MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

November 13, 2019

A Regular City Council Meeting was held on Wednesday, November 13, 2019, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. OPENING MATTERS:

Mayor Williams called the meeting to order at 6:04 p.m.

Chief Lamm provided the invocation and Councilmember Boisvert led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The Assistant City Clerk took the roll.

PRESENT:	Jake Williams, Jr.	Mayor
	Brenda Warner	Deputy Mayor
	Don Boisvert	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	John A. Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Monica Arsenault	Assistant City Clerk

ABSENT:

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Nancy Bunt, Community Services Director; Michael Cantaloupe, Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Jason McCuen, Helpdesk Support Technician; and Samantha Senger, Assistant to the City Manager/ Public Relations Specialist.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of November 13, 2019 (19-523)
2. Minutes: (a) Minutes for the Regular meeting of September 11, 2019 (19-524)
   (b) Minutes for the Regular meeting of September 25, 2019 (19-525)
   (c) Minutes for the Regular meeting of October 9, 2019 (19-526)

* **MOTION by Deputy Mayor Warner; SECONDED by Councilmember Koss, to approve the Agenda with an amendment to move Consent items VI.3 and VI.7 to Council Business for the Regular meeting of November 13, 2019.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Koss; SECONDED by Councilmember Goins, to approve the Minutes with amendments for the Regular meeting of September 11, 2019, and to approve the minutes of September 25, 2019 and October 9, 2019 as written.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. AWARDS AND PRESENTATIONS:

1. Presentation and Proclamation on "Hot Cocoa Days". (19-527). (Historic Cocoa Village Main Street).

   Councilmember Koss read the proclamation into the record.

   Ms. Emma Kirkpatrick provided a presentation on Historic Cocoa Village Main Street. Members of the association shared upcoming events in the village.

2. Presentation of the 2019 Distinguished Budget Presentation Award. (19-550). (Finance Director)

Mayor Williams announced that the City received the Distinguished Budget Presentation Award from the Government Finance Officers Association for the Fiscal Year beginning October 1, 2018.

Ms. Bowman provided a video from the Government Finance Officers Association congratulating the City of Cocoa on the achievement.

Ms. Bowman acknowledged and thanked Finance staff for their hard work.

3. Proclamation: Proclaiming December 1, 2019 as "World AIDS Day". (19-577). (Mayor Williams)

Councilmember Koss read the proclamation into the record.

Ms. Jo Shim, League of Women's Voters, announced that all are invited to attend the World AIDS Day Vigil on Sunday, December 1 at 4pm.

IV. DELEGATIONS:

Anita Gibson, 451 Stone St., Cocoa, asked for the last three sets of minutes from the previous Council meetings and an update from the last time she spoke before Council regarding the murder cases she mentioned at the last meeting.

Chief Cantaloupe explained that FDLE has a new initiative and explained there is an online portal where the public can access cases online.

Councilmember Goins asked if there is a protocol to keep families apprised of ongoing cases. In response, Chief Cantaloupe explained that the detectives will reach out to the families but he encouraged all to submit any tips or information that they have to the Police Department and noted that sometimes there is even a cash reward for information.

Deputy Mayor Warner asked if the billboards referenced by Ms. Gibson are done by Crime Line. In response, Chief Cantaloupe stated that they are in most cases and they are located out of Orlando so we do not always get the extra help, however staff does reach out to them.

Ms. Donna Kettner, 103 Derby St., Cocoa, discussed the grease being dumped behind her building and explained that it is now being dumped in the street. She has pictures and has had surveillance cameras installed on the premises. She added that the alley between her building and Pub Americana is disgusting and there are dead rats. Additionally, she shared that she called the Police Department

on Friday and Saturday night due to the loud music playing into the early hours of the morning. She explained that she does not mind concerts and music playing late at night but when it continues into the early hours of the morning it raises an issue.

Councilmember Koss asked how often pressure washing is done. In response, Assistant City Manager Fuhrer explained that it is budgeted, however all sidewalks are done on an annual basis at this time.

V. CONSENT AGENDA:

1. Authorize the City Manager to Approve a Purchase Order for FY-2020 NAPA IBS Operational and Management Expenditures of $108,000. (19-359). (Public Works Director)

2. Authorize the City Manager to Approve a FY20 Purchase Order to JSR Enterprise East Coast LLC, Melbourne, Florida, for Additional Work related to the Removal, Disposal and Replacement of an Above Ground Diesel Fuel Tank at Banana River Pump Station. (19-480). (Utilities Director)

3. Approve Participation in a Cooperative Purchase Agreement with Sunstate Meter and Supply, Inc. for Water Meter Purchases utilizing the Manatee County Service Agreement No. 19-R072004CB, effective August 20, 2019 through August 16, 2021 and authorize City Manager to approve Related Blanket Purchase Order. (19-499). (Utilities Director)

4. Approve participation in cooperative purchase agreements using the Florida Sheriffs Association Contract# FSA19-VEL27.0 for the vehicles and equipment to purchase from Garber Ford and the City of Tampa Contract# 2-18 with Dana Safety Supply for lightbars and accessories. Approve a Budget Transfer Adjustment to Utilize General Fund Contingency to allocate additional funding for six 2020 Ford Police Utility Hybrid Police Interceptors, with the powertrain option. Authorize the City Manager to Approve a Purchase Order for the Purchase of the Vehicles from Garber Ford in the Amount of $213,558 and from Dana Safety Supply, Inc. in the Amount of $54,169. (19-501). (Public Works Director)

5. Approve Proposal by Connect Consulting, Inc. (CCI), High Springs, Florida, for Hydrogeological Services and Rehabilitation Services, Utilizing the City of Palm Coast RFQ-PW-U-15-12, Services Contract for Professional Hydrogeological Services, Project No. WS1106. (19-504). (Utilities Director)

6. Approve Task Order 2020-10 with Carollo Engineers, Inc., Orlando, Florida, for the SCADA Programming Services VTSCADA, LCP's, and RTU's at the Jerry Sellers Water Reclamation Facility; To Authorize the City Manager to Approve Related Purchase Requisition for $105,369. (19-514). (Utilities Director)

7. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making a Sole Source Purchase of Ozone Generator Repairs from Xylem Water Solutions USA, Inc., Apopka, Florida, for Maintenance and Repair Services at the Dyal Water Treatment Plant; and Authorize the City Manager to Approve the Related Purchase Order. (19-515). (Utilities Director)

8. Authorize the City Manager to Approve a FY20 Purchase Order to Ring Power Corporation, Palm Bay, Florida, for Additional Generator Repair for the Dyal Water Treatment Plant. (19-516). (Utilities Director)

9. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making a Sole Source Purchase of Three (3) Replacement DISCFLO Pumps at the Dyal Water Treatment Plant through Gerber Pumps International, Longwood, Florida; Authorize the City Manager to Approve the Related Purchase Order. (19-518). (Utilities Director)

10. Approve a Budget Resolution Amending the FY2020 Budget through the use of Water/Sewer Contingency and Approve Task Order 2020-10 with Bussen-Mayer Engineering Group, Inc. for Professional Engineering and Surveying Services Related to the City of Cocoa - Zone K Indian River Drive Septic to Sewer, Project No. WS20GS; Authorize the City Manager to Approve Related Purchase Order. (19-519). (Utilities Director)

11. Request Authorization for the City Manager to Approve a Blanket Purchase Order for FY-2020 Inventoried Fuel Purchases utilizing the School Board of Brevard County fuel and oil contract #18-B-021-NC with Glover Oil Company of Melbourne FL. (19-529). (Public Works Director)

12. Approve a Blanket Purchase Order through July 21, 2020 to NAPA IBS, Space Coast Auto Supply utilizing the NJPA Contract #061015 for Fleet-Related Maintenance Equipment, Supplies, Services, and Inventory Management Solutions for parts purchases in FY-2020; Authorize the City Manager to Approve the Related Purchase Order up to $300,000. (19-541). (Public Works Director)

13. Approve the First of Two One-Year Contract Extensions for Bid B-19-05-COC Awarded to US Lawn Services for Mowing & Maintenance of Various City areas for October 1, 2019 to September 30, 2020. (19-549). (Public Works Director)

* **MOTION by Councilmember Boisvert; SECONDED by Deputy Mayor Warner, to approve the Consent agenda.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. PUBLIC HEARINGS:

1. Ordinance No. 14-2019/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of twenty (20) parcels totaling 118.66 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District). (19-555). (Community Services Director)

Attorney Garganese pointed out that this is the first reading of the ordinance and it is a zoning map amendment. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 14-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF TWENTY (20) PARCELS OF REAL PROPERTY, TOTALING 118.66 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE WEST SIDE OF COX ROAD, SOUTH OF PINE CONE PLACE AND NORTH OF SR520, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY I-U (LIGHT INDUSTRIAL) TO CITY OF COCOA M-1 (LIGHT INDUSTRIAL AND WAREHOUSE DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig provided a presentation[1] on the Cox Road Corridor Study. She explained that the City of Cocoa, as the applicant, is requesting to amend the Zoning Map designation of thirty-six parcels totaling approximately 160.22 acres.

The thirty-six parcels were broken up into eight groupings based on their current zoning designation and the proposed City zoning designation. Separate ordinances were drafted for each of these eight batches of parcels. The individual rezoning ordinances are part of a larger Cox Road Corridor study area, the purpose of which was to identify and address parcels lying within the Cocoa City limits, having a City of Cocoa Future Land Use designation but without a City of Cocoa Zoning District designation.

The study was undertaken as part of a long-range effort to comply with the City's Comprehensive Plan requirement that the City eliminate all inconsistencies between the Official Zoning Map and the Future Land Use Map. Two parcels (#31 and #32) that were part of the original study area have been withdrawn by staff at this time to allow for further analysis of the most appropriate zoning district designation based on the current use.

Ms. Selig gave a brief history of the subject parcels that were annexed into the City of Cocoa in three groupings. Furthermore, the Future Land Use (FLU) designation of the study area parcels were changed from their former Brevard County designations to City of Cocoa designations in several groupings as well.

Ms. Selig discussed the consistency with the Code of the City of Cocoa and pointed out that the criteria addresses issues such as the established land use pattern, population density, the comprehensive plan, living conditions in the adjoining neighborhood, traffic congestion, public safety, drainage, property values, public welfare, and others related to the impact of the proposed change. Additionally, the proposed zoning designations of the several ordinances are consistent with the allowable uses under the Future Land Use designation of each related ordinance per the City of Cocoa Comprehensive Plan.

Ms. Selig added that the Planning and Zoning Board recommended approval of the ordinances at the November 6, 2019 meeting.

Mayor Williams opened the hearing to the public. There being no public comment, the public portion of the hearing was closed.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to approve Ordinance No. 14-2019 on first reading.**

[1] Zoning Map Amendments - Cox Road Corridor Study Area Presentation

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Ordinance No. 15-2019/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of twenty (20) parcels totaling 118.66 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District). (19-560). (Community Services Director)

Attorney Garganese noted that this is the first reading of the ordinance and it is a zoning map amendment. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 15-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF FOUR (4) PARCELS OF REAL PROPERTY, TOTALING 19.73 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE WEST SIDE OF COX ROAD, SOUTH OF RIGHT STREET AND NORTH OF SR520, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY I-U (LIGHT INDUSTRIAL) TO CITY OF COCOA M-1 (LIGHT INDUSTRIAL AND WAREHOUSE DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig shared a visual of the proposed rezoning areas and explained that the existing land use is industrial, auto auction uses and vacant land. The proposed zoning would change this to M-1, light industrial and warehouse uses.

She stated that staff is recommending approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of four (4) parcels totaling 19.73 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District) as depicted on Exhibit A.

Mayor Williams opened the hearing to the public. There being no public comment, the public portion of the hearing was closed.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Goins, to approve Ordinance No. 15-2019 on first reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Ordinance No. 16-2019/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of six (6) parcels totaling 16.67 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District). (19-562). (Community Services Director)

Attorney Garganese stated that this is the first reading of the ordinance and it is a zoning map amendment. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 16-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF SIX (6) PARCELS OF REAL PROPERTY, TOTALING 16.67 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE WEST SIDE OF COX ROAD, SOUTH OF RIGHT STREET AND NORTH OF SR520, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY I-U (LIGHT INDUSTRIAL) TO CITY OF COCOA M-1 (LIGHT INDUSTRIAL AND WAREHOUSE DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig provided a visual of the proposed rezoning areas and explained that the existing land use is industrial, manufacturing, auto auction uses and vacant land. The proposed zoning would change this to M-1, light industrial and warehouse uses.

She added that staff is recommending approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of six (6) parcels totaling 16.67 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District) as depicted on Exhibit A.

Mayor Williams opened the hearing to the public.

Ms. Anita Gibson, 451 Stone St., asked how these ordinances will affect the community. In response, City Manager Titkanich gave a brief history of the annexed properties. He explained that these properties previously belonged to the County and now the City is going back to establish regulations and making the zoning consistent with the property the City already owns on Cox Road.

There being no further comments, Mayor Williams closed the hearing to the public.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to approve Ordinance No. 16-2019 on first reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Ordinance No. 18-2019/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of two (2) parcels totaling 2.06 acres from Brevard County IU (Light Industrial) to City of Cocoa C-G (General Commercial District). (19-563). (Community Services Director)

Attorney Garganese pointed out that this is the first reading of the ordinance and it is a zoning map amendment. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 18-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF TWO (2) PARCELS OF REAL PROPERTY, TOTALING 2.06 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE NORTH SIDE OF SR520, EAST OF TOWNSEND ROAD AND WEST OF COX ROAD, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY I-U (LIGHT INDUSTRIAL) TO CITY OF COCOA C-G (GENERAL COMMERCIAL DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig provided a visual of the proposed rezoning areas and explained that the existing land use is a motel and donut shop. The proposed zoning would change this to C-G, general commercial uses. She explained that the provisions of this

district are intended to apply to an area intended to be developed and preserved as a major commercial center serving the commercial needs of the community and region. The type of uses and other restrictions are intended to promote adequate protection from conflicts with adjacent residential and other noncommercial uses, and to minimize the interruption of traffic along adjacent thoroughfares.

Staff is recommending approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of two (2) parcels totaling 2.06 acres from Brevard County IU (Light Industrial) to City of Cocoa C-G (General Commercial District) as depicted on Exhibit A.

Mayor Williams opened the hearing to the public. There being no public comment, the public portion of the hearing was closed.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Koss, to approve Ordinance No. 18-2019 on first reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Ordinance No. 19-2019/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 1.24 acres from Brevard County BU-2 (Retail, Warehousing and Wholesale Commercial) to City of Cocoa C-G (General Commercial District). (19-564). (Community Services Director)

Attorney Garganese mentioned that this is the first reading of the ordinance and it is a zoning map amendment. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 19-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY, TOTALING 1.24 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE NORTH SIDE OF SR520, EAST OF TOWNSEND ROAD AND WEST OF COX ROAD, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY BU-2 (RETAIL, WAREHOUSING AND WHOLESALE COMMERCIAL) TO CITY OF COCOA C-G (GENERAL COMMERCIAL DISTRICT); PROVIDING

FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILIITY, AND AN EFFECTIVE DATE.

Ms. Selig provided a visual of the proposed rezoning area and explained that the existing land use is a convenient store. The proposed zoning would change this to C-G, General Commercial uses.

She noted that staff is recommending approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 1.24 acres from Brevard County BU-2 (Retail, Warehousing and Wholesale Commercial) to City of Cocoa C-G (General Commercial District) as depicted on Exhibit A.

Mayor Williams opened the hearing to the public. There being no public comment, the public portion of the hearing was closed.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Warner, to approve Ordinance No. 19-2019 on first reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

6. Ordinance No. 20-2019/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 0.75 acres from Brevard County PIP (Planned Industrial Park) to City of Cocoa C-G (General Commercial District). (19-565). (Community Services Director)

Attorney Garganese noted that this is the first reading of the ordinance and it is a zoning map amendment. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 20-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY, TOTALING 0.75 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE SOUTH SIDE OF TOWNSEND RD, AND IMMEDIATELY EAST OF I-95, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY PIP (PLANNED INDUSTRIAL PARK) TO CITY OF COCOA C-G (GENERAL COMMERCIAL

DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig gave a visual of the proposed rezoning area and explained that the existing land use is a billboard site. The proposed zoning would change this to C-G, General Commercial uses.

Additionally, staff is recommending approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 0.75 acres from Brevard County PIP (Planned Industrial Park) to City of Cocoa C-G (General Commercial District) as depicted on Exhibit A.

Mayor Williams opened the hearing to the public. There being no public comment, the public portion of the hearing was closed.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Goins, to approve Ordinance No. 20-2019 on first reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

7. Ordinance No. 21-2019/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 0.03 acres from Brevard County PIP (Planned Industrial Park) to City of Cocoa INST (Institutional District). (19-566). (Community Services Director)

Attorney Garganese stated that this is the first reading of the ordinance and it is a zoning map amendment. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 21-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY, TOTALING 0.03 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE SOUTH SIDE OF TOWNSEND RD, AND IMMEDIATELY EAST OF I-95, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY PIP (PLANNED

INDUSTRIAL PARK) TO CITY OF COCOA INST (INSTITUTIONAL DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig shared a visual of the proposed rezoning area and explained that the existing land use is a City of Cocoa sewer lift station. The proposed zoning would change this to Institutional use.

Staff is recommending approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 0.03 acres from Brevard County PIP (Planned Industrial Park) to City of Cocoa INST (Institutional District) as depicted on Exhibit A.

Mayor Williams opened the hearing to the public. There being no public comment, the public portion of the hearing was closed.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Koss, to approve Ordinance No. 21-2019 on first reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

8. Ordinance No. 22-2019/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 1.08 acres from Brevard County IU (Light Industrial) to City of Cocoa M-2 (Manufacturing and Industrial District). (19-567). (Community Services Director)

Attorney Garganese pointed out that this is the first reading of the ordinance and it is a zoning map amendment. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 22-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY, TOTALING 1.08 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE SOUTH SIDE OF TOWNSEND ROAD AND EAST OF I-95, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY I-U (LIGHT INDUSTRIAL) TO CITY OF COCOA M-2 (MANUFACTURING AND INDUSTRIAL DISTRICT);

PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig shared a visual of the proposed rezoning area and explained that the existing land use light manufacturing. The proposed zoning would change this to M-2, Manufacturing and Industrial uses.

She added that staff is recommending approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 1.08 acres from Brevard County IU (Light Industrial) to City of Cocoa M-2 (Manufacturing and Industrial District) as depicted on Exhibit A.

Mayor Williams opened the hearing to the public. There being no public comment, the public portion of the hearing was closed.

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss, to approve Ordinance No. 22-2019 on first reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

9. Reconsideration of a previously approved but unexecuted Binding Development Agreement between the City of Cocoa, Florida and Integra Land Company to allow the developer to construct up to two hundred forty-nine (249) apartments in five (5) apartment buildings not to exceed fifty-seven (57) feet in height, with five (5) parking garage buildings, a community clubhouse and certain public amenities on two (2) parcels of land (Parcel ID: 24-35-13-00-750 and 24-35-24-00-1) totaling 150.35 acres and located on the south side of State Road 524 between Westminster Dr. and London Blvd. in addition to revising language previously approved to allow the developer to provide two (2) Level 2+ electric car-charging stations instead of two (2) Level 3 charging stations and adding the requirement of constructing a lift station for the project, along with some other minor amendments. (19-414). (Community Services Director)

Ms. Bunt shared that on August 14, 2019, City Council approved a Binding Development Agreement between the City of Cocoa, Florida and Integra Land Company to allow the developer to construct up to two hundred forty-nine (249) apartments in five (5) apartment buildings not to exceed fifty-seven (57) feet in height, with five (5) parking garage buildings, a community clubhouse and certain public amenities on two (2) parcels of land (Parcel ID: 24-35-13-00-750 and 24-35-24-00-1) totaling 150.35 acres and located on the south side of State Road 524

between Westminster Dr. and London Blvd. However, an executed copy was not received within thirty (30) days of Council approval, thereby making the Development Agreement null and void.

The applicant has also requested a change to the Binding Development Agreement to replace the two (2) Level 3 electric car-charging stations with two (2) Level 2+ charging stations. They have provided a comparison of three types of charging stations in support of their request (Exhibit A). The initial as well as the installation cost of a Level 3 station is ten times that of a Level 2+ while only providing roughly twice the driving range, making a Level 3 station an impractical choice for most apartment communities. In addition, while a Level 3 charger can replenish a battery charge faster than a Level 2+ station, most apartment residents will charge their car overnight, eliminating the advantage of the Level 3 station's speed. Also, of note, Level 3 chargers are not compatible with all electric vehicles.

Additionally, Ms. Bunt explained that the applicant met with the City's Utilities Department after approval of the Binding Development Agreement in August and discovered that the sewer lift station they were proposing to connect to has not been constructed yet. This is also the same sewer lift station that the London Cove project would need to connect to as well. Therefore, the City's Utilities Department has requested that certain language be added into the Binding Development Agreement.

Furthermore, the following was added in Section 8.0, as the City will find any conservation easement granted over Tax Parcel Numbers 24-35-24-00-1 and 24-35-13-00-750 to be unacceptable for the City's intended purposes unless the conservation easement expressly permits the following minimum activities:

- Right to construct up to twelve thousand (12,000) linear feet of 10' trails and boardwalks;
- Right to mechanically maintain vegetation within the limits of the trails/boardwalks;
- Right to construct wayfinding and educational signage;
- Right to place benches;
- Right to use equipment to occasionally grade and compact the trail surface to maintain stabilized dirt suitable for bicycle and pedestrian activity;
- Right to remove exotic invasive species; and
- Right to rebuild damaged stormwater infrastructure and retain flood waters.

Lastly, under Section 3.0 the timeframe for closing was reduced from one hundred twenty (120) to sixty (60) days of the Effective Date of the Agreement.

David McDaniel, 1525 International Parkway, FL, apologized for the hold up of the agreement as they were awaiting amendments and did not realize that it would become null and void after thirty (30) days.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Warner, to re-approve the Binding Development Agreement between the City of Cocoa, Florida and Integra Land Company in addition to revising language to allow the developer to provide two (2) Level 2+ electric car-charging stations instead of two (2) Level 3 charging stations and adding the requirement of constructing a lift station along with other minor amendments.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. COUNCIL BUSINESS:

1. Request City Council direction to amend the Purchasing Policy Section 15.2 Large Purchases/Local Vendor Preference Section 15 of the Financial Operations Manual. (19-521). (Finance Director)

Ms. Bowman explained at the City Council meeting on September 11, 2019, Councilman Goins requested that the local vendor preference change from three percent to five percent. Staff requested time to research the options for making this change and is now providing full background to Council on this agenda to assist in the decision- making regarding this matter.

Currently, the City's policy related to local vendor preference is found in the Financial Operations Manual (FOM) Purchasing Policy Section 15. The current policy is that a three percent preference is given to Brevard County vendors/contractors on bids which do not exceed $1,000,000 and do not fall into one of the categories outlined in Ordinance 11-2009 which was amended by Ordinance 14-2009. A complete list of these exceptions are attached to this agenda item for reference.

She explained the two major components of procurement vehicles used in competitive bidding and explained that staff reviewed all of the pros and cons.

Councilmember Koss explained that she reviewed staff's concerns and looked at the County rescinding their Local Vendor Preference. She feels that we should

send a market signal to try and keep our dollars in Cocoa and feels that five percent would not hurt us, but in the future, if we find that we are suffering from it, we could take another look at it. She feels we should encourage businesses to come to Cocoa and show our appreciation for them. She asked that a report be brought back annually.

* **MOTION by Councilmember Koss; Seconded by Councilmember Goins, for discussion.**

Deputy Mayor Warner asked if there is a clause in the policy that specifies that this would apply only to businesses in Cocoa or if it applies to businesses in the entire county. In response, City Attorney Garganese clarified that this would apply to businesses outside of Cocoa.

Councilmember Koss asked if there is a way to narrow the ordinance to limit it to only Cocoa businesses. In response, City Manager Titkanich expressed that it could be done but it may raise issues as there are businesses, such as the Beyel Brothers, who are located in the City but operate outside of it, who may not be able to bid in other counties due to "preferential treatment".

City Attorney Garganese clarified as well and provided a history and advised that by doing this it could raise issues.

Councilmember Koss inquired how we can send market signals to express our gratitude to our businesses and how to encourage new businesses to come to the City.

Deputy Mayor Warner expressed that she has no problem raising it to five percent but she feels the policy should continue to apply to Brevard County as a whole and not limit it to just Cocoa.

City Manager Titkanich recommended eliminating items E,F and G.

* **MOTION by Councilmember Koss; Seconded by Councilmember Goins, to exclude items E, F and G, to increase the local vendor preference from three to five percent and to have a report brought before Council annually.**

CONSENSUS to have this item written and brought back before Council.

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Annual Appointment of Deputy Mayor. (19-528). (Administrative Services Director)

Councilmember Boisvert nominated Councilmember Goins. No other nominations were made.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Warner, to appoint Councilmember Goins as Deputy Mayor.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Consider the reappointment of Mr. Russell Sengel as a Regular member of the Planning & Zoning Board through November 2022. (19-531). (Administrative Services Director)

Ms. Gemmati explained that Mr. Russell Sengel has been a member of the Planning & Zoning Board since March 2013. He has indicated a willingness to serve for an additional three years and currently meets all qualifications for serving on a board. If reappointed, Mr. Sengel would serve through November 2022.

* **MOTION by Councilmember Warner; Seconded by Deputy Mayor Goins, to reappoint Mr. Russell Sengel as a Regular member of the Planning & Zoning Board through November 2022.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Consideration of a Resolution supporting efforts encouraging the State Legislature to repeal the preemption of local laws regarding the regulation recyclable and polystyrene materials as well as the preemption of regulations regarding the use or sale of single-use plastic bags. (19-568). (City Manager)

City Manager Titkanich provided a background on the item.

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Goins, to approve a Resolution supporting efforts encouraging the State Legislature to repeal the preemption of local laws regarding the regulation of recyclable and polystyrene materials as well as the preemption of regulations regarding the use or sale of single-use plastic bags.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Appointment of the Space Coast League of Cities Voting Delegate and Alternate for 2020. (19-569). (Administrative Services Director)

* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to appoint Mayor Williams as the Space Coast League of Cities Voting Delegate and Councilmember Koss as the Alternate for 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. CITY BUSINESS:

1. Approval of the Pre-Annexation Development Agreement and acceptance of the three (3) Annexation Petitions for property generally located on the northwest quadrant of State Road 524 and State Road 520. (19-553). (City Manager).

Attorney Garganese provided the background on the item. City Manager Titkanich added that a notice would need to be sent out to the developers and property owners that the item would be moving forward and will come before Council.

* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to approve the Pre-Annexation Development Agreement and accept the three (3) Annexation Petitions for property generally located on the northwest quadrant of State Road 524 and State Road 520.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Consider First Reading of Ordinance No. 23-2019 establishing a civil citation program for small possession of marijuana and drug paraphernalia. (19-573). (City Attorney)

City Attorney Garganese provided a brief background on the item.

* **MOTION by Councilmember Warner; Seconded by Councilmember Koss, to have the First Reading of Ordinance No. 23-2019, which will establish a civil citation program for small possession of marijuana and drug paraphernalia.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Authorize the City Manager to approve the annual purchase orders for electrical utilities as they relate to electrical consumption only and Verizon for the Police Department for FY2020. (19-481). (Finance Director)

* **MOTION by Councilmember Koss; Seconded by Councilmember Warner, to authorize the City Manager to approve the annual purchase orders for electrical utilities as they relate to electrical consumption only and Verizon for the Police Department for FY2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approve a Resolution Amending the FY 2020 Budget through the use of Water/Sewer Contingency and Approve Task Order 2020-11 with Bussen-Mayer Engineering Group, Inc. for Professional Engineering and Surveying Services Related to the City of Cocoa - Zone J Indian River Drive Septic to Sewer, Project No. WS20G2; Authorize City Manager to Approve Related purchase Order. (19-513). (Utilities Director)

Mr. Walsh read the item into the record.

Councilmember Koss clarified the boundary limits of Zone J.

* **MOTION by Councilmember Koss; Seconded by Councilmember Boisvert, to approve a Resolution amending the FY 2020 Budget through the use of Water/Sewer Contingency, to approve Task Order 2020-11 with Bussen-Mayer Engineering Group, Inc. for Professional Engineering and Surveying Services Related to the City of Cocoa - Zone J Indian River Drive Septic to Sewer, Project No. WS20G2 and to authorize the City Manager to approve the related purchase Order.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

MULTI-YEAR CONTRACTS:

5. Approve the Final Ranking of Firms for RFQ-20-03-COC, Engineering Services for the Water System; To Authorize the City Manager and City Attorney to Negotiate

and Execute a Multi-Year Contract with the Selected Firm. (19-506). (Utilities Director)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Warner, to approve the Final Ranking of Firms for RFQ-20-03-COC and to authorize the City Manager and City Attorney to negotiate and execute a multi-year contract with the selected firm.**

Councilmember Koss pointed out that there were no other bidders and asked what the standards are for eligibility. Mr. Walsh explained this is all to do with qualifications and nothing to do with costs. Staff reviews all of the bids based on these qualifications and then short lists based on this.

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. INFORMATIONAL AGENDA:

1. Data showing the relation between the estimated and actual income and expenses to date. (19-530). (Finance Director)

X. REPORTS:

Chief Cantaloupe shared that Code has a case on one location in the village and are trying to get them to comply with cleaning the sidewalks and keeping their locations clean.

Chief Lamm pointed out that the Stair Climb took place this past Saturday. He acknowledged all of the hard work the various organizations put in for this great cause. Additionally, their annual turkey drive is ongoing and eighty-seven families have signed up so far. The cutoff date is the Monday before Thanksgiving. The location is Fire Station 1. He pointed out that Mr. Larry Sinclair donated over thirty-seven turkeys.

Ms. Bunt announced the Economic Development Breakfast will be January 10, 2020. She announced that Community Services hired an Assistant to the Building Official/Inspector.

Assistant City Manager Fuhrer noted that he attended a workshop and learned about identifying derelict vessels. Staff is working with the County to have them removed.

City Manager Titkanich congratulated Finance on their award. On Nov. 5, the City held its first Citizen's Academy where there were twenty-one attendees. He encouraged all to apply for the second class. The date has not been announced yet. He reminded Council that Friday, November 22 is a special Council meeting to discuss financial items only. He also mentioned the ED breakfast and Peter Kageyama will be the speaker. On Nov. 12 he attended an event for Endeavor Elementary as they are the third school to become part of the Community Partnership School program. He acknowledged and congratulated Principal Reed.

Mayor Williams talked about what a great event the Stair Climb was. He thanked the Fire Deptartment on a great job. He also mentioned the Chili Cook-off and noted it was a fun event. He congratulated the new Deputy Mayor, Alex Goins. He mentioned the upcoming Space Camp and encouraged staff participation. There is a Sister City event on December 22 from 12-3. He will get back to all on a location.

Councilmember Koss shared information regarding a solar workshop she attended. She also attended a workshop where they talked about pathways for biking and walking. She mentioned the biking paths on Michigan and added what a difference the two stop signs that were installed have made. She also congratulated Dr. Misty Martinez on winning "Teacher of the Year".

Councilmember Warner asked Chief Lamm to extend her thanks to Alex on a great job on the Stair Climb event. She also thanked the Fire Union for the donation they made to Cocoa Community First. She pointed out that Nov. 23 is the annual Chris Daniels Golf Tournament. She added that at 4pm on Thanksgiving Day the City partners with Walmart to start the Toy Drive. She congratulated Officer Sage Gray on her promotion and her new partner, K-9 Copper as well as Chris Hattaway on his move to the detective department. She also recognized Kathy Hamilton on runner-up for Teacher of the Year at Endeavor.

Deputy Mayor Goins thanked Councilmember Boisvert for his nomination to appoint him as Deputy Mayor. He talked about the Stair Climb and what a great event it was. He added how much he appreciates the fire fighters for all that they do. He pointed out that at 315 Stone St., the trees are overgrown and asked Public Works to take a look at it. He asked for a consensus from Council or to see how they feel about taking over all of the parks in the City.

Councilmember Warner noted that a long time ago the City had a Parks & Rec Advisory Board, however over time It became unfeasible to have but times have changed and she is open to hearing more about it if staff can bring information back to Council.

Mayor Williams added that this could be discussed at a workshop. He noted that there are quite a few parks in unfavorable conditions that he would like to see cleaned up.

Assistant City Manager Fuhrer provided a background and explained that a workshop would be appropriate.

Councilmember Koss added that our parks provide ecosystem services that help us in our resiliency and provide community assets.

Deputy Mayor Goins explained that he coaches football and he travels a lot. He pointed out that the differences he sees between our parks and parks in other areas are like night and day and he is frustrated that we are allowing Brevard Parks and Rec to treat the City parks this way.

Assistant City Manager Fuhrer noted that staff can put the maintenance contract on hold with Brevard Parks and Rec. pending the outcome of the workshop.

Councilmember Boisvert thanked the Fire Department for all of their hard work.

XI. ADJOURNMENT.

* **MOTION by Councilmember Boisvert; SECONDED by Deputy Mayor Goins, to adjourn the Regular meeting of November 13, 2019.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:46 pm.

Jake Williams, Jr., Mayor

ATTEST:

Carie Shealy, MMC, City Clerk
(transcribed by M. Arsenault)

SEAL
FLORIDA



Zoning Map Amendments
Cox Road Corridor Study Area

November 13, 2019

Project Summary

- The City of Cocoa, as the applicant, is requesting to amend the Zoning Map designation of a total of thirty six (36) parcels totaling approximately 160.22 acres.

- The 36 parcels were broken up into 8 groupings based on their current zoning designation and the proposed City zoning designation.

- Separate ordinances were drafted for each of these 8 batches of parcels.

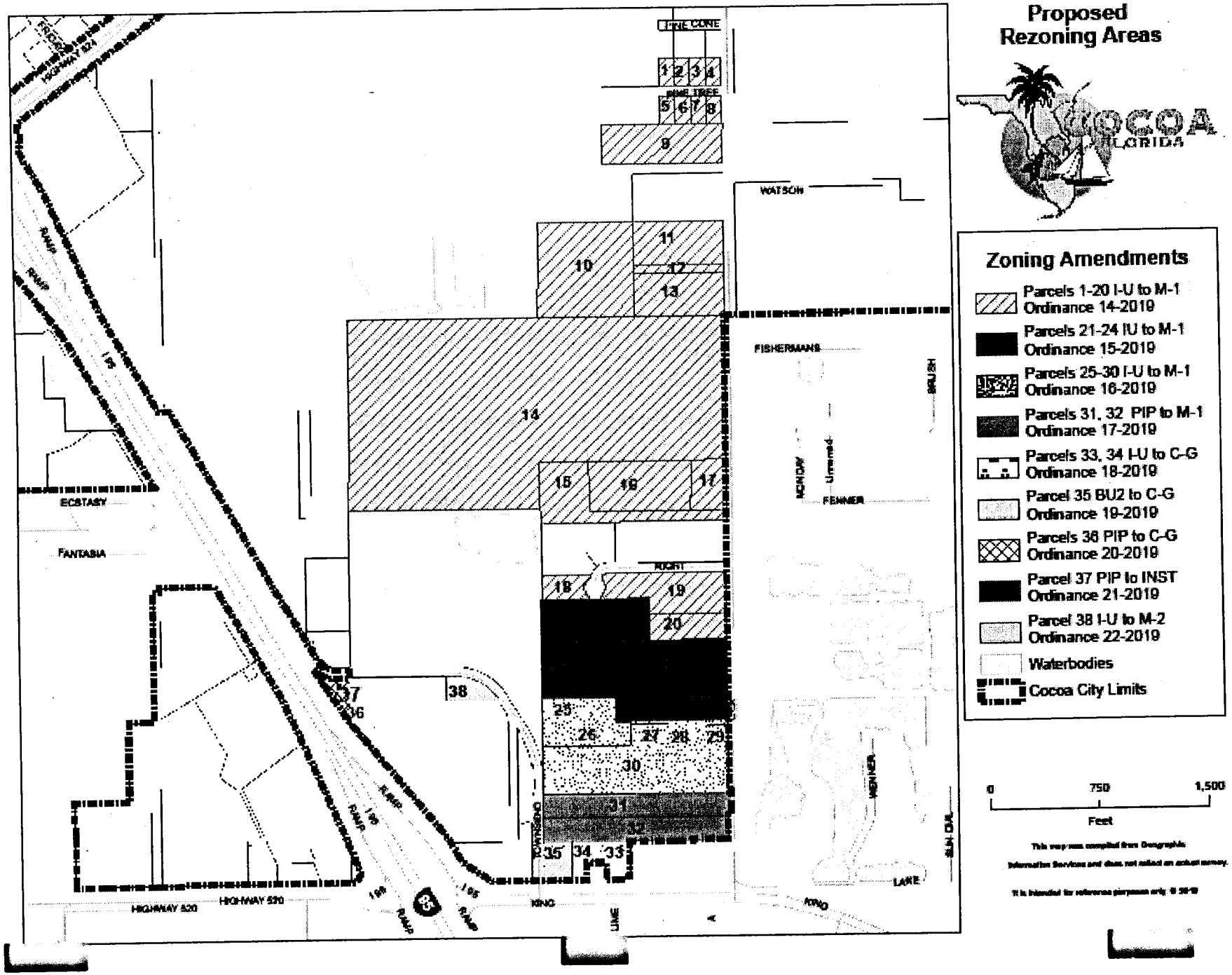
Project Summary

- The individual rezoning ordinances are part of a larger Cox Road Corridor study area, the purpose of which was to identify and address parcels lying within the Cocoa City limits, having a City of Cocoa Future Land Use designation but without a City of Cocoa Zoning District designation.

- The study was undertaken as part of a long-range effort to comply with the City's Comprehensive Plan requirement that the City eliminate all inconsistencies between the Official Zoning Map and the Future Land Use Map.

- Two parcels (#31 and #32) that were part of the original study area have been withdrawn by staff at this time to allow for further analysis of the most appropriate zoning district designation based on the current use.

COCOA FLORIDA


Proposed
Rezoning Areas
COCOA
FLORIDA
Zoning Amendments
Parcels 1-20 I-U to M-1
Ordinance 14-2019
Parcels 21-24 IU to M-1
Ordinance 15-2019
Parcels 25-30 I-U to M-1
Ordinance 16-2019
Parcels 31, 32 PIP to M-1
Ordinance 17-2019
Parcels 33, 34 I-U to C-G
Ordinance 18-2019
Parcel 35 BU2 to C-G
Ordinance 19-2019
Parcels 36 PIP to C-G
Ordinance 20-2019
Parcel 37 PIP to INST
Ordinance 21-2019
Parcel 38 I-U to M-2
Ordinance 22-2019
Waterbodies
Cocoa City Limits
0
750
1,500
Feet
PINE CONE
PINE TREE
WATSON
FISHERMANS
BRUSH
ECSTASY
FANTASIA
FENNER
HIGHWAY 520
KING
LAKE
1
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Project Summary

- The study area parcels were annexed into the City of Cocoa in three groupings:

- Parcels 1 through 17 were annexed under Ordinance 57-2003 on January 13, 2004.
- Parcels 18 through 32 and 34 through 38 were annexed under Ordinance 4-2006 on February 28, 2006.
- And Parcel 33 was annexed under Ordinance 14-2007 on May 22, 2007.

Project Summary

- The Future Land Use (FLU) designation of the study area parcels were changed from their former Brevard County designations to City of Cocoa designations in several groupings as well:

- Parcels 1 through 17 were assigned an Industrial FLU under Ordinance 14-2004 on December 14, 2004.
- Parcels 18 through 32 and Parcel 38 were assigned an Industrial FLU and Parcels 34-37 were assigned a Commercial FLU under Ordinance 19-2006 on August 22, 2006.
- Parcel 33 was assigned a Commercial FLU under Ord. 11-2010 on October 26, 2010.

Project Summary

Consistency with the Code of the City of Cocoa

- In accordance with Appendix A Zoning, Article XXI, Section 1(G), a total of 16 criteria are to be considered in the review of an application for a rezoning.

- These criteria address issues such as the established land use pattern, population density, the comprehensive plan, living conditions in the adjoining neighborhood, traffic congestion, public safety, drainage, property values, public welfare, and others related to the impact of the proposed change.

- Staff findings for each of these criteria are found in the individual staff reports.

Project Summary

Consistency with Comprehensive Plan Policies and Objectives

- The proposed zoning designations of the several ordinances are consistent with the allowable uses under the Future Land Use designation of each related ordinance per the City of Cocoa Comprehensive Plan.

Concurrency Management/Adequate Public Facilities

- This will be addressed at such time as development occurs on any of the parcels affected by this rezoning action.

Past Actions

- The Planning & Zoning Board recommended approval of the ordinances at it's meeting on November 6, 2019.

COCOA FLORIDA

Ordinance 14-2019

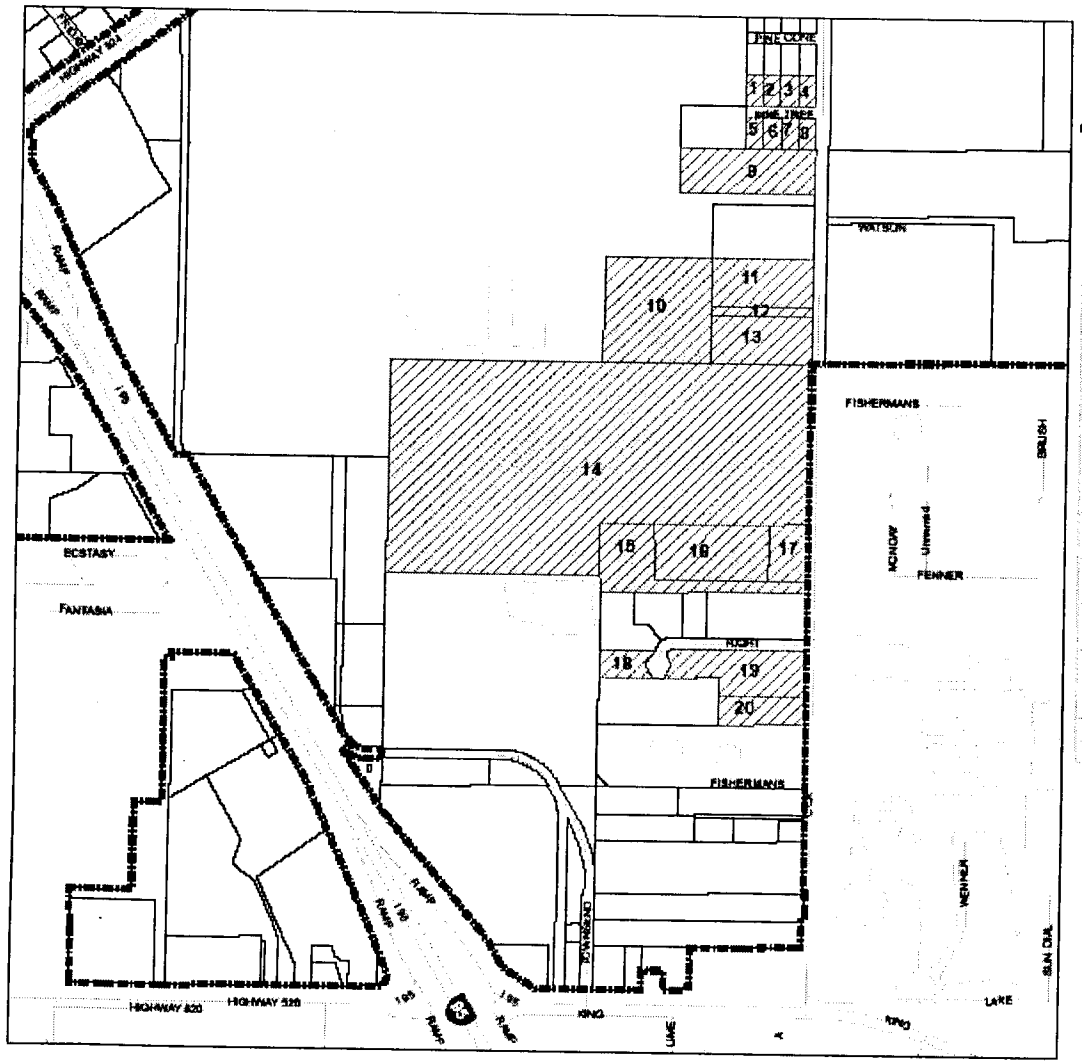


EXHIBIT A
Proposed
Rezoning Areas

COCOA FLORIDA

Lot #	Parcel #
1	24-35-23-00-761
2	24-35-23-00-774
3	24-35-23-00-765
4	24-35-23-00-762
5	24-35-23-00-766
6	24-35-23-00-768
7	24-35-23-00-763
8	24-35-23-00-764
9	24-35-26-00-16
10	24-35-26-00-7
11	24-35-26-00-20
12	24-35-26-00-21
13	24-35-26-00-8
14	24-35-26-00-10
15	24-35-26-00-18
16	24-35-26-00-12
17	24-35-26-00-13
18	24-35-26-00-778
19	24-35-26-00-750
20	24-35-26-00-770

0 750 1,500
Feet

COCOA FLORIDA

Ordinance 14-2019

Current Future Land Use: Industrial

Current Zoning District: Brevard County IU
(Light Industrial)

Proposed Zoning: **City of Cocoa M-1**
(Light Industrial and Warehouse)

Existing Land Use: Industrial, manufacturing, and warehousing uses and vacant land

Legal Ad Map #	Tax ID #	Parcel #	Acres	Parcel Address	Owners	Current Use
1	2407156	24-35-23-00-761	0.5	4130 PINE TREE PL	DOUBLE R EAGLE LLC	Industrial
2	2407169	24-35-23-00-774	0.5	4120 PINE TREE PL	ICY INVEST LLC	Industrial
3	2407160	24-35-23-00-765	0.5	4110 PINE TREE PL	GAMBAO-ZUHLKE, CLAIRE A	Industrial
4	2407157	24-35-23-00-762	0.5	4100 PINE TREE PL	PARKER, YVONNE C	Industrial
5	2407161	24-35-23-00-766	0.5	4135 PINE TREE PL	DIAMONDBACK MANUFACTURING INC	Industrial
6	2407163	24-35-23-00-768	0.5	4135 PINE TREE PL	ANDRYSLAK, MICHAEL & MILLIKEN, SUSAN	Industrial
7	2407158	24-35-23-00-763	0.5	4115 PINE TREE PL	WARREN, JERRAD & NICHOLE	Auto-Body
8	2407159	24-35-23-00-764	0.5	4105 PINE TREE PL	DITTMER AIR CONDITIONING & HEATING SERVICES INC	Industrial
9	2444601	24-35-26-00-16	5.12	1060 COX RD	DIAMONDBACK MANUFACTURING INC	Industrial
10	2407972	24-35-26-00-7	10	890 COX RD	JOALCO INC	Industrial
11	2462063	24-35-26-00-20	4.24	(Not Assigned)	HATHCOCK, MICHAEL M; HATHCOCK, MARY DELYS; ELLINGTON, DOROTHY W TRUST; & ELLINGTON, DOROTHY W TRUST	Vacant Land
12	2462064	24-35-26-00-21	0.86	(Not Assigned)	JOALCO INC; ELLINGTON, J MITCHELL TRUST & ELLINGTON, DOROTHY W TRUST	Vacant Land
13	2407973	24-35-26-00-8	4.24	900 COX RD	PAULK PROPERTIES LLC; ELLINGTON, J MITCHELL TRUST & ELLINGTON, DOROTHY W TRUST	Industrial
14	2407974	24-35-26-00-10	69.41	(Not Assigned)	Florida Power & Light Co	Electric Utility
15	2457879	24-35-26-00-18	5	690 COX RD	Cox Rd Properties Llc	Industrial
16	2407975	24-35-26-00-12	5.68	(Not Assigned)	CLARK, WAYNE W	Vacant Land
17	2407976	24-35-26-00-13	1.9	700 COX RD	CLARK, WAYNE W	Manufacturing
18	2444270	24-35-26-00-778	1.22	4040 RIGHT ST	Dombroski, Dan	Vacant Land
19	2408019	24-35-26-00-750	4.81	600 COX RD	A Better Warehouse & Storage LLC	Warehousing
20	2408045	24-35-26-00-770	2.18	580 COX RD	SAWYER, DAVID; SAWYER, STEVE & MC QUAIG, JAMES	Industrial
		Total Acres:	**118.66**			

Ordinance 14-2019

Brevard County IU zoning

The IU light industrial zoning classification is established to provide areas in which the principal use of land is for manufacturing, assembling and fabrication, and for warehousing. These uses do not depend primarily on frequent personal visits of customers or clients, but usually require good accessibility to major rail, air or street transportation routes.

City of Cocoa M-1 zoning

The provisions of this district are intended to apply to an area located in close proximity to transportation facilities and which can serve the industrial and related functions of the city and region. Restrictions herein are intended to minimize adverse influences of the industrial activities on nearby nonindustrial areas and to eliminate unnecessary industrial traffic through nonindustrial areas.

Ordinance 14-2019

Brevard County IU zoning	City of Cocoa M-1 zoning
	light manufacturing, processing and assembly, television dish receivers and antennae, electronic communication and transmission facilities
All uses permitted in BU-1 and BU-2, except, single-family residence:	All uses allowed C-W, C-G, C-N and P-S:
office, retail, auto sales and repair, personal services, recreation facilities, social organizations, laundromats, schools and colleges, funeral homes, medical clinics, small appliance repair, nursing homes, restaurants, and churches	office, retail, auto sales and repair, personal and business services, warehousing, wholesaling, dry cleaning and laundry, vocational schools, medical clinics, service and repair, welding shops, building materials and contractor's storage yards, freight-handling facilities, restaurants and convenience stores

Ordinance 14-2019

Brevard County IU zoning	City of Cocoa M-1 zoning
Permitted with Conditions: assisted living facility power substations transmission facilities recovered materials processing treatment and recovery facility	
Conditional Uses: commercial entertainment composting/ mulching facility truss manufacturing plant telecommunication towers	Special Exceptions: sewer lift stations churches security mobile home telecommunication towers outdoor firearm testing facility

Recommendations

Ordinance 14-2019

Approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of twenty (20) parcels totaling 118.66 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District) as depicted on Exhibit A.

COCOA FLORIDA

Ordinance 15-2019

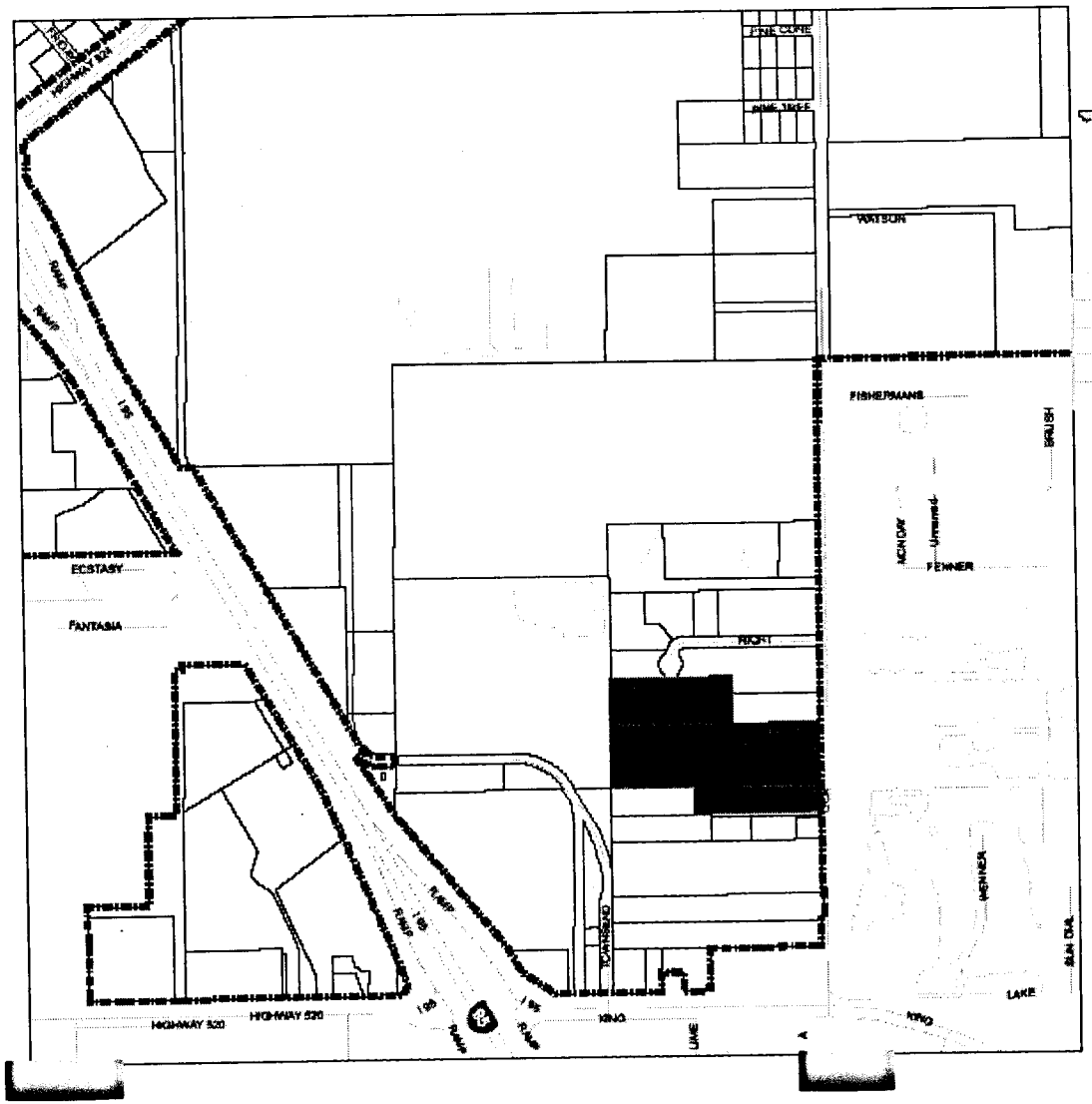


EXHIBIT A
Proposed
Rezoning Areas

Lot #	Parcel #
21	24-35-26-00-771
22	24-35-26-00-767
23	24-35-26-00-767.1
24	24-35-26-00-755

0 750 1,500
Feet

Ordinance 15-2019

Current Future Land Use:	Industrial
Current Zoning District:	Brevard County IU (Light Industrial)
Proposed Zoning:	**City of Cocoa M-1** (Light Industrial and Warehouse)
Existing Land Use:	Industrial, auto auction uses and vacant land

COCOA FLORIDA

Legal Ad Map #	Tax ID #	Parcel #	Acres	Parcel Address	Owners	Current Use
Parcels 21-24 from County I-U to M-1						
21	2408046	24-35-26-00-771	4.97	590 Cox Rd & 4050 Right St	Showtime Investments Inc.	Auto Auction
22	2408043	24-35-26-00-767	11.76	500 Cox Rd	Showtime Investments Inc.	Auto Auction
23	2443010	24-35-26-00-767.1	0.06	(Not Assigned)	Showtime Investments Inc.	Vacant Land
24	2408025	24-35-26-00-755	2.94	490 Cox Rd	Castetter, Clayton	Auto-Body
		Total Acres:	19.73			

Recommendations

Ordinance 15-2019

Approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of four (4) parcels totaling 19.73 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District) as depicted on Exhibit A.

COCOA FLORIDA

Ordinance 16-2019

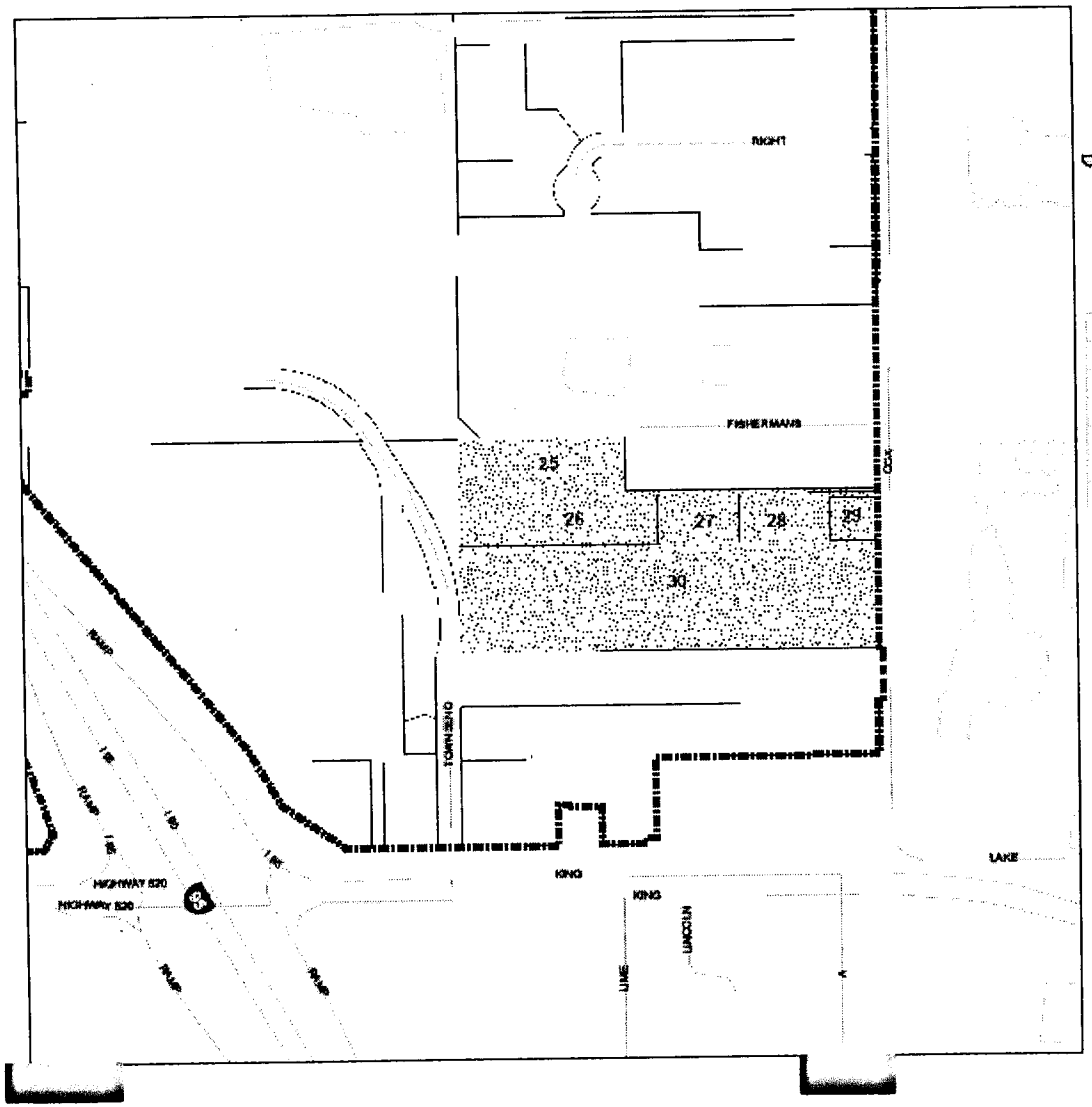


EXHIBIT A
Proposed
Rezoning Areas

Lot #	Parcel #
25	24-35-26-00-772
26	24-35-26-00-756
27	24-35-26-00-777
28	24-35-26-00-756.1
29	24-35-26-00-756.2
30	24-35-26-00-757

0 385 770
Feet

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Ordinance 16-2019

Current Future Land Use:	Industrial
Current Zoning District:	Brevard County IU (Light Industrial)
Proposed Zoning:	**City of Cocoa M-1** (Light Industrial and Warehouse)
Existing Land Use:	Industrial, manufacturing, auto sales uses and vacant land

Legal Ad Map #	Tax ID #	Parcel #	Acres	Parcel Address	Owners	Current Use
Parcels 25-30 from County I-U to M-1						
25	2408047	24-35-26-00-772	1.94	480 Cox Rd	PENOYER, ROBERT E	Light Manufacturing
26	2408026	24-35-26-00-756	2.56	460 Cox Rd	460 COX LLC	Vacant Land
27	2408052	24-35-26-00-777	0.89	(Not Assigned)	ROBINSON, JOHN A & ROBERTA M	Vacant Land
28	2408027	24-35-26-00-756.1	1.02	450 Cox Rd	ROBINSON, JOHN A & ROBERTA M	Office
29	2408028	24-35-26-00-756.2	0.46	440 Cox Rd	CHAPMAN, DENCIL & ANNA	Used Auto Sales
30	2408029	24-35-26-00-757	9.8	430 Cox Rd	CASTETTER, CLAYTON	Vacant Land
		Total Acres:	16.67			

Recommendations

Ordinance 16-2019

Approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of six (6) parcels totaling 16.67 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District) as depicted on Exhibit A.

Ordinance 18-2019

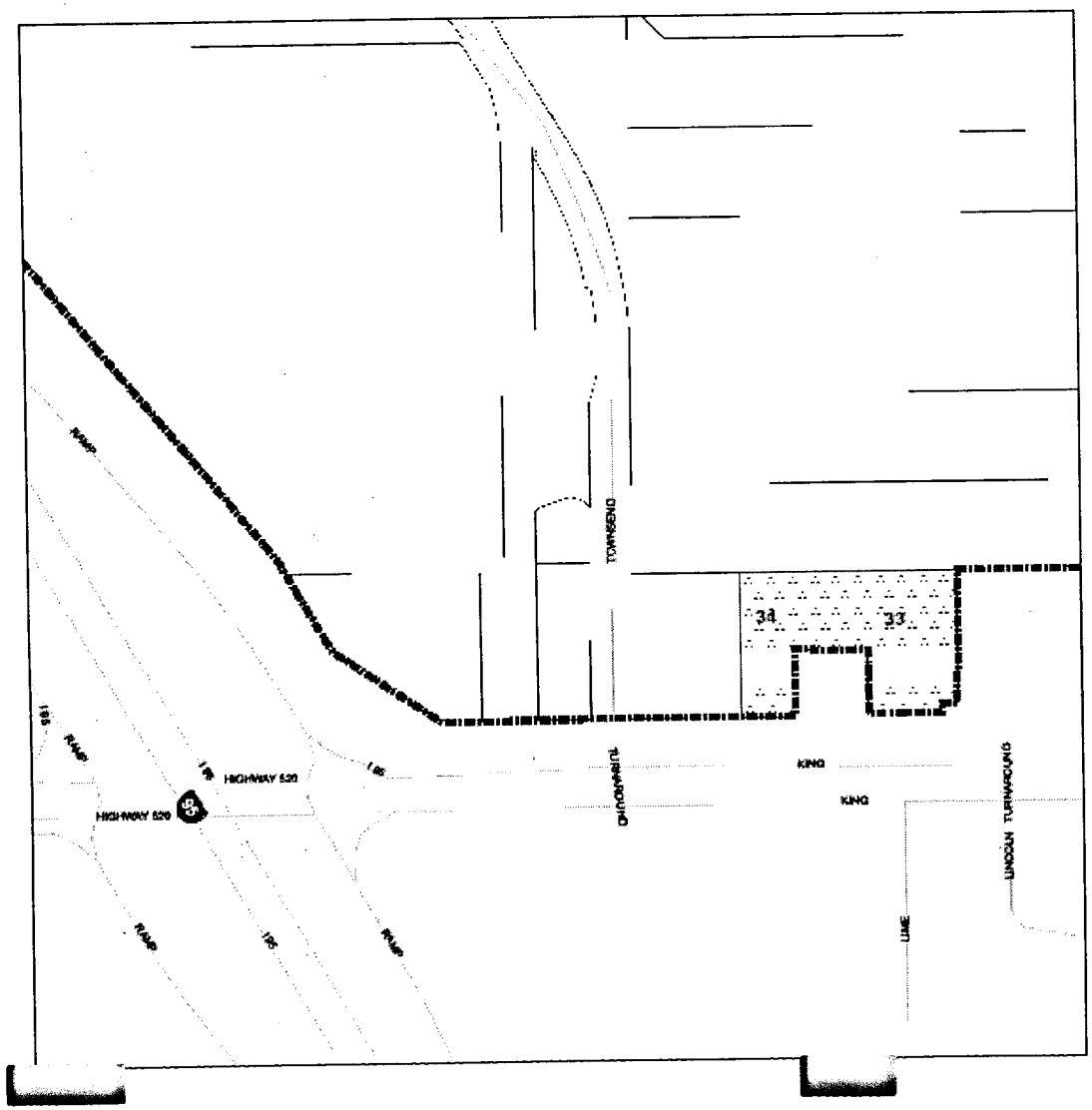


EXHIBIT A
Proposed
Rezoning Areas

Lot #	Parcel #
33	24-35-26-00-760
34	24-35-26-00-766

0 230 460
Feet

This map was compiled from Geographic Information Services and does not reflect an actual survey. It is intended for reference purposes only.

COCOA FLORIDA

Ordinance 18-2019

Current Future Land Use:	Commercial
Current Zoning District:	Brevard County IU (Light Industrial)
Proposed Zoning:	**City of Cocoa C-G** (General Commercial)
Existing Land Use:	Motel and Donut Shop

Legal Ad Map #	Tax ID #	Parcel #	Acres	Parcel Address	Owners	Current Use
Parcels 33, 34 from County I-U to C-G						
33	2408033	24-35-26-00-760	1.44	4150 W King St	H R S Hotels Corp	Motel
34	2408042	24-35-26-00-766	0.62	4200 W King St	4200 WEST KING STREET LLC	Restaurant
		Total Acres:	2.06			

Ordinance 18-2019

City of Cocoa C-G zoning

The provisions of this district are intended to apply to an area intended to be developed and preserved as a major commercial center serving the commercial needs of the community and region. The type of uses and other restrictions are intended to promote adequate protection from conflicts with adjacent residential and other noncommercial uses, and to minimize the interruption of traffic along adjacent thoroughfares.

Ordinance 18-2019

Brevard County IU zoning	City of Cocoa C-G zoning
	retail, wholesale, dry cleaning, business services, recreation, car wash, service and repair, auto sales, hotels, liquor store, business/vocational schools, and convenience stores
All uses permitted in BU-1 and BU-2, except, single-family residence: office, retail, auto sales and repair, personal services, recreation facilities, social organizations, laundromats, schools and colleges, funeral homes, medical clinics, small appliance repair, nursing homes, restaurants, and churches	All uses allowed C-N and P-S, except single-family residential and child care: office, personal services, medical clinics, and restaurants

Recommendations

Ordinance 18-2019

Approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of two (2) parcels totaling 2.06 acres from Brevard County IU (Light Industrial) to City of Cocoa C-G (General Commercial District) as depicted on Exhibit A.

Ordinance 19-2019

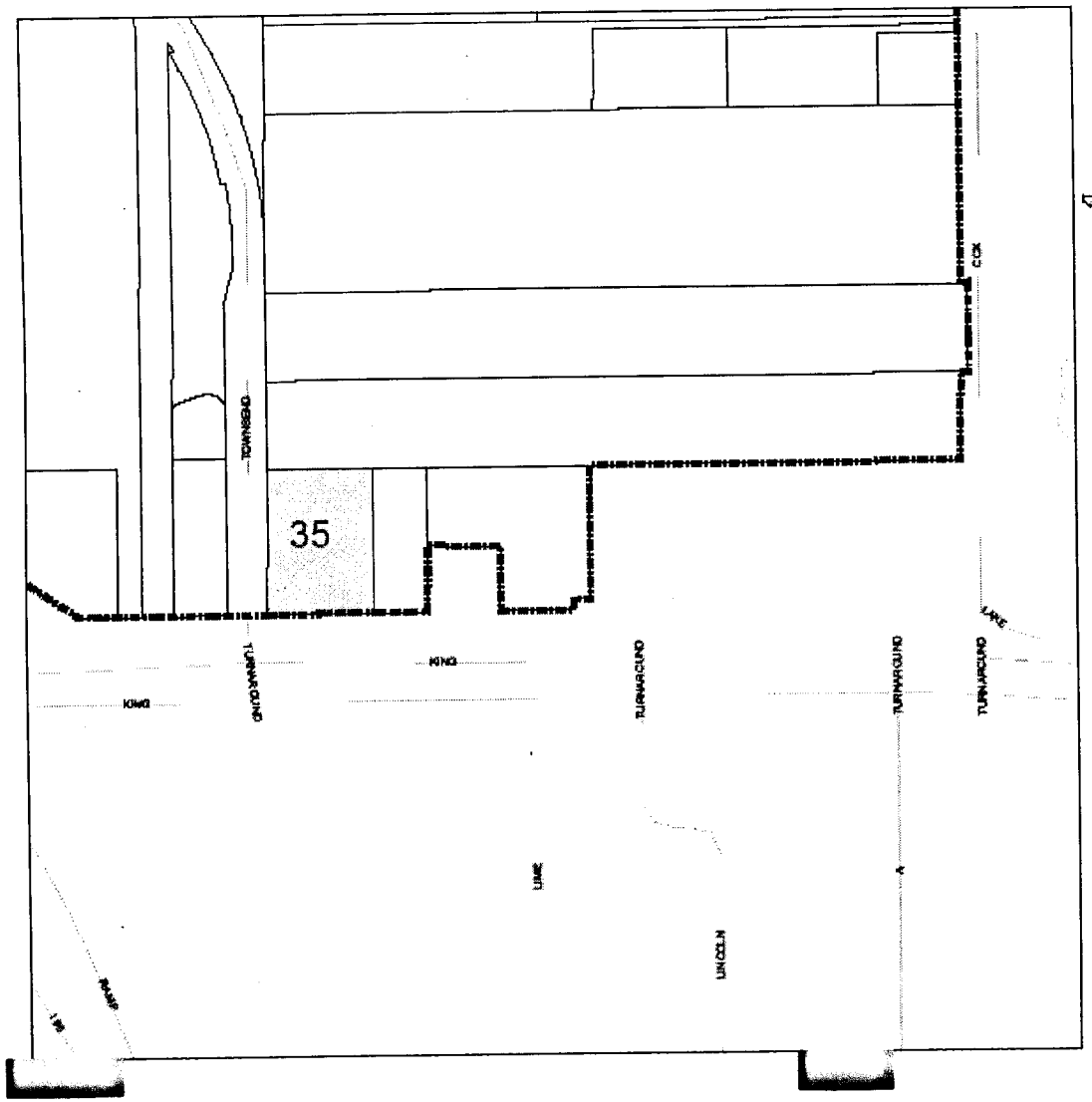


EXHIBIT A
Proposed
Rezoning Area

COCOA FLORIDA

Parcel #
24-35-26-00-759

0 230 460
Feet

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COCOA FLORIDA

Ordinance 19-2019

Current Future Land Use:	Commercial
Current Zoning District:	Brevard County BU-2 (Retail, Warehousing and Wholesale Commercial)
Proposed Zoning:	**City of Cocoa C-G** (General Commercial)
Existing Land Use:	Convenience Store

COCOA FLORIDA

Legal Ad Map #	*Tax ID #*	*Parcel #*	*Acres*	*Parcel Address*	Owners	Current Use
Parcel 35 from County BU-2 to C-G						
35	2408032	24-35-26-00-759	1.24	4220 W King St	AAO STORES LLC	Convenience Store
		Total Acres:	**1.24**			

Recommendations

Ordinance 19-2019

Approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 1.24 acres from Brevard County BU-2 (Retail, Warehousing and Wholesale Commercial) to City of Cocoa C-G (General Commercial District) as depicted on Exhibit A.

COCOA FLORIDA

Ordinance 20-2019

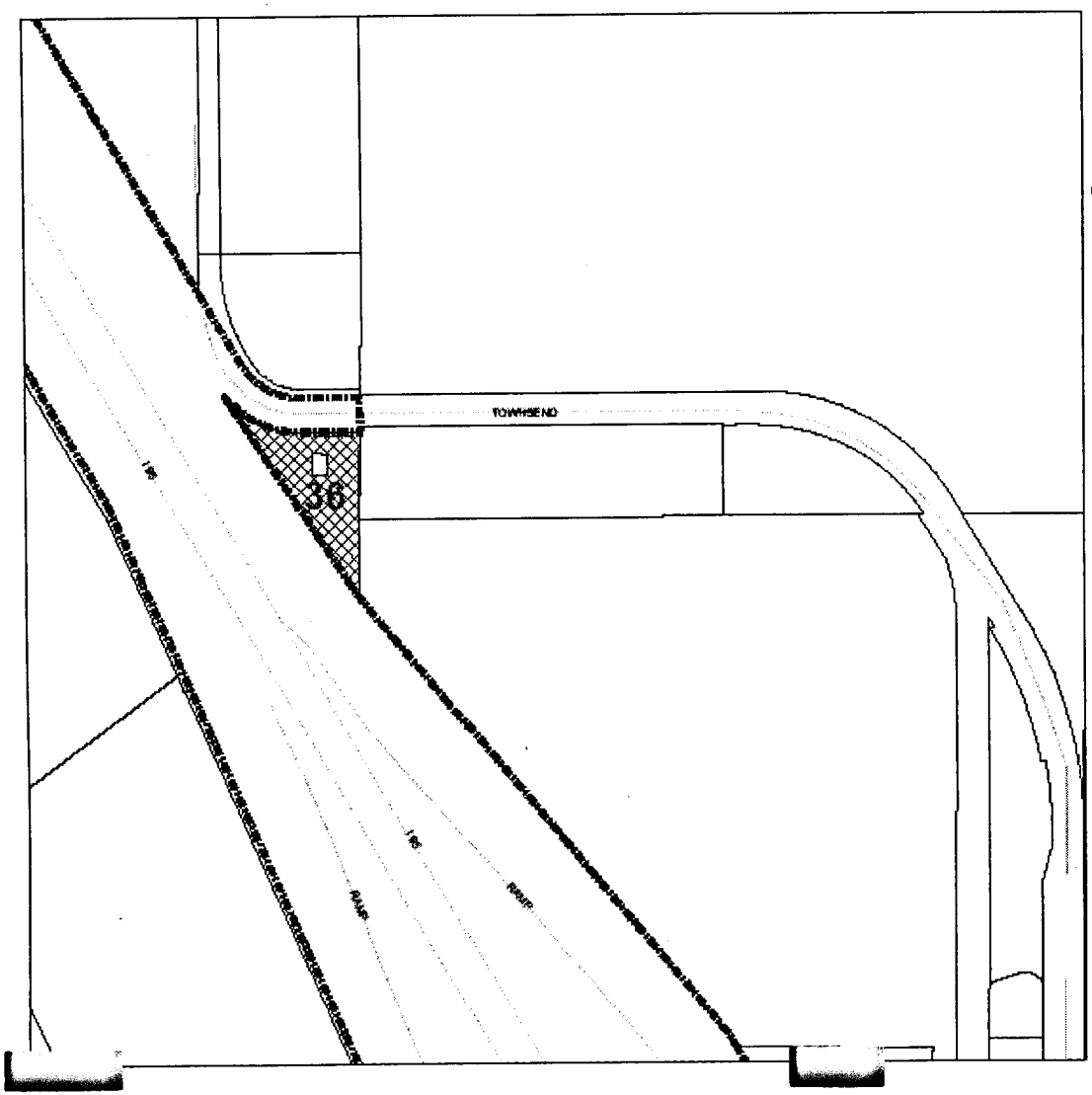


EXHIBIT A
Proposed
Rezoning Area

Parcel #
24-35-26-00-535

0 230 460
Feet

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Ordinance 20-2019

Current Future Land Use:	Commercial
Current Zoning District:	Brevard County PIP (Planned Industrial Park)
Proposed Zoning:	**City of Cocoa C-G** (General Commercial)
Existing Land Use:	Billboard Site

Legal Ad Map #	Tax ID #	Parcel #	Acres	Parcel Address	Owners	Current Use
Parcels 36 from County PIP to C-G						
36	2441465	24-35-26-00-535	0.75	560 Townsend Rd	Clear Channel Outdoor Inc	Billboard Site
			0.75			

Recommendations

Ordinance 20-2019

Approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 0.75 acres from Brevard County PIP (Planned Industrial Park) to City of Cocoa C-G (General Commercial District) as depicted on Exhibit A.

Ordinance 21-2019

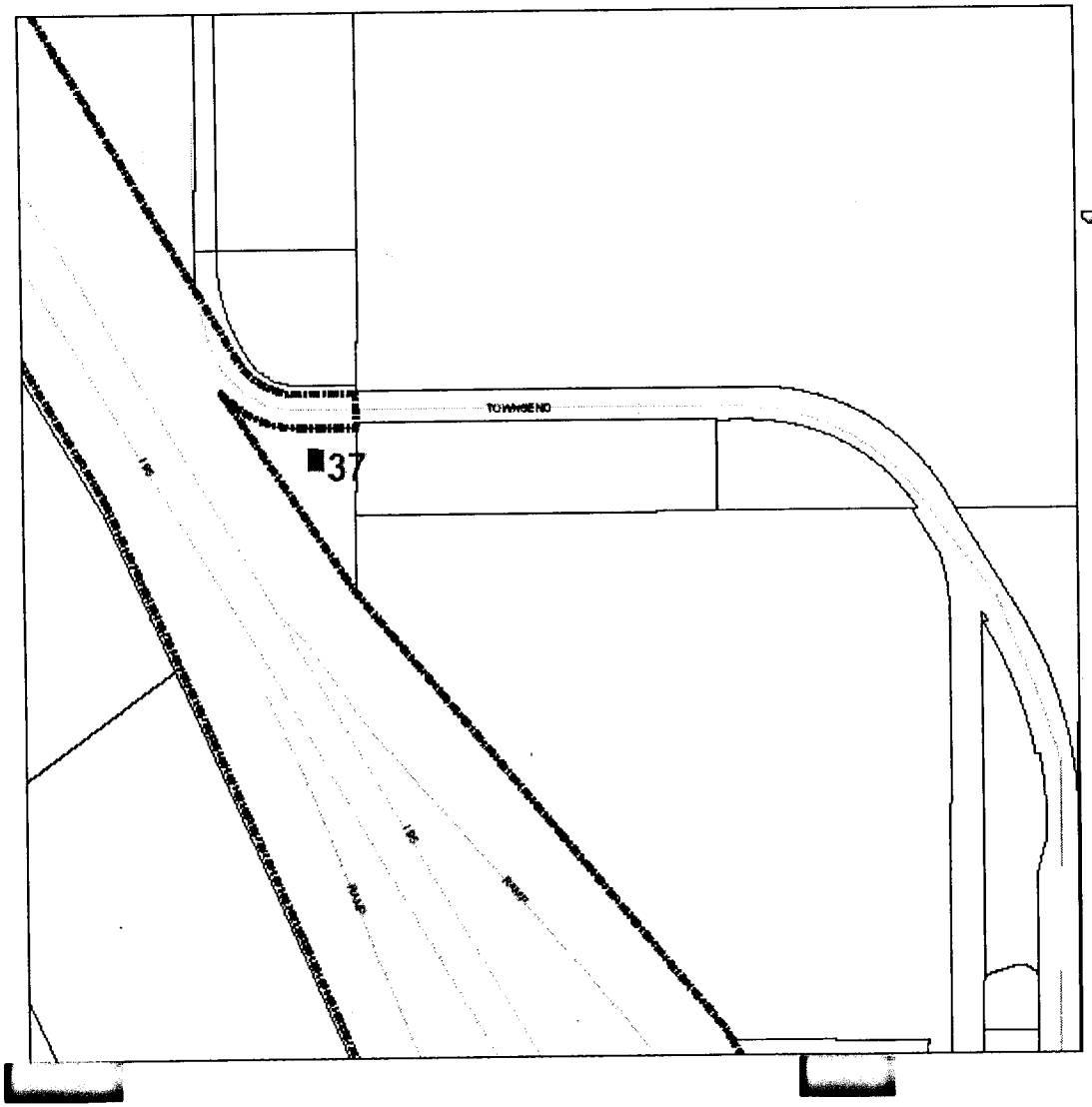


EXHIBIT A
Proposed
Rezoning Area

Parcel #
24-35-26-00-522

0 230 460
Feet

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Ordinance 21-2019

Current Future Land Use:	Commercial
Current Zoning District:	Brevard County PIP (Planned Industrial Park)
Proposed Zoning:	**City of Cocoa C-G** (General Commercial)
Existing Land Use:	Sewer Lift Station (City of Cocoa)

Legal Ad Map #	*Tax ID #*	*Parcel #*	*Acres*	*Parcel Address*	Owners	Current Use
Parcels 37 from County PIP to INST						
37	2408008	24-35-26-00-522	0.03	572 Townsend Rd	COCOA, CITY OF	Lift Station
		Total Acres:	**0.03**			

Recommendations

Ordinance 21-2019

Approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 0.03 acres from Brevard County PIP (Planned Industrial Park) to City of Cocoa INST (Institutional District) as depicted on Exhibit A.

Ordinance 22-2019

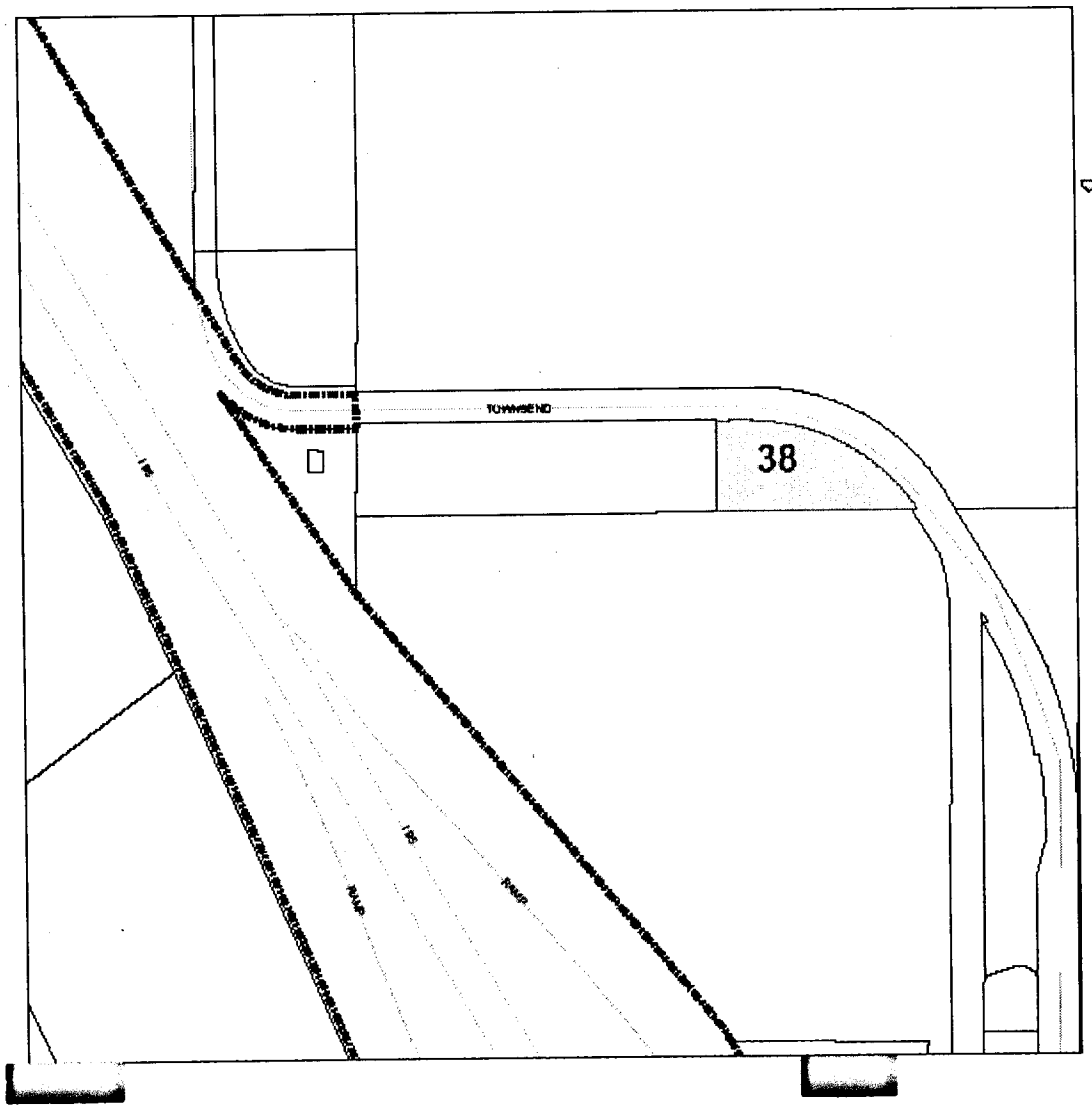


EXHIBIT A
Proposed
Rezoning Area

Parcel #
24-35-26-00-776

0 230 460
Feet

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Ordinance 22-2019

Current Future Land Use: Industrial

Current Zoning District: Brevard County IU
(Light Industrial)

Proposed Zoning: **City of Cocoa M-2**
(Manufacturing and Industrial)

Existing Land Use: Light Manufacturing

Legal Ad Map #	Tax ID #	Parcel #	Acres	Parcel Address	Owners	Current Use
Parcel 38 from County I-U to M-2						
38	2408051	24-35-26-00-776	1.08	500 Townsend Rd	R J Ingram Properties LLC	Light Manufacturing
		Total Acres:	**1.08**			

Recommendations

Ordinance 22-2019

Approval of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 1.08 acres from Brevard County IU (Light Industrial) to City of Cocoa M-2 (Manufacturing and Industrial District) as depicted on Exhibit A.