



October 20, 2023

Brian Herbert
Dan-Nico Properties, LLC
424 NE 2nd Street
Boca Raton, FL 33432

Dear Mr. Herbert:

Enclosed is a certified copy of Resolution 2023-39, granting a conditional use to allow for a self-storage facility in GC (General Commercial District) zoning, in accordance with Section 185.054(D)(9) of the Palm Bay Code of Ordinances, on property located west of and adjacent to Martin Road, in the vicinity east of Babcock Street.

The City Council approved the resolution at Regular Council Meeting 2023-27, held on October 19, 2023, subject to compliance with the conditions as set forth in Section 2 of the resolution.

If the need should arise in the future for an extension to the commencement period of the conditional use, a written request must be submitted to the Growth Management Department within sixty days (60) prior to the expiration date.

If you should have any questions or require additional information, please contact Ms. Lisa Frazier, AICP, Growth Management Director, at (321) 733-3042.

Sincerely,

CITY OF PALM BAY


Terri J. Lefler, CMC
Deputy City Clerk

/tjl

Enclosure: Resolution 2023-39

Case CU23-00013

Legislative Department

RESOLUTION 2023-39

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, GRANTING A CONDITIONAL USE TO ALLOW FOR A SELF-STORAGE FACILITY IN GC (GENERAL COMMERCIAL DISTRICT) ZONING; WHICH PROPERTY IS GENERALLY LOCATED WEST OF AND ADJACENT TO MARTIN ROAD, IN THE VICINITY EAST OF BABCOCK STREET, AND LEGALLY DESCRIBED HEREIN; GRANTING THE USE AS A CONDITIONAL USE; PROVIDING FOR A COMMENCEMENT PERIOD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application for a conditional use in GC (General Commercial District) zoning to allow for a self-storage facility on property legally described herein, has been made by Dan-Nico Properties, LLC, and

WHEREAS, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on October 4, 2023, which voted to recommend to the City Council approval, and

WHEREAS, all provisions applicable to the conditional use under Chapter 185, Zoning, Conditional Uses, Sections 185.085 and 185.086, and District Regulations, Sections 185.054 and 185.088, of the Palm Bay Code of Ordinances, have been addressed by the applicant, and

WHEREAS, the City Council of the City of Palm Bay has determined that such conditional use will neither be injurious to the neighborhood nor otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby grants a conditional use to allow for a self-storage facility on property zoned GC (General Commercial District), which property is legally described as follows:

Lots 23 through 25, Block 1990, Port Malabar Unit 40, according to the plat thereof as recorded in Plat Book 21, Page 33, of the Public Records of Brevard County, Florida; Section 03, Township 29S, Range 37E; containing 2.03 acres, more or less.

SECTION 2. The conditional use is granted subject to the applicant complying with the following:

- A. Constructing the self-storage facility in accordance with the site plan which is, by reference, incorporated herein as Exhibit 'A'.
- B. The Land Development Division Staff Report which is, by reference, incorporated herein as Exhibit 'B'.
- C. All provisions of the Code of Ordinances of the City of Palm Bay and all other state and federal rules, regulations, and statutes.

SECTION 3. The conditional use must be commenced within two (2) years from the effective date of this resolution. Commencement shall mean the issuance of the appropriate permit(s), which must remain active. Failure to commence within two (2) years of issuance of the first permit shall void the conditional use. The applicant may seek an administrative extension of one (1) year by submitting a written request within sixty (60) days prior to the date of expiration.

SECTION 4. This resolution shall take effect immediately upon the enactment date.

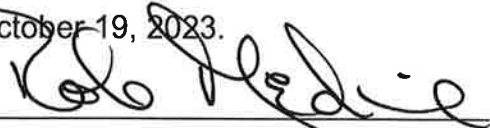
This resolution was duly enacted at Meeting 2023-27, of the City Council of the City of Palm Bay, Brevard County, Florida, held on October 19, 2023.

ATTEST

Terese M. Jones, CITY CLERK

Applicant: Dan Nice Properties, LLC
Case: CU23-00013

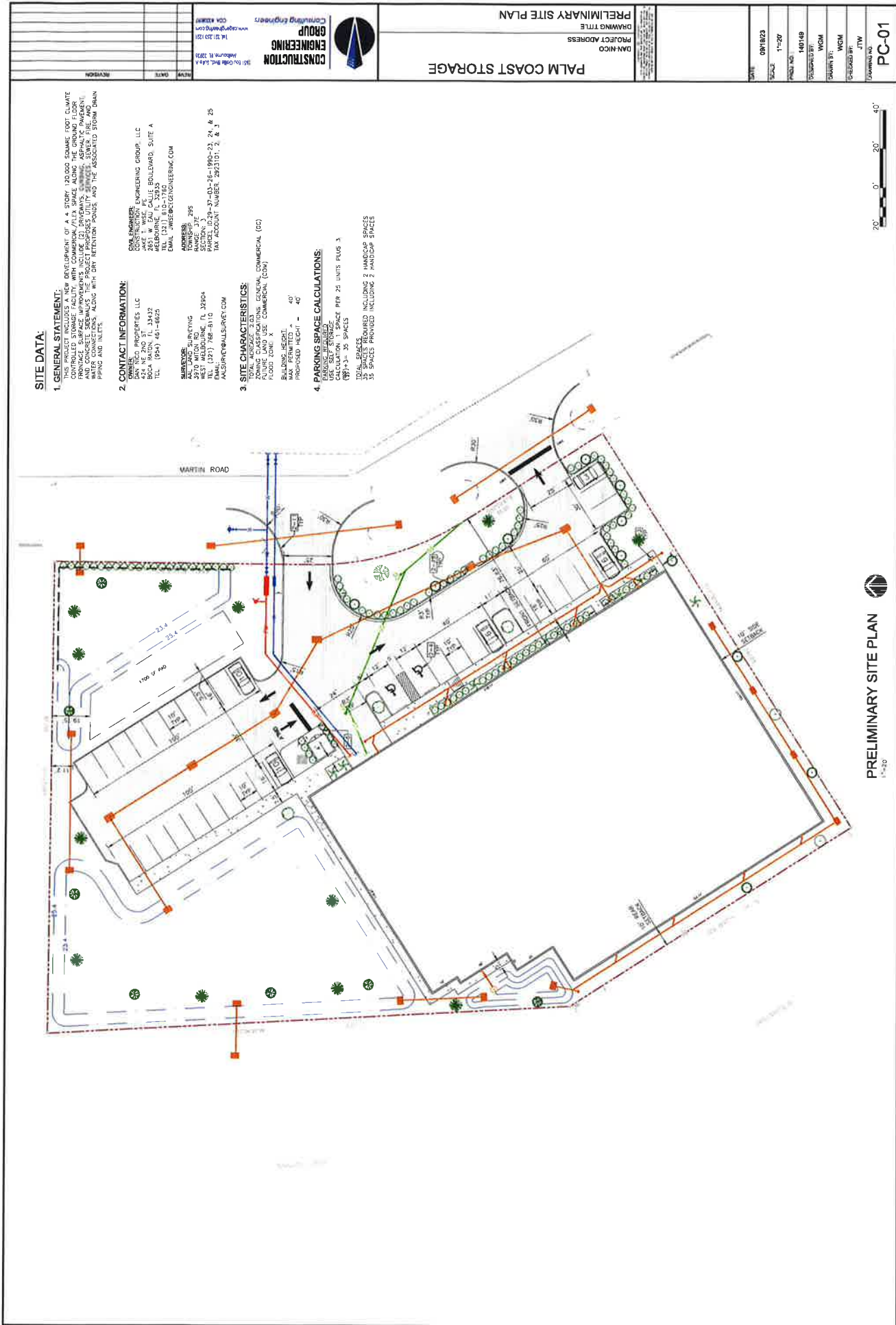
cc: Brevard County Recording
Applicant
Case File



Rob Medina, MAYOR

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 20th day of October, 2023.





SITE DATA:

1. **GENERAL STATEMENT:**
 THIS PROJECT IS A 5 STORY 200,000 SQUARE FOOT CLIMATE CONTROLLED STORAGE FACILITY WITH COMPARTMENTALIZED FRONTS. SURFACE IMPROVEMENTS INCLUDE (2) DRIVEWAYS, CURBS, ASPHALT PAVEMENT, WATER CONNECTIONS, ALONG WITH DRY RETENTION POND, AND THE ASSOCIATED STORM DRAIN PIPING AND INLETS.
2. **CONTACT INFORMATION:**
OWNER:
 DAY NCO PROPERTIES, LLC
 2651 W. PALM BLVD. SUITE 4
 WEST PALM BEACH, FL 33412
 TEL: (561) 461-4625
ARCHITECT:
 ALLIANCE SURVEYING
 2651 W. PALM BLVD. SUITE 4
 WEST PALM BEACH, FL 33412
 TEL: (561) 768-8110
 ALLIANCE@ALLIANCEVA.COM
CONSULTING ENGINEER:
 CONSTRUCTION ENGINEERING GROUP, LLC
 2651 W. PALM BLVD. SUITE 4
 WEST PALM BEACH, FL 33412
 TEL: (561) 768-8110
 CONSTRUCTIONENGINEERING.COM
ADDRESS:
 2651 W. PALM BLVD. SUITE 4
 WEST PALM BEACH, FL 33412
 TEL: (561) 768-8110
 CONSTRUCTIONENGINEERING.COM
3. **SITE CHARACTERISTICS:**
 ZONING CLASSIFICATION: GENERAL COMMERCIAL (GC)
 FLOOD ZONE AND USE: COMMERCIAL (COM)
 BUILDING HEIGHT: 40'
 PROPOSED HEIGHT: 40'
 MAX. PERMITTED: 40'
4. **PARKING SPACE CALCULATIONS:**
 USE: SELF STORAGE
 PARKING REQUIREMENT PER 25 UNITS PLUS 1
 (85) x 3 = 35 SPACES
 TOTAL SPACES
 35 SPACES REQUIRED INCLUDING 2 HANDICAP SPACES
 35 SPACES PROVIDED INCLUDING 2 HANDICAP SPACES

PRELIMINARY SITE PLAN
1"=20'

PALM COAST STORAGE
PRELIMINARY SITE PLAN
DANN NICO
PROJECT ADDRESS

DATE	08/18/23
SCALE	1"=20'
PLANNING NO.	140149
DESIGNER	CONSTRUCTION ENGINEERING GROUP
DRAWN BY	WCM
CHECKED BY	WCM
DRAWING NO.	JTW

PC-01



STAFF REPORT

LAND DEVELOPMENT DIVISION

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

landdevelopmentweb@palmbayflorida.org

Prepared by

Tania Ramos, Senior Planner

CASE NUMBER

CU23-00013

PLANNING & ZONING BOARD HEARING DATE

October 4, 2023

PROPERTY OWNER & APPLICANT

Dan-Nico Properties, LLC (Jake Wise, P.E., Construction Engineering Group, LLC. Rep.)

PROPERTY LOCATION/ADDRESS

Lots 23 - 25, Block 1990, Port Malabar Unit 40, Section 03, Township 29, Range 37, Brevard County, Florida, containing approximately 2.03 acres. Located west of and adjacent to Martin Road SE, east of and adjacent to Babcock Street SE, specifically 502, 514, and 526 Martin Road SE. Tax Accounts 2923101, 2923102, 2923103

SUMMARY OF REQUEST

A **Conditional Use** to allow a self-storage facility in the General Commercial District, in accordance with Section 185.054(D)(9) of the Palm Bay Code of Ordinances.

Current Zoning

GC, General Commercial District

Current Land Use

COM, Commercial

Site Improvements

Vacant Land

Site Acreage

Approximately 2.03 acres

SURROUNDING ZONING & USE OF LAND**North**

GC, General Commercial District; Vacant Land

East

GC, General Commercial District; Vacant Land

South

GC, General Commercial District; Auto Repair Shop

West

ROW, Babcock Street SE, and Interstate 95

COMPREHENSIVE PLAN**COMPATIBILITY**

Yes, Commercial Use

BACKGROUND:

The subject property combines three lots for a total of approximately 2.03 acres located west of and adjacent to Martin Road SE, east of and adjacent to Babcock Street SE. The property is identified as Lots 23 - 25, Block 1990, Port Malabar Unit 40, Section 03, Township 29, Range 37, Brevard County, Florida, specifically addressed as 502, 514, and 526 Martin Road SE with tax accounts 2923101, 2923102, 2923103.

The conditional use request is specifically to allow self-storage to be developed on vacant land. The applicant has provided a conceptual plan with a proposed four-story, 120,000 square foot self-storage building.

ANALYSIS:

Section 185.054(D)(9) of the Code of Ordinances establishes self-storage as a conditional use in the General Commercial District subject to the provisions established in Section 185.088(F) which provides additional requirements for self-storage facilities.

As a conditional use, self-storage facilities may locate along major collector or higher classified roads. For locations on lower classified roads such as Martin Road SE, ground floor retail is required, or the building shall be setback from the roadway. The applicant has included a commercial/flex space along the ground floor frontage for a possible box and packing supplies retail space, Amazon delivery lockers, or similar uses.

The architectural elevations and floor plan provided show 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 entrance with an auto-sliding storefront door similar to those at office buildings.

Outside storage is prohibited at the site, and the maximum storage unit size is limited to 300 square feet. The applicant states that no outside storage is proposed. The maximum storage unit size will be 200 square feet.

General Commercial zoning requires an architectural style for each structure in adherence with Section 185.134. The applicant has provided the Palm Bay Architectural Style Required Materials and Finishes Form indicating that the Florida Vernacular style will be utilized. In addition to an architectural style, self-storage as a conditional use is also required to utilize exterior surface materials that will reduce building massing and create visual interest. The applicant states, "The materials proposed along each side of the building and especially the roadway frontage are comprised of high-quality materials. We have included additional storefront along the frontage, the covered canopy feature, Bahama shutters, and decorative laser cut aluminum art panels in a palm motif in order to add a creative expression and reduce the overall scale of the building." The base of the building shall be differentiated from the rest

of the façade with treatments such as a change in material or color. The applicant stated, "The building is most obscured at the bottom by landscaping or the other site location related element our design intent was to utilize more storefront along the primary façade and artistic panels to create this human scale. Given the location of the project within the commercial/industrial park we felt it more beneficial to add elements higher that would be seen more." At least two different building materials, such as tile, brick, stucco, cast stone, stone or formed concrete must be used, and the applicant has incorporated a variety of elements to meet this requirement.

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.

An ingress only, and an egress only driveway will be provided on Martin Road SE. In front of the self-storage building, the conceptual site plan shows interior traffic lanes meeting the minimum of twenty-five (25) feet width for one way traffic and the required thirty-five (35) feet width for two-way traffic. There are no sidewalks along Martin Road SE for onsite connections.

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) of the Code of Ordinances establishes parking requirements for internally accessed self-storage facilities at one (1) space for each twenty-five (25) units, plus three (3) spaces for the facility's lease office. The concept plan includes thirty-five (35) parking spaces, which would accommodate up to 800 self-storage units. During the administrative site

plan review, the applicant will be required to provide parking for the commercial/flex space as well.

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 conceptual plan submitted includes a landscaping plan which shows the intent to provide adequate screening and buffering. The adjoining properties are all in the same General Commercial zoning classification, and there are no adjacent residential areas. During the administrative site plan review, the project will be required to meet all landscaping requirements.

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.

Proposed sign locations are not shown on the conceptual plan. Signage, lighting, and photometric plans will be required for administrative site plan review. It shall be noted that City codes require any lighting to be shielded and/or directed downward 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 conceptual plan appears to be meeting all setback requirements. Setback and landscaping requirements are reviewed in depth during the administrative site plan review, and the project will be required to meet all code requirements prior to site plan approval.

Item (G): 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.

The General Commercial District is intended for areas within the city which are uniquely suited for heavy commercial development, such as a mix of service, warehousing, commercial, wholesaling, storage, and similar businesses and uses. The use as proposed will be

compatible with the permitted uses of adjacent properties.

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:

Staff recommends Case CU23-00013 for approval.