



STAFF REPORT

LAND DEVELOPMENT DIVISION

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Prepared by

Debbie Flynn, Senior Planner

CASE NUMBER

CP24-00012

PLANNING & ZONING BOARD HEARING DATE

January 8, 2025

PROPERTY OWNER & APPLICANT

Eyal Pasternak, President of EYP Holding, Inc. (Kelly Delmonico, AICP, Land Development Strategies, LLC)

PROPERTY LOCATION/ADDRESS

Port Malabar Industrial Park Subdivision Lots 7, 8, & 9 Blk 1 together W S 300 ft of Tract D, Palm Bay, Brevard County, Florida, containing approximately 2.14 acres. Located on the northeast corner of Clearmont Street NE and Franklin Drive NE; Tax Accounts 2832154, 2832155, 2832156, and 2832144

SUMMARY OF REQUEST

The applicant is requesting a Small-Scale Comprehensive Plan Future Land Use Map Amendment from COM, Commercial to IND, Industrial to allow for an industrial flex space development to be called EYP Holdings Business Park.

Existing Zoning

CC, Community Commercial

Existing Land Use

COM, Commercial

Site Improvements

Vacant land

Site Acreage

2.14 acres

SURROUNDING FUTURE LAND USE & USE OF LAND**North**

IND, Industrial; Small Equipment Manufacturing Plant

East

COM, Commercial; Brevard County Retention Pond

South

IND, Industrial; L3 Harris Technologies, Inc.

West

IND, Industrial; Florida Power & Light Co.

BACKGROUND:

The subject property consists of four contiguous parcels, generally located at the northeast corner of Clearmont Street NE and Franklin Drive N. The applicant is requesting Small-Scale Comprehensive Plan Future Use Map Amendment for the 2.14-acre parcel to allow for an industrial flex space development to be called EYP Holding Business Park.

The owner of the property is requesting to change the future land use from Commercial (COM), to Industrial (IND). This change in future land use would allow the potential purchaser of the property to build flex space for light industrial uses that support surrounding existing industrial businesses.

The City's Comprehensive Plan states that the purpose of the Industrial land use classification is to create areas accommodating industrial activity and other significant employment-generating uses. Typical uses shall include manufacturing, warehousing, research and development, and other similar uses, as well as institutional activities. The maximum intensity (FAR, Floor to Area Ratio) permitted by the future industrial development in this classification is 5.0 FAR.

ANALYSIS:

All proposed amendments shall be submitted to the Planning and Zoning Board which shall analyze the factors of analysis applicable to the proposed amendment prior to making a recommendation to City Council.

(A) Whether the proposed amendment will have a favorable or unfavorable effect on the city's budget, or the economy of the city:

Amending the future land use map on the subject property from COM (Commercial) to IND (Industrial) will have a favorable effect on the city's budget by allowing for future light industrial development that will bring in additional city property taxes and support the economy of the city by providing space for companies to locate or expand in the city, especially businesses that support the existing industry of the city.

(B) Whether the proposed amendment will adversely affect the level of service of public facilities:

The amendment will not adversely affect the level of service of public facilities. There is water, sewer, electric, roads, and police and fire service already supporting the area.

Utilities: The Utilities Department has no objection to the proposed Future Land Use Map Amendment to industrial.

Public Schools: The proposed FLU amendment to Industrial will not add the potential of any additional housing units. As such, a School Concurrency application is not required per the Interlocal Agreement with Brevard Public Schools.

Recreation and Open Space: The proposed development would provide a minimum of 10% open space per Section 177.005.

Transportation: A Traffic Impact Study (TIS) methodology will be submitted as part of the applicant's site plan approval process.

(C) Whether the proposed amendment will adversely affect the environment or the natural or historical resources of the city or the region as result of the proposed amendment:

The amendment will not adversely affect the environment or natural or historical resources of the city or region. The property is currently allowed to develop with commercial zoning classifications and the amendment seeks to allow light industrial uses to support the immediate surrounding industrial community. All necessary outside agency permits will be obtained through the site plan approval process.

The environmental character of the city is maintained through conservation, appropriate use, and protection of natural resources. Any protected species or habitats that may be on the subject property would need to be mitigated as required by State and Federal regulations and per Policy CON-1.6.

(D) Whether the proposed amendment will have a favorable or adverse effect on the ability of people to find adequate housing reasonably accessible to their places of employment:

The amendment will not affect the ability of people to find adequate housing. The current future land use does not allow for residential use and neither does the proposed industrial future land use.

(E) Whether the proposed amendment will promote or adversely impact the public health, safety, welfare, or aesthetics of the region or the city:

The proposed amendment promotes the public health, safety, welfare, and aesthetics of the city.

(F) Whether the requested amendment is consistent with all elements of the Comprehensive Plan and established Levels of Services:

The requested amendment is consistent with the Comprehensive Plan and established Levels of Service. Specifically, Objective FLU-1.7 states, "Expand, protect, and promote the City's industrial market" and Policy FLU-1.7A states, "Identify opportunities to capitalize on the existing defense contracting industry cluster found in South Brevard." Amending the FLU to industrial at this location helps support the existing adjacent L3Harris defense contracting cluster.

The City's Economic Development Strategic Plan (2023) identifies Palm Bay Road corridor as the City's second-largest business corridor in terms of land size. The average parcel size in this corridor is two acres. Just over 31 percent of the corridor's land is being used for commercial uses. Close to 19 percent of the corridor's land is vacant, and another 17 percent is used for other non-residential uses (industrial and office). At 10.6 percent, the Palm Bay Road corridor also has the highest percentage of office uses.

(G) Whether the request maximizes compatibility (consistent with the definition found in Florida Statutes 163.31649) between uses:

The request is compatible with the surrounding uses and connects the dots between existing industrial properties in the immediate area. The request is a logical extension of the existing industrial future land use classifications.

(H) Whether the request provides for a transition between areas of different character, density or intensity:

The area in question is right on the edge of a transition area between commercial and industrial future land uses and zoning districts. Amending the future land use to industrial is within keeping of the area and is appropriate for this industrial subdivision. The character of the area is supportive of the proposed light industrial use. This property is adjacent to a large and intense L3Harris industrial campus.

(I) Whether the request relocates higher density and intensity uses in areas which already feature adequate vehicular access and access to public facilities:

The request would allow for additional light industrial uses to be placed in an area that already supports higher intensity industrial uses. This area is served by principal arterial roadways and major collectors and has adequate public facilities in place.

In accordance with Policy FLU-1.3B, Public sewer and water systems are available, and connection will be required. Public transit is also available with stops in the immediate vicinity. Internal and external sidewalks will be required which connect to the City's existing system.

(J) Whether the request has potential for creating land use inequities per Policy FLU 1.12A of the Comprehensive Plan:

There are no foreseen potentials for creating land use inequalities with this request.

The proposed industrial flex space is compatible along the major arterial road. This project area also provides pedestrian connections and access to public transit.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed Small-Scale Comprehensive Plan Future Land Use Map Amendment for Case CP24-00012.

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



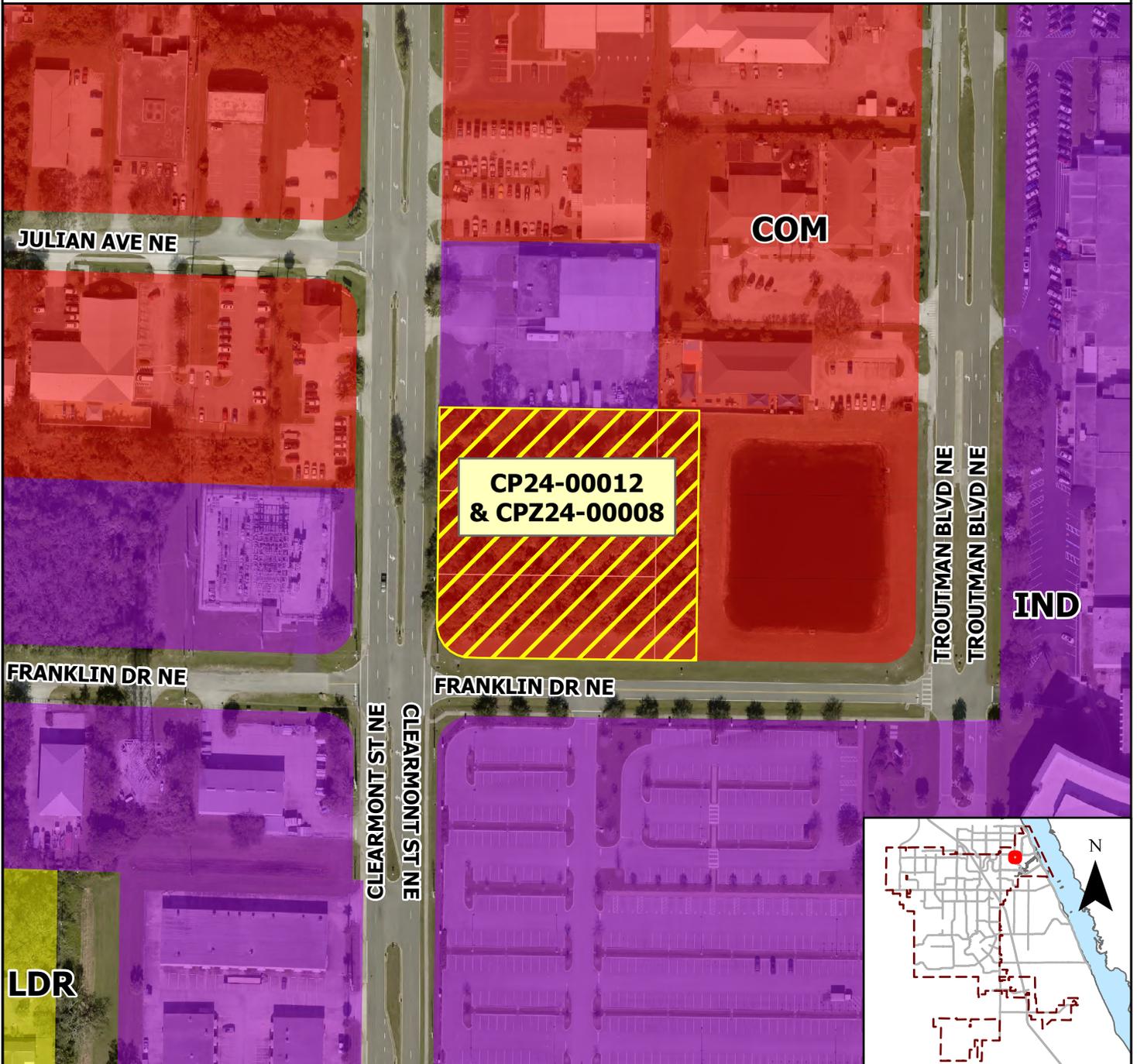
AERIAL LOCATION MAP

**CASE: CP24-00012
& CPZ24-00008**

Subject Property

Located on the northeast corner of Clearmont Street NE and Franklin Drive NE

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FUTURE LAND USE MAP

CASE: CP24-00012 & CPZ24-00008

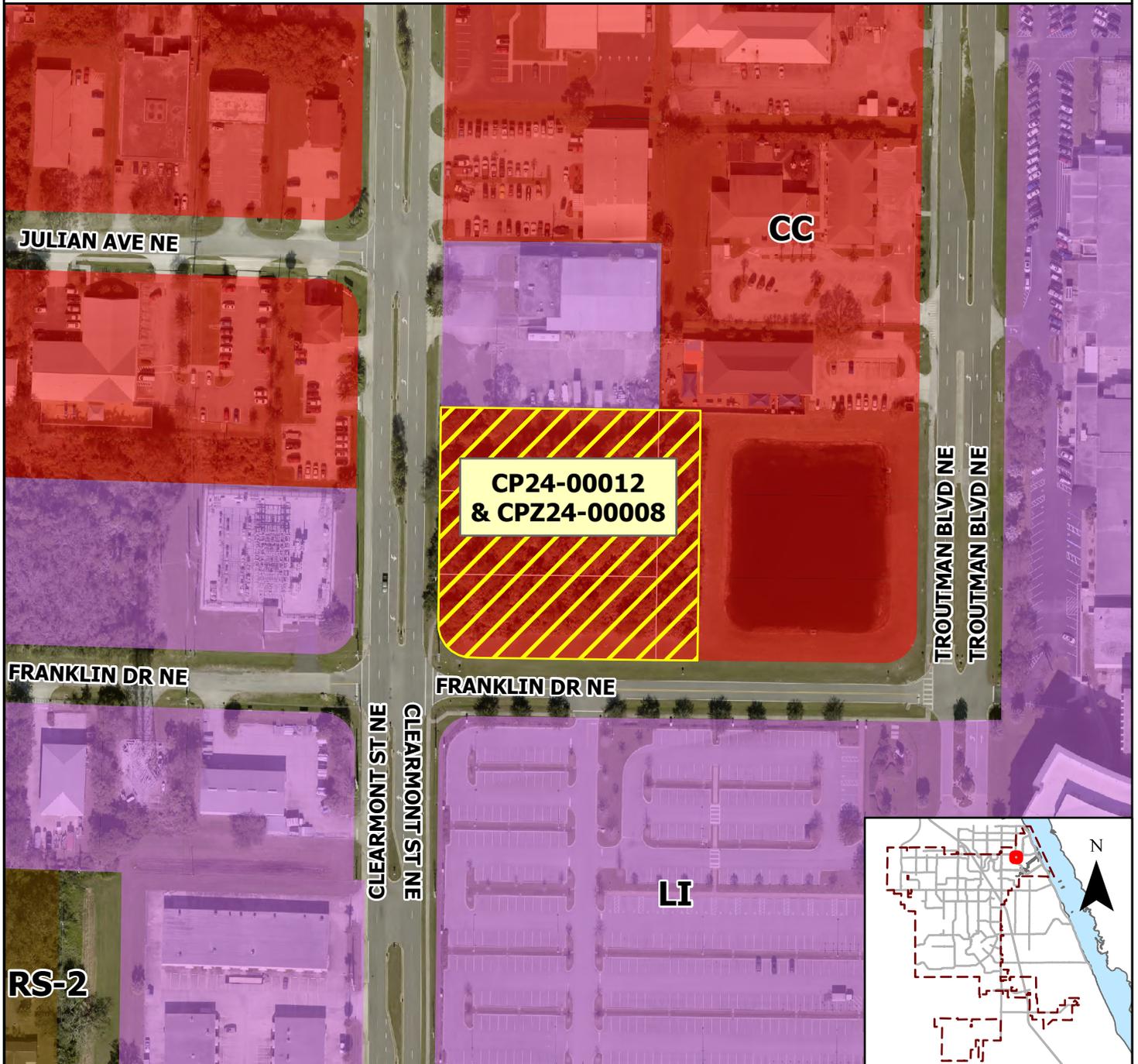
Subject Property

Located on the northeast corner of Clearmont Street NE and Franklin Drive NE

Future Land Use Classification

COM - Commercial

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ZONING MAP

CASE: CP24-00012
& CPZ24-00008

Subject Property

Located on the northeast corner of Clearmont Street NE and Franklin Drive NE

Zoning District

CC - Community Commercial