordinance 2006-101 included 20 acres and was approved with the maximum density limited to 3 units per gross acre. This approval has no expiration date.

The Chaparral project was then modified in 2007 to increase the overall residential count to 850 units under PUD-5-2007. The developer had one (1) year by which to receive Final PUD approval. A series of extensions were granted over the years, and the Preliminary PUD status expired on June 5, 2017.

On October 3, 2017, City Council approved the Final PUD (PUD-37-2017) for Chaparral PUD Phase One via Ordinance 2017-63, which included 82 single-family lots. The approval applied PUD zoning to the north 28.75 acres of the overall property and included a mix of 40' and 50' wide lots.

On February 7, 2019, the Chaparral of Palm Bay Community Development District (CDD) was approved by City Council via Ordinance 2019-08. The CDD will deliver the community development services and facilities to the overall project area. No City funds will be used to provide the basic infrastructure needed to support the development.

On October 15, 2020, City Council granted Preliminary Planned Development (PD-24-2020) approval and tentative PUD zoning for the overall Chaparral PUD project via Resolution 2020-53. The project included 677 residential units, of which 75 were proposed to be townhomes. The project includes 207 acres, and single-family lots are a combination of 40' and 50' wide lots. A future land use amendment for townhomes was not completed, and there are no townhomes included in the project.

On October 15, 2020, City Council also approved the Final PUD for Chaparral Phase Two via Ordinance 2020-70. Phase Two included 27 single-family lots, all 40' wide, on 13.24 acres. This tract was originally included as Tract A, a future development tract, in Phase 1.

On May 20, 2021, City Council granted Final Development Plan approval for Chaparral PUD

Phase Three via Ordinance 2021-28, which included 165 single-family lots on 68.82 acres. Phase Three approval was granted subject to several conditions, many of which are standard requirements typically addressed during the administrative construction plan review. In addition to standard requirements, the Master Amenity Center, with full design plans and specifications were to be submitted before or with the Phase Four Preliminary Development Plan, and an eight-foot-high wall or fence was to be erected prior to Phase Three.

On March 16, 2022, Chaparral Subdivision Phase Three construction plans were administratively approved under SUB21-00227. This eight-foot-high fence was noted in this construction plan and installed as required adjacent to the existing homes in Malabar Lakes West Subdivision.

On October 20, 2022, City Council granted Final Development Plan approval, with conditions, for Chaparral PUD Phase Four and Five via Ordinance 2022-102 which included 522 single-family lots on 160.51 acres. The lot count has since been reduced to 521. One lot was removed to provide a temporary ingress/egress easement (Tract FL-1) in Phase Five. A recreation and amenity area of approximately 6.67 acres is included. Phase Four and Five approval was granted subject to several conditions, many of which are standard requirements typically addressed during the administrative construction plan review and the preliminary plat review. In addition to standard requirements, this approval was conditioned upon the City's acceptance of a Traffic Impact Study and any subsequent development agreements or proportionate fair share agreements that may be required as a result.

On January 19, 2023, the site plan for the Chaparral Subdivision Amenity Center required in Ordinance 2021-28 was submitted for administrative review. The amenity center includes a community pool with restrooms and parking, a 3,744 square foot tot lot with play equipment, a 7,500 square foot dog park, an open play field, and a 10' wide concrete sidewalk on 6.60 acres identified as Tract REC-2 on the preliminary plat for Chaparral PUD Phase Four A-B and Five A-B. The site plan was approved on November 27, 2023, and will remain valid for five years.

On June 23, 2024, staff approved the Traffic Impact Study with conditions as part of the subdivision construction plan review for Chaparral Phases Four and Five under SUB23-00283. The study identified improvements to be included in a Proportionate Fair Share Agreement.

On July 11, 2024, City Council approved the Chaparral Proportionate Fair Share Agreement for Phases Four and Five with a maximum buildout of 521 single-family units and a recreation and amenity center for a total of \$969,700.34.<<

ANALYSIS:

>>The applicant requests Preliminary Subdivision Plan (Preliminary Plat) approval to allow a proposed 522 >>521<< -lot residential subdivision to be called Chaparral P.U.D. Phase Four A-B and Five A-B. The property is located south of Malabar Road SW, in the vicinity south of Abilene Drive SW, specifically, Tax Parcels 750, 751, 752, and 753, Section 04, Township 29, Range 36, along with Tax Parcels 3 and 4 Section 09, Township 29, Range 36, Brevard County, Florida, containing 160.51 acres. The property is zoned PUD, Planned Unit Development, and is vacant land.

The preliminary plat is a map indicating the proposed layout of the development and related information to show consistency with the subdivision requirements in accordance with Chapter 184 of the Palm Bay Code of Ordinances. The final plat will also go through the public hearing process for final approval.<<

The proposed plat is for a 522 >>521<< -lot residential subdivision consisting of the final phases of the Chaparral P.U.D. and is in substantial conformance with the Final Development Plan approved by Ordinance 2022-102. >>It appears that all prior conditions of approval have been met. The overall Chaparral PUD includes approximately 271.32 acres with 795 single-family residences. The density of the overall project is 2.93 units per acre.<<

CONDITIONS:

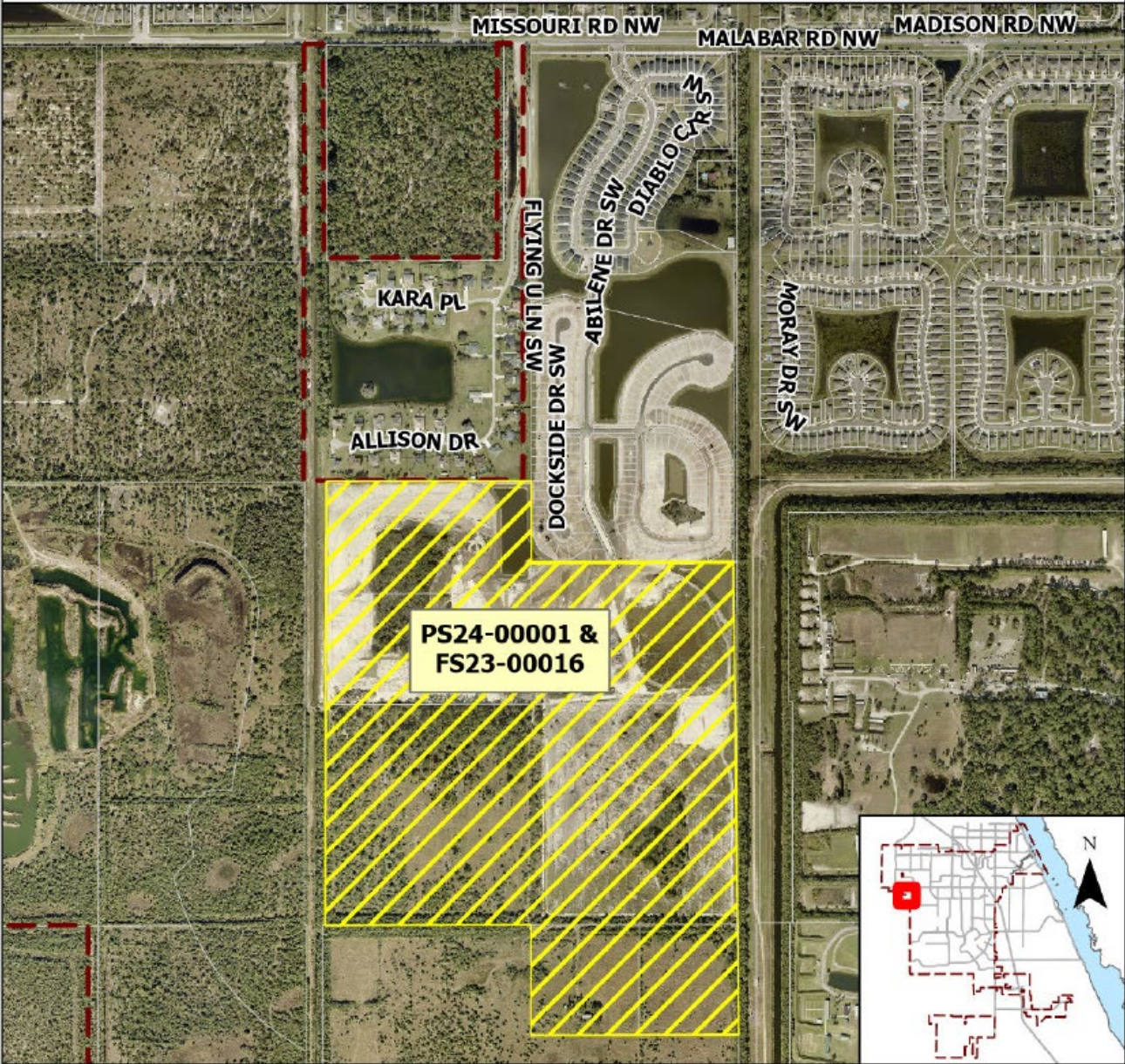
In order to receive Preliminary Subdivision Plan approval, the proposal must meet the subdivision requirements of Chapter 184 of the City of Palm Bay's Code of Ordinances. Upon review, the request is in conformance with the applicable requirements.

STAFF RECOMMENDATION:

Case PS24-00001 meets the criteria for a Preliminary Subdivision Plan and staff recommends approval.



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



AERIAL LOCATION MAP

CASE: PS24-00001 & FS23-00016

Subject Property

South of Malabar Road SW, in the vicinity south of Abilene Drive SW

