



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Scott Morgan, Interim City Manager

THRU: Lisa Frazier, Growth Management Director

DATE: December 19, 2024

RE: Consideration of a Planned Unit Development Agreement for self-storage use with Palm Bay Medical Office Corporation.

SUMMARY:

For Council's consideration is a Planned Unit Development (PUD) Agreement between the City of Palm Bay and Palm Bay Medical Office Corporation. The property is part of the Bayside Lakes Commercial Center (PUD-19-99), located west of and adjacent to Cogan Drive SE, south of Bayside Lakes Boulevard SE. The site has a future land use of Commercial and is zoned PUD, Planned Unit Development.

Section 173.060 of the Palm Bay Code of Ordinances states that the purpose of the PUD zoning district is to provide a district that allows design flexibility and promotes planned diversification and integration of uses and structures, while also retaining the City Council's authority to establish such limitations and regulations as it deems necessary to protect the public health, safety, and general welfare.

The Declaration of Covenants for Bayside Lakes Commercial Center lists Intended Uses for commercial lots but did not specifically allow self-storage facilities. The Declaration of Covenants was modified to include self-storage facilities in the Eleventh Amendment, which became effective February 26, 2024. The City has no authority to approve or deny amendments to the Declaration of Covenants. However, as part of the City's standard commercial zoning classifications, self-storage is a conditional use, which requires that the applicant meet certain requirements. While conditional uses require City Council approval, this does not require a conditional use permit as self-storage is now a permitted use in the Declaration of Covenants. In lieu of the standard conditional use approval process, the City Attorney's Office recommended a PUD Agreement, which ensures that the self-storage project meets all requirements of Section 174.047, related to self-storage.

Palm Bay Medical Office Corporation requests to enter into a Planned Unit Development Agreement to allow a self-storage facility to be developed on their property. The proposed project is a three-story self-storage facility not to exceed one hundred seven thousand (107,000) square feet total. The lot may include other permitted commercial uses including retail, restaurants, and professional offices. The applicant has submitted a site plan application meeting the standards set by Section

174.047 for self-storage facilities. The PUD Agreement formalizes the use and development standards for self-storage on their property.

REQUESTING DEPARTMENTS:

Growth Management

FISCAL IMPACT:

There is no fiscal impact.

STAFF RECOMMENDATION:

Motion to approve the Planned Unit Development Agreement for Palm Bay Medical Office Corporation and authorize the Mayor to execute on behalf of the City.

ATTACHMENTS:

1. Developer-Signed Planned Unit Development Agreement
2. Eleventh Amendment to Declarations
3. Site Plan & Landscaping Plan
4. Architectural Review Committee Approval