MINUTES
City of Cocoa
Regular Meeting of The City Council

September 27, 2022

A Regular City Council Meeting was held on Tuesday, September 27, 2022, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. Opening Matters:

Mayor Blake called the meeting to order at 6:00 p.m.

Deputy Mayor Hearn provided the invocation and Commander Dovale led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Michael C. Blake	Mayor
	Lavander Hearn	Deputy Mayor
	Rip Dyal	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

Jack Walsh, Utilities Director; Tammy Gemmati, Administrative Services Director; Charlene Neuterman, Community Services Director; Samantha Senger, Asst. to the CM/PIO; Pat Dovale, Commander (PD); Rebecca Bowman, Finance Director; Jonathan Lamm, Fire Chief; Robert Beach, Chief Technology Officer; Bryant Smith, Public Works Director/Acting Growth & Economic Development Director; Lora Howell, Deputy Finance Director; and Erik Montgomery, Helpdesk Support Tech.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of September 27, 2022. (22-559)

2. **Minutes:** (a) Regular Meeting of August 9, 2022 (22-536)
(b) Regular Meeting of August 23, 2022 (22-537)

(c) Regular Meeting of September 13, 2022 (22-567)

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to approve the Agenda for the Regular meeting of September 27, 2022, with the following amendments: Remove Item III.1, as this presentation will be moved to the October 11, 2022 Regular City Council meeting; Add Item VII.2, approving Resolutions No. 2022-099 & 2022-100 regarding Hurricane Ian; and to switch the order of Public Hearings VI.3 & VI.4.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Koss; Seconded by Councilmember Goins, to approve the Minutes as follows: Regular Meeting of August 9, 2022 as written; Regular Meeting of August 23, 2022, with the following amendment, to add her name in the vote for VI.2 & VI.3 and Items VIII.1-VIII.5; and Regular Meeting of September 13, 2022, as amended to add her name to the vote for Items II.1 & II.2 (Scrivener's error, as Deputy Mayor Hearn's name was listed twice in all of these votes)**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

~~1. Presentation by Cocoa High School. (22-558). (Mark Carstens)~~

- **This was removed from the agenda and will be moved to the October 11, 2022 Regular City Council meeting.**

IV. Delegations:

Anita Gibson, Cocoa resident, spoke about the need for more police officers. She believed it would make people feel more comfortable when they go out. The City is not equipped and she asked that everyone look at the bigger picture. She further mentioned the need for a cold case unit and spoke on behalf of other parents going through the same thing. They want Cocoa to be a place to live, grow, and play.

Todd Riggs, Cocoa resident, spoke on the Consent Item V.4 regarding the Engineering Design of the Dixon Blvd. at Indian River Drive Water Quality and Resiliency Project. Mr. Smith explained the item and pointed out that the scope of the project is detailed in the agenda item.

V. Consent Agenda:

(A) General Consent Items:

1. Approve a Budget Resolution amending the FY2022 Budget, BAF #2022-129-A in the amount of $131,349 for the purchase of 216 Oleander Street and 218 Oleander Street. (22-501). (Community Services Director)

2. Council Approval to Apply for the Firehouse Subs Grant to purchase police E-bikes. (22-546). (Chief of Police)

3 Authorize the City Manager to execute the Third Amendment to Existing Interlocal Agreement for Stormwater Education and Outreach between Board of County Commissioners of Brevard County, Florida, and the City of Cocoa. (22-553). (Public Works Director)

4. Approve Task Order #2022-29 for the Engineering Design of the Dixon Blvd. at Indian River Drive Water Quality and Resiliency Project using the Continuing Services Agreement with Mead & Hunt for Civil Engineering Services. The budgetary impact previously approved for this Task Order, will allow for the FY22 Budget to roll into FY23 and FY23 budgetary portion pending the adoption of the FY23 Budget. (22-560). (Public Works Director)

5. Approve Task Order 2023-28 with Carollo Engineers, Inc., Orlando, Florida, for the SCADA Maintenance at the Jerry Sellers Water Reclamation Facility; Pending Approval of the FY23 Budget. (22-565). (Utilities Director)

6. Approve the 2nd Amendment CentralSquare Solutions Agreement to execute the Optional Term 3 of the previously approved CentralSquare Solutions Agreement to provide NaviLine Public Administration applications. Allow the City Manager to approve the Purchase Order, Pending the Adoption of the FY23 Budget. (22-571). (Chief Technology Officer)

(B) Multi-Year Contracts:

7. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making Sole Source Purchase of CAL~FLO® Liquid Lime from Burnett Lime Co., Inc., Campobello, SC for FY2023; To Approve a One-Year Contract Agreement with Three (3) One-Year Renewals with 1) Matheson Tri-Gas, Inc., Irving, TX for Carbon Dioxide 2) Thatcher Inc., Deland, FL for the purchase of Ferric Sulfate 3) Allied Universal Corp., Miami, FL for Sodium Hypochlorite for both the Dyal WTP & Sellers WRF; To Approve a 2nd Amendment of a Piggy-Back Contract with the City of Oviedo, FL for Contract ITB 19-36 Harcros Chemicals, Inc., Kansas City, KS for the Purchase and Delivery of Fluoride; To Authorize the City Manager to Execute Contracts, Approve Annual Renewals, Amendments, and Change Orders in an Amount not to Exceed the Total FY2023 Budget for Chemicals; Pending Approval of the FY2023 Budget. (22-475). (Utilities Director)

8. Approve Bid No. CS22-10-COC, Preventive Elevator Maintenance to Sapphire Elevator, Cape Canaveral, FL for Preventive Elevator Maintenance; To Approve a Multi-Year Contract with the option of two 12-month extensions, for a total of five (5) years, pending the approval of future budgets; To Authorize the City Manager to Execute the Contract, extensions, and amendments. (22-524). (Public Works Director)

9. Approve a purchase order with V.A. Paving Inc. in the amount of $295,128.05, plus a contingency of $4,871.95 for a total of $300,000, using the Second Amendment to the Piggyback Agreement with V.A. Paving, No. B-6-20-57, from August 22, 2022, through August 21, 2023, to resurface various stretches of roads throughout the City, pending the approval of FY 23 budget. (22-568). (Public Works Director)

10. Approve City Staff's vendor selection for award of RFQ# CS-22-02-COC, Workers' Compensation Actuarial Study for the City of Cocoa and authorize the City Manager to negotiate and execute a multi-year contract and subsequent renewals with AMI Risk Consultants, Inc. from October 1, 2022 to September 30, 2025 and any approved renewal terms in the contract. (22-569). (Administrative Services Director)

* **MOTION by Councilmember Dyal; Seconded by Mayor Blake, to approve the Consent agenda.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. (a) Approve Resolution 2022-089 adopting the Final Millage Rate of 6.4532 mills for the City of Cocoa Fiscal Year 2023 commencing on October 1, 2022 and ending on September 30, 2023, which represents an increase of 7.79% over the rolled-back rate of 5.9866.

Ms. Bowman provided a presentation[1] and advised that this was the second and final public hearing for the millage and budget. She explained that two resolutions would be approved. Ms. Bowman pointed out that this was essentially the same presentation that they had at the first public hearing but updated to include final numbers.

She noted that the City must have a balanced budget by October 1, 2022 and reviewed the millage rate.

The following public announcement was made:

- The City of Cocoa is the taxing authority
- The rolled-back rate is 5.9866
- The millage rate of 6.4532 is a tax increase of 7.79% as a percent change of the rolled-back rate
- The millage rate to be levied is 6.4532 which is the same as the current year tax rate

The Requested Action is as follows:

To Approve Resolution No. 2022-089, adopting the Final millage rate of 6.4532 mills. for the City of Cocoa, commencing on October 1, 2022 and ending on September 30, 2023.

Mayor Blake opened the hearing to the public. There being no response from the public, the public portion of the hearing was closed.

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Goins, to Approve Resolution 2022-089 adopting the Final Millage Rate of 6.4532 mills for the City of Cocoa Fiscal Year 2023 commencing on October 1, 2022 and ending on September 30, 2023, which represents an increase of 7.79% over the rolled-back rate of 5.9866.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

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1 EXHIBIT A: FY 2023 Budget Presentation/2nd Public Hearing

(b) Approve Resolution 2022-090 adopting the Final Budget and CIP for the City of Cocoa for the Fiscal Year 2023 commencing on October 1, 2022 and ending on September 30, 2023. (22-561). (Finance Director)

Ms. Bowman provided a presentation on the budget and explained the FY 2023 proposed final budget and provided a FY 2023 General Fund Overview. She discussed funding sources in detail as well as other areas of the budget.

Ms. Bowman advised that this was the second part of the public hearing and shared the following public announcement:

- Public comment on 2nd public hearing for FY2023 Final Budget & CIP

The Requested Action is as follows:

To Approve Resolution No. 2022-090 adopting the Fiscal Year 2023 Final Budget & CIP for the City of Cocoa, for the Fiscal Year commencing October 1, 2022 and ending on September 30, 2023.

Mayor Blake opened the hearing to the public. There being no response, the public portion of the hearing was closed.

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to Approve Resolution No. 2022-090 adopting the Final Budget and CIP for the City of Cocoa for the Fiscal Year 2023 commencing on October 1, 2022 and ending on September 30, 2023.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Ordinance No. 13-2022/First Reading: An Ordinance of The City Council Of The City Of Cocoa, Brevard County, Florida, Repealing Appendix A, Zoning, Article Xx Of The Zoning Ordinance Of The City Of Cocoa; Repealing The Schedule Of Fees, Charges And Expenses To Be Paid To The City Upon Receipt Of Planning And Zoning Related Applications Contained Therein; Providing For The Adoption Of Future Planning And Zoning Fee Schedules By Resolution. (22-570). (Public Works Director/Interim Growth & Economic Development Director)

Assistant City Attorney Eick read Ordinance No. 13-2022 into the record, by title only, as follows and advised that this was this was the first reading of the ordinance.

ORDINANCE NO. 13-2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, REPEALING APPENDIX A, ZONING,

ARTICLE XX OF THE ZONING ORDINANCE OF THE CITY OF COCOA; REPEALING THE SCHEDULE OF FEES, CHARGES AND EXPENSES TO BE PAID TO THE CITY UPON RECEIPT OF PLANNING AND ZONING RELATED APPLICATIONS CONTAINED THEREIN; PROVIDING FOR THE ADOPTION OF FUTURE PLANNING AND ZONING FEE SCHEDULES BY RESOLUTION; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mr. Smith advised that this would provide a way to recoup fees when it comes to planning and administrative time. A slide was provided that showed the fees in detail[2]. This will come back for a second reading at the October 25, 2022 Regular City Council meeting.

Mayor Blake opened the hearing to the public. There being no response, the public portion of the hearing was closed.

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to Approve Ordinance No. 13-2022 on First Reading.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Consideration of Ordinance No. 11-2022/First Reading: a Future Land Use Map (FLUM) Amendment consistent with Florida Statute Chapter 163, to change the Future Land Use Map designation of (1) parcel of real property totaling approximately 0.59 acres from City of Cocoa "Very Low Density Residential" to City of Cocoa "Medium Density Residential," provided that the maximum density allowable shall be eight (8) dwelling units per acre. (22-582). (Public Works Director/Interim Growth & Economic Development Director)

Mayor Blake pointed out that this item went before the Planning & Zoning Board who recommended denial of the item.

Assistant City Attorney Eick read Ordinance No. 11-2022 into the record, by title only, as follows and advised this was the first reading.

ORDINANCE NO. 11-2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP FOR ONE (1) PARCEL

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2 EXHIBIT B: Slide regarding Planning & Zoning Fees

OF REAL PROPERTY WITHIN THE CITY OF COCOA, CONSISTING OF APPROXIMATELY 0.59 ACRES, MORE OR LESS, LOCATED SOUTHWEST OF THE INTERSECTION OF NORTH INDIAN RIVER DRIVE AND DIXON BOULEVARD, BEING LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; CHANGING THE FUTURE LAND USE DESIGNATION OF THE REAL PROPERTY FROM VERY LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL, PROVIDED THAT THE MAXIMUM DENSITY ALLOWABLE SHALL BE EIGHT (8) DWELLING UNITS PER ACRE; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE COMPREHENSIVE PLAN, SEVERABILITY, AND AN EFFECTIVE DATE AND LEGAL STATUS OF THE PLAN AMENDMENT.

Assistant City Attorney Eick further noted that there is information in the staff report about concerns that were voiced by citizens at the Planning & Zoning Board meeting.

Mr. Greenwood spoke as the applicant on behalf of the properties and expanded on the concerns from Planning & Zoning Board meeting.

Assistant City Attorney Eick advised that while this was denied by the Planning & Zoning Board, they did not determine which criteria were not met. She stressed that the Council should not follow the Planning & Zoning Boards denial without identifying criteria.

Mayor Blake clarified that they should cite and approve or deny the item based on the criteria in the staff report. Assistant City Attorney Eick stated they would need to apply the criteria if they decide not to approve this item.

Mayor Blake spoke about the time limit for public hearings and advised the information was on the back of the short agenda.

Mr. Smith provided a brief overview[3] of the property itself and noted it was the Dixon Boulevard Small-Scale Comp Plan Amendment (four-plex). He reiterated the request and what the process would be if approved. A location map was shown as well.

The current land use is very low density residential and the proposed is medium density residential. He provided the current FLUM map which showed the properties around the said location.

Mr. Smith provided a summary of the Comprehensive Plan Amendment analysis and he shared that there is no budgetary impact to the City. Additionally, staff has

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3 EXHIBIT C: Dixon Blvd. Presentation (4-Plex)

found that the amendment is compatible with the surrounding neighborhoods and land use.

Mr. Smith spoke in furtherance on the item and reiterated the Planning & Zoning Board's action. Staff recommends approval of the first reading of the ordinance.

Councilmember Koss questioned the density and discussion was held on that issue. In response to her questions, Mr. Smith stated that there would be a maximum of four units.

Additionally, Assistant City Attorney Eick explained that this ordinance included that there could only be eight dwelling units per acre.

Councilmember Koss further spoke about the density on the surrounding block. In response, Mr. Smith stated that low density was seven units per acre and very low density is four units per acre. Councilmember Koss noted that she was not as alarmed by this being a four plex as she was the medium density.

She advised that during the Consent agenda tonight an item was approved that was a part of the stormwater plan. The project includes the installation of a baffle box and the road will also be elevated in this area. She pointed out that this property was at the bottom of a hill.

Councilmember Koss provided a slide[4] and stated that in 2019 the City adopted a Resiliency Plan. The Central Florida Regional Planning Agency did an analysis and three areas were identified. She showed a map of the properties and stressed that Dixon and Indian River Drive was the most affected.

She felt that if the density was changed to medium density it would make the property more vulnerable to storm surge and sea level rise. It would also become a burden to tax payers in the future. Properties like this one are being bought by FEMA so that there is not a chance of flooding or other major issues in the future.

Deputy Mayor Hearn asked if this would set a precedent for surrounding properties in the future if medium density was approved, or would it be limited to eight dwelling units per acre. In response, Mr. Smith advised that each application would be evaluated independently.

Assistant City Attorney Eick further noted that this amendment has to be compatible with surrounding neighborhoods and land use, so you would look at that in terms of compatibility and surrounding land use pattern. Mayor Blake asked

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4 EXHIBIT D: Slide provided by Councilmember Koss

if that still included the thirty-five feet height. Mr. Smith noted it would stay at thirty-five feet for both of the zoning categories, as it was the maximum height for both.

Deputy Mayor Hearn further voiced his concern that this would over-shadow other properties on Indian River Drive. Mr. Smith added that he was not sure of the height of the properties immediately adjacent to the property.

Deputy Mayor Hearn asked if there was any evidence of natural wells or springs on this property. Mr. Smith noted from an engineering perspective that information would be found during geo-technical reviews, etc., but he is not aware of anything on this property.

Councilmember Koss noted the property is not directly across from the apartment building, it is on the hill. What is directly across from the property is undeveloped, but east, west, and north are all single-family residence or vacant properties.

Councilmember Goins noted that he would like to hear from the public and noted that Mr. Greenwood has provided a packet with an engineering report.

Mayor Blake opened the hearing to the public.

Aleck Greenwood, applicant and Cocoa resident, spoke on behalf of the item. He stated that a lot of statements that were made were incorrect and provided a packet of information to all Councilmembers.

He pointed out that there was a lot of information in the packet but the first page included the information from the engineering company. He felt that would clarify a lot of concerns.

Mr. Greenwood further noted that this came along in 2012 and that this would be going west on Dixon Boulevard. There would be no changes on Indian River Drive. He mentioned the other issues such as drainage and wildlife and showed the location of an artesian well on the property.

He believes that this will help to enhance the area. He understands that people do not want change but this is a piece of property that would generate taxes for the City. Furthermore, the development would have to be blended with what is already on Dixon Boulevard and they do not want modern. He noted that many who have voiced concerns are ½ mile north of the property. Additionally, most of the nine items that were brought up have been addressed.

Mr. Greenwood stated that information was put out that it would be fifteen units and believed that brought a lot of negativity to this project. There was so much

misinformation that it caused a Planning & Zoning board member to resign. He wants to follow the guidelines and believes it would be beneficial to the area.

Discussion was held about the retention on the property as well as the stem-wall and curbs and gutters.

Frank Manfredi, Cocoa resident, owns Dixon Cottage. This was built by the Dixon family 131 years ago and they are not in favor of the zoning change, as this was located behind their property. He stated the following reasons as to why they are not in favor: 1) more water flowing into their lot; 2) the zoning change would cause a domino effect and other developers would want to do the same; 3) believes there are serious artesian water flow problems. He further asked if the State could conduct a study on the artesian water flow problem.

Mayor Blake spoke about the water run-off and Mr. Smith assured him that all of this would be looked at during the site plan review process.

Donna Manfredi, Cocoa resident, read a statement from the property owner next to them, by the last name of Claytor.

Tank Sherman, Cocoa resident, is aware of several water problems in the area. He is opposed to changing anything away from single family. He believed that aesthetically and the history of the area is amazing. He asked if he could add eight units on his property and the Assistant City Attorney stated that any request for future land use would have to be applied for and come before council and she could not predict the outcome.

Williams Coates, Cocoa resident, asked how the City and Mr. Greenwood would deal with the water that is already standing. This is a major concern of his as the water has to go somewhere. The side of his street is unique and charming and he feels like these developments will turn that area into something else. He does not want a lot of development, not just for personal reasons but water issues as well.

Todd Riggs, 1629 N. Indian River Drive, lives about ½ mile away from the development. He provided a slide with the location map. He showed other properties and how they have changed hands recently. He believes there will be water impact on the property and would like to preserve Cocoa's character.

Mayor Blake asked for clarification on the water flow. Mr. Smith reiterated once again, that when the site plan comes forward they have to meet the requirements, etc.

Further discussion was held on the property, the Riverwalk subdivision, and mowing of the property. Mr. Smith clarified that the stormwater easement that runs

behind the properties that is the City's responsibility is not associated with that but more of the S. Indian River Circle property. Mr. Smith noted it was wetlands.

Jennifer Riggs, Cocoa resident, quoted an article from Southern Living Magazine where Cocoa was mentioned. She urged Council to vote against the FLUM and density change. She felt the apartments would set a precedent and that would not be good.

Frank Sullivan, Cocoa resident, felt that this was not the way you keep old Florida looking up and down Indian River Drive. He agreed that the water situation needed to be dealt with and they will end up losing this whole area to multi-family. Council needed to think twice about changing the zoning.

Councilmember Goins confirmed with Mr. Smith that no matter what type of dwelling unit was on the property there would still be water issues. In response, Mr. Smith stated the Comp Plan has to change first in order for the zoning to change, but you will still be dealing with stormwater issues.

Joseph Bachand, Cocoa resident, spoke about the location of his own home. He noted it was clear that the property was a swamp and is wet. The water flows freely there and there will be issues. Single Family homes are what are consistent along Indian River Drive. He knows that environmental issues are expensive but they should not create more.

Roger Naumann, Cocoa resident, believes a little more work needed done in order to help Mr. Greenwood and the zoning. He wanted to ensure it is fair for everyone in the future.

Mayor Blake closed the public portion of the meeting.

* **MOTION by Councilmember Goins; Seconded by Councilmember Dyal, to Approve Ordinance No. 11-2022 on First Reading, with discussion.**

Councilmember Goins asked about the existing storm structure on Dixon Boulevard and if it was damaged. Mr. Smith stated he was not aware but would check on it.

Deputy Mayor Hearn advised that this in his district and he reiterated why the item came before Council. He is not finding any reason to deny this item.

Councilmember Koss listed the following reasons as to why she will vote against this item: #3; #6; #7; #9.2; and #9.2.1, as stated in the agenda item.

Deputy Mayor Hearn hears her concerns and appreciated them but reiterated that if a site plan is submitted there are requirements that must be followed. He also

does not know how this will impact Indian River Drive if the project is on Dixon Boulevard.

Councilmember Goins agreed with the Deputy Mayor and stated that the property was holding water because there was nowhere for it go to. There are things that will have to be done but he is confident in the project because the Code states he has to maintain his own water.

Councilmember Koss advised that maintaining stormwater is the rule that he has to follow but her biggest concern was the zoning and the precedent being set. She reiterated her initial discussions with staff regarding the zoning and feels that this will open pandoras box to one of the only green spaces in the area.

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Dyal

NAYES: Koss

THE MOTION CARRIED (4-1)

4. Consideration of Ordinance No. 12-2022/First Reading: a citizen initiated Zoning Map amendment consistent with the requirements of Code of the City of Cocoa (Code) Article XXI, Section 1, to change the zoning designation of a parcel of real property totaling approximately 0.59 acres from "Residential Estate District" (RE) to "Multiple-Family Dwelling District" (RU-2-15). Brevard County Parcel/ ID No. 24-36-21-BM-*5. (22-580). (Public Works Director/Interim Growth & Economic Development Director)

Assistant City Attorney Eick read Ordinance No. 12-2022 into the record, by title only, as follows and advised that this was the first reading of the ordinance.

ORDINANCE NO. 12-2022

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, APPROXIMATELY 0.59 ACRES, MORE OR LESS, LOCATED SOUTHWEST OF THE INTERSECTION OF NORTH INDIAN RIVER DRIVE AND DIXON BOULEVARD IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM RE (RESIDENTIAL ESTATE) TO RU-2-15 (MULTIPLEFAMILY DWELLING DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT

ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mr. Smith noted that this was a repeat of the prior item but now the zoning had to be provided. There is no budgetary impact and by approving this use they would match what is required by the Comp Plan.

He advised that the Planning & Zoning Board did deny this based on the denial of the Future Land Use.

Assistant City Attorney Eick explained the reasonings as to why this ordinance was necessary.

Mayor Blake opened the hearing to the public.

Jennifer Riggs, Cocoa resident, confirmed that there was no way for Council to vote against this item given that the FLUM has been changed. She felt that Dixon Boulevard was an integral part of the Indian River Drive community. This is a part of the neighborhood and part of the experience and she believed they were moving in the wrong direction.

Frank Sullivan, Cocoa resident, was disappointed in Council and believed they should disband the Planning & Zoning Board because Council is not listening to the board.

Joseph Bachand, Cocoa resident, mentioned that a lot has been said about the multi-use facility on Dixon Boulevard. He felt this was a decision that should be deliberately made.

Celeste Corrado, Cocoa resident, could not believe that Council was not looking at the best interest of citizens and staff and questioned Council's objectivity.

Aleck Greenwood, Cocoa resident and applicant, stated that this was not an apartment building as it was being referred to. He would not put a project in that people would be disappointed with. Additionally, he is going to live there and will also address the water issues. He wanted everyone to realize he was not cutting corners as he received an award from the State for one of his properties in the Village.

There being no further response, the public portion of the hearing was closed.

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to Approve Ordinance No. 12-2022 on First Reading.**

AYES: Hearn, Dyal, Goins

NAYES: Blake, Koss

THE MOTION CARRIED (3-2)

VII. Council Business:

1. Consider Ms. Verna Hughes, 1st Alternate member on the Code Enforcement Board, to fulfill the unexpired term of Ms. Kimberly Curtis through June, 2024. (22-574). (Administrative Services Director)

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss, to approve the appointment of Verna Hughes, 1st Alternate member on the Code Enforcement Board, to fulfill the unexpired term of Ms. Kimberly Curtis through June, 2024.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve Resolution No. 2022-099 Declaring a State of Emergency and Resolution No. 2022-100 regarding Hurricane Ian. (City Manager)

City Manager Whitten advised that these Resolutions are necessary due to the current declaration by the Governor due to Hurricane Ian. They are necessary for FEMA reimbursements as well as for the protection of the citizens of the City.

Assistant City Attorney Eick added that these were consistent with Florida Statutes and gives the City certain powers during the storm.

* **MOTION by Mayor Blake; Seconded by Councilmember Koss, to approve Resolution No. 2022-099, declaring a State of Emergency due to Hurricane Ian.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Mayor Blake; Seconded by Councilmember Koss, to approve Resolution No. 2022-100, authorizing the City Manager and Finance Director to sign any contracts and amendments from the Florida Division of Emergency Management related to Hurricane Ian reimbursement.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. City Business:

1. Approve the contract revisions for the three-year contract between the City of Cocoa and the Coastal Florida Police Benevolent Association (CFPBA) Lieutenants for the contract term of October 1, 2020 through September 30, 2023, modifying Article 17 Wages to provide annual wage increases for Fiscal Year 2023. (22-538). (Administrative Services Director)

* **MOTION by Councilmember Goins; Seconded by Councilmember Dyal, to Approve the item.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

None.

IX. Informational Agenda:

1. Cumulative purchase approvals over $35,000 and under $50,000 for period 10/01/2021 to 8/31/2022. (22-543). (Finance Director)

2. FY 2022 Budget Adjustment Report. (22-562). (Finance Director)

3. Data showing the relation between the estimated and actual income and expenses to date. (22-563). (Finance Director)

4. Approved change orders to construction contracts that the City Council has authorized the City Manager, by resolution, to approve in excess of the City Manager's spending authority. (22-564). (Finance Director)

5. Bi-Weekly City Council Update Report for the dates of September 8-21, 2022. (22-579). (City Manager)

X. Reports:

City Manager Whitten pointed out that October 4th will be the National Night Out Event at Provost Park and the City will be participating through the Police Department. We would also like others there to participate in the event as well and to have food provided. He asked for a consensus from Council to provide food at the event.

* **CONSENSUS BY COUNCIL FOR THE CITY TO PROVIDE FOOD AT THE NATIONAL NIGHT OUT EVENT AT PROVOST PARK ON OCTOBER 4, 2022.**

City Manager Whitten further spoke about the City Manager's ability to approve lease agreements and informed Council that this year, they would be increasing the Porcher House leases by three percent (3%).

Mr. Smith reminded everyone that there will be a lot of rain and flooding with the upcoming storm and asked that if you see an area that you cannot get through, to please turn around. Emergency services cannot come out if winds are too high.

Chief Lamm provided an update on Hurricane Ian and advised that wind speeds are not consistent at the moment but as of the 7 p.m. update, tropical winds and gusts are expected around 5 p.m. tomorrow. The EOC staff will meet at 6 a.m. tomorrow. He echoed Mr. Smith's sentiments and stressed that there will be a lot of rain.

It was announced that City operations will be closed tomorrow and the EOC will be activated at 8 a.m. EOC staff may have to be here overnight as well. A decision will be made early in the morning about Thursday closures.

Chief Lamm encouraged all to get their medications, supplies, etc. and to keep all important documents with you as well. Sandbags are also available through the County.

Councilmember Koss shared that she met with the Fire Department's union and they had wage questions. As a result, she assured them that she would look at comparisons. Ms. Gemmati did a wage comparison report but Councilmember Koss also felt that benefits should be looked at as well. Most were satisfied with the equipment. She asked for a consensus from Council to have staff provide information on benefits.

* **CONSENSUS TO ASK STAFF TO PUT TOGETHER INFORMATION ABOUT THE FIRE DEPARTMENT'S BENEFITS PROGRAM.**

Lastly, Councilmember Koss announced that Tuesday, October 18, 2022 at 6 p.m. is the annual District 4 Town Hall Meeting at the Florida Solar Energy Center. It will be a non-political event.

Deputy Mayor Hearn attended the Tied Together Event at Merritt Island High School. It was a great event and was nice to speak with the young men who participated.

He shared that Endeavor Elementary now has a trailer from Brevard Health Alliance that will be available for use of their services by their students and parents.

Lastly, he will be rescheduling his trash pickup event as they could not locate the equipment.

Councilmember Goins asked for an explanation on what was happening at Bernard St. and Bracco Pond. In response, Mr. Smith explained that they are letting as much water out of Bracco Pond as they can, however, when you get eight inches of rain in an hour the system will surcharge, therefore, flooding again. He encouraged everyone to stay off of those roads and to reposition their vehicles prior to the storm.

Councilmember Goins asked all to be safe and thanked the first responders who would be in the thick of the storm.

Councilmember Goins announced that there is still sand available on Railroad Avenue and anyone could contact him if they had an issue acquiring sand.

Councilmember Dyal asked all to be safe and reiterated that there will be a lot of rain.

Mayor Blake mentioned his attendance at an All-Female Veteran Village Wall Raising Event today and noted that it was a great program.

He thanked all of the staff and citizens for participating in the meeting tonight and asked all to be safe.

Mayor Blake reminded all to buy local, spend local, and keep it local.

XI. Adjournment:

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to adjourn the Regular meeting of September 27, 2022.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:46 p.m.

Michael C. Blake, Mayor

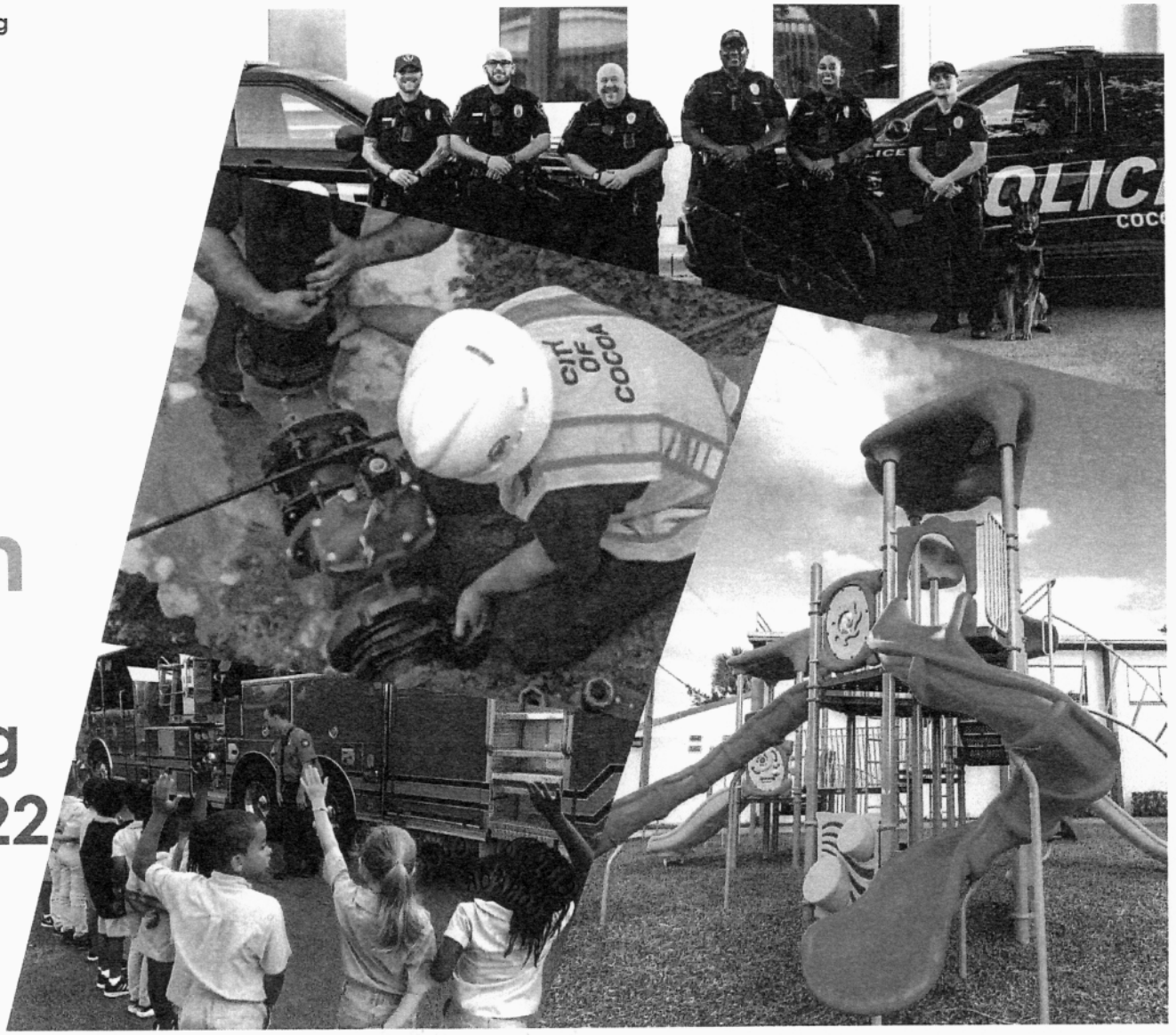
ATTEST:

Carie Shealy, MMC, City Clerk

EXHIBIT A: FY 2023 Budget Presentation/2nd Public Hearing

FY 2023 Budget Presentation

2nd Public Hearing
September 27, 2022



Objectives of this Public Hearing

COCOA
FLORIDA

- Adopt a Final Millage Rate for FY 2023
- Adopt a Final Budget for FY2023
- 2nd Public Hearing – September 27, 2022 at 6:00p.m., Cocoa City Hall, 65 Stone Street, Cocoa, FL 32922

The City must have a balanced budget by October 1, 2022



TRIM (Truth in Millage) Process

COCOA
FLORIDA

❑Step 1

Adopt the FY 2023 City of Cocoa Final Millage Rate

Note: The Final millage rate cannot exceed the millage rate of 6.4532 approved by City Council on July 26, 2022, by unanimous vote (5-0).

The FY 2023 Budget was developed with assumptions of Ad Valorem Revenue at 6.4532 Mills @ 95% (State requires at least 95%), to support ongoing operational needs.

❑Step 2

Adopt the FY 2023 City of Cocoa Final Budget

FY 2023 Comparative City Rates

COCOA
FLORIDA

Ranking	Municipality	Current	Rolled-Back	Proposed
1	Satellite Beach	8.6312	7.8000	8.2312
2	Palm Bay	7.5995	6.5887	7.5995
3	Titusville	7.2145	6.3573	7.2145
4	Melbourne	7.0519	6.4146	6.7490
5	**Cocoa**	**6.4532**	**5.9866**	**6.4532**
6	Cocoa Beach	5.9540	5.3133	6.1644
7	Indialantic	6.0923	5.4072	5.9990
8	Rockledge	5.9900	5.5902	5.8200
9	Indian Harbor Beach	5.6401	5.0617	5.5628
10	Melbourne Beach	4.6865	4.2885	4.2080

City of Cocoa's FY 2023 Proposed Tentative Millage Rate is the same as FY 2022. Note: Ranking is established using the Proposed Rate (As of 9-7-22)

Public Announcement/Hearing

COCOA
FLORIDA

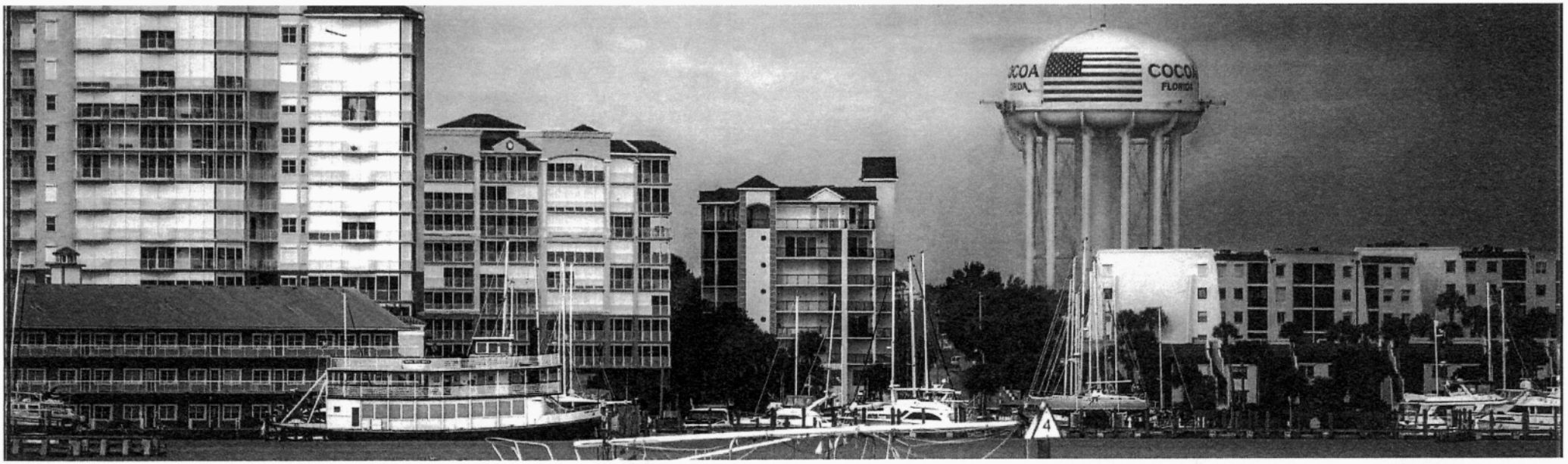
- ✓The City of Cocoa is the taxing authority
- ✓The rolled-back rate is 5.9866
- ✓The millage rate of 6.4532 is a tax increase

  of 7.79% as a percent change of the rolled- back rate
- ✓The millage rate to be levied is 6.4532 which is the same as the current year tax rate

Requested Action:

Approve Resolution No. 2022-089, adopting the Final millage rate of 6.4532 mills. for the City of Cocoa, commencing on October 1, 2022 and ending on September 30, 2023.

FY 2023 Final Budget



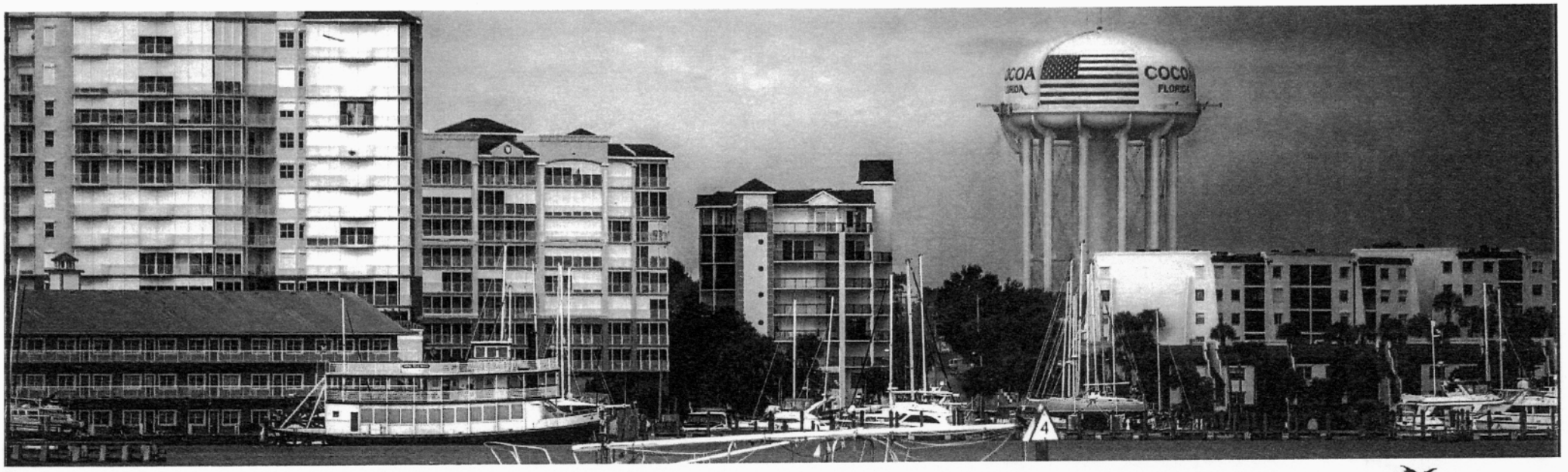
COCOA
FLORIDA

FY 2023 Proposed Final Budget

COCOA
FLORIDA

Fund	FY 2023 Final Budget
Water/Sewer	$82,826,373
General	$44,830,718
W/S Renewal and Replacement	$15,576,000
W/S Restricted Assets	$9,358,915
Special Revenue	$5,376,731
W/S Impact Fees	$2,230,000
Stormwater	$2,192,854
Debt Service	$1,442,101
Workers Comp	$1,375,179
TOTAL	**$165,208,871**

FY 2023 General Fund Overview



General Fund Revenue Sources

COCOA
FLORIDA

- **Taxes**
  - Ad Valorem, Public Service, Utility Service and Communication Service Tax
- **Other Permits & Fees**
  - Building Permits, Franchise Fees, Fire Assessment, and Planning & Zoning Fees
- **Intergovernmental**
  - Local, State & Federal Grants and State Shared Revenues
- **Charges for Service**
  - Water Billing Services, Garbage Collection Services, Allocation for Services and Culture/Recreation Events
- **Fines & Forfeitures**
  - Property Seized
  - Court held confiscated items
- **Miscellaneous**
  - Interest Earned, Rent and Royalties, Disposition of Fixed Assets, Contributions, Insurance Proceeds, etc.
- **Other Non-Revenue**
  - Inter-fund transfers, Water/Sewer ROI and 6% PILOFF, Debt Proceeds, Revenues from Unassigned FB (Reserves)

FY 2023 General Fund Revenues by Funding Source

COCOA
FLORIDA

Funding Source	FY 2023 Final Budget	FY 2023 % of Budget
Other Non-Revenue (Inter-fund transfers, Water/Sewer ROI and 6% PILOFF, Debt Proceeds, Revenues from Unassigned FB (Reserves)	$17,778,861	40%
Taxes (Ad Valorem, Utility Service Tax and Communication Service Tax)	$12,144,570	27%
Charges for Service (Water Billing Services, Garbage Collection Services and Culture/Recreation Fees)	$6,860,492	15%
Other Permits & Fees (Building Permits, Franchise Fees, Fire Assessment, and Planning & Zoning Fees)	$5,051,611	11%
Intergovernmental (Local, State & Federal Grants, Housing Authority Payments in Lieu of Taxes, and State Shared Revenues)	$2,486,671	6%
Miscellaneous (Interest Earned, Rent and Royalties, Disposition of Fixed Assets, Contributions, Insurance Proceeds, etc.)	$508,513	1%
Total FY 2023 Revenue by Funding Source	**$44,830,718**	**100%**

FY 2023 Final Budget General Fund by Department

COCOA
FLORIDA

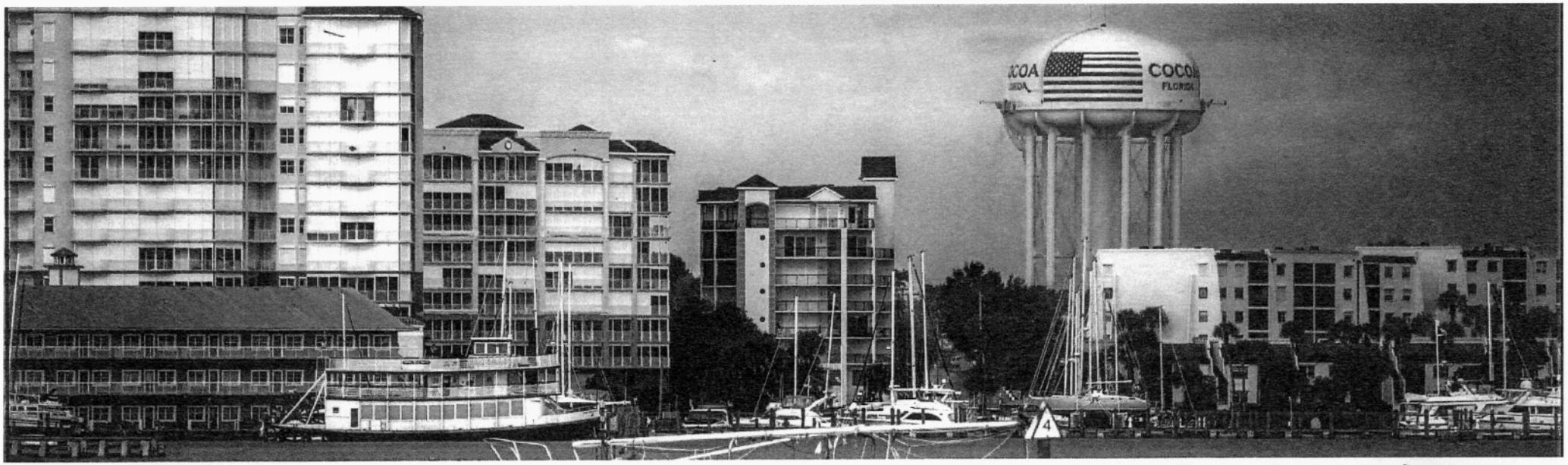
General Fund	FY 2022 Adopted Budget	FY22 Salary Placeholder	FY 2023 Final Budget	Variance	FY 2023 % of Budget
Police	$11,074,445	$113,672	$12,120,906	$932,789	27%
Public Works	$9,080,504	$191,778	$9,290,683	$18,401	21%
Fire	$6,857,101	$222,146	$7,285,476	$206,229	16%
General Operations	$7,022,753	($1,186,205)	$6,290,424	$453,876	14%
Finance	$3,528,520	$355,688	$3,918,969	$34,761	9%
Information Technology	$2,148,595	$60,490	$2,500,515	$291,430	6%
City Manager Office	$1,496,410	$116,302	$1,275,623	($337,089)	3%
Administrative Services	$933,098	$60,576	$1,044,770	$51,096	2%
Economic Development	$0	$0	$678,170	$678,170	1%
Community Services	$738,596	$65,553	$220,293	($583,856)	0.50%
City Council	$194,905	$0	$204,889	$9,984	0.50%
Emergency Disaster	$58,900	$0	$0	($58,900)	0%
TOTAL	**$43,133,827**	**$0**	**$44,830,718**	**$1,696,891**	**100%**

Use of General Fund Balance Reserves

COCOA
FLORIDA

- **Fund Balance Reserve Policy** - the purpose of the Fund Balance Reserve Policy is to ensure there will be adequate liquid resources to serve as a financial cushion for the General Fund.
  - Restricted General Fund Balance has a minimum reserve requirement of 33% of total operating expenditures per the most recent financial statements and $500,000 of capital replacement.
  - Reserves are used for Capital and One-Time expenses only and **cannot** sustain recurring expenses
  - Utilize **available** Fund Balance to fund projects
    - Emergency Response- Pandemic, Natural Disaster...
    - Catalytic Capital/Economic Projects to enhance overall City growth and quality of life

FY 2023 Water/Sewer Budget Overview



COCOA
FLORIDA

FY 2023 Water/Sewer Revenues

COCOA
FLORIDA

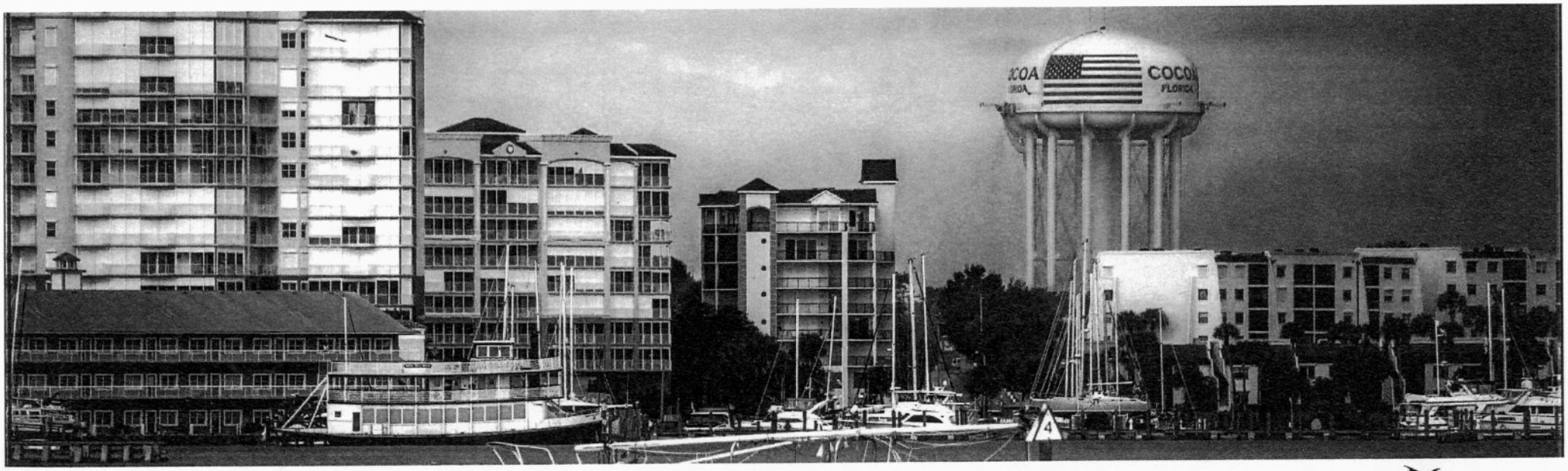
Funding Source	FY 2023 Final Budget	FY 2023 % of Budget
Charges for Service (Water, Sewer and Reuse Sales, Connection Fees, Hydrant Fees, Fireline Fees, Backflow Device Checks, Grease Trap Permits and Connection Fees)	$72,221,630	87%
Other Non-Revenue (Revenues from Unassigned FB (Reserves))	$10,294,631	12%
Miscellaneous (Interest, Rent and Royalties, other minor revenues)	$310,112	1%
Total FY 2023 Revenue by Funding Source	**$82,826,373**	**100%**

FY 2023 Final Budget Water/Sewer Fund by Division

COCOA
FLORIDA

Water/Sewer Fund	FY 2022 Adopted Budget	Salary Placeholder	FY 2023 Final Budget	Variance	FY 2023 % of Budget
Administration (ROI, 6% PILOFF, Overhead Allocation and Debt Service Transfers)	$36,501,822	($2,145,651)	$44,586,591	$10,230,420	54%
Dyal Water Plant	$15,338,692	$494,696	$15,266,057	($567,331)	18%
Water Field Operations	$9,288,757	$716,120	$10,123,075	$118,198	12%
Water Reclamation	$3,643,579	$244,475	$3,848,639	($39,415)	5%
Engineering	$3,342,483	$317,361	$3,738,442	$78,598	5%
Sewer Field Operations	$3,233,274	$221,272	$3,006,283	($448,263)	3.5%
Utility Support Services	$1,836,826	$141,511	$2,111,472	$133,135	2.5%
Inventory	$123,090	$10,216	$145,814	$12,508	-
TOTAL	**$73,308,523**	**$0**	**$82,826,373**	**$9,517,850**	**100%**

FY 2023 Stormwater Budget Overview



COCOA
FLORIDA

FY 2023 Stormwater Revenues by Funding Source

COCOA
FLORIDA

Funding Source	FY 2023 Final Budget	FY 2023 % of Budget
Special Assessment	$2,082,485	95%
Tax Certificates	$105,232	5%
Interest	$4,737	0%
Storm Mitigation Application Fee	$400	0%
Total FY2023 Revenue by Funding Source	**$2,192,854**	**100%**

FY 2023 Stormwater Final Budget

COCOA
FLORIDA

Stormwater Fund	FY 2022 Adopted Budget	FY 2023 Final Budget	Variance	FY 2023 % of Budget
Personal Services	$647,688	$673,366	$25,678	31%
Operating	$640,240	$891,266	$251,026	41%
Capital	$542,620	$330,600	($212,020)	15%
Other Non-Revenue (Overhead Allocations)	$0	$297,622	$297,622	13%
TOTAL	**$1,830,548**	**$2,192,854**	**$362,306**	**100%**

Public Announcement

COCOA
FLORIDA

- ❑ Public comment on 2nd public hearing for FY2023 Final Budget & CIP

Requested Action:

- ❑ Approve Resolution No. 2022-090 adopting the Fiscal Year 2023 Final Budget & CIP for the City of Cocoa, for the Fiscal Year commencing October 1, 2022 and ending on September 30, 2023.



QUESTIONS/CONTACT

Rebecca Bowman, MBA, CGFO, CGFM

Finance Director

BudgetAdministrators@cocoafl.org

www.CocoaFL.gov

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PLANNING AND ZONING FEES

Space Coast Development Fee Comparison

	Cocoa Current	Cocoa Proposed	Brevard County	Titusville	Cocoa Beach	Melbourne	Palm Bay
Comprehensive Plan Amendment Small Scale	$500	$1550 + ad fees	$919	$1575 + $8 per acre + ad fees	$1,000	$1,150 + $210 Legal	$1,200
Site-plan Review	$350 + $25 per acre	$1500 + $50 per acre	$3,960.00 + $360.00 per acre	$1,155.00 plus $10.00 per acre	$750.00 less than 3 ac & 30K sf $1,500 at least 3 ac or 30K sf	$1,875 + $25 per acre	
Final Plat	$400 + $5 per lot + Surveyor Certification Cost	$1,500 + $25 per lot + surveyor certification cost	$3,389 + $87 a lot	$1,050.00 plus $20.00 per lot		$1,675.00	$800 Final Subdivision Plat Application

EXHIBIT B: Planning & Zoning Fees

City Council

September 27, 2022

PZ-21-0500001

Dixon Boulevard Small-Scale Comprehensive Plan Amendment (Four-Plex)

EXHIBIT C: Dixon Blvd. Presentation (4-Plex)

COCOA
FLORIDA

Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

- Project Name: Dixon Boulevard Small-Scale Comp. Plan Amendment
- Applicant: Carey Properties, LLC
- Property Owner: Carey Properties, LLC
- Parcel: PID No. 24-36-21-BM-*5
- Parcel Size: ±.59 ac.

Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

- Request: Applicant requests a small-scale Comp. Plan amendment consistent with Florida Statutes Chapter 163 for an owner-initiated request to change the future land use of a property, ID No. 26-36-21-BM-*5, from City of Cocoa (City) Very Low Residential to City Medium Density Residential. The amendment would be subject to a condition limiting the property's density to eight (8) dwelling units per acre.

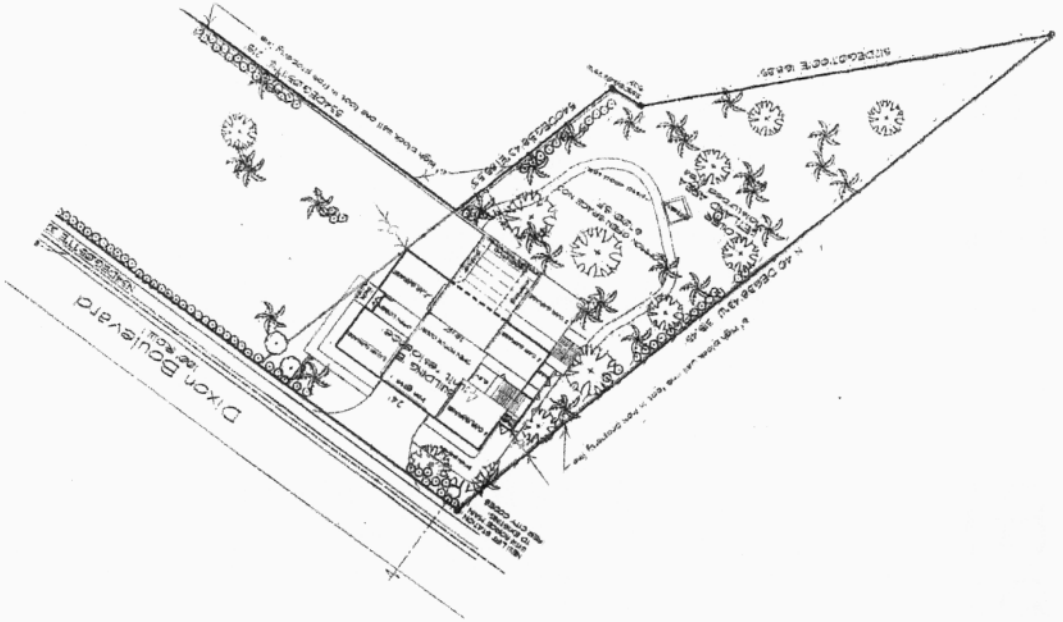
- Following approval, applicant plans to apply to have a multi-family fourplex built on the property.

Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

Dixon Zoning Map Amendment Location Map/Concept Plan





Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

- **Location**: The subject property is located on the southeast of and adjacent to Dixon Boulevard, just to the west of its intersection with Indian River Drive.

• **Future Land Use District:**	(Current)	Very Low Density Residential
	(Proposed)	Medium Density Residential
• **Zoning District:**	(Current)	Residential Estates
	(Proposed)	RU-2-15 (separate petition)
• **Existing Land Use:**		Vacant
• **Council District:**		District 2- Councilmember Lavander Hearn

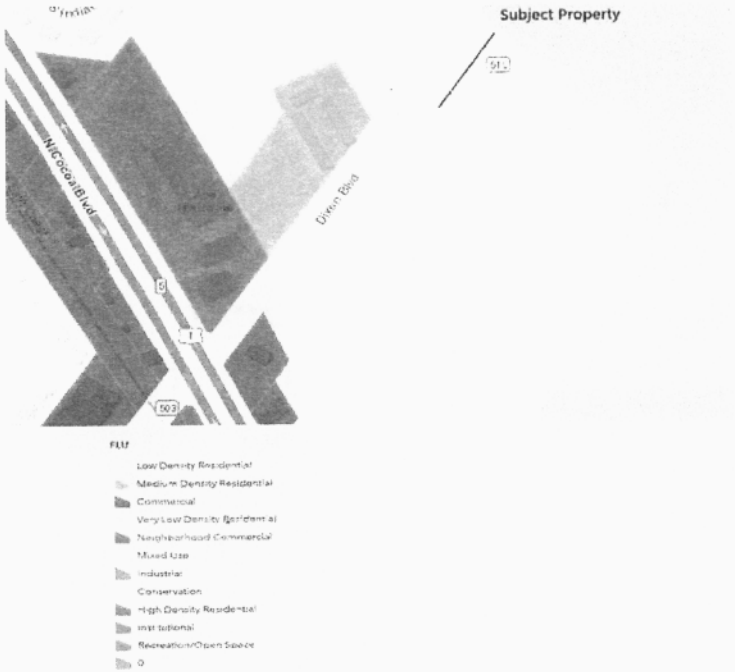
Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

Exhibit "B"

Future Land Use Designations

Future Land Use Map Amendment, PZ 21-02100001, Dixon Boulevard Four-Plex



	Future Land Use Designations	FLU Districts	Land Uses
North	Low Density Residential	Low Density Res	Vacant
South	Very Low Density Residential	Very Low Density Res	Single-Family Residence
East	Very Low Density Residential	Very Low Density Res	Single-Family Residence
West	Very Low Density Residential	Very Low Density Res	Vacant

Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

Comprehensive Plan Amendment Analysis

- Staff has reviewed this petition according to the criteria contained in Chapter 15, Article II, Sections 15-10 and 15-11.

- Staff finds that based upon the detailed analysis in the Staff Report, this petition meets the requirements for amending the City of Cocoa Future Land Use Map.

- Staff finds no budgetary impacts to the City.

Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

- Staff finds the proposal consistent with Comp. Plan Future Land Use Element Policy 1.1.2.4 regarding consistency with intent of the Medium Density Residential future land use classification.

- Staff and review agencies have examined the petition for meeting level of service (LOS) standards for potable water, sewer, stormwater, solid waste and transportation. Project found to meet LOS standards for these services.

- Staff has reviewed the Coastal Management Element since this property is within the Coastal Planning and High Hazard Area.

Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

- Staff has reviewed the Coastal Management Element since this property is within the Coastal Planning and High Hazard Area.

- Upon future development this property shall be encouraged to implement efficient and climate resistant techniques.

- Staff notes that per the Coastal High Hazard Area of the Comp Plan, increases in density are generally discouraged. While there is an increase in density, the net increase of 3 units, will not have an impact related to evacuation times, which is the main rationale mentioned for this requirement.

Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

- The P&Z Board recommended to the City Council to deny this application for a FLUM Amendment, but failed to cite or refer to any specific criteria within Sections 15-10 and 15-11 of the City Code regarding Comp. Plan Amendments.

- The concerns related to drainage, wetlands, and wildlife would be reviewed as part of a typical site plan submittal as part of the City Code. There was a concern related to building height, but both the current and proposed conditions of the site result in the same maximum height of 35-feet.

Dixon Boulevard Small-Scale Comp. Plan Amendment (Fourplex)

COCOA
FLORIDA

- Staff recommends that the City Council approve first reading of Ordinance 11-2022, a Future Land Use Map (FLUM) Amendment consistent with Florida Statute Chapter 163, to change the Future Land Use Map designation of one (1) parcel of real property totaling approximately 0.59 acres from "Very Low Density Residential" to "Medium Density Residential" with a maximum density of eight (8)dwelling units per acre.

City Council

September 27, 2022

PZ-21-0500001

Dixon Boulevard Zoning Map Amendment (Four-Plex)

COCOA FLORIDA

Dixon Boulevard Zoning Map Amendment (Fourplex)

COCOA
FLORIDA

- Project Name: Dixon Boulevard Small-Scale Comp. Plan Amendment
- Applicant: Carey Properties, LLC
- Property Owner: Carey Properties, LLC
- Parcel: PID No. 24-36-21-BM-*5
- Parcel Size: ±.59 ac.

Dixon Boulevard Zoning Map Amendment (Fourplex)

COCOA
FLORIDA

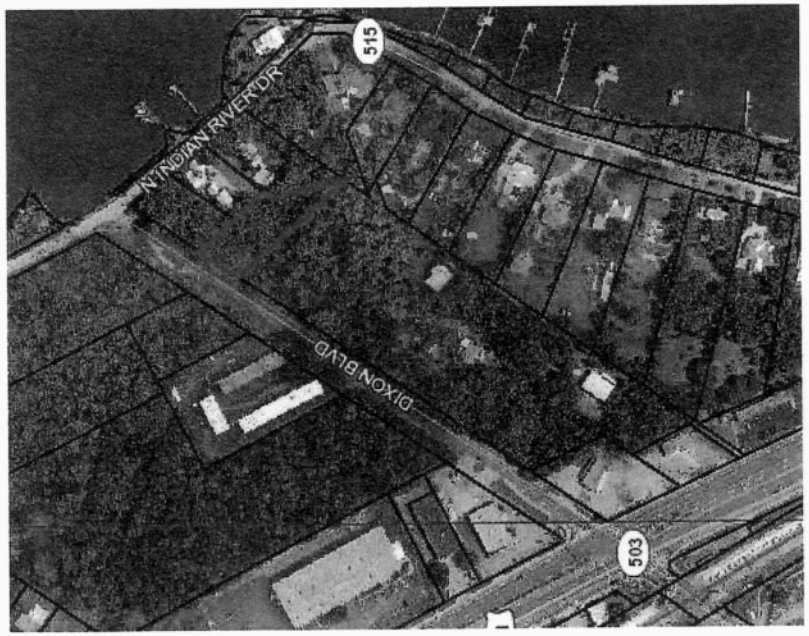
- Request: Applicant requests an amendment to the City of Cocoa Zoning Map consistent with the Code of the City of Cocoa Article XXI, Section 1 regarding amendments to the Zoning Map for an owner-initiated request to change the zoning of a property, ID No. 26-36-21-BM-*5, from City of Cocoa (City) Residential Estates to City RU-2-15, subject to a condition from the separate Future Land Use Map Amendment limiting the property's density to eight (8) dwelling units per acre.

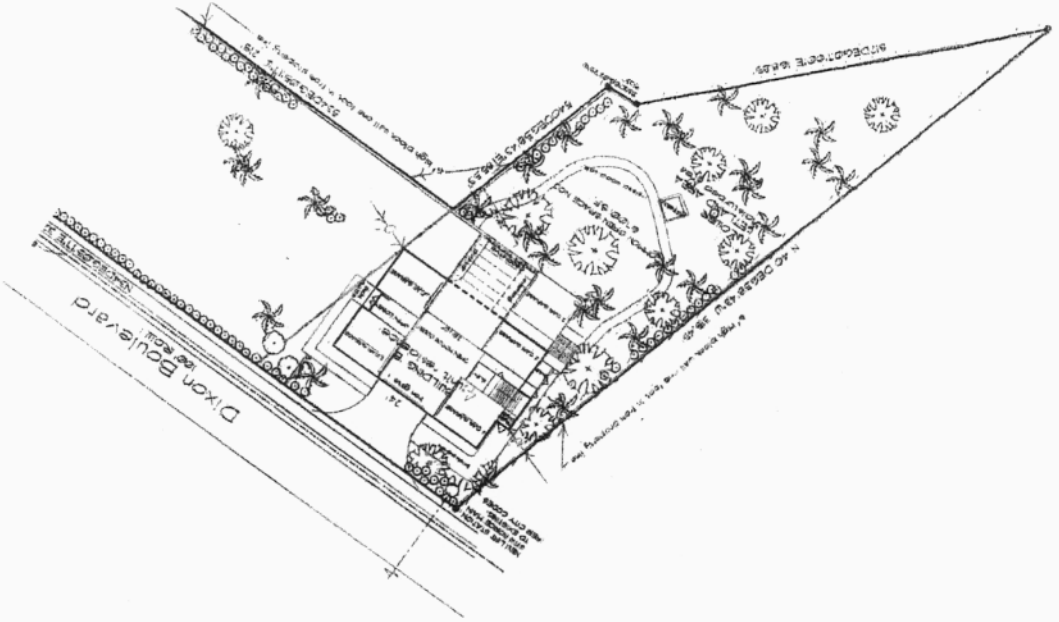
- Following approval, applicant plans to apply to have a multi-family fourplex built on the property.

Dixon Boulevard Zoning Map Amendment (Fourplex)

COCOA
FLORIDA

Dixon Zoning Map Amendment Location Map/Concept Plan





Dixon Boulevard Zoning Map Amendment (Fourplex)

COCOA
FLORIDA

- **Location**: The subject property is located of southeast of and adjacent to Dixon Boulevard, just to the west of its intersection with Indian River Road.

• **Future Land Use District:**	(Current)	Very Low Density Residential
	(Proposed)	Medium Density Residential
• **Zoning District:**	(Current)	Residential Estates
	(Proposed)	RU-2-15 (separate petition)
• **Existing Land Use:**		Vacant
• **Council District:**		District 2- Councilmember Lavander Hearn

Dixon Boulevard Zoning Map Amendment (Fourplex)

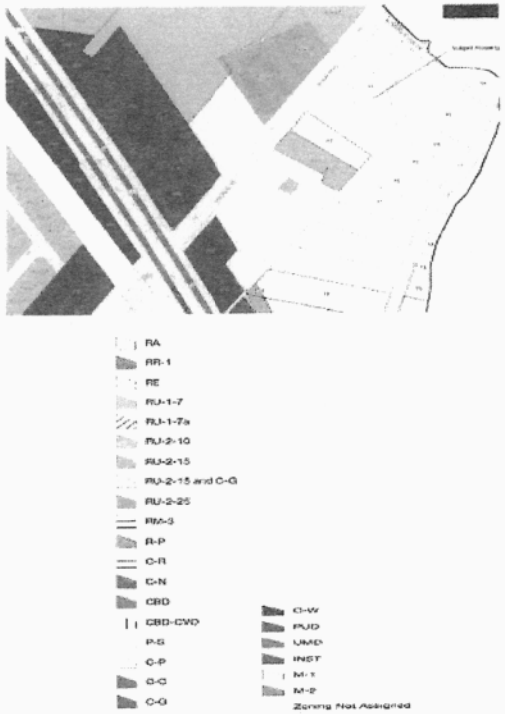
COCOA
FLORIDA

Surrounding Area

	Future Land Use Designations	Zoning Districts	Land Uses
North	Low Density Residential	RU-2-15	Vacant
South	Very Low Density Residential	Residential Estates	Single-Family Residence
East	Very Low Density Residential	Residential Estates	Single-Family Residence
West	Very Low Density Residential	Unknown	Vacant

Exhibit "B"

Zoning Amendment PZ-21-02100001, Dixon Boulevard Four-Plex



Dixon Boulevard Zoning Map Amendment (Fourplex)

COCOA
FLORIDA

Zoning Map Amendment Analysis

- Staff has reviewed this petition according to the criteria contained in Appendix A of the City of Cocoa Code, Article XXI, Section 1(G)(1).

- Staff finds that based upon the detailed analysis in the Staff Report, this petition meets the requirements for amending the Zoning Map of the City of Cocoa as outlined above.

- Staff and review agencies have examined the petition for meeting level of service (LOS) standards for potable water, sewer, stormwater, solid waste and transportation. Project found to meet LOS standards for these services.

Dixon Boulevard Zoning Map Amendment (Fourplex)

COCOA
FLORIDA

- Staff finds the proposed zoning map consistent with Comp. Plan Future Land Use Element subject to the previously approved Future Land Use Map amendment.

- Staff finds no budgetary impacts to the City.

Dixon Boulevard Zoning Map Amendment (Fourplex)

COCOA
FLORIDA

- The P&Z Board recommended to the City Council to deny this application for a Zoning Amendment based on the denial of the Zoning Amendment denial and the inconsistencies it would create.

- Staff recommends that the City Council approve on first reading Ordinance 12-2022, an Official Zoning Map amendment consistent with Appendix A of the City of Cocoa, Article XXI, Section 1(G)(1), for a citizen-initiated request to change the Official Zoning Map designation of a 0.59-acre parcel from "Residential Estate" (RE) to the Multiple Family Dwelling District (RU-2-15).

EXHIBIT D: Slide provided by Councilmember Koss

Resilient Cocoa

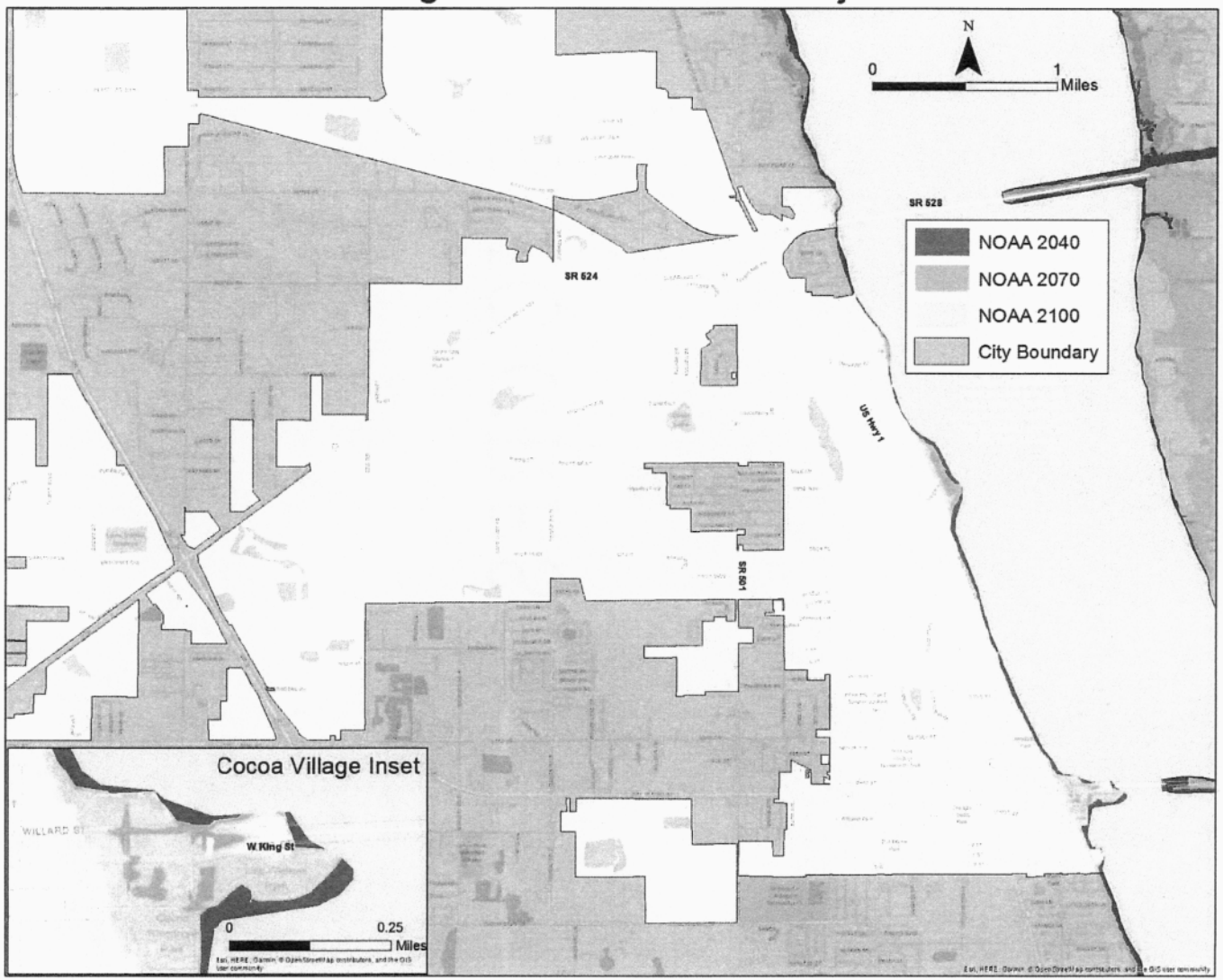
COCOA
FLORIDA

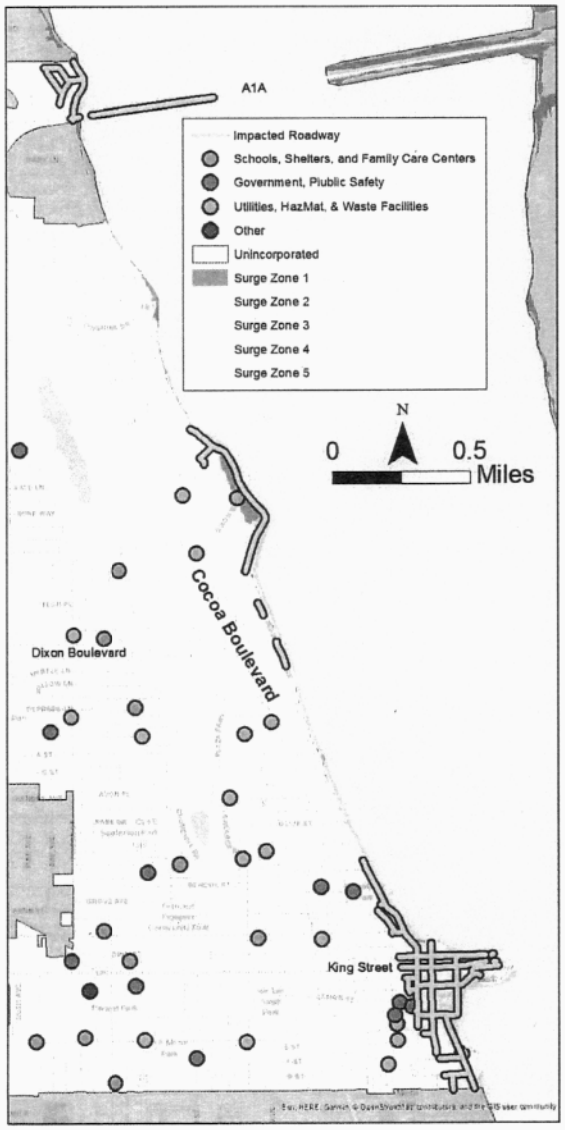
STORM SURGE | FLOODING | SEA LEVEL RISE | SEA LEVEL RISE + SURGE

AUGUST 2020

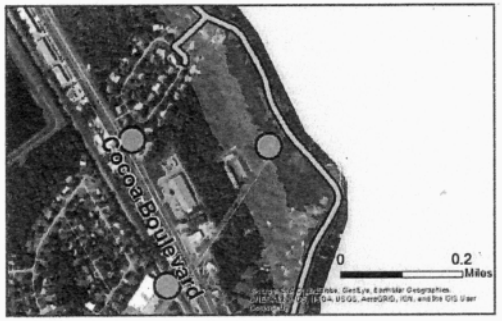
This report was prepared by the East Central Florida Regional Planning Council for the City of Cocoa, the Florida Department of Environmental Protection, and the National Oceanic and Atmospheric Administration.

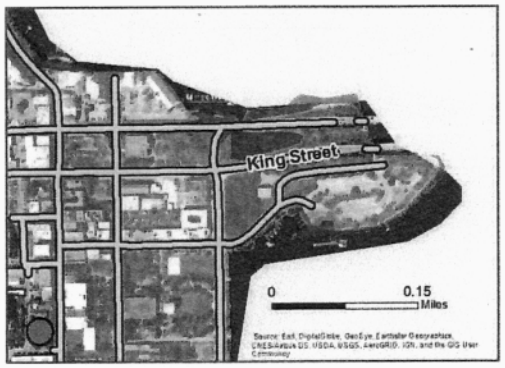
NOAA "High" Sea Level Rise Projection



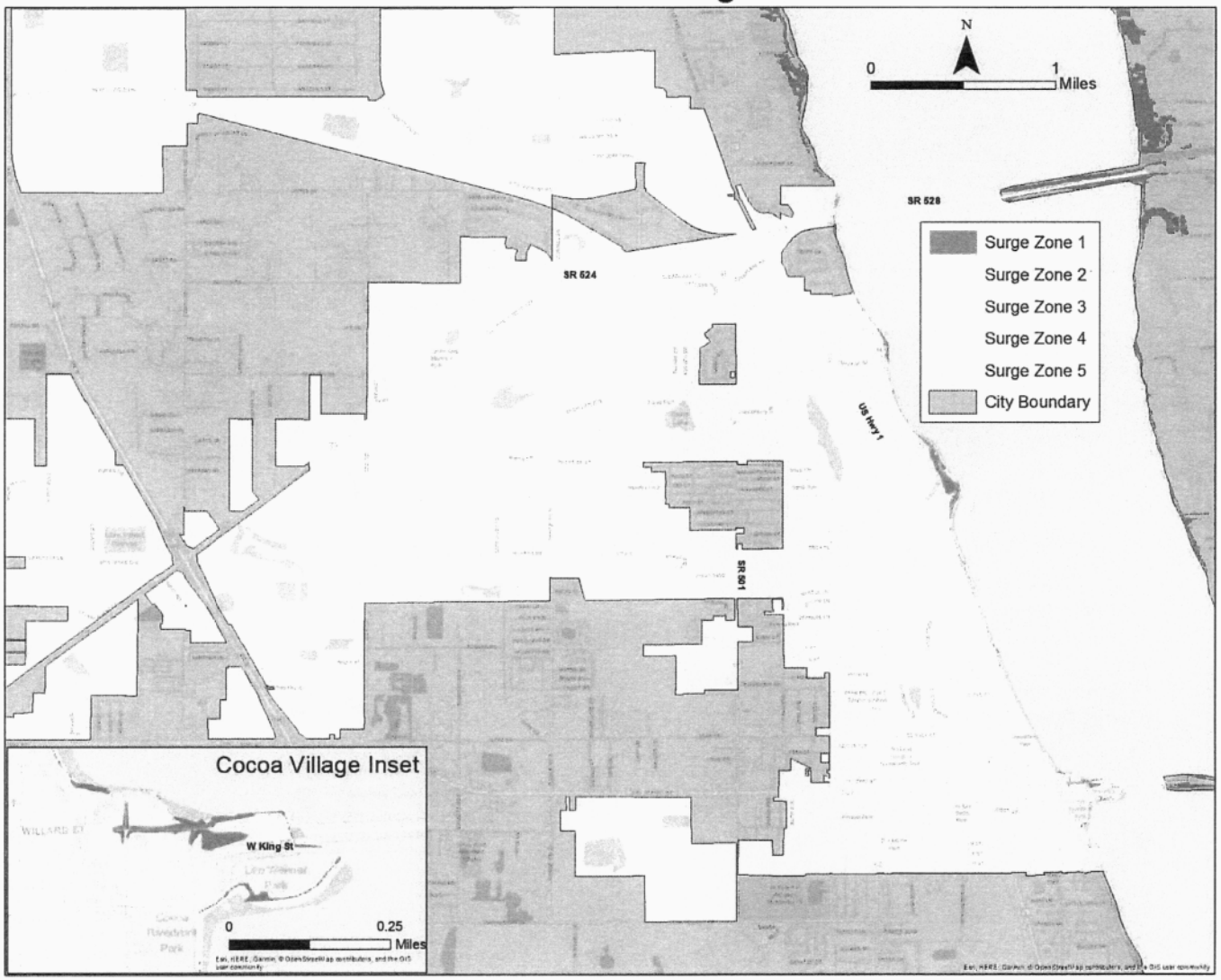

A1A
Impacted Roadway
Schools, Shelters, and Family Care Centers
Government, Piublic Safety
Utilities, HazMat, & Waste Facilities
Other
Unincorporated
Surge Zone 1
Surge Zone 2
Surge Zone 3
Surge Zone 4
Surge Zone 5
N
0
0.5
Miles
Cocoa Boulevard
Dixon Boulevard
King Street


Forest Hill Drive
0
0.1
Miles


Cocoa Boulevard
0
0.2
Miles


King Street
0
0.15
Miles

Hurricane Storm Surge Zone



FEMA 100-Year and 500-Year Flood Zones

