



**REVISED**

# STAFF REPORT

## LAND DEVELOPMENT DIVISION

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**Prepared by**

Kimberly Haigler, Senior Planner

**CASE NUMBER**

FD23-00009

**PLANNING & ZONING BOARD HEARING DATE**

April 3, 2024

**PROPERTY OWNER & APPLICANT**

William Rocker, VACATION FINANCE, LLC (Angel Pinero, P.E., Dynamic Engineering Consultants, P.C., Rep.)

**PROPERTY LOCATION/ADDRESS**

A portion of Section 4, Township 29, Range 36, Brevard County, Florida, containing approximately 32.8 acres. Located south of and adjacent to Malabar Road NW, at the intersection of Malabar Road NW and Allison Drive; Tax Account 2903861

**SUMMARY OF REQUEST**

A **Final Development Plan** approval for a mixed-use development to be called Malabar Village

**Existing Zoning**

CC, Community Commercial

**Existing Land Use**

Commercial (COM)

**Site Improvements**

Undeveloped Land

**Site Acreage**

32.8 acres

**SURROUNDING ZONING & USE OF LAND**

**North**

RS-2, Single Family Residential - Developed

**East**

PUD, Planned Unit Development – Single-Family Residential

**South**

PUD, Planned Unit Development (County) - Single-Family Residential

**West**

AU, Agricultural Residential - Undeveloped

**COMPREHENSIVE PLAN COMPATIBILITY**

Yes, subject to approval of Case CP23-00016

**BACKGROUND:**

The subject property is located south of and adjacent to Malabar Road NW, at the intersection of Malabar Road NW and Allison Drive. The applicant is requesting Small-Scale Comprehensive Plan Future Land Use Map Amendment for the 32.8-acre parcel to allow for the development of a mixed-use development to be called Malabar Village.

The applicant is currently seeking Final Development Plan (FDP) approval. The purpose of this request is to allow for the development of a 424 unit multiple-family residential subdivision with three adjacent commercial parcels. Concurrently, an application has been submitted to change the Future Land Use of the entire parcel from COM, Commercial to NC, Neighborhood Center (CP23-00016). This change in land use will allow for the development of a multi-family residential complex with a proposed density of 21 units per acre.

**ANALYSIS:**

Planned Unit Development (PUD) zoning is intended to encourage variation in residential developments by allowing deviation in lot size, type of dwellings, density, lot coverage, setbacks, and open space, from those elements required in any singular zoning classification. The purpose of a planned unit development is to encourage the development of planned residential neighborhoods and communities that provide a full range of residence types, as well as commercial uses designed to serve the inhabitants of the proposed community.

~~The FDP proposes 668 multi-family residential units.~~ The proposed multifamily preliminary development plan proposes 424 multi-family residential units. The plan indicates that one-, two-, and three-bedroom units will be provided. The location of the multi-family community also provides a transitional buffer between the existing single-family residential to the south, and the proposed commercial sites to the north.

Section 185.065(C) of the City's Code of Ordinances requires a PUD to permanently set aside and designate on the site plan recreational and/or open space for use by residents of the PUD, equaling 25 percent of the project site acreage. At 32.8 acres, the minimum requirement for the proposed development is 8.16 acres. This is provided for on the PDP and shall be a requirement of site plan approval. It is also noted on the plan that when water areas are utilized as part of the open space requirement, they shall be permanent water bodies improved with docks or piers.

Section 185.065(H)(3) requires that within a PUD, 50 square-foot internal landscaped area be provided for every parking space provided. Within the proposed multi-family development, 672 parking spaces are proposed; therefore, 33,600 square feet of interior landscaped area must be provided as well. This area is in addition to the open space requirement. Additionally, Section 185.065(K) requires that planned unit developments shall be regulated by the adopted city landscape provisions of the Land Development Code.

Internal roadways shall be provided with a sidewalk on both sides of the road, with connections to off-site sidewalks. A traffic study methodology was approved by staff; however, the completed traffic study report was not submitted with enough time to provide staff review at this time.

In response to public comment, the multi-family buildings along the southern border with the single-family residential community have been reduced to 2-stories and a 35' landscape buffer, consisting of a double row of hedges, trees, will accompany the required opaque wall or fence to screen the view between the properties.

**CONDITIONS:**

To receive Final Planned Unit Development approval, the proposal must meet the requirements of Section 185.067 of the City of Palm Bay's Code of Ordinances. Upon review, it appears that the request is in conformance with the applicable requirements of this section, ~~subject to staff review and approval of the traffic study.~~

**STAFF RECOMMENDATION:**

Case FD23-00009 is recommended for approval, subject ~~staff review and approval of the traffic study.~~ to approval of CP23-00016

NW

NW

NW [REDACTED] NW  
NW [REDACTED]

[REDACTED] NW  
NW [REDACTED]

