

4. **\*\*CU24-00008 - Foundation Park Recycling Center - Foundation Park Future Investments, LLC (Bruce Moia, P.E., MBV Engineering, Inc., Rep.) - A Conditional Use to allow for a proposed Green Recycle Facility in accordance with Section 174.048 of the Palm Bay Code of Ordinances. Tax Parcel 24, Section 9, Township 29, Range 37, Brevard County, Florida, containing approximately 36 acres. Located south of and adjacent to Foundation Park Boulevard SE, in the vicinity west of Babcock Street SE**



## MEMORANDUM

**TO:** Planning and Zoning Board Members

**FROM:** Kimberly Haigler, Senior Planner

**THRU:** Lisa Frazier, AICP, Growth Management Director

**DATE:** March 5, 2025

**RE:** **\*\*CU24-00008 - Foundation Park Recycling Center - Foundation Park Future Investments, LLC (Bruce Moia, P.E., MBV Engineering, Inc., Rep.) - A Conditional Use to allow for a proposed Green Recycle Facility in accordance with Section 174.048 of the Palm Bay Code of Ordinances. Tax Parcel 24, Section 9, Township 29, Range 37, Brevard County, Florida, containing approximately 36 acres. Located south of and adjacent to Foundation Park Boulevard SE, in the vicinity west of Babcock Street SE**

**\*\*Quasi-Judicial Proceedings.**

### **ATTACHMENTS:**

1. CU24-00008 Staff Report
2. CU24-00008 Survey
3. CU24-00008 Site Sketch
4. CU24-00008 Ordinance 2021-67
5. CU24-00008 Citizen Participation Report
6. CU24-00008 Narrative

7. CU24-00008 Application
8. CU24-00008 Letter of Authorization
9. CU24-00008 Legal Acknowledgement
10. CU24-00008 Legal Ad



# STAFF REPORT

## LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

[landdevelopmentweb@palmbayflorida.org](mailto:landdevelopmentweb@palmbayflorida.org)

### Prepared by

Kimberly Haigler, Senior Planner

---

#### CASE

CU24-00008 – Foundation Park Green  
Recycling Center

#### PLANNING & ZONING BOARD HEARING DATE

March 5, 2025

---

#### PROPERTY OWNER & APPLICANT

Foundation Park Future Investments LLC  
(Bruce Moia, Rep.)

#### PROPERTY LOCATION/ADDRESS

Part of Lots 15, 18 of FL Indian River Land Co Subd PB  
1 PG 165, Section 09, Township 29, Range 37 of  
Brevard County, Florida, containing approximately 36  
acres. Located south of and adjacent to Foundation  
Park Blvd SE; Tax Account 3030924

---

#### SUMMARY OF REQUEST

A **Conditional Use** to allow the operation of a tree and landscape recycling facility in the LI, Light Industrial and Warehousing District, in accordance with Section 173.021 of the Palm Bay Code of Ordinances.

##### Current Zoning

LI, Light Industrial District and RS-2, Single Family Residential

##### Current Land Use

IND, Industrial and LDR, Low Density Residential

##### Site Improvements

Undeveloped

##### Site Acreage

Approximately 36 acres

---

#### SURROUNDING ZONING & USE OF LAND

##### North

RM-10, Single-, Two-, Multi-Family Residential; undeveloped and LI, Light Industrial; Self Storage Facility

##### East

GC, General Commercial; Self Storage Facility, Commercial Nursery and RR, Rural Residential; Single Family Residential

##### South

RR, Rural Residential; Undeveloped

##### West

LI, Light Industrial; Undeveloped and RR, Rural Residential; Undeveloped

---

#### COMPREHENSIVE PLAN

Yes, pending approval of CP24-00011

---

**BACKGROUND:**

Foundation Park Future Investments, LLC has submitted a conditional use application to allow for the development of a tree and landscape recycling facility on a 36-acre undeveloped property located south of and adjacent to Foundation Park Blvd SE and in the vicinity southwest of the intersection of Foundation Park Blvd SE and Babcock St. This request is in accordance with Section 173.021 of the Palm Bay Code of Ordinances.

In 2021, the owners of the property applied for and were granted a textual amendment to establish a tree and landscaping recycling facility as a conditional use in the Light Industrial and Warehousing District (Ordinance 2021-67). This textual amendment also provided a specific site plan criteria detailed in Section 174.048 of the Code of Ordinances.

**ANALYSIS:**

Section 174.048 of the Code of Ordinances provides specific design requirements to be ensured through the administrative site plan review process.

At 36-acres, the site exceeds the minimum lot size of five (5) acres. To provide an ample buffer for surrounding development, a 100-foot setback is required between commercial property boundary and any operation of tree or landscape recycling machinery. Between the machinery and any residentially zoned land, a 250-foot buffer is required. These buffer areas are illustrated on the conceptual plan submitted and are currently forested. The removal of existing vegetation in any buffer area not to be developed will be prohibited. In addition to the buffers, an eight (8) foot opaque fence or wall will be required surrounding the developed area of the site on all sides.

The vegetated buffers will provide a visual and sound barrier. To further protect the surrounding properties from the noise produced, tree and landscape recycling operations are restricted to 8:00 a.m. to 6:00 p.m. During permitted business hours, the sound levels generated must adhere to the maximum permissible sound levels as set forth in Table 1 of Section 92.06, of the Palm Bay Code of Ordinances.

**CODE REQUIREMENTS:**

Table 173-3, Uses in Industrial and Other Districts, in the Code of Ordinances establishes “tree and landscape recycling” facilities as a conditional use in the Light Industrial and Warehousing district. To be granted conditional use approval, all requests are evaluated upon review criteria items (1) through (8) of Section 172.024(F) of the Code of Ordinances. A review of these items is as follows:

**Item (1):** 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.

The site has proposed a single two-way ingress and egress driveway on Foundation Park Boulevard SE. The addition of a sidewalk along the Foundation Park Blvd frontage will be required at site plan review.

**Item (2):** Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

The conceptual plan provided illustrates ample number of paved parking spaces for staff and as well as for the parking of additional equipment and vehicles. The buffers required by Section 174.048 protects adjoining properties from any detrimental effects caused by the vehicles.

**Item (3):** 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 upgrades, if necessary, are required to be designed, permitted, installed, and inspected at the owner's expense.

**Item (4):** Adequate screening or buffering will be provided to protect and provide compatibility with adjoining properties.

An eight (8) foot opaque fence and large vegetated buffers are required by Section 174.048 of the Code of Ordinances and are illustrated on the conceptual site plan provided.

**Item (5):** 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.

Any proposed signage will be required to meet the minimum setback requirements of the Land Development Code. 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 (6):** Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The facility will be required to meet all setback and landscaping requirements of the City's Land Development Code and the buffer requirements of Section 174.048. This will be required during the administrative site plan review. The proposed building on the conceptual plan appears to meet all setback requirements. On the south end of the site, an approximately 9–

12-acre wetland area will be preserved and deed restricted with St. Johns River Water Management District as wetland mitigation. Additional preservation or buffer plantings may be required to provide adequate protection for the wetlands.

**Item (7):** The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity. The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.

There appears to be adequate vehicular, public transportation and pedestrian access to the site. While large trucks will be frequenting the site during business hours to deposit vegetation waste, the site is large enough so as to provide plenty of room for many trucks to park within the site so there will be no need for trucks stack up on the public roads The surrounding area is mostly commercial and light industrial development The proposed use is compatible with the existing uses in the area.

**Item (8):** 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 begin or be 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.

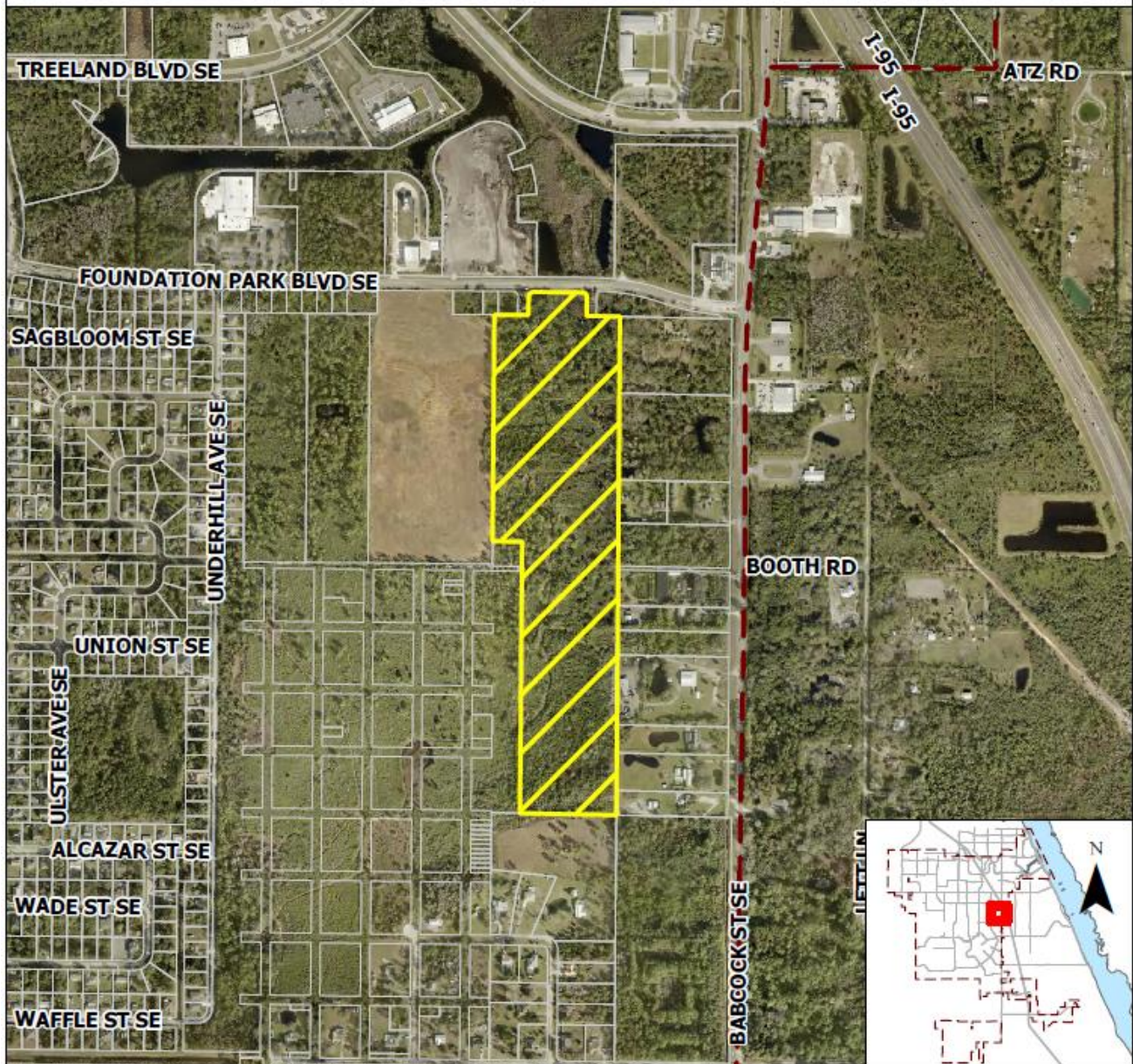
**STAFF FINDINGS:**

Staff recommends Case CU24-00008 for approval.





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



## AERIAL LOCATION MAP

**CASE: CU24-00008**

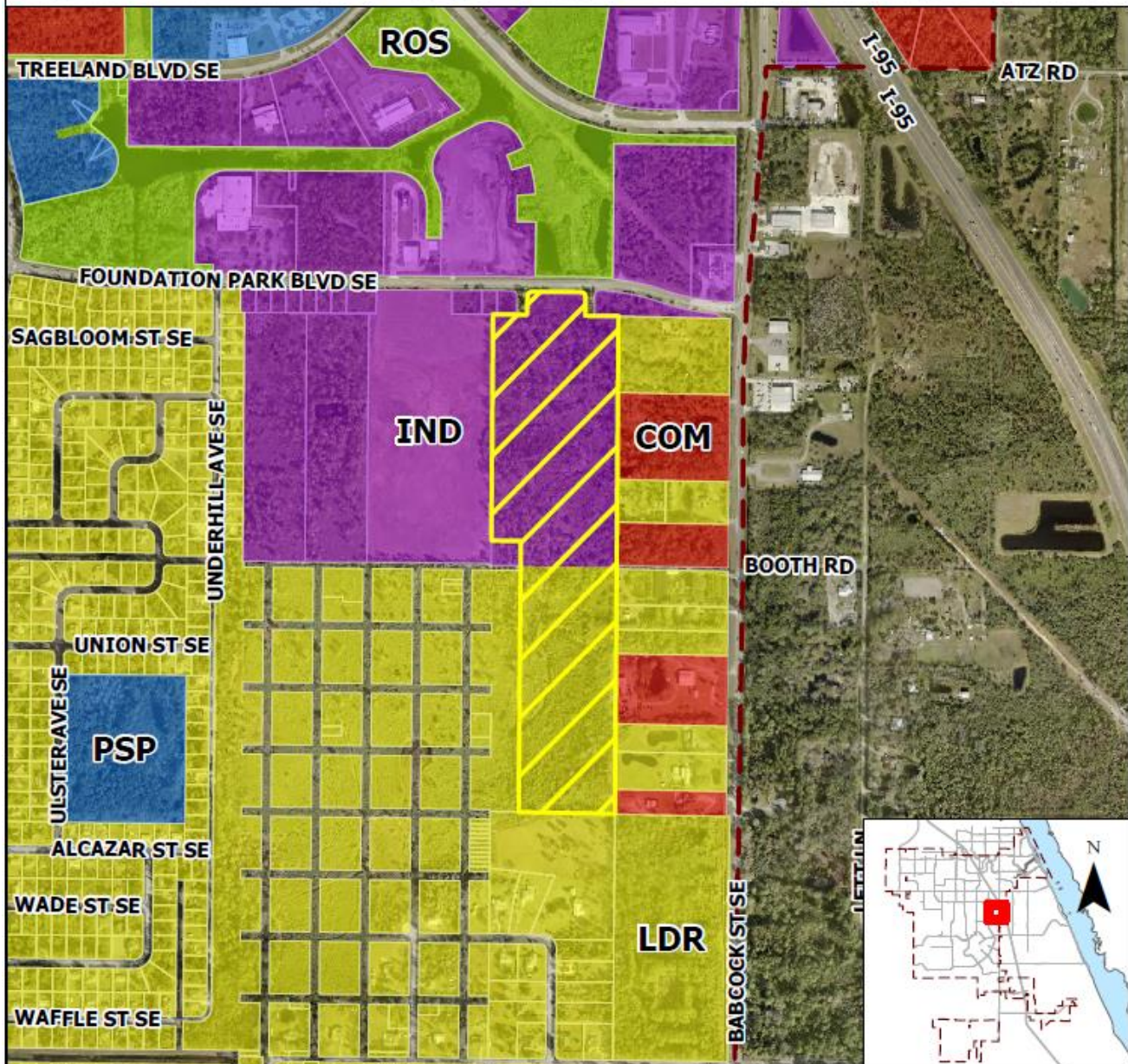
### Subject Property

Located south of and adjacent to Foundation Park Blvd SE, in the vicinity west of Babcock Street SE





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



## FUTURE LAND USE MAP

CASE: CU24-00008

### Subject Property

Located south of and adjacent to Foundation Park Blvd SE, in the vicinity west of Babcock Street SE

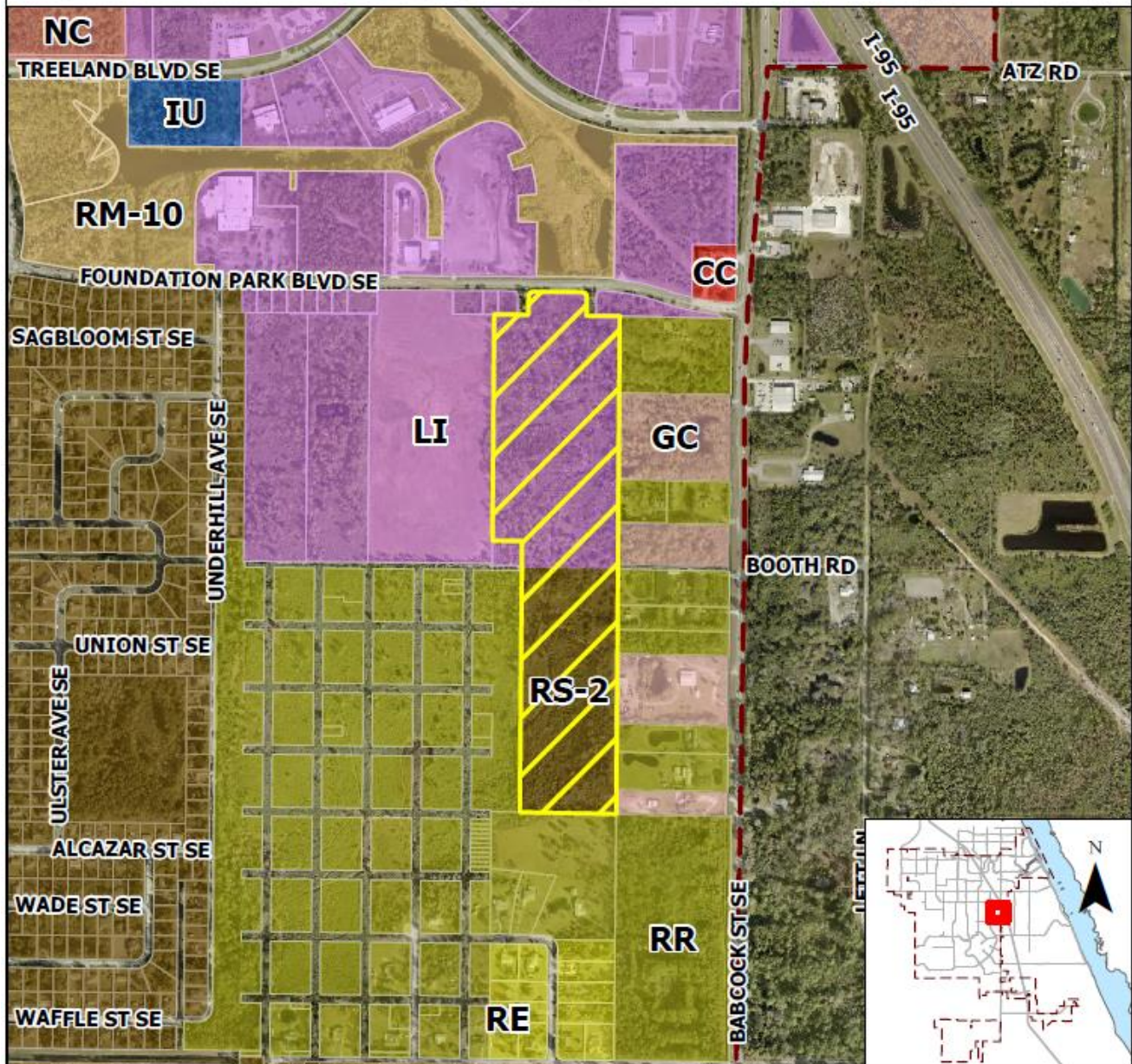
### Future Land Use Classification

IND- Industrial and LDR- Low Density Residential





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



## ZONING MAP

CASE: CU24-00008

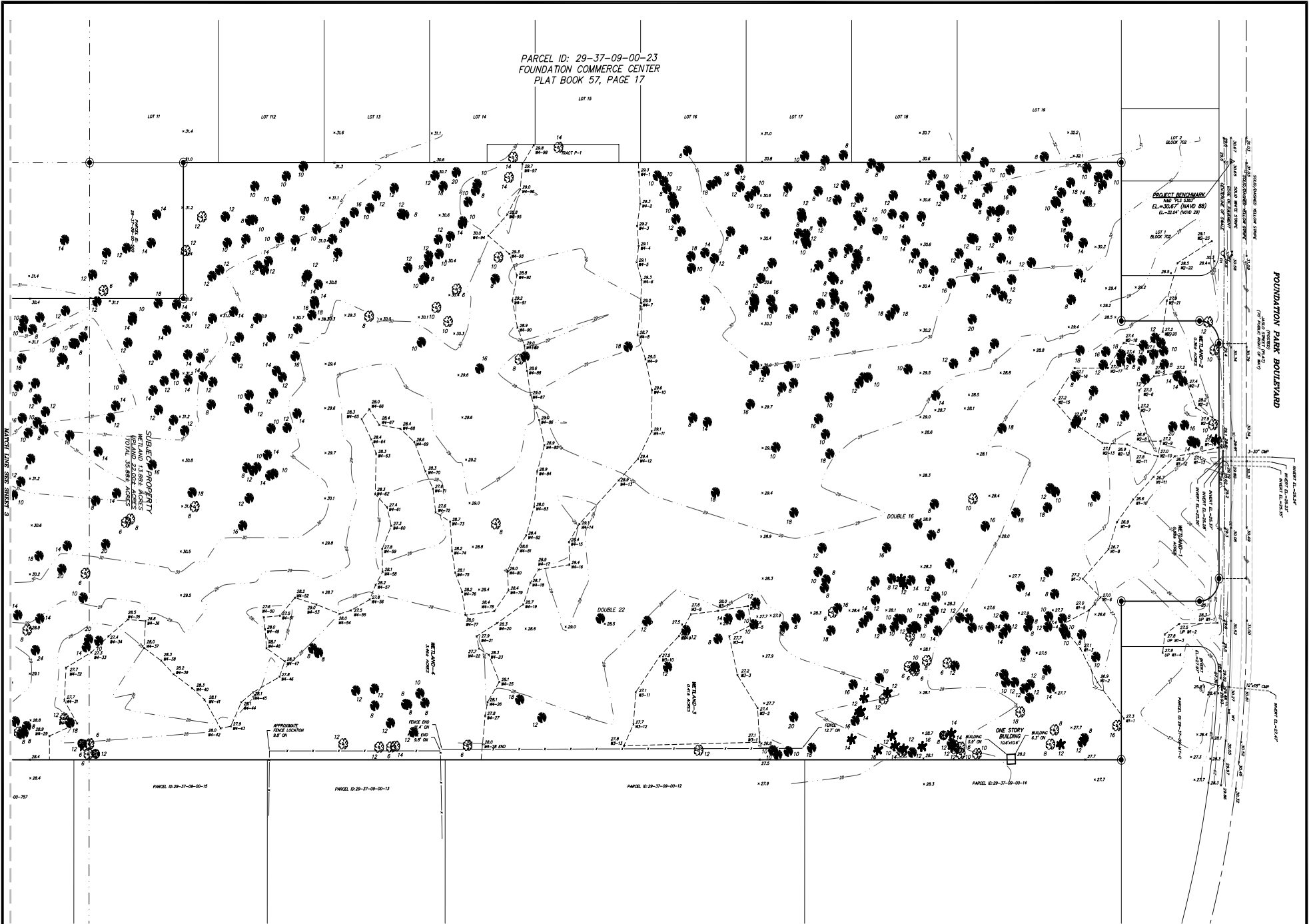
### Subject Property

Located south of and adjacent to Foundation Park Blvd SE, in the vicinity west of Babcock Street SE

### Zoning District

LI - Light Industrial and RS-2 - Single Family Residential

PARCEL ID: 29-37-09-00-23  
FOUNDATION COMMERCE CENTER  
PLAT BOOK 57, PAGE 17



GRAPHIC SCALE



( IN FEET )  
1 inch = 50 ft.



SEE SHEET 1 FOR LEGEND AND  
SURVEYOR'S CERTIFICATION  
NOT VALID WITHOUT SHEETS 1-3  
SHEET 2 OF 3

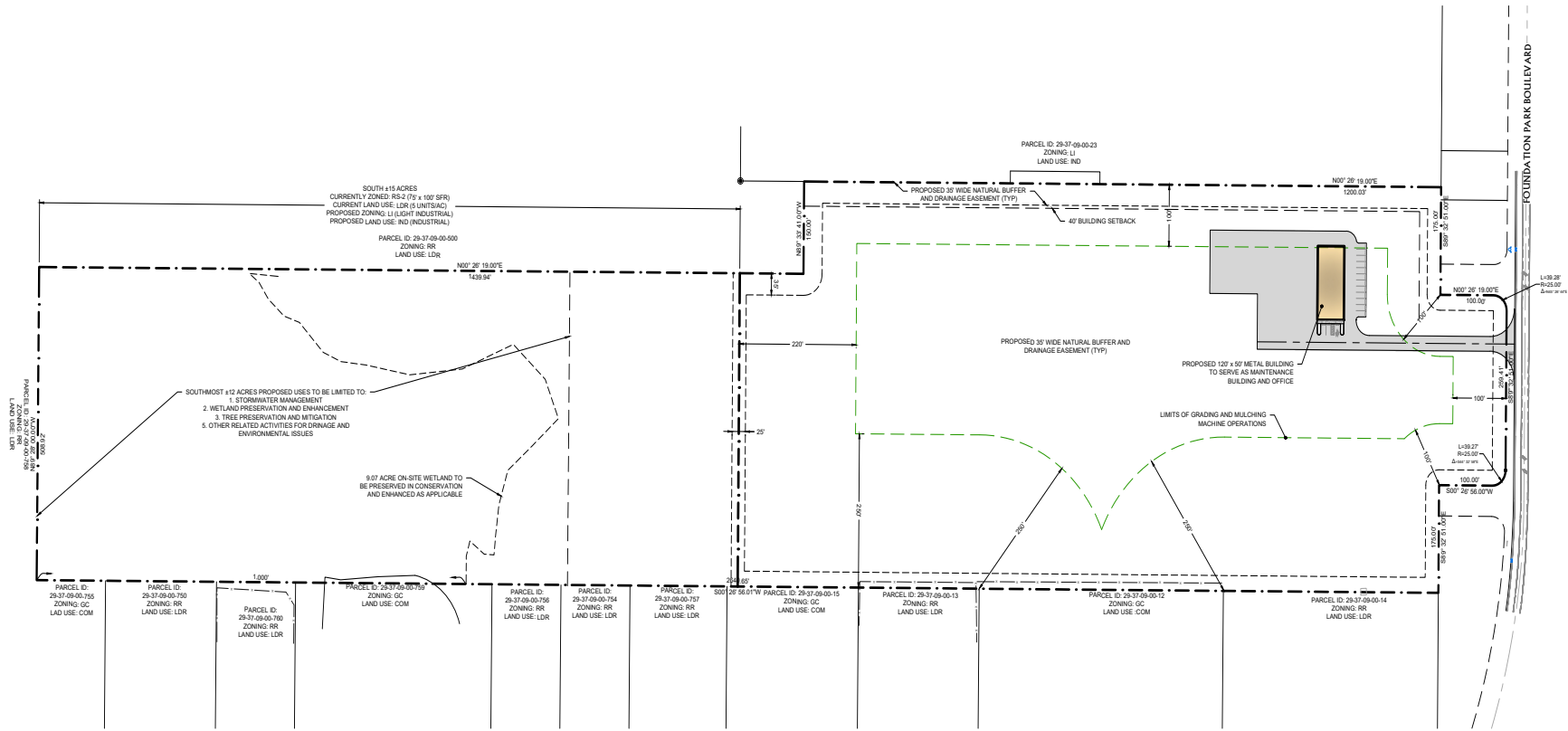
JOB # 46917-B&T  
FIELD SURVEY DATE: 05-31-22  
REVISION:  
REVISION:  
REVISION: ADD TRAIL 10-E-24

AAL LAND SURVEYING SERVICES, INC.

3970 WINTON ROAD, WEST MELBOURNE, FL 32904  
PHONE: (321)768-8110 FAX: (321)763-1771  
E-MAIL: [frontdesk@aallandsurveying.com](mailto:frontdesk@aallandsurveying.com)

L.B. #0623





**SITE INFORMATION**

**GENERAL STATEMENT**  
THE PROPOSED PROJECT INVOLVES CONSTRUCTION AND DEVELOPMENT OF A RECYCLING FACILITY WITHIN THE CITY OF PALM BAY. THE PROJECT SITE IS LOCATED 1.33 MILES WEST OF BARBOCK ROAD, 11.25 MILES SOUTH OF MALABAR ROAD. THE PROJECT WILL CONSIST OF A METAL MAINTENANCE OFFICE BUILDING, INFRASTRUCTURE IMPROVEMENTS CONSIST OF DRAINAGE PIPES AND STRUCTURES, PARKING AREAS, WATER AND SEWER SERVICES.

**OWNER**  
MBV ENGINEERING, INC.  
INVESTMENTS, LLC  
430 EASTON FOREST CIRCLE  
PALM BAY, FL 32909  
PHONE: (321) 720-4849

**ENGINEER**  
MBV ENGINEERING, INC.  
1250 W EAU GALIE BLVD, UNIT H  
MELBOURNE, FL 32935  
PHONE: (321) 253-1510

**APPLICANT**  
LISA CRAM  
430 EASTON FOREST CIRCLE  
PALM BAY, FL 32909  
PHONE: (321) 720-4849

**SURVEYOR**  
AAL LAND SURVEYING SERVICES, INC.  
3975 MINTON ROAD  
WEST MELBOURNE, FL 32904  
PHONE: (321) 768-8110

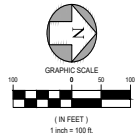
**SITE ADDRESS**  
NONE ASSIGNED

**FUTURE LAND USE**  
IND LDR

**ZONING**  
LI RS2

**TAX PARCEL I.D. NUMBER(S)**  
29-37-09-00-24

**TAX ACCOUNT NO.**  
303554



**NOT FOR CONSTRUCTION**  
FOR INFORMATION ONLY. THESE PLANS AND SPECIFICATIONS ARE PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION. THE CONTRACTOR SHALL OBTAIN THE ORIGINAL PLANS FROM THE DEPARTMENT OF RECORDS AND MAPS, PALM BAY, FLORIDA, AND VERIFY THE ACCURACY AND COMPLETENESS OF THE RECORDS AND SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF PALM BAY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION AND HIGHWAYS.

**MBV ENGINEERING, INC.**  
Civil & Structural • Surveying • Engineering  
1250 W EAU GALIE BLVD, UNIT H  
MELBOURNE, FL 32935  
PHONE: (321) 253-1510  
FAX: (321) 253-1511  
WWW.MBV-ENGINEERING.COM

REV	DATE	DESCRIPTION
1	07-23-2024	DATE ISSUED
2	07-23-2024	DATE ISSUED
3	07-23-2024	DATE ISSUED
4	07-23-2024	DATE ISSUED
5	07-23-2024	DATE ISSUED
6	07-23-2024	DATE ISSUED
7	07-23-2024	DATE ISSUED
8	07-23-2024	DATE ISSUED
9	07-23-2024	DATE ISSUED
10	07-23-2024	DATE ISSUED

**FOUNDATION GREEN RECYCLE FACILITY**

**ZONING AND LAND USE CONCEPT SITE PLAN**

**ZLUA-1**

SHEET 24-1055

PRELIMINARY SET



## **ORDINANCE 2021-67**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 185, ZONING CODE, SUBCHAPTER 'DISTRICT REGULATIONS', BY INCLUDING TREE AND LANDSCAPE BUSINESSES AS A CONDITIONAL USE WITHIN LI (LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT) ZONING; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:**

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 185, Zoning Code, Subchapter 'District Regulations', Section 185.045, LI – Light Industrial and Warehousing District, is hereby amended and shall henceforth read as follows:

**"Section 185.045 LI – LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT.**

**\* \* \***

**(D) Conditional uses.**

**\* \* \***

**>>(6) Tree and Landscape Recycling, subject to the following:**

- (a) A minimum lot size of five (5) acres.**
- (b) An eight (8) foot opaque fence or wall surrounding the site on all sides.**
- (c) A one hundred (100) foot setback between any property line and any operation of tree or landscape recycling machinery (with the exception of vehicle or product storage).**

**CERTIFIED COPY**



(d) A two hundred fifty (250) foot buffer between any residentially zoned land and any operation of tree or landscape recycling machinery (with the exception of vehicle or product storage).

(e) Tree and landscape recycling operations restricted to 8:00 a.m. to 6:00 p.m.

(f) Strict adherence to Maximum Permissible Sound Levels for Industrial Land, as set forth in Table 1 of Section 92.06, Palm Bay Code of Ordinances.<<

\* \* \*

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of ordinances and the sections may be renumbered to accomplish such intention.

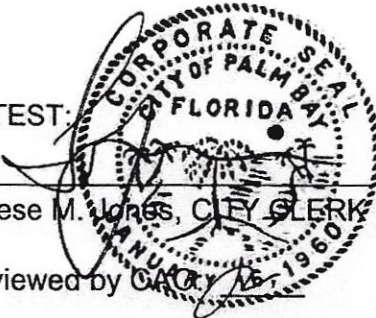
**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

CERTIFIED COPY

**SECTION 5.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2021-26, held on October 7, 2021; and read in title only and duly enacted at Meeting 2021-28, held on October 21, 2021.

ATTEST:

  
Terese M. Jones, CITY CLERK

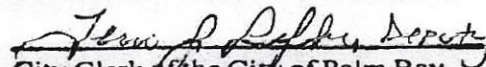
Reviewed by CAO

Applicant: Michael and Lisa Cram  
Case: T-36-2021

cc: ALP

**Strikethrough** words shall be deleted; **highlighted** words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.

**THIS IS TO CERTIFY** that the foregoing is a true and correct copy of the original on file in the office of the City Clerk of Palm Bay, Brevard County, Florida. WITNESS my hand and the official seal of the City of Palm Bay, this 27<sup>th</sup> day of October, 2021.

  
City Clerk of the City of Palm Bay,  
Florida.



## **CITIZEN PARTICIPATION REPORT**

Applicant should follow established Citizen Participation Plan as specified in § 169.005 CITIZEN PARTICIPATION PLANS.

### **CASE DETAILS**

Applicant Name	Lisa Cram - Foundation Park Future Investments, LLC
Project Name	Foundation Park Recycle Center
Case Type	Rezoning, Land Use, Conditional Use
Case Description	Rezoning to LI and Land Use to IND for back 15.427 acre portion of parcel. Conditional Use for length of fencing / wall required.
Intended Month of Submission	August 2024

### **INFORMATION ON THE CITIZEN PARTICIPATION MEETING**

Notice to the Public (Date)	08-06-2024
Date of CPP	08-21-2024
Location of the Meeting	Holiday Inn Express, 1206 Malabar Road, 32907
Number of Attendees	10 - Please note 5 of the attendee's were outside of the 500 ft radius mailing.



**DENOTE ANY ADVERSE COMMENTS/COMPLAINTS/ CONCERNS/ ISSUES RECEIVED AND DESCRIBE RESOLUTION OR PROVIDE JUSTIFICATION IF THE APPLICANT IS UNABLE OR UNWILLING TO ADDRESS THE ISSUE:**

	<b>Comments</b>	<b>Resolution</b>	<b>Justification if the applicant is unable or unwilling to address the issue</b>
	Why are you requesting the rezoning?	The rezoning is being requested because ancillary improvements to the industrial facility cannot be placed in residentially zoned property	
	Will there be traffic of large trucks and what is the impact?	A traffic study will be performed during the site plan review process and required.	
	Invitation letter error	The mailed letter documented noted both Comfort Inn and Holiday Inn in error. The meeting was at Holiday Inn.	
	What will be the FDEP Permitting requirements?	FDEP permitting will be required for the recycling facility as required, including but not limited to an ERP and related permits	
	What will be the displacement of wildlife?	Most of the south property will be proposed to be placed in conservation (over 9 acres). This should address wildlife needs	
	Will this impact our property value?	The impact to property values is difficult to determine. A study by a property appraiser would need to be done to determine	
	How does zoning affect uses?	Since the proposed use is a Conditional Use in the zoning, the allowable uses can be restricted to the use proposed	
	Will the air quality be disturbed by the operation?	It is our understanding that air quality is an item addressed in the ERP permit process with the FDEP, and must comply with state standards	
	What will the noise effects be?	It is our understanding that the facility will have to operate in conformance with City and State noise requirements.	



## LIST OF ATTENDEES

Number	Name of attendee	Number	Name of attendee
1.	Tim Pidgeon (outside of radius)	2.	Olgan Pidgeon (outside of radius)
3.	Sheryl Falso (outside of radius)	4.	Reginald Goodine
5.	Maryanne Goodine	6.	Diane Rivera (outside of radius)
7.	Vernon Densler	8.	Ella Austin
9.	Mike Brinzow	10.	Irene Murphy (not a homeowner)
11.	Edward Renzulli (Developer)	12.	Bruce Moia (Engineer)
13.		14.	
15.		16.	
17.		18.	
19.		20.	
21.		22.	
23.		24.	
25.		26.	
27.		28.	
29.		30.	
31.		32.	
33.		34.	
35.		36.	



## **ADDITIONAL DOCUMENTS REQUIRED WITH CITIZEN PARTICIPATION PLAN REPORT SUBMISSION**

1. Copy of notice sent (separate attachment)
2. Material distributed or presented at the meeting (separate attachment)
  - All the property owners within a 500-foot radius of the subject parcel shall be informed about the meeting date, time and location.

I hereby certify that information provided as part of this report is correct.

---

Signature,

Bruce A. Moia, P.E., President, MBV Engineering, Inc.

08-26-2024

---

Typed Name and Title:

Date :





August 6, 2024

*Via First Class Mail*

RE: Notice of Citizen Informational Meeting on August 21, 2024

Applicant: Foundation Park Future Investments, LLC  
Project : Foundation Park Recycle Center  
Parcel ID: 29-37-09-00-24

Application Request: Rezoning and Comprehensive Plan Amendment

Dear Neighbor:

Foundation Park Future Investments LLC will be submitting Rezoning and Comprehensive Plan Amendment (Future Land Use) Applications to the City of Palm Bay for a portion of the parcel listed above.

We are requesting a zoning change of LI/RS2 to LI only and a Land Use Change from IND/LDR to IND only. The parcel is 35.88 acres with 20.453 acres of the parcel with the desired zoning / land use, leaving 15.427 acres to be addressed.

On behalf of Foundation Park Future Investments LLC, I am inviting you to an informational meeting at the Comfort Inn and Suites on Malabar Road to discuss the request, answer any questions you may have, and record any feedback you may offer. We will then present to City Staff, the Planning and Zoning Board and City Council as we move through the review and public hearing process for this request.

We will have additional explanatory information with us at the meeting. If you have any questions you wish to submit in advance of the meeting, we would appreciate the opportunity to review them in advance to be sure that we bring appropriate information to answer your questions or address your concerns at the meeting.

DATE: August 21, 2024  
TIME: 6:00 PM  
PLACE: Holiday Inn Express  
1206 Malabar Road, Palm Bay FL 32907

We hope to see you there. In the interim, please do not hesitate to contact me via email at [brucem@mbveng.com](mailto:brucem@mbveng.com)

Best Regards,

Bruce Moia, P.E., President

MBV Engineering, Inc.  
1250 W. Eau Gallie Blvd., Suite H  
Melbourne, FL 32935  
321-253-1510

[illegible]

**CITY OF PLUM BLISS  
FLOODPLAIN COORDINATOR**

[illegible]

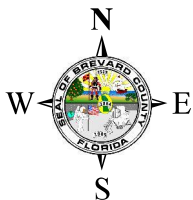
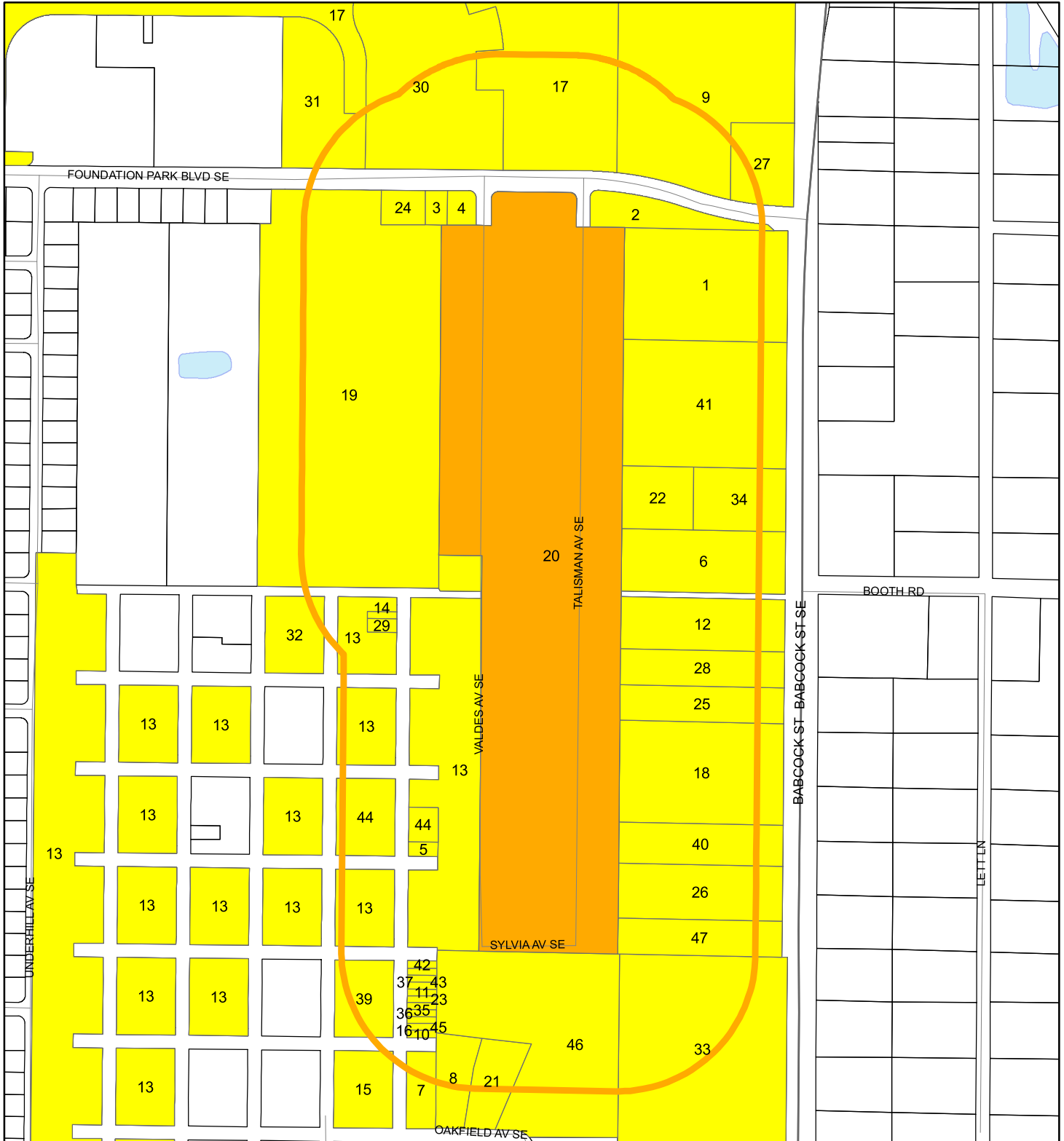
**PROJECT BENCHMARK**  
CITY OF PALM BEACH  
MARKER 13-019  
E.L. = 29.67' (NAVD 88)  
E.L. = 31.04' (NGVD 29)

[illegible]

# RADIUS MAP

FOUNDATION PARK FUTURE INVESTMENTS LLC

Wanda\_Kessler\_3030924



1:6,085 or 1 inch = 507 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 8/6/2024

- Buffer
- Subject Property
- Notify Property
- Parcels

January 9, 2025

City of Palm Bay, Land Development Division  
120 Malabar Road, S.E.  
Palm Bay FL, 32909

***Via Electronic Delivery***

RE: Foundation Park Recycle Center  
Parcel ID: 29-37-09-00-24 / 3030924  
MBV Project #: 24-1065

Please allow this revised letter to serve as a narrative for the Rezoning, Comprehensive Plan Amendment, Conditional Use Application and Vacate Application that MBV Engineering has submitted to the City of Palm Bay.

The development is approximately 35.88 acres per survey with the North 20.453 acres of the parcel zoned LI with a Land Use of IND. The South 15.427 acres of the parcel, is zoned RS2, with a Land Use of LDR. Our request is to change the zoning and land use to the southern 15.427 to match the northern 20.453 acres.

We are requesting a Conditional Use Application for the operation of a Green Recycle Facility, per chapter 173, table 173-3 of the City's Land Development Code.

The vacate application has been submitted to the public works department, and will be reviewed, coordinated, etc. by them.

Upon site plan submittal the development will contain a +/- 6,000 SF Office and Maintenance building along with a recycling area.

Applications brought forward to the Land Development Department at this time consist of:

- Rezoning
- Land Use
- Conditional Use

Two citizens meeting have been completed, the first on August 21st, 2024 and the second on November 26th, 2024



Ms. Chandra Powell  
Foundation Park Recycle Center  
MBV # 24-1065

Contacts for the project are as follows:

OWNER/                      Foundation Park Future Investments, LLC  
DEVELOPER:              Michael and Lisa Cram  
                                 430 Easton Forest Circle SE  
                                 Palm Bay, FL 32909  
                                 321-720-4849  
                                 [info@allprolandclearing.com](mailto:info@allprolandclearing.com)

EOR:                        MBV Engineering Inc.  
                                 Bruce A. Moia, P.E., President  
                                 1250 W Eau Gallie Blvd, Ste H,  
                                 Melbourne, FL 32935  
                                 321-253-1510  
                                 [brucem@mbveng.com](mailto:brucem@mbveng.com)  
                                 [wandak@mbveng.com](mailto:wandak@mbveng.com)

Surveyor:                 AAL Land Surveying, Daniel Garner  
                                 3970 Minton Road  
                                 Melbourne, FL 32904  
                                 321-952-9771  
                                 [frontdesk@aalsurvey.com](mailto:frontdesk@aalsurvey.com)

Sincerely,

Wanda Kessler, Permitting Coordinator

# Project Details: CU24-00008

## Project Type: Conditional Use

Project Location: nan UNKNOWN Palm Bay, FL

Milestone: Submitted

Created: 9/4/2024

Description: Foundation Recycle

Assigned Planner: Kimberly Haigler

### Contacts

Contact	Information
Owner/Applicant	FOUNDATION PARK FUTURE INVESTMENTS LLC 430 EASTON FOREST CIR SE PALM BAY, FL 32909 (321) 720-4849 info@allprolandclearing.com
Legal Representative	Bruce A Moia 1250 W Eau Gallie Blvd Melbourne, FL 32935 (321) 253-1510 brucem@mbveng.com
Assigned Planner	Kimberly Haigler 120 Malabar Rd SE Palm Bay, FL 32907  kimberly.haigler@palmbayflorida.org
Submitter	MBV Engineering Inc. 1250 W Eau Gallie Blvd Melbourne, FL 32935 (321) 253-1510 wandak@mbveng.com

### Fields

Field Label	Value
Block	24
Lot	
Township Range Section	29-37-09
Subdivision	00
Year Built	
Use Code	4000
Use Code Desc	VACANT INDUSTRIAL LAND



# Project Details: CU24-00008

Lot Size	
Building SqFt	
Homestead Exemption	
Taxable Value Exemption	
Assessed Value	
Market Value	
Land Value	
Tax ID	3030924
Flu Description	Industrial
Flu Code	IND
Zoning Description	Light Industrial and Warehousing
Zoning Code	LI
Size of Area (acres)	
Conditional Use Sought	Modification of required wall or fence within existing Cond Us 2021-67
or Special Requirements Use	Not Applicable
Are You a Property Owner of Record?	False
Tax Account Number(s)	3030924
Parcel Number(s)	29-37-09-00-24
Resolution Number	

August 8, 20 24

Re: Letter of Authorization

As the **property owner of the site legally described as:**

Brevard County Parcel # 29-37-09-00-24 / Tax ID # 3030924

I, Owner Name: Lisa Cram as manager for Foundation Park Future Investments, LLC

Address: 430 Easton Forest Circle SE, Palm Bay, FL 32909

Telephone: 321-720-4849

Email: info@allprolandclearing.com

hereby authorize:

Representative: Bruce A. Moia, P.E., for MBV Engineering, Inc.

Address: 1250 W. Eau Gallie Blvd. Suite H, Melbourne FL 32935

Telephone: 321-253-1510

Email: brucem@mbveng.com

to represent the request(s) for:

Rezoning, Land Use Amendment, and Conditional Use

Lisa A. Cram  
(Property Owner Signature)

STATE OF Florida

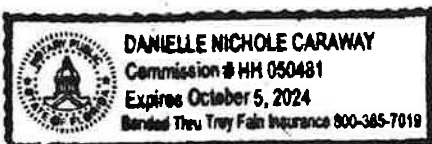
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 8<sup>th</sup> day of August, 20 24 by

Lisa Cram, property owner.

Danielle Caraway  
Danielle Caraway, Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:



# Acknowledgement Log

**Header:**

Legal Acknowledgement

**Text:**

I, the submitter, understand that this application must be complete and accurate before consideration by the City of Palm Bay and certify that all the answers to the questions in said application, and all data and matter attached to and made part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

**Accepted By:**

Bruce A Moia

**On:**

9/4/2024 9:17:46 AM

☒ CU24-00008

Select Language ▼



Florida  
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

## **AFFIDAVIT OF PUBLICATION**

CITY OF PALM BAY  
attn: Accounts Payable  
City Of Palm Bay  
120 Malabar Rd Se  
Palm Bay FL 32907-3009

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

02/20/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/20/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$151.04

Tax Amount: \$0.00

Payment Cost: \$151.04

Order No: 11047056

# of Copies:

Customer No: 1127256

1

PO #: 250792

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

ad#11047056 02/20/2025

CITY OF PALM BAY, FLORIDA

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on March 5, 2025, and by the City Council on March 20, 2025, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1. \*\*CU24-00008 - Foundation Park Future Investments, LLC (Bruce Moia, P.E., MBV Engineering, Inc., Rep.)

A Conditional Use to allow for a proposed Green Recycle Facility in accordance with Section 174.048 of the Palm Bay Code of Ordinances.

Tax Parcel 24, Section 9, Township 29, Range 37, Brevard County, Florida, containing approximately 36 acres. Located south of and adjacent to Foundation Park Boulevard SE, in the vicinity west of Babcock Street SE

2. \*\*V24-00007 - Evan and Amanda L. Werner

A variance to allow a proposed carport to encroach 25 feet into the 25-foot side corner setback in an RS-2, Single-Family Residential District by granting relief from the requirement that no accessory structure shall be erected within five feet of any building on the same lot, as established by Section 174.002(A)(5) of the Palm Bay Code of Ordinances.

Lot 19, Block 46, Port Malabar Unit 2, Section 25, Township 28, Range 37, Brevard County, Florida; containing approximately 25 acres. Located at the southeast corner of Jackson Avenue NE and Abeto Street NE, specifically at 3202 Jackson Avenue NE

\*\*Indicates quasi-judicial request(s).

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.

Chandra Powell  
Planning Specialist