



# STAFF REPORT

## LAND DEVELOPMENT DIVISION

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### Prepared by

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#### CASE NUMBER

CU23-00019

#### PLANNING & ZONING BOARD HEARING DATE

June 5, 2024

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#### PROPERTY OWNER & APPLICANT

Kathleen Jones Trustee, PSP of Brevard,  
LLC & RRLC, LLC (Jake Wise, Rep.)

#### PROPERTY LOCATION/ADDRESS

A portion of lots 2 and 15, Block 754, Section 19,  
Township 29, Range 37, Brevard County, Florida,  
containing approximately 3 acres. Located west of and  
adjacent to Cogan Drive SE, north of and adjacent to  
Melbourne-Tillman Water Control District Canal 42; Tax  
Account 2963115

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#### SUMMARY OF REQUEST

The applicant is requesting a Conditional Use to allow for the construction of a self-storage facility in the Community Commercial District, in accordance with Section 185.043(D)(9) of the Palm Bay Code of Ordinances.

##### Current Zoning

GU, General Use

##### Current Land Use

COM, Commercial

##### Site Improvements

Undeveloped

##### Site Acreage

Approximately 3 acres

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#### SURROUNDING ZONING & USE OF LAND

##### North

GU, General Use; Brevard County Government Center

##### East

PUD, Planned Unit Development; Stormwater Pond

##### South

PUD, Planned Unit Development; Stormwater Pond

##### West

GU, General Use; Undeveloped

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#### COMPREHENSIVE PLAN

##### COMPATIBILITY

Yes, Commercial Use

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**BACKGROUND:**

The subject property is west of and adjacent to Cogan Drive SE, north of and adjacent to Melbourne-Tillman Water Control District Canal 42. Specifically, A portion of lots 2 and 15, Block 754, Section 19, Township 29, Range 37, Brevard County, Florida; Tax Account 2963115. The site was originally part of an unplatted forty (40) acre tract owned by Brevard County and reserved for a government complex. Eventually the county carved out the three (3) acre parcel and sold it to the public. In 2005, this parcel was granted a future land use of Commercial by Ordinance 2005-66 (Case# CP-26-2005). The current applicant applied for Pre-application Meeting (PREM23-00030), which was held on July 11, 2023

This conditional use request is specifically to allow for a self-storage facility to be developed in the Community Commercial District. The applicant is also applying concurrently for a Rezoning (Z23-00015) from GU, General Use Holding to CC, Community Commercial. These requests are to allow for the development of an enclosed three (3) story, internally accessed, self-storage facility. The applicant has provided a conceptual plan for a proposed 3-story, 100,000 square foot, enclosed, internally accessed building, which will have 830 units.

**ANALYSIS:**

Section 185.043(D)(9) of the Code of Ordinances establishes a self-storage facility as a conditional use in the Community Commercial District and Section 185.088(F) provides specific design requirements to be ensured through the administrative site plan review process.

As a conditional use, self-storage facilities may locate along major collector or higher classified roads. The proposed site is west of and adjacent to Cogan Drive SE, which is a major collector road. The proposed facility will be enclosed and internally accessed with no roll-up doors facing outwards.

The architectural elevations provided indicate that the design of the building emulates an office building. The applicant states that any roll-up doors to storage units will be internally accessed, and the building will have a primary office entrance and a separate automatic sliding door for loading and unloading.

Outside storage is prohibited at the site, and the maximum storage unit size is limited to three hundred (300) square feet. The applicant proposes an enclosed building with only internally accessed units. The maximum storage unit size proposed is three hundred (300) square feet.

Community Commercial zoning requires an architectural style for each structure in adherence with Section 185.134. The applicant has provided an architectural elevations sheet and colorized renderings indicating that the Florida Vernacular style will be utilized. In addition to an architectural style, self-storage as a conditional use requires the use of exterior surface

materials that will reduce building massing and create visual interest. Also, the base of the building shall be differentiated from the rest of the façade with treatments such as a change in material or color. At least two different building materials, such as tile, brick, stucco, cast stone, stone or formed concrete must be used. The applicant has submitted architectural renderings and elevation sheets which provide all required elements as well as additional features which further enhance the exterior to make the building appear more like an office building. A narrative has been provided from the architect which further details the architectural design elements of the structure.

Self-storage facilities operating under a conditional use, and the tenants of the individual storage units are also required to comply with operational requirements. These requirements state that the individual units will not be used for activities such as residences, offices, workshops, studios, or hobby or rehearsal areas. Further, storage units shall not be used for manufacturing, fabrication or processing of goods, services, or repairs of vehicles, engines, appliances or other equipment, or any other industrial activity whatsoever. The storage of flammable, explosive, perishable or hazardous materials within individual storage units and on the site is also prohibited. Rental agreements shall provide the tenants with written notice of the minimum operational standards set forth in Section 185.088(F), and any other conditions imposed by the City.

#### **CODE REQUIREMENTS:**

To be granted conditional use approval, requests are evaluated upon items (A) through (H) of the General Requirements and Conditions of Section 185.087 of the Code of Ordinances. A review of these items is as follows:

**Item (A):** Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergencies.

Two, two-way ingress and egress are proposed on Cogan Drive SE. Public Works has indicated that a traffic assessment will need to be conducted which includes an extension of the southbound lane of Cogan Drive SE to incorporate a separate right turn lane and a separate northbound left turn lane. The project will also be required to enter a Proportionate Fair Share Agreement for improvements.

For pedestrian safety, sidewalks will be required along the Cogan Drive SE frontage with on-site to off-site sidewalk connections to the building.

**Item (B):** Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

Section 185.140(G)(30)(a) of the Code of Ordinances establishes parking requirements for

self-storage facilities based on the number of units provided and requires three (3) additional spots for rental office staff. The proposed self-storage facility will contain 830 units, which will require thirty-seven (37) parking spaces. The conceptual plan shows only fourteen (14) parking spaces. The applicant intends to submit a request for an administrative parking variance. This request shall be accompanied by a detailed parking study and meet all requirements of Section 185.140(I). A narrative has been provided with data from other facilities regarding average customer trips per day, per month. According to the data, there are enough spaces proposed to provide one space for every anticipated visitor each day.

**Item (C):** Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

The Utilities Department stated they have no objections to the proposed project. Any necessary upgrades will be required to be designed, permitted, installed, and inspected at the developer's cost.

**Item (D):** Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.

The adjacent property to the north is a Brevard Government Center, to the west is a 17-acre undeveloped wetland area, also owned by Brevard County. The residential development to the east and south is separated by Cogan Drive SE as well as MTWCD Main Canal and multiple stormwater ponds. The project will be required to meet all landscaping requirements during the administrative site plan review. A preliminary landscape plan has been provided which also indicates that an approximately .25-acre natural area will be preserved on site.

**Item (E):** Signs, if any, and proposed exterior lighting will be so designed and arranged to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.

A sign location is indicated at the center of the eastern boundary of the site. The proposed sign will be required to meet the minimum setback requirements of the Land Development Code and Bayside Lakes Commercial Center Covenants. Signage, lighting, and photometric plans will be required for administrative site plan review. It shall be noted that the City codes require any lighting to be shielded and/or directed downward to ensure that the lumens equal zero at all property lines to avoid creating a nuisance to adjacent properties.

**Item (F):** Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The project will be required to meet all setback and landscaping requirements of the City's Land Development Code during the administrative site plan review. While the parcel is not a platted part of Bayside Lakes, documentation of approval from the Bayside Lakes Architectural

Review Committee will still be required. The proposed building appears to meet all setback requirements on the conceptual plan. However, it appears the dumpster enclosure will need to be relocated out of the front setback. An approximately .25-acre natural area is being preserved, however, an Environmental Assessment will be required at site plan submittal and upon staff review, additional preservation or buffer plantings may be required to provide adequate protection for the wetlands along the western boundary.

**Item (G):** The applicant states that the proposed use will not constitute a nuisance or hazard because of the very few anticipated daily visitors to the facility. This expected low vehicular movement implies that noise and fume generation will also be minimal. The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.

Public works has expressed concern regarding the minimal space given for vehicle stacking and that enough parking be provided on site so as to not impact the right of way or public roadway. The provided parking narrative addresses the applicant's assertion that the proposed parking and stacking space would be adequate. These items shall be addressed thoroughly during the Site Plan review process.

**Item (H):** Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, a reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

The Board and Council have the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

**STAFF FINDINGS:**

Case CU23-00019 meets the minimum requirements for approval of a conditional use.





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



## AERIAL LOCATION MAP

**CASE:** Z23-00015 &  
CU23-00019

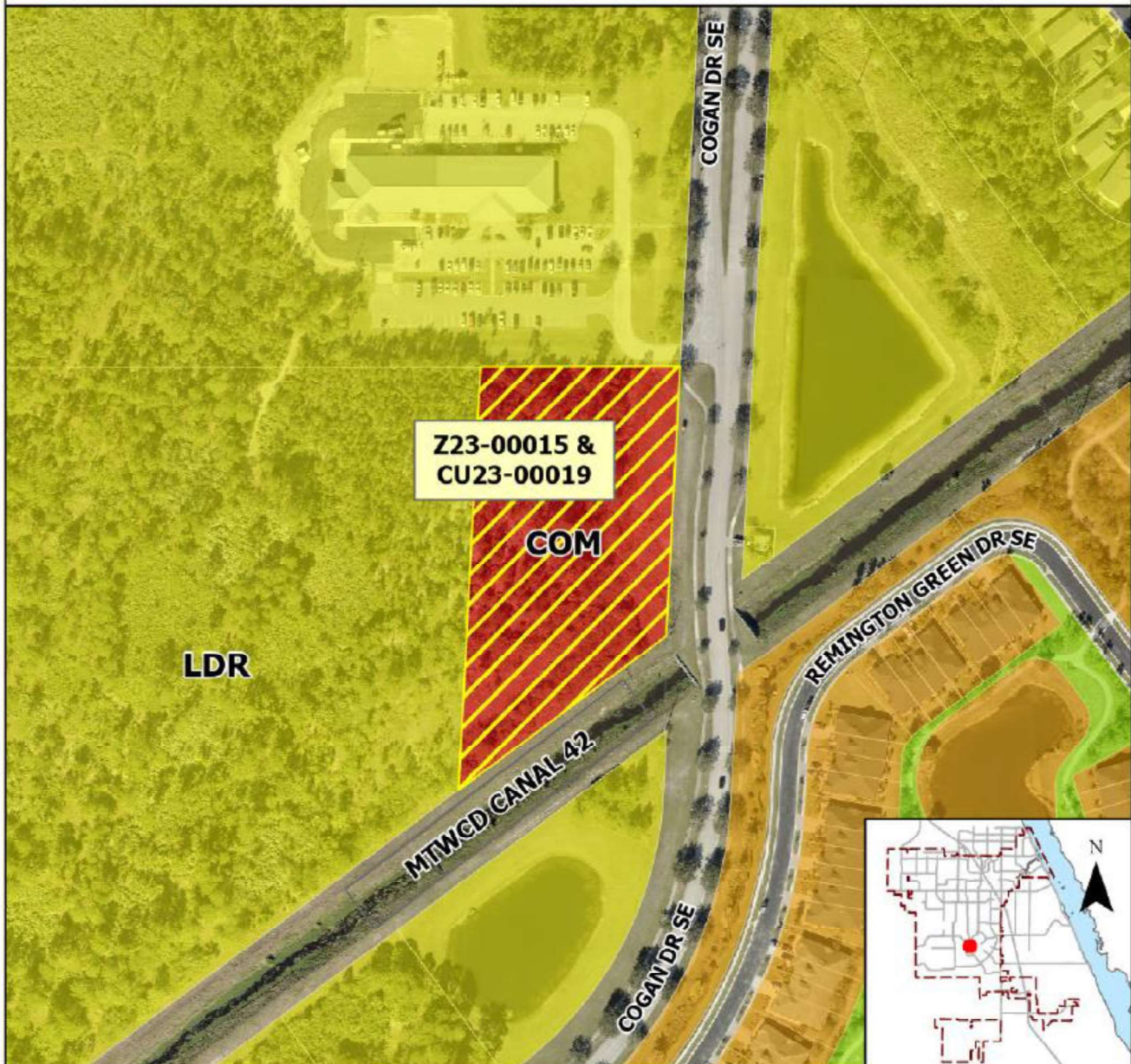
### Subject Property

West of and adjacent to Cogan Drive SE, north of and adjacent to Melbourne-Tillman Water Control District Canal 42





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## FUTURE LAND USE MAP

**CASE:** Z23-00015 &  
CU23-00019

### Subject Property

West of and adjacent to Cogan Drive SE, north of and adjacent to Melbourne-Tillman Water Control District Canal 42

### Future Land Use Classification

COM - Commercial





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## ZONING MAP

**CASE:** Z23-00015 &  
CU23-00019

### Subject Property

West of and adjacent to Cogon Drive SE, north of and adjacent to Melbourne-Tillman Water Control District Canal 42

### Zoning District

GU - General Use