MINUTES
City of Cocoa
Regular Meeting of The City Council

June 24, 2020

A Regular City Council Meeting was held on Wednesday, June 24, 2020, 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 6:15 p.m.

Pastor Jarvis Wash provided the invocation and Councilmember Koss led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Jake Williams, Jr.	Mayor
	James Goins	Deputy Mayor
	Don Boisvert	Councilmember
	Lorraine Koss	Councilmember
	Brenda Warner	Councilmember
	Anthony Garganese	City Attorney
	Matt Fuhrer	Interim City Manager
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Michael Cantaloupe, Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Nancy Bunt, Community Services Director; LeShawn Hinton, Helpdesk Support Tech; Samantha Senger, Assistant to the City Manager/PR Specialist; Dodie Selig, Planning Manager; Officer Dan Rhoades and K9 Bear and several other police officers.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of June 24, 2020. (20-344)

2. **Minutes:** (a) Regular meeting of May 13, 2020 (20-351)
(b) Regular meeting of May 27, 2020 (20-352)

Councilmember Koss requested to move Item VII.4 to VII.3, and to move Reports to the end of the meeting. Additionally, it was requested to move Council Business VIII.2 to a time certain of 7:15 p.m.

* **MOTION by Councilmember Koss; Seconded by Councilmember Warner, to approve the agenda as amended.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Koss; Seconded by Councilmember Warner, to approve the Minutes for the Regular meetings of May 13, 2020 and May 27, 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Presentation by Representative Tyler Sirois to Officer Rhoades and K9 Bear. (20-347). (Rep. Sirois)

Rep. Tyler Sirois thanked Council for having them and was excited about things happening in the City of Cocoa. He thanked Pam Shaia for making this presentation possible. He read the proclamation to Officer Dan Rhoades into the record.

It was pointed out that all three of Cocoa's K9 teams were invited to be on America's Top Dog.

2. Citizens Academy Class 1 Graduation. (20-345). (Assistant to the City Manager/Public Relations Manager)

Ms. Senger advised that the Citizens Academy was derived from the Strategic Planning initiative and became a priority with the current Council. She provided an overview of what the academy participants did and believed that it was a great success. It was a nice opportunity to work with citizens and business owners. All participants were recognized and given a gift bag from the City.

Mr. Paul Kamus, a participant, felt that this was a great program and he hoped that it would continue. The class presented the City with an olive tree named "Love" that is to be planted somewhere in the City that needs "Love". He recognized Tricia at Rockledge Gardens for the tree and Erica at Ellen's Hallmark for the sign.

Councilmember Koss attended many of the sessions and it was all that she expected.

Mayor Williams thanked all for their participation. He mentioned that the City was applying for a grant that would aid in the continuation of this program.

Ms. Senger thanked all of the directors for helping put on a great program and making it engaging for everyone. She also thanked employees for taking pride in everything they do. She pointed out that most of the feedback was how dedicated employees were and that they have never seen that before.

Councilmember Warner has attended the Police Department and County academies and they are really good for citizens as well.

Council thanked Ms. Senger again for the program.

3. Presentation by Bethel Homes, Inc. (Mayor Williams)

Mr. Kevin Dardano introduced himself and Randy Mortenson who is the Chief Revenue Officer with Bethel Homes. Tom Nelson was also in attendance. He provided brief backgrounds on all of them.

He advised that they would like to create a public/private partnership with Cocoa to build affordable homes for families. He provided a presentation[1] on what their company was about.

He spoke about Cocoa's location and pointed out that it is central to Brevard's growth.

Their intent would be to have a facility here and take the home straight from the facility to the site.

Information was provided on the types of materials that are utilized when building these homes and he believes that they would be a good fit for the Michael C. Blake subdivision.

[1] EXHIBIT A: Bethel Home Builders Presentation

Prices for the homes would range from $150,000 to $170,000. Mr. Dardano believes that this would be a positive thing for Cocoa as he has already spoken to various clients who are interested in that area.

Mayor Williams stated that Deputy Mayor Goins had asked how many employees live in the City and the answer was around forty-five. One of the main reasons was that there was not housing for them.

Councilmember Warner mentioned that some steel frame homes were built on Pluckebaum a few years ago and asked who that builder was. It was pointed out that it was NextGen. She agreed that steel framing was very interesting and asked if it was recycled steel. Mr. Dardano confirmed that it was.

In closing, Mr. Dardano advised that they could build apartments, multi-family units, or just about anything. Costs are drastically less than traditional homes.

IV. Delegations:

Aleck Greenwood, 640 Brevard Avenue, Cocoa, pointed out that the City cannot afford a new civic center. He felt that the existing building could be enhanced. It was quoted at around $7 million for less square footage, when what we have could be upgraded. He further talked about a parking garage and the possible use of Rosa L. Jones Drive. The property is already owned by the City and it could be paved with a parking garage when the money is available in the future.

Rev. JB Dennis, 3710 Catalina Drive, Cocoa, spoke about modifying the Police Community Relations Advisory Committee. He also spoke of an incident where a Cocoa police officer took a picture of him sitting in his car at a store. It was car #29. He felt there were better things they could be doing with their time.

~~V. Reports:~~

VI. Consent Agenda:

1. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making Sole Source Purchases of Neptune Water Meters and Related Hardware from Sunstate Meter & Supply, Inc. and Approve Purchase of $300,000 of Neptune Meters for the Remainder of FY20. (20-255). (Utilities Director)

2. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making a Sole Source Purchase of Top End Rebuild for Generator Set #1

From Ring Power Corporation, Palm Bay, Florida, for the Dyal Water Treatment Plant. (20-296). (Utilities Director)

3. Authorize the Interim City Manager to Execute the FEMA Hazard Mitigation Grant Contract between the City of Cocoa and the Florida Division of Emergency Management (FDEM) for Replacement of Lift Station #1, Project # 4337-232-R, Contract # H0477 as Modified by the City Attorney; Approve a Budget Resolution Amending the FY20 Budget, Accepting the Grant Revenue and 25% City Match, from Fund Balance Reserves, BAF#20-078-A. (20-333). (Utilities Director)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Warner, to approve the Consent agenda.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Public Hearings:

1. Pass on First Reading Ordinance No. 06-2020: Amending permitted locations for self-service storage facilities and amending the definition thereof. (20-337). (Community Services Director)

Attorney Garganese read Ordinance No. 06-2020 into the record, by title only, as follows. He advised that this was first reading of the ordinance.

ORDINANCE NO. 06-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ZONING, OF THE CITY CODE TO AMEND PERMITTED LOCATIONS FOR SELF-SERVICE STORAGE FACILITIES AND FURTHER AMENDING REGULATIONS RELATED TO THIS USE; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor Williams noted the Planning & Zoning Board passed this item and there were additional things added.

Ms. Selig advised that in this ordinance they are clarifying the definition of a self-storage facility, clearing up inconsistences, and adding a use as wholesale with

the principal use. M2 and CBD were being removed from this and they were also clarifying parking and standardizing that.

She advised that discussion was held at the Planning & Zoning meeting and the board heard from the applicant who had a request to add commercial vehicles in some fashion. Ms. Selig pointed out that the way this was drafted was that the storage facility was a place to store personal belongings. Some units are big enough to store cars, jet skis, etc, and outdoor storage was specifically left out for cars and trucks because it could lead to potential issues.

The Planning & Zoning Board's motion was to approve the item but to allow some sort of language to allow commercial vehicles to be included. She advised that if Council wishes to do this as well staff would like their feedback. They would then look at it from a staff level and see how it would fit. The current definition in the City's Code is quite extensive.

Mayor Williams thought that this was something that could be looked at down the road as well, as there are no accommodations for vehicles. They could possibly look into where some of these facilities could be at, and possibly look into fencing or shielding the property so it does not show from the road.

Deputy Mayor Goins does not have a problem with this but does not want to be a city that does not allow vehicles to park as they may end up going to other cities.

Mayor Williams opened the hearing to the public.

Mark Barnebey, representing Storage Cap in Cocoa, spoke and noted that they are in the process of redeveloping the corner of Peachtree Street. They own over thirty self-storage facilities and currently own the property at Wilson and Peachtree Street. They clearly support the ordinance but noted some points they would like Council to consider.

He explained his reasonings behind these requested changes and mentioned that the second change was the parking requirements. They are requesting that be changed to one parking space for each 100 units instead of 50.

Mayor Williams asked Ms. Selig's take on one parking space for one hundred. In response, Ms. Selig believed that one per fifty was more than adequate. She has looked at several other facilities in the area and at existing ones in the City and did some calculations. Going one to fifty will not cause any issues.

City Attorney Garganese clarified the applicants recommended changed. Mr. Barnaby clarified that they were only requesting the change for the CW. City Attorney Garganese noted it would be limited to the CW.

Ms. Selig appreciated him providing them with definitions but it was simpler to allow passenger trucks to be parked outside only in the CW. She would shy away from creating another definition.

* **MOTION by Councilmember Boisvert to approve staff's recommendation.**

MOTION was Seconded by Councilmember Warner, for discussion.

Mayor Williams asked if the motion was to allow vehicles in the CW.

Councilmember Warner asked for clarification of Ms. Selig's recommendation, which are the changes outlined in the ordinance, outlining the parking standard, and standardizing languages in CR and CD and adding a use as a principal use in the CW with the same set of conditions.

Attorney Garganese advised that the distinction of what the applicant noted and staff presented was that the speaker wants to limit a proposed change in the CW and the condition is that cards and trucks should not be allowed, however, the speaker is proposing an exception of light duty trucks and vehicles. The other clarification was that staff is proposing one parking space for each fifty units and the speaker is proposing one per one hundred. The speaker is only requesting these for the CW.

Mayor Williams called the question. The Vote on the Motion was:

AYES: Boisvert, Koss, Warner

NAYS: Williams, Goins

THE MOTION CARRIED (3-2)

2. Pass on First Reading Ordinance 05-2020: Providing for the location of pharmacies and medical marijuana treatment center dispensing facilities. (20-338). (Community Services Director)

Attorney Garganese read Ordinance No. 05-2020 into the record by title only as follows. He advised this was the first reading of the ordinance.

ORDINANCE NO. 05-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ZONING, OF THE CITY CODE; PROVIDING FOR THE LOCATION OF PHARMACIES AND MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES IN THE CITY; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig presented the item and noted in 2016 Florida voters approved the medical marijuana initiative. She provided a brief history on the background of this ordinance.

She pointed out the districts in which the dispensaries would be allowed and which ones that they would be removed from.

Mayor Williams opened the hearing the public.

Ms. Senger read an E-Comment from Jeri Blanco[2] into the record.

Mayor Williams knows that these facilities fall under pharmacies which are already there.

Councilmember Warner also pointed out that this includes the medical marijuana treatment dispensary and most pharmacists will not be doing that. She mentioned that it is just like going into a doctors' office and they are not what she thinks that the public believes they are. She does not feel that 500 feet from schools is far enough but other than that she has no issues. She understands how someone would have reservations about it.

Ms. Selig noted they could certainly expand the distance.

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

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Koss, to approve Ordinance No. 05-2020 on First Reading.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

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2 EXHIBIT B: E-Comment from J. Blanco

3. Approval of a PRELIMINARY SUBDIVISION consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code. The property owner desires to develop the existing vacant site as a single-family subdivision project containing 87 residential lots. (20-340). (Community Services Director)

Ms. Selig provided a presentation[3] on the proposed subdivision. She provided the Preliminary Subdivision Plat and a project summary, along with a detailed project history.

She spoke about the consistency with the Comprehensive Plan and mentioned that on May 11, 2020, the applicant submitted a letter containing some information regarding the economic feasibility of providing compensatory storage for the subdivision. Staff provided comments and on June 2, 2020, the applicant submitted a second letter regarding compensatory storage with some additional information. She spoke about compensatory storage in further detail and mentioned requirements that still had to be met.

Mr. Smith provided a background on flood plains and reviewed the flood map. He discussed comp plan requirements as well as costs associated with design aspects.

Councilmember Koss clarified that this was the property where they had removed trees.

Mr. Smith noted the homes on site were being lifted and he assured Council that they would be out of the water.

He pointed out that the typical FEMA requirement was to be at the base elevation.

Ms. Selig advised that the Planning & Zoning Board recommended approval with one condition of the Preliminary Subdivision application at its meeting on June 16, 2020.

The Planning & Zoning Board approved the Large-Scale Site Plan application at its meeting on June 16, 2020 with the following condition:

1. The Large-Scale Site Plan shall not be effective until and unless the Preliminary Subdivision has been approved by City Council.

Staff's Recommendation is as follows: Approval of the Preliminary Subdivision with the condition set forth below:

[3] EXHIBIT C: Presentation on the Preliminary Subdivision for Lakeside Palms West

1. Provide a conservation easement for Tract C in accordance with s. 704.06, Florida Statutes

Mayor Williams closed the hearing to the Council and opened it to the public. There being no response, the public portion of the hearing was closed.

* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to approve Staff's recommendation as follows: Approval of the Preliminary Subdivision with the condition set forth below: 1) Provide a conservation easement for Tract C in accordance with s. 704.06, Florida Statutes.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approval of a large-scale Future Land Use MAP (FLUM) AMENDMENT consistent with Florida Statute Chapter 163 for Applicant and City initiated requests to change the Future Land Use Map designation of fifty-nine (59) parcels from Brevard County "Residential 2 Units Per Acre - R2" to City of Cocoa "Low Density Residential - LDR". (20-339). (Community Services Director)

Attorney Garganese read the ordinance into the record, by title only as follows. He noted that this was the first reading of this ordinance. This is a legislative message and it is the property recently annexed by the council and subject to the annexation agreement.

ORDINANCE NO. 04-2020

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 FIFTY-NINE (59) PARCELS OF REAL PROPERTY WITHIN THE CITY OF COCOA, CONSISTING OF APPROXIMATELY 139.23 ACRES, GENERALLY LOCATED AT THE INTERSECTION OF STATE ROAD 524 AND STATE ROAD 520, AND MORE SPECIFICALLY WEST OF ADAMSON ROAD AND NORTH OF STATE ROADS 520 AND 524, BEING LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; CHANGING THE FUTURE LAND USE MAP DESIGNATION OF THE REAL PROPERTY FROM BREVARD COUNTY "RESIDENTIAL 2" TO CITY OF COCOA "LOW DENSITY RESIDENTIAL"; 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.

Ms. Selig noted that this property was recently annexed and she provided a presentation on the Future Land Use Map Amendment[4]. Ms. Selig provided a detailed project summary and shared a map with a grouping of said parcels.

She shared the consistency with the Comprehensive Plan and showed the future land use map.

Ms. Selig advised that the Planning and Zoning Board recommended denial at the June 16, 2020 meeting.

She further noted that staff's recommendation was to approve the Comprehensive Plan Map Amendment changing the Future Land Use Map designation of the subject property from Brevard County "Residential 2 Units Per Acre" to City of Cocoa "Low Density Residential".

Ms. Selig pointed out that an E-Comment was received after the Planning and Zoning Board meeting on this item which she read into the record from Harry and Iris Perrette[5].

Mayor Williams opened the hearing to the public.

Christine Boothe, P.O. Box 591, Groveland, Florida, owns land off of Adamson Road and noted that people were upset that this was annexed without being notified. She spoke in regards to her brother who is a Vietnam Vet and lives in that area because it was in the woods and he likes that way of life.

Cathie Bonnadio, 6440 Sorrel Drive, Cocoa, felt that passing this ordinance would set a precedence and would cause an inconsistent effect. It would not be consistent with the way of life in that area.

Sara Wagner, 2205 Adamson Road, Cocoa, has four generations of family that live on Adamson Road. She asked what amenities were provided by the City past I-95. In response to her question, the Interim City Manager noted that the City does not provide anything past F. Burton Park but they do have Fire and Police, and the dump belonged to the County not the City.

[4] EXHIBIT D: Future Land Use Map Amendment
[5] EXHIBIT E: E-Comment from Harry and Iris Perrette

Ms. Wagner asked why development agreements are not being looked over before they go into the record and that there was a reason they were trying to do low density instead of very low density.

Jamie Bunnell, 6300 Highway 524, Cocoa, has lived in Cocoa his whole life and does not want a bunch of homes on his property. He lives an active lifestyle and feels these would be encroaching on his property. He just asked that they be spread out a little more.

Holly Bunnell, 6300 Highway 524, Cocoa, advised that she had to rezone her property and pay $500-$600 in order to build on one acre. She would love to see two houses per acre for the same reasons her husband stated. There are a lot of wetlands in the area.

Ms. Senger read an E-Comment from Jeri Blanco into the record[6].

William Harris, 6450 Sorrel Drive, Cocoa, grew up on this road and lives across the street from his parents. He felt that there were a lot of things not being taken into consideration and that Council was not considering the needs of its future residents.

Kim Rezanka, Law Firm of Cantwell and Goldman, 96 Willard Street, Cocoa, was representing the applicants. She advised that this has been a long process which has been in the works for well over two years. These agreements are in the public records of Brevard County and nothing has been said before about this. This issue has been brought before Council before as well and the public had a chance to weigh in. The Future Land Use designation was recommended by the former City Manager. They have relied upon low density residential with all of this, as the low and very low density have the same criteria.

Ms. Rezanka noted that this was not inconsistent with Florida Statutes or the City's Plan. This will be a planned unit development. Additionally, it would be generally limited to the western part of the property due to the wetlands. In regards to public comments, there is school capacity and the developer will be bringing in sewer. She reiterated that this was for the future land use and it was a legislative policy decision and it meets the Code.

Mayor Williams closed the hearing to the public and reopened to Council for discussion.

[6] EXHIBIT F: E-Comment from Jeri Blanco

Deputy Mayor Goins asked if they could go to two units per acre. In response, Ms. Selig noted that was not possible at this time, as it is four units per acre.

Councilmember Warner clarified that the actual placement of lots and homes and those that might abut properties would be addressed in the PUD process and what was being approved tonight will not affect that. Ms. Selig responded in the affirmative.

Councilmember Warner further pointed out that those are designs that can be decided in the PUD. Ms. Selig again, responded in the affirmative.

Ms. Selig explained the options that they have in regards to wetlands and the possible outcomes that we could have. She provided the example of Lakeside Palms West. She advised that they could consider very low density but if they want to make a change beyond the recommended one than they apply to both the city parcels and applicant parcels so they are the same. They should all have the same future land use.

Mayor Williams asked what the process would be if they wanted to be consistent with the County. Ms. Selig explained the process and pointed out that it would take several months.

Councilmember Warner thought that there was a previous agreement that had been done for the west Cocoa area. She clarified again that everything being discussed would be addressed in the PUD process.

Further discussion was held on low versus very low density. Additionally, Ms. Selig explained the conflict with this ordinance at the Planning and Zoning Board meeting.

Mayor Williams mentioned that they also mentioned flooding and buffers at the meeting which made some members think twice about the project. All of these issues would be addressed in future phases.

Councilmember Warner re-clarified that it did not matter if they go with low or very low density, in the development agreement there would still be four units. She asked if this would change for those that the agreement did not apply to. In response, Ms. Selig explained that there were different zoning options and that typically the higher the density is usually higher the price.

* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to approve staff's recommendation.**

AYES: Williams, Goins, Boisvert, Warner

NAYS: Koss

THE MOTION CARRIED (4-1)

VIII. Council Business:

1. Seek Council direction on holding public special events at City facilities in the month of July. (20-342). (Assistant to the City Manager/PR Specialist)

Ms. Senger noted that there have been some scheduled events that have backed out due to Covid-19. The only event that is being held at this time is the Block Party on July 4th.

Councilmember Boisvert asked if there was a plan to hire off duty police officers. It was pointed out that this event has been done in the past and it was previously a road closure, and they did not request security.

Discussion was held on security and that it should be a requirement.

Chief Cantaloupe advised that if it was going to be required than it should be at least two officers. The event is from 12 p.m. until 9 p.m.

* **IT WAS A CONSENSUS TO REQUIRE SECURITY FROM THE HOURS OF 5 PM UNTIL 9 PM.**

2. Staff is requesting City Council to evaluate the feasibility for the rehabilitation and repair of the existing Dr. Joe Lee Smith Park Community Center and provide Staff a recommendation on how the City Council would like to proceed with the existing building. (20-343). (Public Works Director)

This item was moved to a time certain of 7:15 pm.

Mr. Smith advised that a report came back and the existing Joe Lee Smith Center was very outdated. It would result in a lot of costs to do anything to the building. In order to update the building to current code it would cost a little over $1 million. To keep it as is would cost about $47,000 per year to maintain and to change the use would be around $2-$3 million.

Once the new building opens the County will no longer be paying their maintenance fees. They have been looking at the Diamond Square stormwater issue and were in the process of finalizing their feasibility report. That area is a huge problem and pre-studies show that a stormwater pond would provide

significant benefit to the area. He provided a cost breakdown if they chose to go this route.

Additionally, demolition costs would be about $20,000 and the yearly costs of $47,000 does not take into account things that need done.

Deputy Mayor Goins mentioned that Brevard Parks and Recreation has been occupying this building for roughly sixty years and when he sees that it will cost over a million for repairs it tells him two things. One is that Brevard County did not do their part and the second is that the City did not follow up on who they had a contract with.

Additionally, there are several people who are showing interest in the property and he does not want this turning into a retention pond. Deputy Mayor Goins stressed the importance of programs for children. There are a lot of people who can work together to provide these programs. He suggested doing an RFP for the building to see who was willing to join forces with the City. He also felt that the City needed to take its parks back.

Councilmember Warner advised there was a period when the City tried to work with Brevard Parks and Recreation but the issue was always that they did not have money. She believed we are a step ahead of where we were previously and now we have a steering committee for the parks.

She agreed with Deputy Mayor Goins but felt it might be cheaper to demolish the old building and build a new one. She has no problem with doing a RFP and pointed out that they would be losing the YMCA so they need to do something for the kids.

Mayor Williams spoke in regards to the YMCA and noted they have a swimming pool and an exercise room and opted to move their facilities. He was not blaming anyone but coming into office in 2018 there were a lot of things they were facing. He spoke about all of the parks with locked restrooms. This is not what the City was about and he was ashamed. They recently had to tear down playground equipment at Provost Park and condemned it.

He further pointed out food was being served at Lee Wenner Park and it was affecting businesses downtown.

Councilmember Koss asked Mr. Smith why they were stating the building was not historically significant. In response, Mr. Smith advised that the consultants had reviewed the State requirements for that designation and it was not consistent with those.

Mr. Smith provided a list of possible uses for the building per Councilmember Koss's request.

Interim City Manager spoke about the meeting with park maintenance he had and how all of this came about. There have been a series of maintenance agreements to get us where we are today. He discussed in furtherance the history of parks.

He further advised that Council needed to keep in mind that there could be events going on at both centers and there are already issues with parking.

Mayor Williams believed that this should be a public meeting so that they could hear from the residents. It was requested to have the meeting in the old building.

Sheila Mobley, 815 Brevard Avenue, lives in Rockledge, but her heart is in Cocoa. She stated that there are a lot of children from Rockledge that come to Cocoa for youth activities such as PAL. She requested that PAL be given a chance to use that building. There are a lot of memories there and they need a facility for kids to stay busy. She offered to volunteer if needed.

Mayor Williams agreed that there could be other groups that come in as well.

Ms. Senger read an E-Comment[7] into the record by Jeri Blanco.

Mr. Wash, REAL Church, 909 Bristol Drive, the REAL Church, would like to have an opportunity to try to do something with the center. He spoke about possible partnerships, for example with Health First, and have a gym there for the neighborhood to utilize.

Alton Edmund, 630 Brevard Avenue, Cocoa, echoed the sentiments about repurposing the Joe Lee Smith Center. Being someone who has represented and been a part of prosecution teams, one of the biggest issues is that there are very few things for children to do and to be productive in. He further addressed the vacancy on the Police Community Relations Advisory Committee and asked if that would be filled prior to the upcoming meeting.

[7] EXHIBIT G: E-Comment from J. Blanco

It was requested to go out to the community for a meeting to see what the residents want and that it be held next month if possible.

Interim City Manager Fuhrer explained that if a RFP were developed it would be wise to solicit input from the public regarding uses, etc.

Deputy Mayor Goins requested that the City invest in the property to at least get it looking better. He noted Brevard Parks and Recreation told their employees not to do any work on the property.

IX. City Business:

1. Staff is seeking Council approval to work through the City's Solid Waste Contractor for the scheduled removal and billing of illicit vegetative commercial waste in the rights-of-way. Staff is requesting approval to directly charge the commercial properties through the assigned utility account owner based on the billing received from the Solid Waste Contractor for the removal. (20-346). (Public Works Director)

* **MOTION by Councilmember Koss; Seconded by Councilmember Boisvert, to approve the item.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Ordinance No.07-2020/1st Reading: Amending Section 2-51 of the City Code to modify City Council regular meeting days from Wednesday to Tuesday. (20-353). (City Attorney)

Attorney Garganese read Ordinance No. 07-2020 into the record by title only as follows. He advised that this was first reading of the ordinance.

ORDINANCE NO. 07-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING SECTION 2-51 OF THE CITY CODE TO PROVIDE THAT REGULAR CITY COUNCIL MEETINGS SHALL BE HELD ON EVERY SECOND AND FOURTH TUESDAY OF EACH AND EVERY MONTH; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

* **MOTION by Councilmember Warner; Seconded by Councilmember Koss, to approve Ordinance No. 07-2020 on first reading.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

3. Approve a multi-year interlocal agreement between the City of Cocoa and the City of Rockledge for School Crossing Guard Services for the school year commencing August 11, 2020 and end May 27, 2021. (20-315). (Chief of Police)

* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to approve the item.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approve the revised multi-year lease agreement with Sissine's Office Systems, Inc. for copiers, replacing four (4) Ricoh MPC307 copiers with four (4) higher capacity Ricoh IM C4500 copiers with finishing units under the terms and conditions of the U.S. Communities Ricoh and Canon contracts and authorize the City Manager to execute the U.S. Communities Product Schedule, U.S. Communities Master Lease Agreement, U.S. Communities Master Lease Agreement Addendum City of Cocoa, Florida, Sissine's Business Solutions Sales Order, and Sissine's Business Solutions Service Level Agreement and authorize the City Manager to add additional equipment to the lease agreement resulting in an increase of no more than $500 per month from the contracted payment. (20-349). (Chief Information Officer)

* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to approve the item.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

Reports:

* **None.**

X. Informational Agenda:

1. Cumulative purchase approvals over $35,000 and under $50,000 for period 10/01/2019 to 05/31/2020. (20-305). (Finance Director)

2. Data showing the relation between the estimated and actual income and expenses to date. (20-316). (Finance Director)

3. 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. (20-317). (Finance Director)

4. FY 2020 Budget Adjustment Report. (20-318). (Finance Director)

5. Space Coast Transportation and Planning Organization Project Updates. (20-332). (Public Works Director)

6. Fire Incident Report Summary for May, 2020. (20-350). (Fire Chief)

7. Informational item related to City Council's request to discuss the addition of an agenda review meeting. (20-358). (Interim City Manager)

XI. Adjournment:

* **MOTION by Councilmember Warner; Seconded by Councilmember Koss, to hear Reports at the Budget Workshop being held tomorrow, June 25, 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to adjourn the Regular meeting of June 24, 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 9:32 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

SEAL

FLOR

COCOA
FLORIDA

Bethel
Home Builders

"New homes…made affordable."

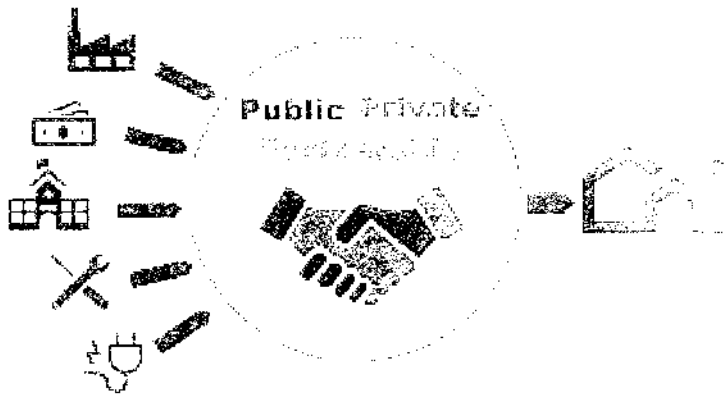


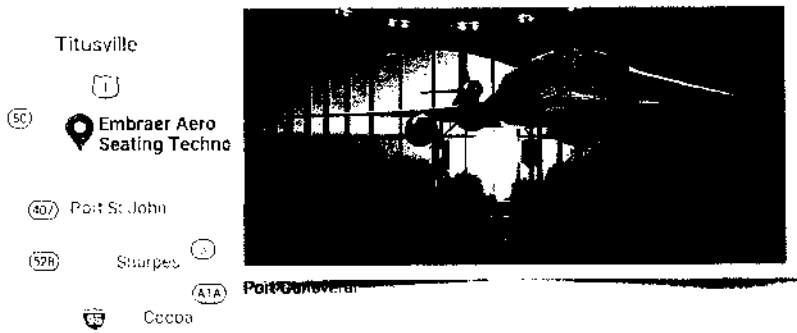
EXHIBIT A: Bethel Home Builders Presentation

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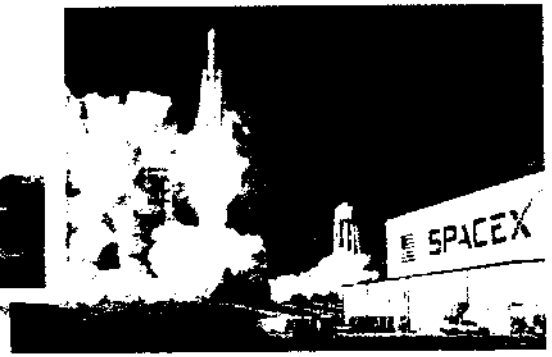
Proprietary and Confidential

Uniquely positioned for success

Bethel Home Builders





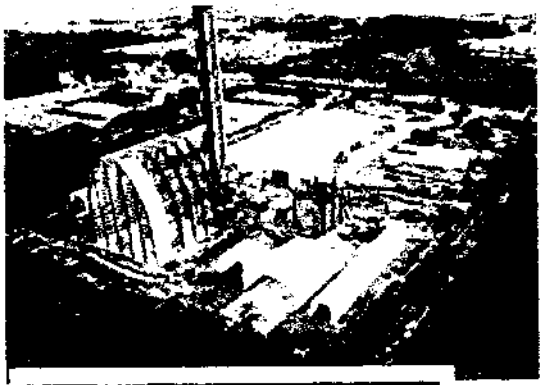


EMBRAER
Executive Jets



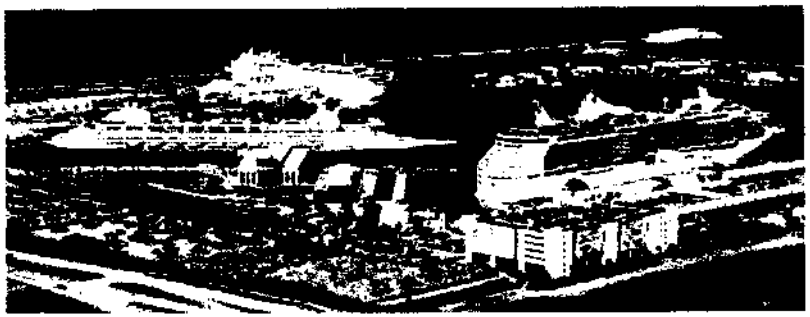


COCOA
FLORIDA



BREVARD COUNTY DISTRIBUTION CENTER





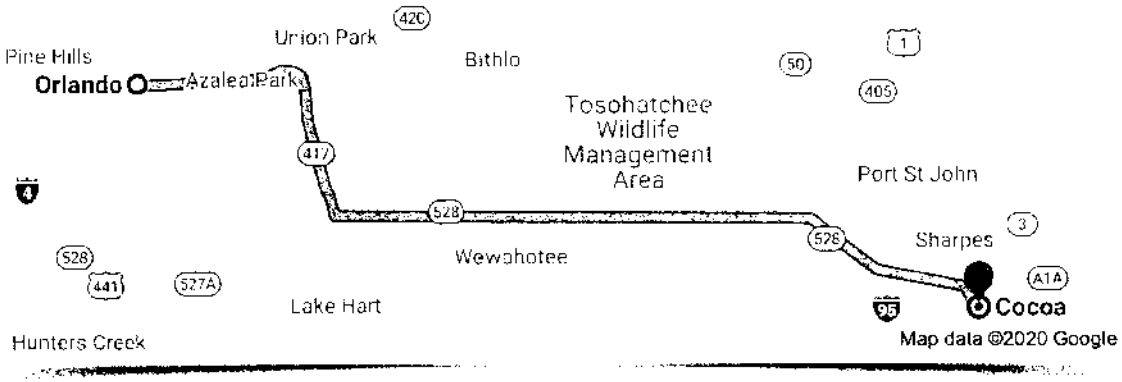




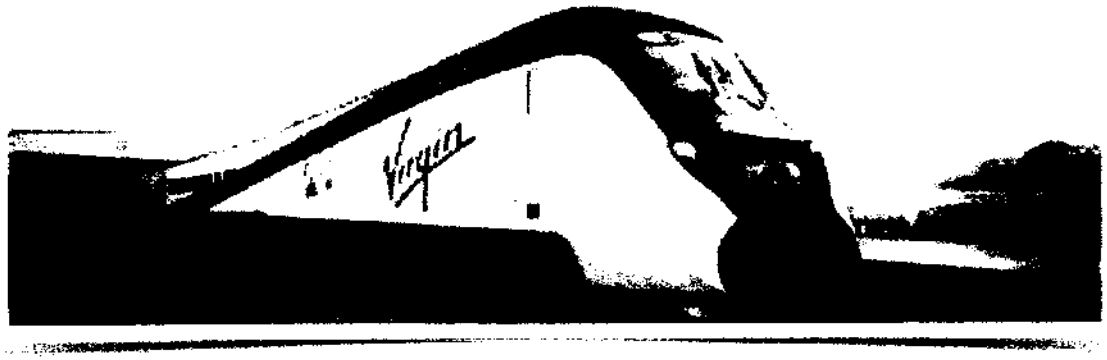
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Cocoa is rapidly becoming a hub for Central Florida







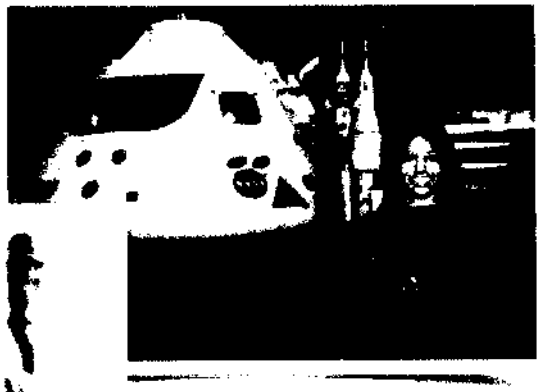


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Cocoa is Central to Brevard's Growth

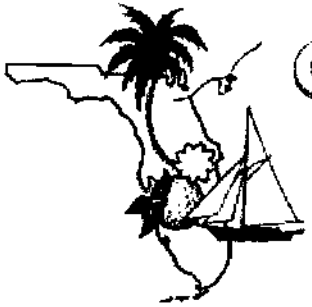
Bethel Home Builders





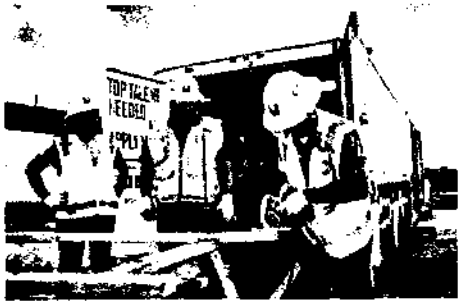




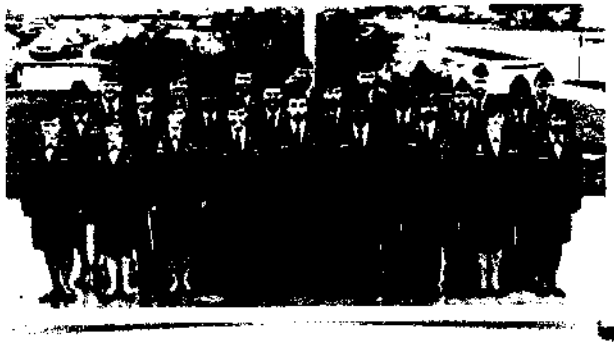


COCOA
FLORIDA







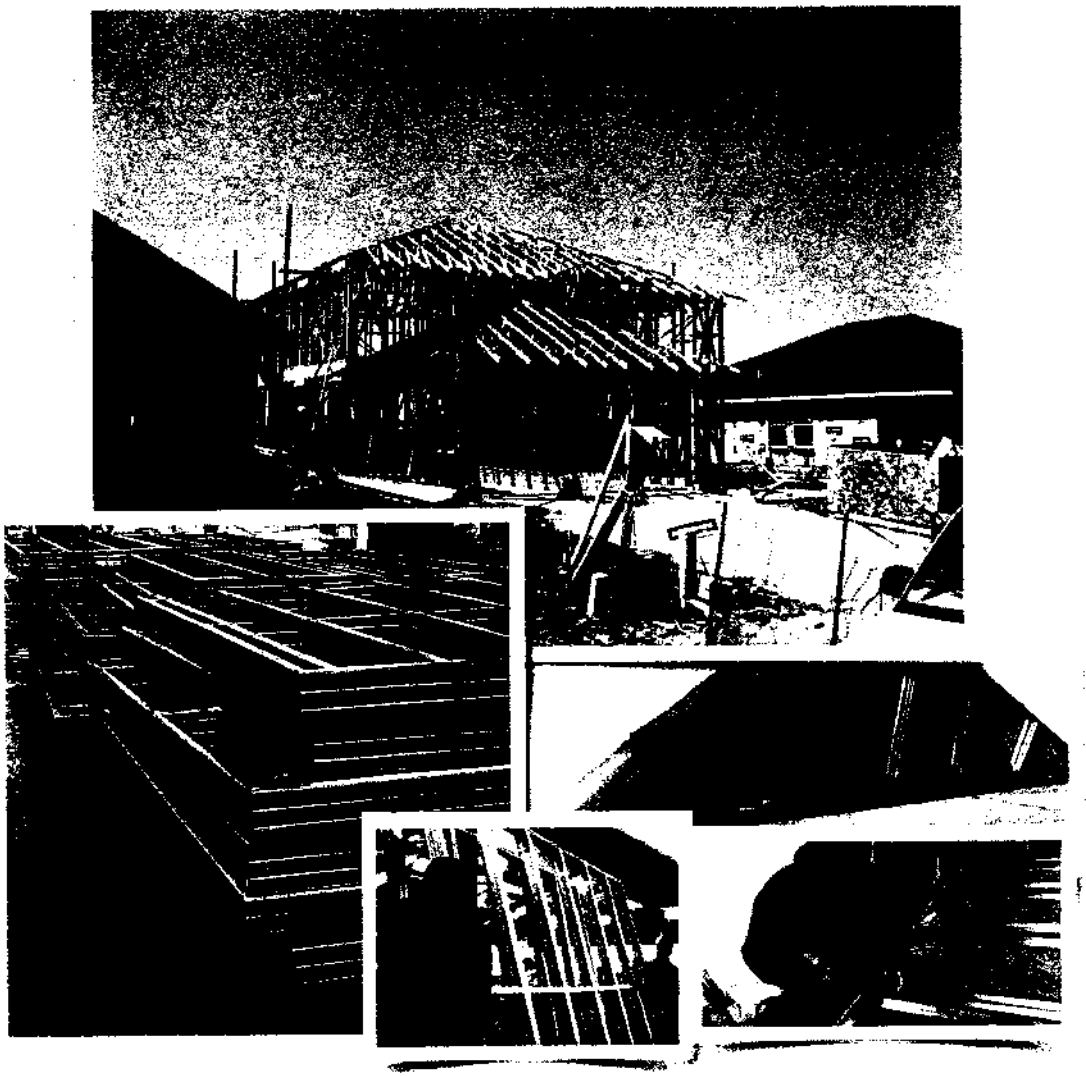


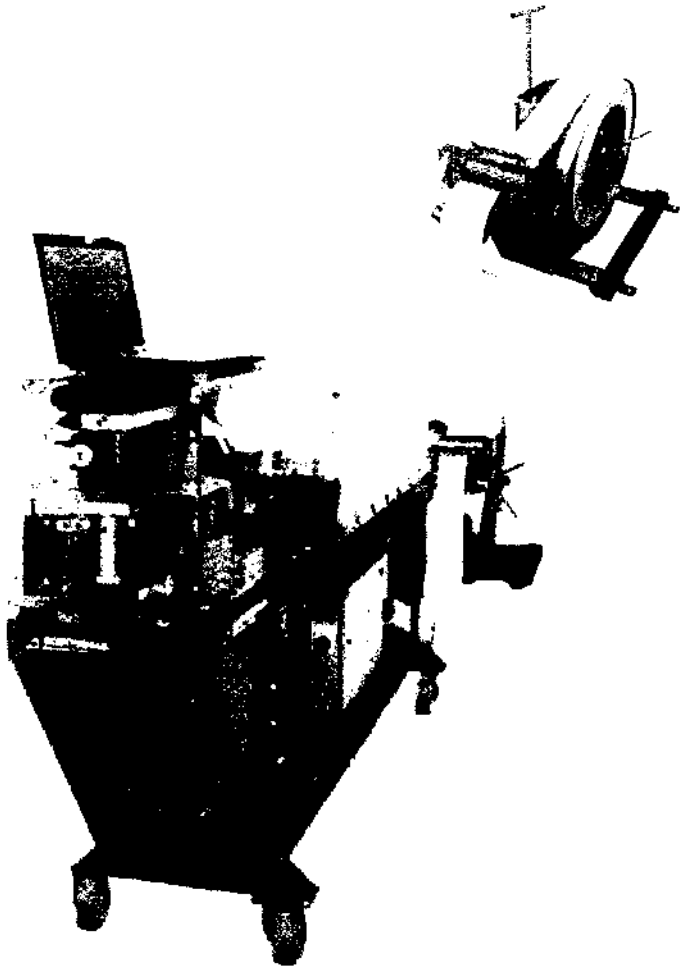


My people will live in safety, quietly at home.
They will be at rest. Isaiah 32:18 NLT

The Bethel Difference

Bethel
Home Builders





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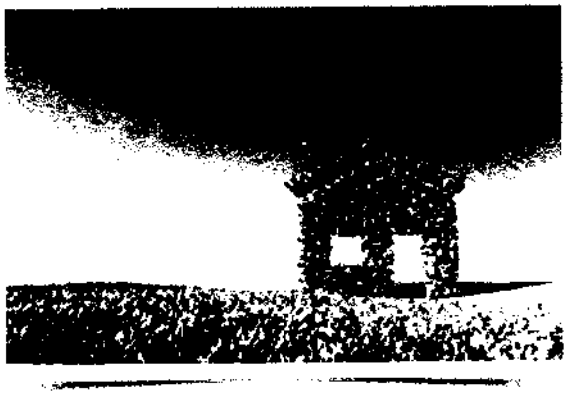
The Bethel Difference - cont'd

Bethel
Home Builders

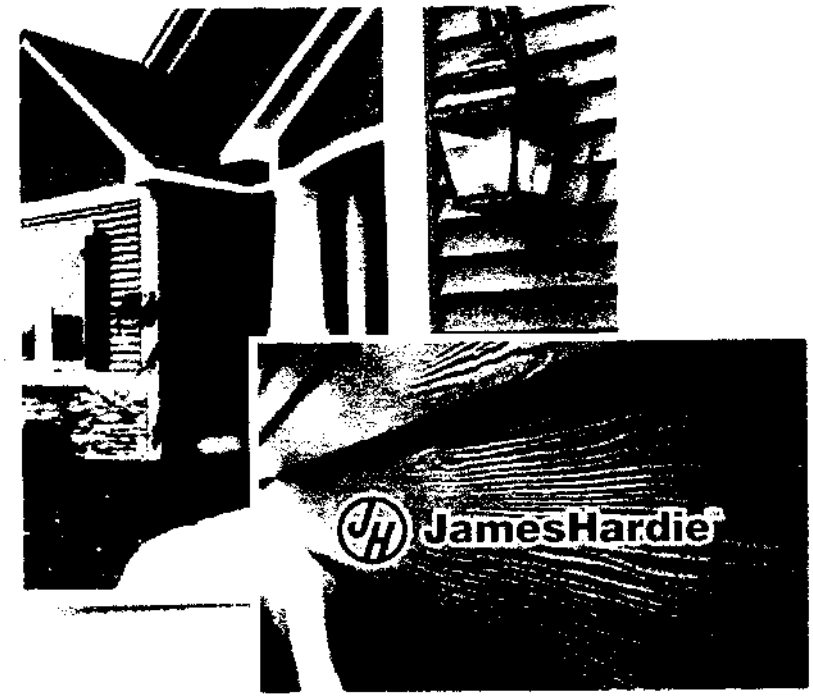
-WallBoard
INTERNAL WALL LININGS

ResCom-WallBoard
EXTERNAL WALL LININGS

-flooring
RESIDENTIAL & COMMERCIAL FLOORING







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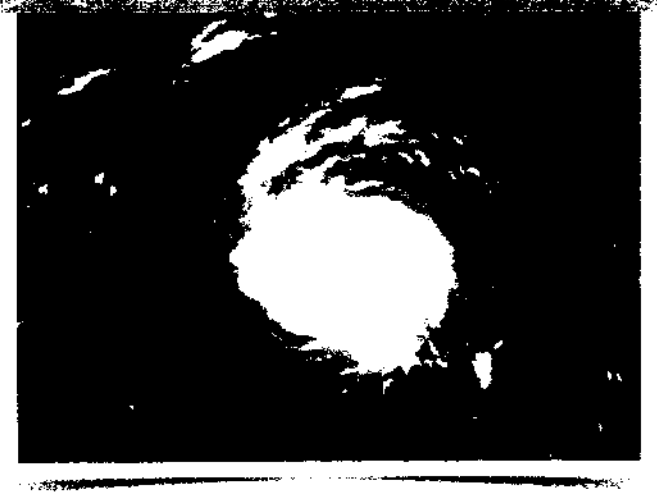
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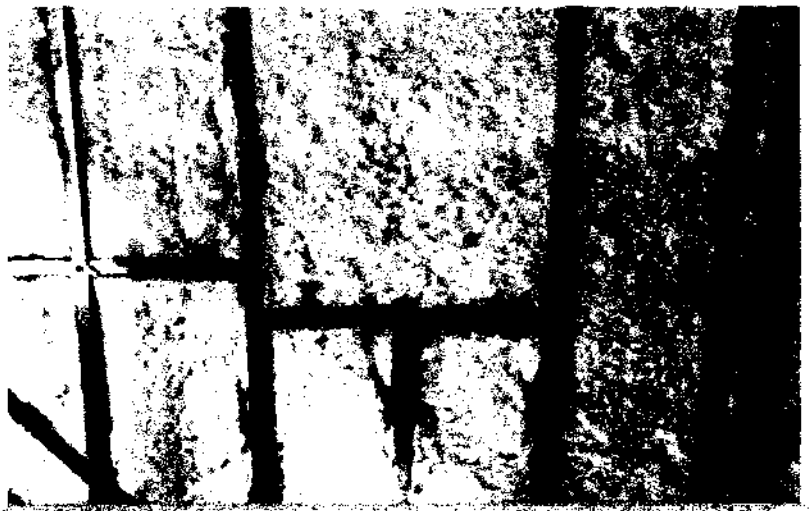
The Bethel Difference - cont'd

Bethel
Home Builders



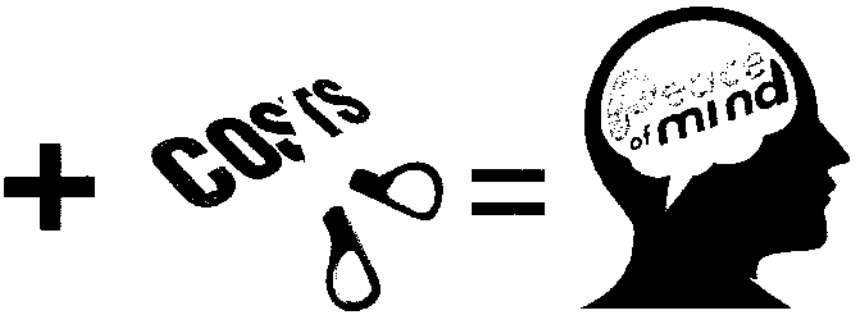
Impact Glass Windows & Doors





Every Bethel Closet Can Have Unlimited





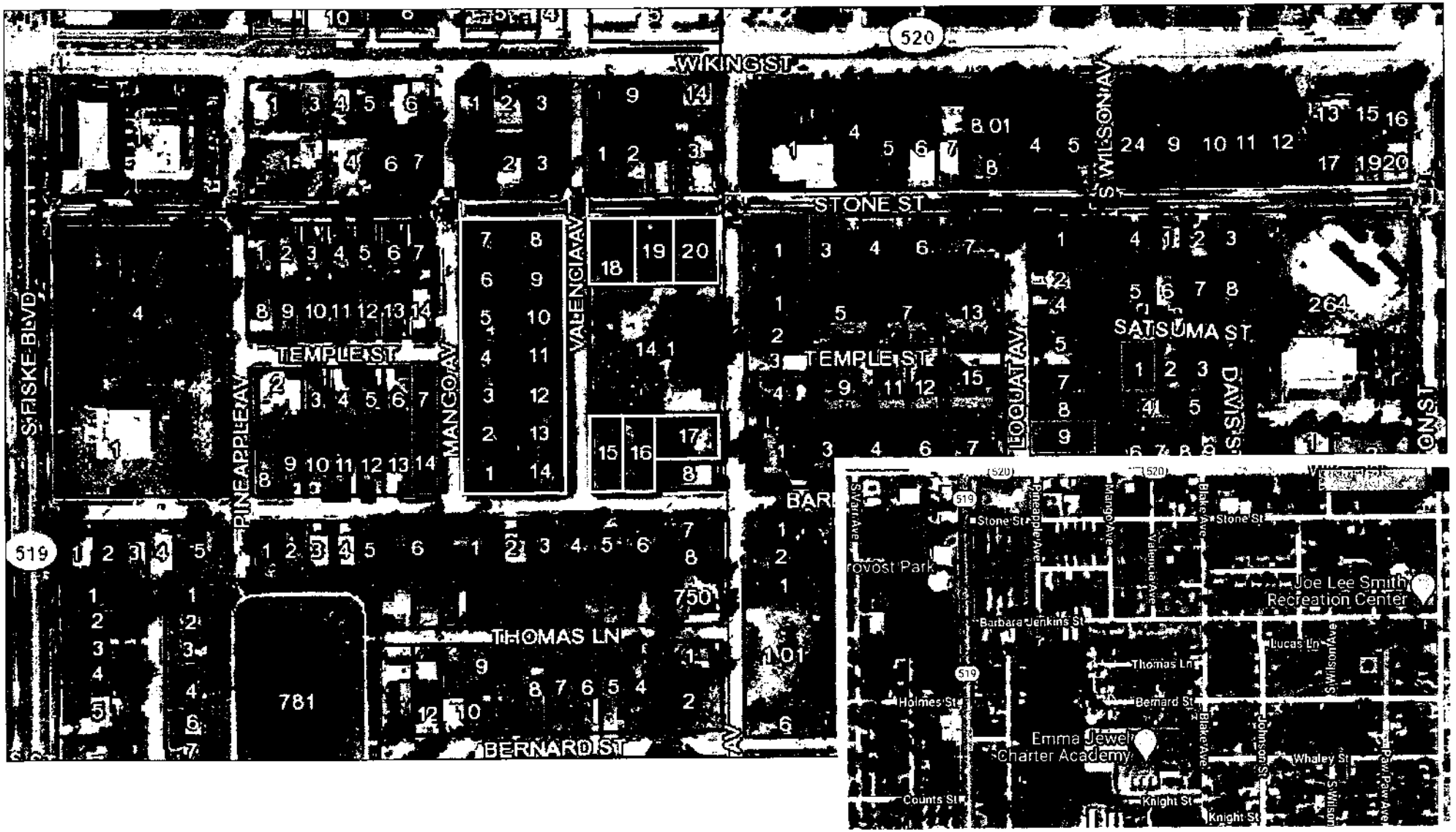
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Michael C. Blake Subdivision

Bethel Home Builders

Map of 27 Lots from "Exhibit A" of 57 Lots
Inventory of City Owned Properties for Affordable Housing

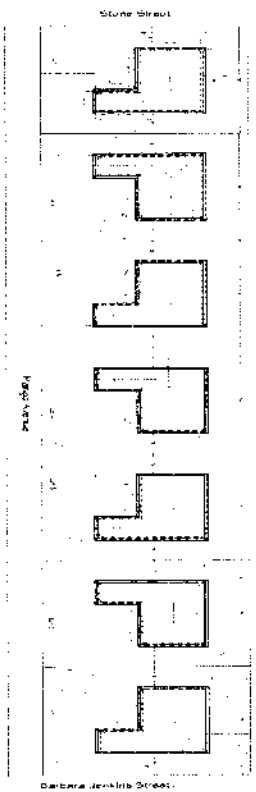


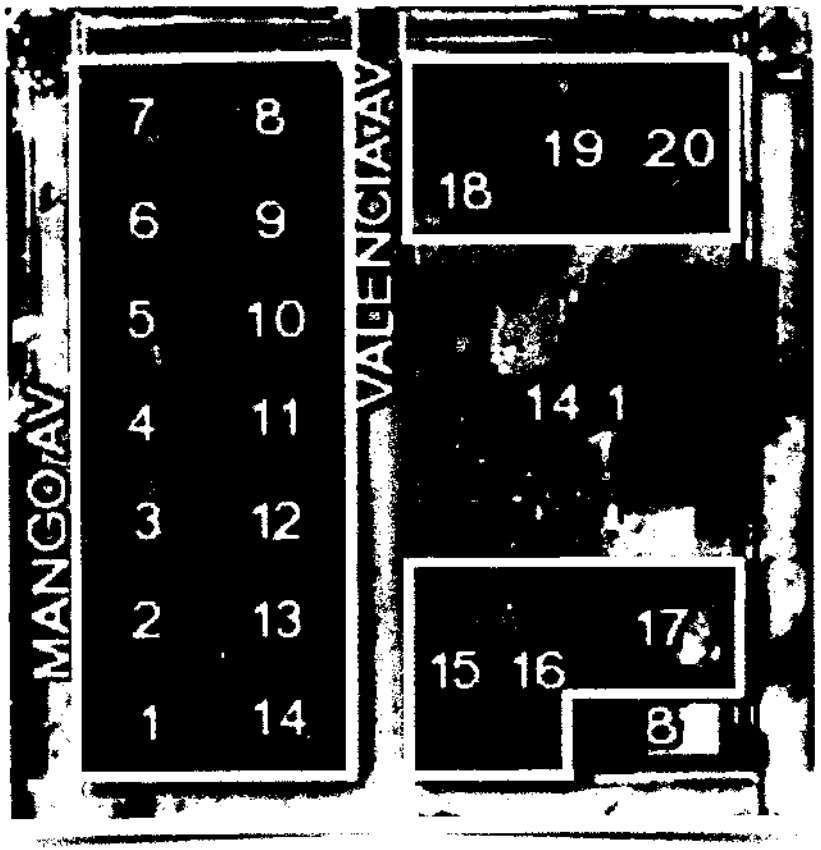
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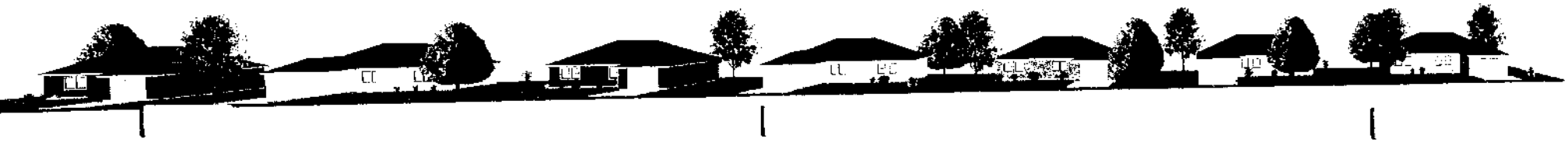
Michael C. Blake Subdivision-cont'd

Bethel Home Builders







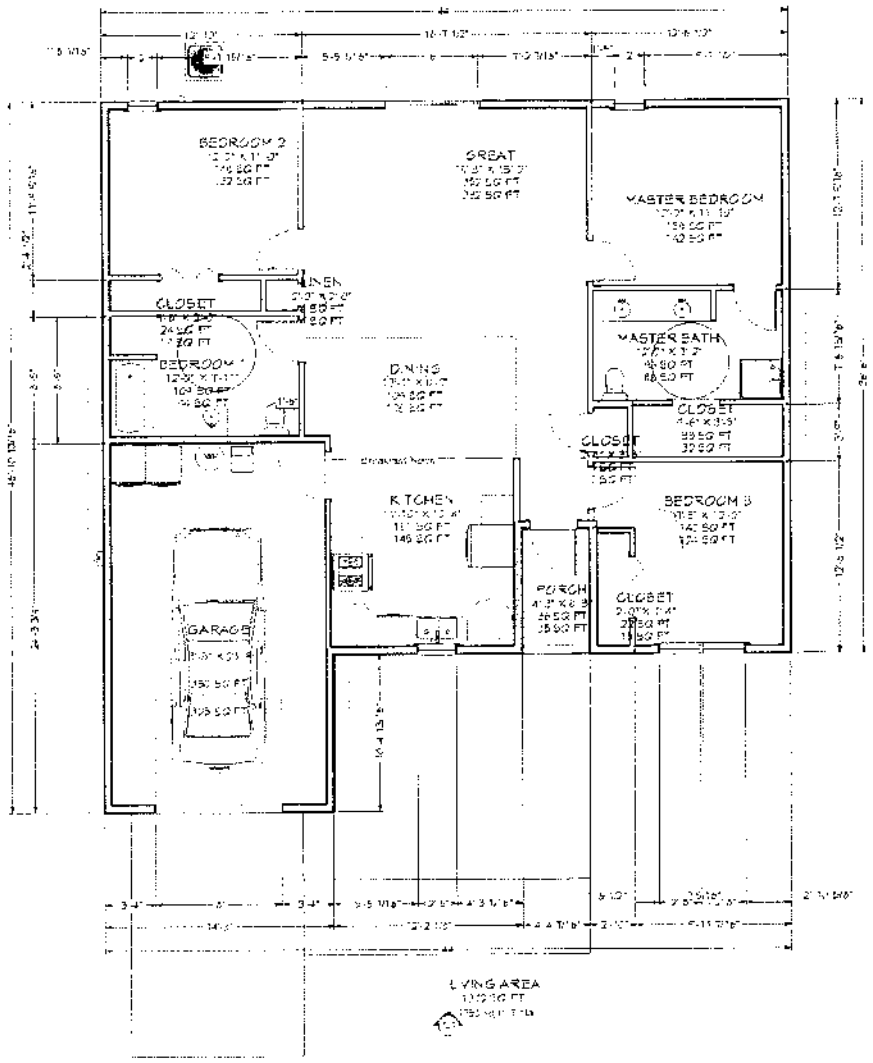


New Homes Made Affordable

Bethel Home Builders

Pricing from:
The $150's to $170's*





* Home prices are subject to change due to the cost of goods , labor, and supply

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Creating Community in Cocoa

Bethel
Home Builders

Build it and they will come...













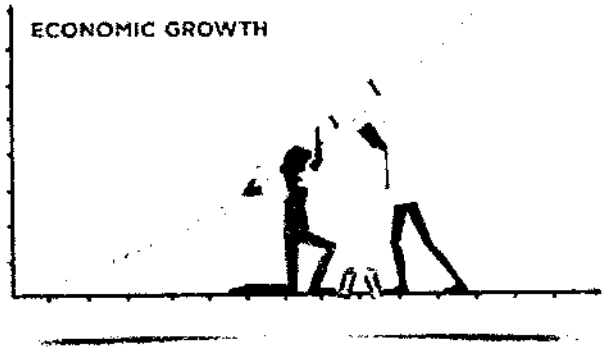
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Positive Results for Cocoa

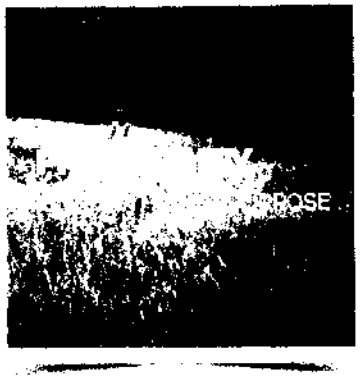
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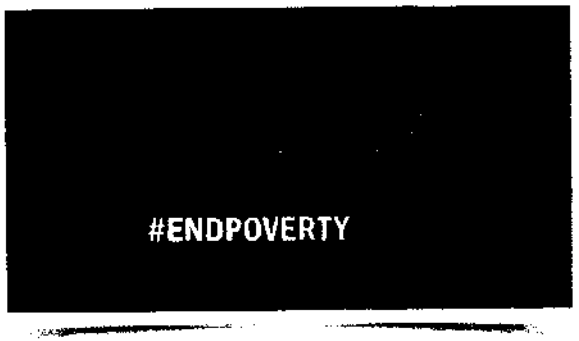




"A home is the foundation of the family, and a building block for strong communities."
~Kevin G. Dardano







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EXHIBITS B, F , & G: E-Comments from Jeri Blanco

Dear City Council Members,

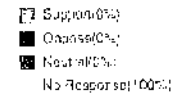
This item addresses the location of the Medical Marijuana Dispensing Facilities located within the city limits of Cocoa. The current state statue that limits the location of the facilities within 500 feet of a school in my opinion is not restrictive enough. As an example, Clearlake Educational Center which is located on Clearlake Road is within walking distance to College Manor. This well established neighborhood consisting of nearly 500 homes could potentially be impacted by this ordinance which would allow a medical marijuana facility to open less than 200 yards from the entrance of the neighborhood. This neighborhood has seen a resurgence of late in the value of it's homes and in it's stability. I urge the council to not make the same mistakes of your predecessors which allowed a liquor store and a bar to open within walking distance to not only the neighborhood but also to at that time Clearlake Middle School. This decision will have impacts on neighborhoods such as College Manor for years to come, not just in the short term but 30-50 years from now. Protect our neighborhoods by further restricting the locations of these facilities. Full disclosure, I was the single vote against this ordinance at the last P&Z meeting held on June 16th 2020.

Thank you for your time,

Jeri Blanco

Agenda Item: eComments for Deleted Agenda Item

Overall Sentiment



Guest User
Location:
Submitted At: 12:17pm 06-23-20

Dear City Council,

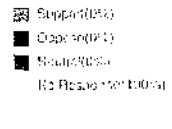
This item addresses the approval of a Future Land Use Map Amendment consisting of 59 parcels from Brevard County "Residential 2 Units Per Acre - R2" to City of Cocoa Low Density Residential- LDR. This item was on the agenda at the last P&Z meeting held on June 16th 2020. There were several residents in attendance at that meeting to voice their opposition to this change. The vote by the P&Z Board was unanimous to not recommend the approval of this change as written. This change if approved by council as written would have a detrimental impact on the value of the surrounding properties and would alter the current lifestyle and dynamics of the area. This is a predominately rural area where residents enjoy the ability to have small livestock such as horses and chickens. To allow a Low Density Residential from the current Residential 2 units per acre would bring the very type of development these owners did not wish to have. As a member of the P&Z Board I ask that you have staff re evaluate this request and bring back a recommendation more appropriate to the area.

Thank you for your time,

Jeri Blanco
Cocoa, FL 32922

Agenda Item: eComments for Deleted Agenda Item

Overall Sentiment



Guest User
Location:
Submitted At: 12:30pm 06-23-20

Dear City Council Members,

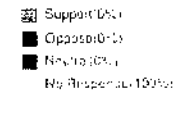
This item is requesting city council bring back to staff recommendations on how the council would like to proceed with the existing structure. As a tax payer of the city I feel the cost to renovate and or rehab this structure is cost prohibitive. The decision to build a new Joe Lee Smith Center was one that was supported by the community and the former council. The new facility which is now ADA compliant, up to code and will serve the surrounding community for many years to come is beautiful. The city has a responsibility to the residents to make financially prudent decisions. To consider anything other than the complete removal of the outdated and non compliant structure would not be in the best interest of it's residents.

Thank you for your time,

Jeri Blanco
Cocoa, FL 32922

Agenda Item: eComments for VII.3 20-339 Approval of a large scale Future Land Use MAP (FLUM) AMENDMENT consistent with Florida Statute Chapter 163 for Applicant and City initiated requests to change the Future Land Use Map designation of fifty-nine (59) parcels from Brevard County "Residential 2 Units Per Acre - R2" to City of Cocoa "Low Density Residential - LDR". (Community Services Director)

Overall Sentiment



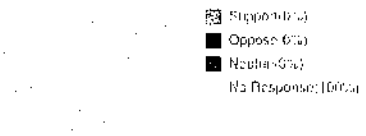
Guest User
Location:
Submitted At: 11:15am 06-24-20

Harry A. Perrette III, and Iris A. Perrette , reside at 6250 State Rd. 524, Cocoa, Fl 32926, We oppose the change from "Residential 2 Units per Acre - R2, to City of Cocoa "Low Density Residential - LDR". We request to leave zoning as is, or our preferred change is to 1 Residential Unit per Acre. We currently own and reside at

6250 State Rd. 524, since 1986, and we own 1 Acre lots on each side of our 6250 State Rd. homestead. We also request that wetlands on 59 parcels/property owned by Cape Canaveral Heights Properties, Inc., remain wetlands.

Agenda Item: eComments for VIII.2 20-343 Staff is requesting City Council to evaluate the feasibility for the rehabilitation and repair of the existing Dr. Joe Lee Smith Park Community Center and provide Staff a recommendation on how the City Council would like to proceed with the existing building. (Public Works Director)

Overall Sentiment



Guest User
Location:
Submitted At: 7:55pm 06-24-20

Victoria Mitchner - Rockledge, FL
Good Evening Council, I don't agree with demolishing the old Joe Lee Smith building, this building is part of Cocoa's history. Many buildings that were of historical value in the Diamond Square have already been torn down. I believe the old Joe Lee Smith should be repurposed and used to house an organization that can provide social programs for youth in Cocoa and surrounding areas. As a person who works and serves in the Cocoa community this would be of great value. If the city can invest in the Riverfront projects I believe the city should invest in other portions of Cocoa. Thank you for your time.

EXHIBIT C: Presentation on the Preliminary Subdivision for Lakeside Palms West

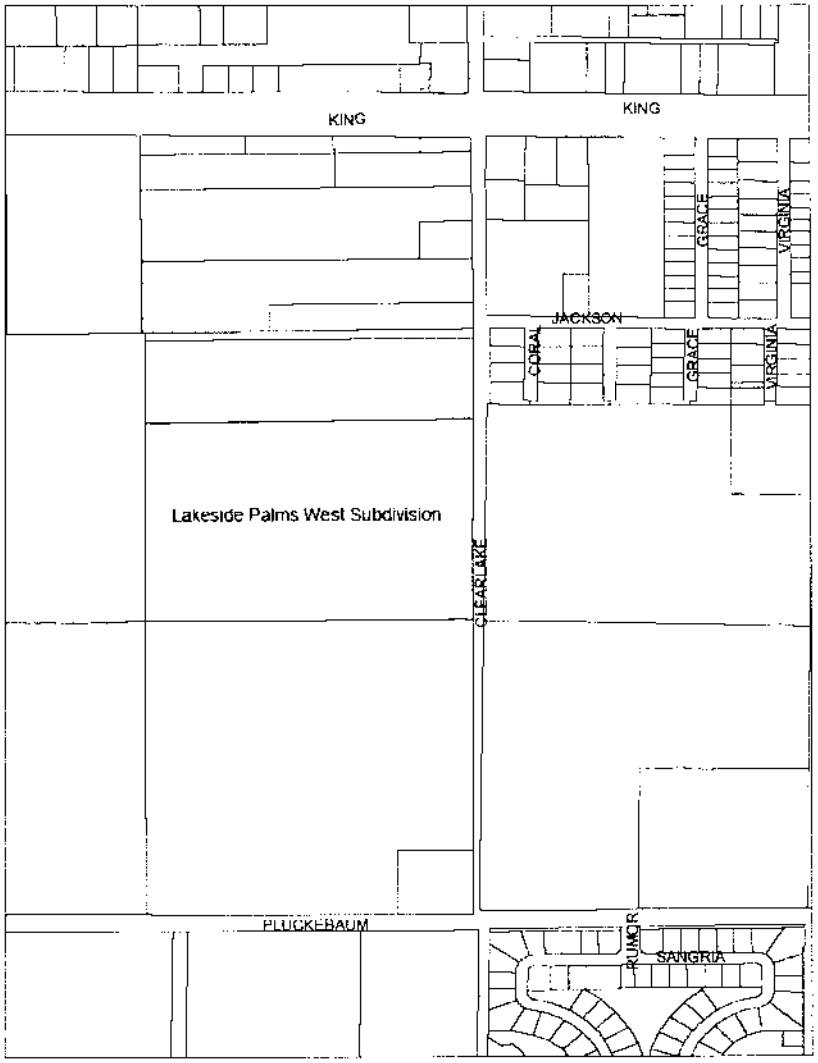
June 24, 2020

Project Summary

- The Applicant has requested approval of a Preliminary Subdivision for a parcel of land on the west side of Clearlake Road. The property contains 27.62 acres and is currently vacant land.

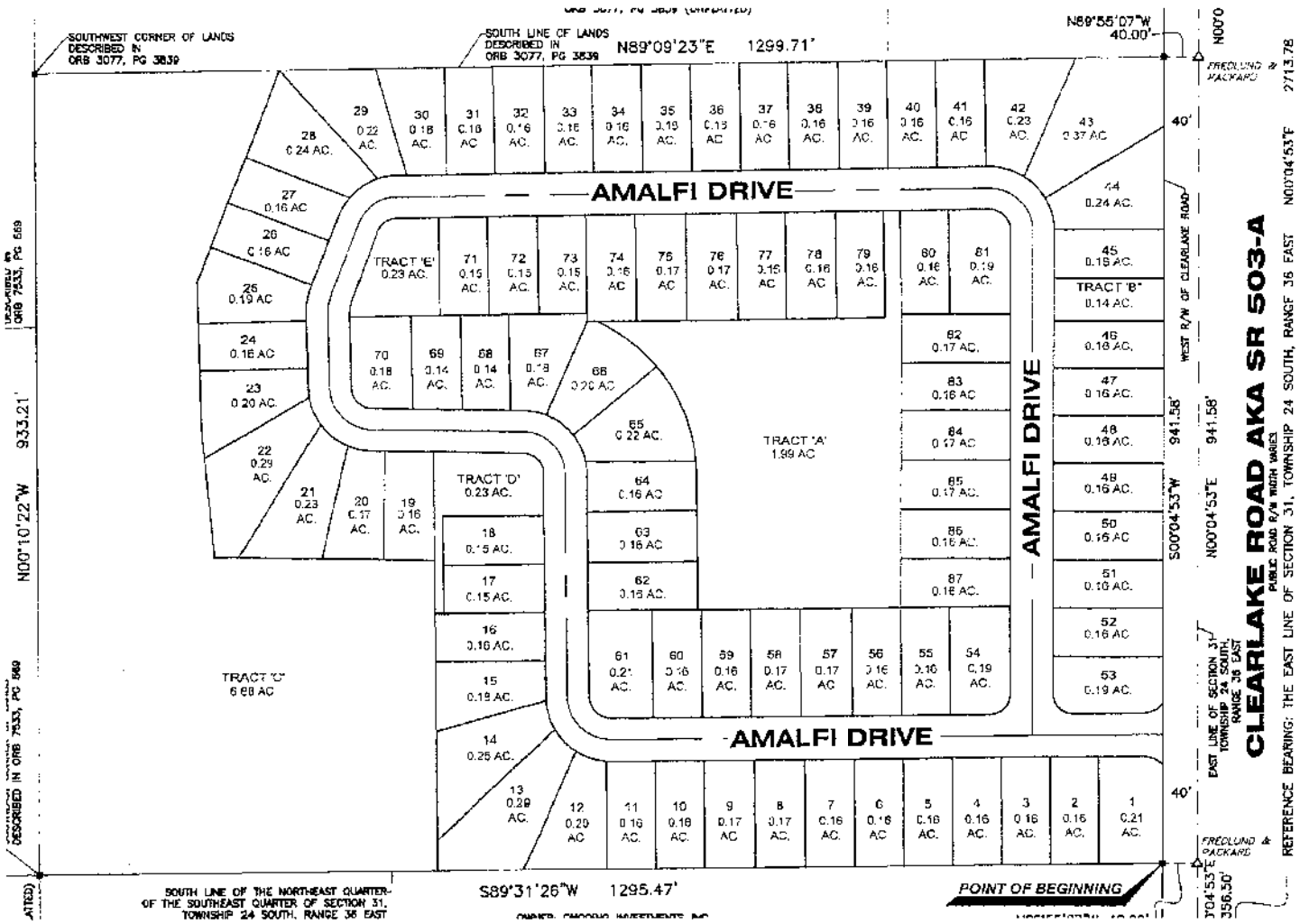
- The application comprises a single-family subdivision with 87 lots (approximately 5 units per acre). The property is a former orange grove with the western portion of the parcel part of a larger wetland extending over several other adjacent properties.

Project Location



COCOA
FLORIDA

Preliminary Subdivision Plat



COCOA FLORIDA

Project History

- The Lakeside Palms West subdivision application and large scale site plan were originally submitted to the City on October 5, 2018.

- The original subdivision application proposed 89 lots with no amenities. The Applicant revised their subdivision plan to convert 2 of those lots into common open space areas for community amenities as part of a Development Agreement.

Project History

- The Preliminary Subdivision / Large Scale Site Plan were heard by the Planning & Zoning Board on Dec. 5, 2018 and recommended for approval with conditions.

- The City Council subsequently approved the Preliminary Subdivision with the same conditions on February 13, 2019. However, the conditional approvals granted on February 13, 2019 have since expired.

Project History

- After February 13, 2019, no further plans were submitted by the applicant to the Planning & Zoning Division, however revised plans were submitted to the Utilities Department addressing those conditions specific to that department which were itemized in the City Council approval. That revised plan set was approved by the Utilities Department on March 1, 2019.

- In late January 2020, the applicant approached the City with the desire to move forward once again with the project as a new prospective buyer was considering the property.

COCOA
FLORIDA

Project Summary

- On February 20, 2020, the owner submitted a written request to extend the preliminary plat. However, it had expired and become void on its own terms by that time.

- On March 11, 2020, the City Council approved an extension of the permitting timelines in the Development Agreement for a 12-month period to allow the owner to refile for large scale site plan and preliminary subdivision approval.

- On May 4, 2020, the applicant submitted the same preliminary subdivision plan and plat that were given conditional approval by the City Council in 2019. (Exhibits B and C respectively)

Project Summary

Staff has reviewed the conditions attached to Council's approval on February 13, 2019 as well as requirements of the City's Comprehensive Plan and zoning code and determined that the following requirements must be addressed:

1. A conservation easement for Tract C shall be provided in accordance with s. 704.06, Florida Statutes.
2. The applicant must provide compensatory storage as required by the City of Cocoa Comprehensive Plan Policy 6.1.3.6 or provide sufficient evidence that such provision is not environmentally sound or economically feasible.

Project Summary

- The conservation easement was an unmet condition of the 2019 Council approval.

- The City Attorney's Office has provided the applicant with a conservation easement, which will be recorded prior to recording the final plat.

Project Summary

- The compensatory storage requirement was unfortunately missed during the prior review of the application in 2018.

- At the time the 2018 application was reviewed, the city contracted with a consulting firm to provide stormwater review of the floodplain requirements for this application which they did.

- The consulting firm reviewed the application for consistency with the City's Flood Damage Prevention Code, Sections 6-300 through 6-380. Specifically, the floodplain consulting firm concluded that Section 6-332(2) had been satisfied.

COCOA
FLORIDA

Project Summary

However, the consultants were not informed that they needed to address the requirements of the City's Comprehensive Plan, specifically the compensatory storage requirement of Policy 6.1.3.6, and therefore no comments were provided to the applicant related to this requirement at that time.

Compensatory Storage

Consistency with the Comprehensive Plan of the City of Cocoa

The Conservation Element of the City's Comprehensive Plan provides the following additional requirement related to placement of fill in the 100-year floodplain:

Policy 6.1.3.6: Except as provided in Future Land Use Element Policy 1.1.2.7 (H), flood control for new development will be accomplished through the limitation of fill in the 100-year floodplain when economically feasible. In cases where there is no practical alternative to fill in the 100-year floodplain, compensatory storage shall be provided through excavation of a volume equivalent to the loss of storage within the 100-year floodplain resulting from the placement of fill in adjacent upland areas (above the 100-year floodplain) where such compensatory storage can be accomplished in an environmentally sound and economically feasible manner.

COCOA
FLORIDA

Project Resbumittal

- On May 11, 2020, the applicant submitted a letter containing some information regarding the economic feasibility of providing compensatory storage for the subdivision.

- Staff provided comments and on June 2, 2020, the applicant submitted a second letter regarding compensatory storage with some additional information.

COCOA
FLORIDA

Compensatory Storage

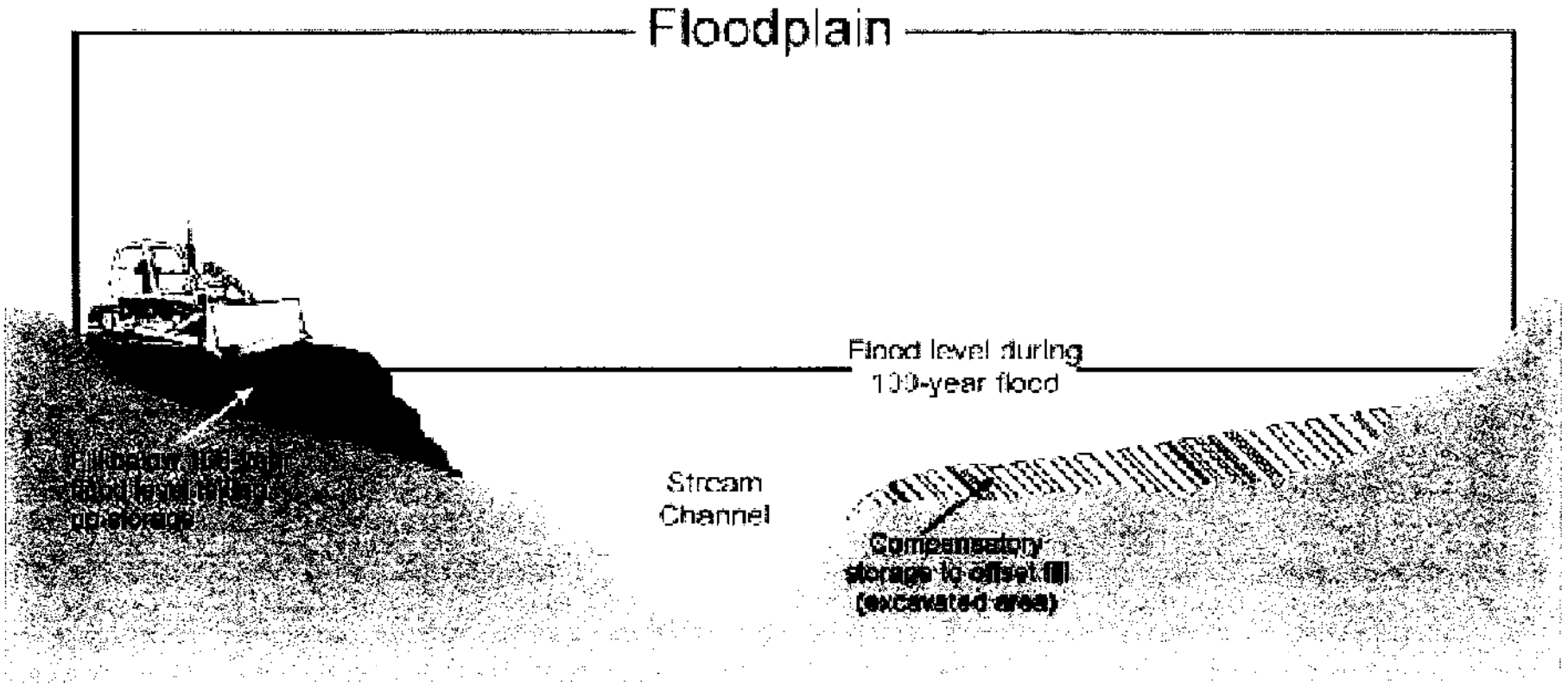
- The applicant has taken the position that compensatory storage is not required to be provided because such compensatory storage cannot be accomplished in an environmentally sound and economically feasible manner in accordance with Policy 6.1.3.6.

- In order to adequately address the question of feasibility of compensatory storage for the applicant's project, City Staff provide the following analysis:

  - Property Flood Map
  - Brief Floodplain Overview
  - Site Plan Modifications for Compensatory Storage
  - Offsite Compensatory Storage (Brevard County FIRM)

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Flood Plain



COCOA
FLORIDA

Flood Map

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS
  - Without Base Flood Elevation (BFE)
  - With BFE or Depth
  - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD
  - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
  - Future Conditions 1% Annual Chance Flood Hazard
  - Area with Reduced Flood Risk due to Levee. See Notes.
  - Area with Flood Risk due to Levee
- OTHER AREAS
  - NO SCREEN — Area of Minimal Flood Hazard
  - Effective LOMRs
  - Area of Undetermined Flood Hazard
- GENERAL STRUCTURES
  - Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall
- OTHER FEATURES
  - Cross Sections with 1% Annual Chance
  - 17.5 — Water Surface Elevation
  - Coastal Transect
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
- MAP PANELS
  - Digital Data Available
  - No Digital Data Available
  - Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/5/2020 at 9:50:56 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

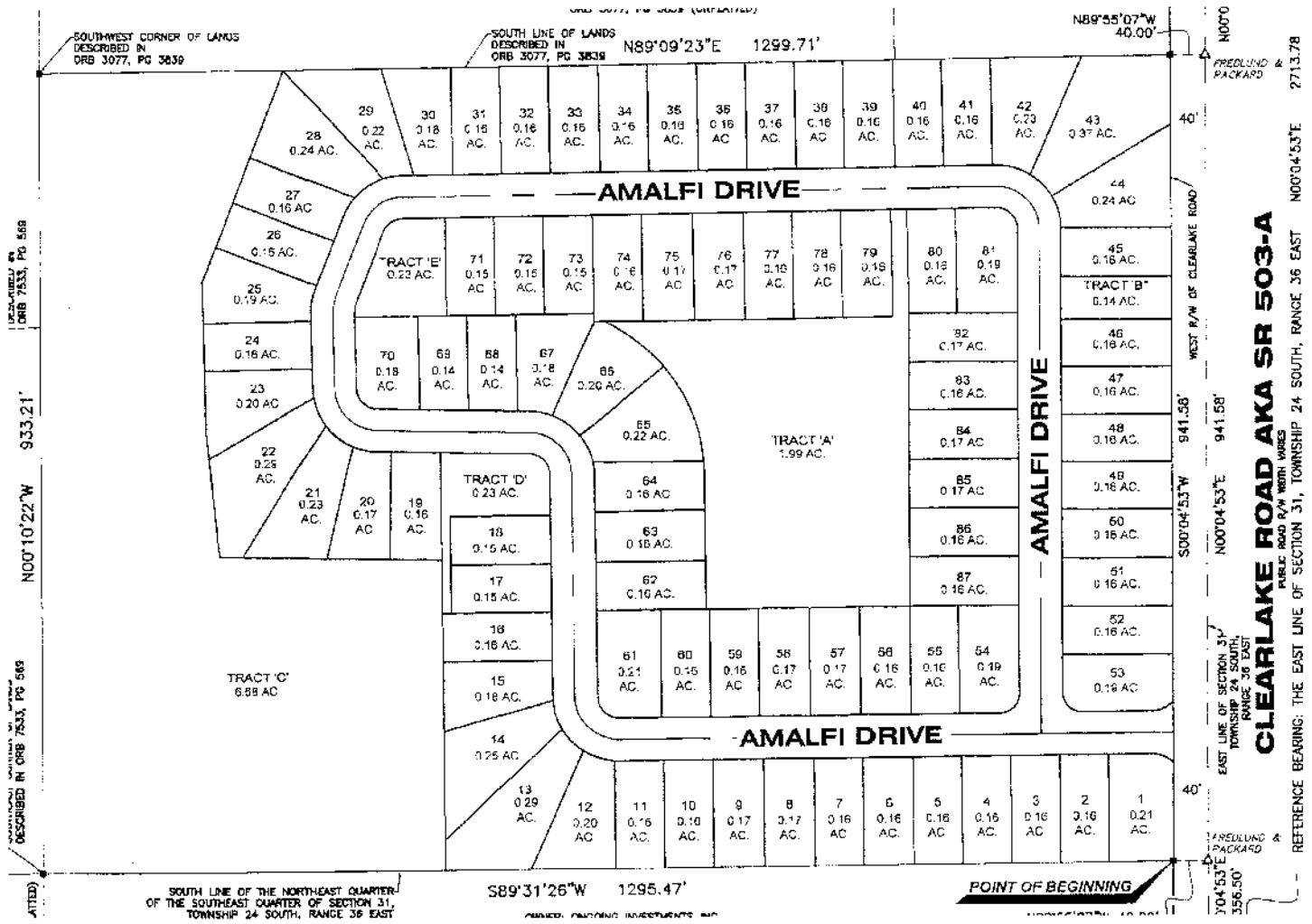
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Compensatory Storage

The only remaining options for compensatory storage on-site would be to use Tract C, as currently shown on the plat, or to expand Tract C and reduce the subdivision by approximately 30 lots with a redesign of the project.

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Preliminary Subdivision Plat



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Compensatory Storage

Based on the applicant's information, use of Tract C as currently shown on the plat would yield only about 3,233 cubic yards of the 16,028 cubic yards required, at a cost of nearly $1 million. This cost would be associated with mitigation of the wetlands scraped, which would be paid during the initial permitting and entitlement process. Accordingly, use of Tract C as shown on the plat for compensatory storage would result in the following financial consequences to the owner:

$600,000 acquisition cost

+ $250,000 surveying, environmental studies, site engineering, etc., fees to date

+ $1 million mitigation costs for compensatory storage

Total $1,850,000 (not including property taxes paid to date)

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Compensatory Storage

- According to the applicant, a national homebuilder will pay approximately $14,000 to $19,000 for fully entitled lots in this market. With the little compensatory storage that could be provided in Tract C, the entitled lot cost for 87 lots would reach $21,264.26 per lot.

Compensatory Storage

- Analyzed differently by evaluating the total costs to a homebuilder and using the information provided by the applicant, a homebuilder would pay the following:

$1.2 million ($14,000 per lot x 87 lots)

+ $1 million mitigation costs for compensatory storage

+ $18.4 million construction cost of homes ($212,000 x 87 homes)

Total $20,600,000 for land acquisition, compensatory storage and home construction (not accounting for debt service or other lot finishing and subdivision construction costs)

- The applicant has stated that new homes generally will sell in this area at an average of $250,000, which would mean a total of $21,750,000. This demonstrates a profit may be achieved for a homebuilder overall, but leaves little room for other debt service and subdivision construction costs.

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Compensatory Storage

- If Tract C were expanded and approximately 30 lots were removed from the subdivision as shown in Exhibit O, the following financial impact to the owner would occur:

$600,000 acquisition cost

+ $250,000 surveying, environmental studies, site engineering, etc., fees to date

+ $250,000 estimated surveying, environmental studies, site engineering for required redesign of the project (using costs incurred to date of project as a comparison)

Total $1,100,000

- The applicant has stated a national homebuilder will pay approximately only $14,000 to $19,000 for fully entitled lots in this market. At this price, for 57 lots, the owner would only receive between $798,000 to 1,083,000 for a $1.1 million investment.

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Compensatory Storage

- Use of off-site wetlands, assuming a parcel would be available to purchase with a water table low enough to provide space for excavation, would also involve similar mitigation costs as provided for use of Tract C plus the added expense of property acquisition.

- The financial impact on the applicant is considered in light of the vast size of the St. Johns River floodplain. While the amount of fill proposed by the applicant in the floodplain is not insignificant and cumulative impacts of development in the floodplain may cause floodwaters to rise as more and more development is added to the floodplain, the City's contracted floodplain review firm previously found that the proposed development was not expected to negatively impact the base flood elevation of the 100-year floodplain.

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Compensatory Storage

In sum, it is staff's opinion that Policy 6.3.1.6 has been satisfied because compensatory storage will not be environmentally or economically feasible for this site. As stated above, there are insufficient upland areas, i.e., areas not within the 100-year floodplain, available either on-site or off-site to provide compensatory storage either because of the extent of the floodplain boundaries or because acquisition would be extremely costly.

In addition, development of sufficient storage within Tract C also carries an environmental and economic cost that is prohibitive.

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Recommendation

Previous Action:

The Planning & Zoning Board recommended approval with one condition of the Preliminary Subdivision application at its meeting on June 16, 2020.

The Planning & Zoning Board approved the Large-Scale Site Plan application at its meeting on June 16, 2020 with the following condition:

1. The Large-Scale Site Plan shall not be effective until and unless the Preliminary Subdivision has been approved by City Council.

Recommendation:

Approval of the Preliminary Subdivision with the condition set forth below:

1. Provide a conservation easement for Tract C in accordance with s. 704.06, Florida Statutes

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EXHIBIT D: Future Land Use Map Amendment Presentation

June 24, 2020

Project Summary

- The requested action is a Future Land Use Map Amendment to change the existing Brevard County Residential 2 Units per Acre designation to City of Cocoa Low Density Residential designation for 59 parcels.
- On January 8, 2020, Ordinance 24-2019 was approved by the City Council, annexing fifty-nine (59) parcels of real property into the City of Cocoa.
- 43 of the subject parcels, containing 122.58 acres, are owned by three companies represented by the Applicant, Cantwell & Goldman, P.A
- The other 16 parcels, containing 16.65 acres, are individually owned and the City of Cocoa is the applicant.

Cape Canaveral Heights
PZ# 20-00500001
Ordinance 04-2020

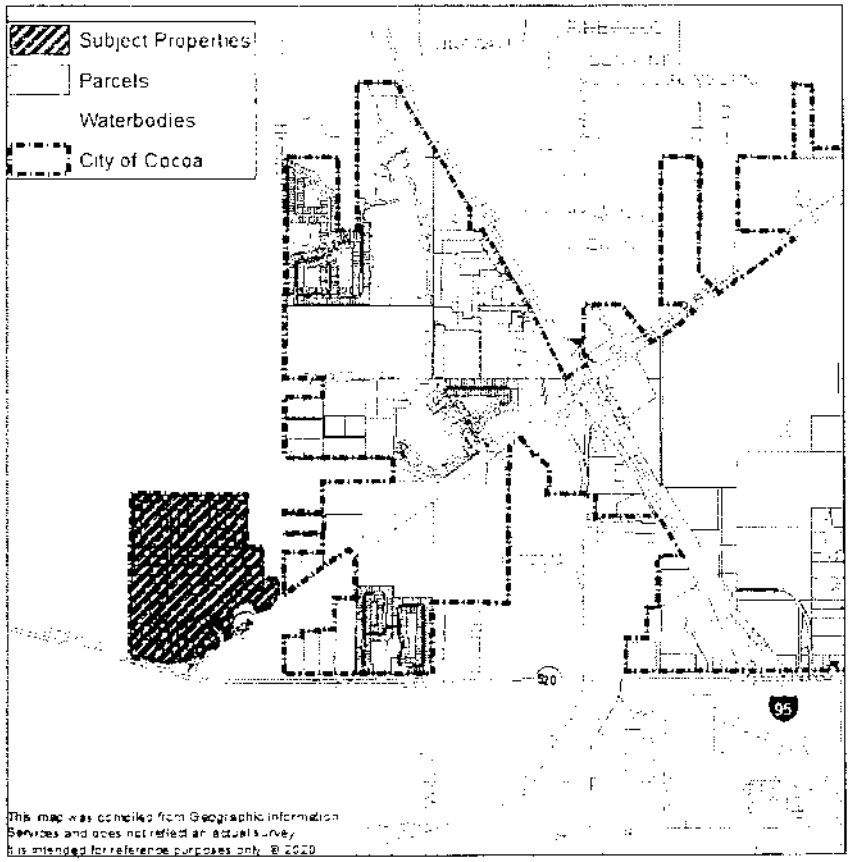
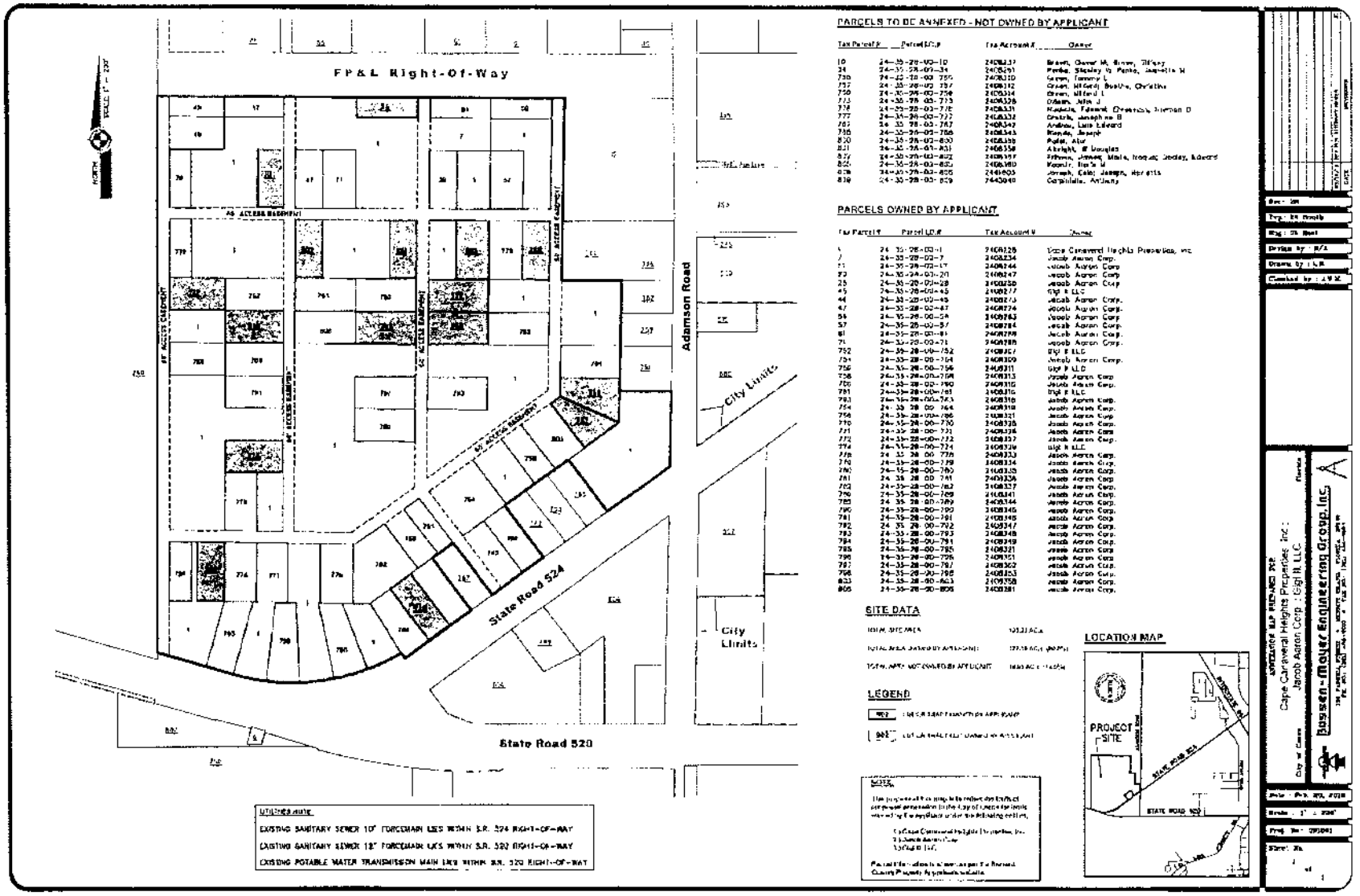


EXHIBIT 1



PARCELS TO BE ANNEXED - NOT OWNED BY APPLICANT

Tax Parcel #	Parcel I.D.#	Tax Account #	Owner
10	24-35-28-00-10	2408337	Brant, Owner M, Brant, Tiffany
34	24-35-28-00-34	2408291	Parks, Stanley W Parks, Jeanette M
730	24-35-28-00-730	2408310	Green, Tommy L
737	24-35-28-00-737	2408312	Green, Wilford Beatrice, Christine
750	24-35-28-00-750	2408314	Green, Wilford L
773	24-35-28-00-773	2408326	O'Neal, John J
778	24-35-28-00-778	2408331	Kvasnicka, Edward, Chesanuck, Norman D
777	24-35-28-00-777	2408332	Chesnik, Joseph no B
787	24-35-28-00-787	2408342	Andrew, Lois Edward
788	24-35-28-00-788	2408343	Brayda, Joseph
830	24-35-28-00-830	2408388	Patel, Atul
831	24-35-28-00-831	2408389	Albright, W Douglas
827	24-35-28-00-827	2408385	Fithian, James, Mabie, Rodgers, Dooley, Edward
825	24-35-28-00-825	2408383	Kvasnic, Rick M
826	24-35-28-00-826	2408905	Jarosh, Gale, Joseph, Horatio
839	24-35-28-00-839	2408940	Campitelle, Anthony

PARCELS OWNED BY APPLICANT

Tax Parcel #	Parcel I.D.#	Tax Account #	Owner
1	24-35-28-00-1	2408228	Cape Canaveral Heights Properties, Inc
7	24-35-28-00-7	2408234	Jacob Agren Corp.
11	24-35-28-00-11	2408244	Jacob Agren Corp
20	24-35-28-00-20	2408247	Jacob Agren Corp
28	24-35-28-00-28	2408250	Jacob Agren Corp
45	24-35-28-00-45	2408277	Digi R LLC
46	24-35-28-00-46	2408278	Jacob Agren Corp.
47	24-35-28-00-47	2408279	Jacob Agren Corp.
56	24-35-28-00-56	2408283	Jacob Agren Corp.
57	24-35-28-00-57	2408284	Jacob Agren Corp.
61	24-35-28-00-61	2408288	Jacob Agren Corp.
71	24-35-28-00-71	2408298	Jacob Agren Corp.
752	24-35-28-00-752	2408307	Digi R LLC
764	24-35-28-00-764	2408309	Jacob Agren Corp.
756	24-35-28-00-756	2408311	Digi R LLC
758	24-35-28-00-758	2408313	Jacob Agren Corp
760	24-35-28-00-760	2408315	Jacob Agren Corp.
761	24-35-28-00-761	2408316	Digi R LLC
763	24-35-28-00-763	2408318	Jacob Agren Corp.
764	24-35-28-00-764	2408319	Jacob Agren Corp.
766	24-35-28-00-766	2408321	Jacob Agren Corp.
770	24-35-28-00-770	2408325	Jacob Agren Corp.
771	24-35-28-00-771	2408326	Jacob Agren Corp
772	24-35-28-00-772	2408327	Jacob Agren Corp.
774	24-35-28-00-774	2408329	Digi R LLC
775	24-35-28-00-775	2408330	Jacob Agren Corp.
776	24-35-28-00-776	2408331	Jacob Agren Corp.
780	24-35-28-00-780	2408335	Jacob Agren Corp.
781	24-35-28-00-781	2408336	Jacob Agren Corp.
782	24-35-28-00-782	2408337	Jacob Agren Corp.
786	24-35-28-00-786	2408341	Jacob Agren Corp.
789	24-35-28-00-789	2408344	Jacob Agren Corp.
790	24-35-28-00-790	2408345	Jacob Agren Corp.
791	24-35-28-00-791	2408346	Jacob Agren Corp.
792	24-35-28-00-792	2408347	Jacob Agren Corp.
793	24-35-28-00-793	2408348	Jacob Agren Corp.
794	24-35-28-00-794	2408349	Jacob Agren Corp.
795	24-35-28-00-795	2408321	Jacob Agren Corp.
796	24-35-28-00-796	2408351	Jacob Agren Corp.
797	24-35-28-00-797	2408352	Jacob Agren Corp.
798	24-35-28-00-798	2408353	Jacob Agren Corp.
823	24-35-28-00-823	2409358	Jacob Agren Corp.
805	24-35-28-00-805	2408381	Jacob Agren Corp.

SITE DATA

TOTAL SITE AREA	103.33 ACs
TOTAL AREA OWNED BY APPLICANT	97.58 ACs (94.4%)
TOTAL AREA NOT OWNED BY APPLICANT	5.80 ACs (5.6%)

LEGEND

- 752 - EXISTING PARCEL TO BE ANNEXED
- 1 - EXISTING PARCEL OWNED BY APPLICANT

NOTES:

This property will or may be subject to the effect of perpetual easements in the City of Cocoa's favor, reserving the applicable rights to the following entities:

Cape Canaveral Heights Properties, Inc.
Florida Power & Light Co.
Florida Public Utilities Co.

Parcel identification numbers per the Brevard County Property Appraiser's website.

LOCATION MAP

UTILITIES NOTE:

EXISTING SANITARY SEWER 10" FORCEMAIN LIES WITHIN S.R. 524 RIGHT-OF-WAY

EXISTING SANITARY SEWER 12" FORCEMAIN LIES WITHIN S.R. 520 RIGHT-OF-WAY

EXISTING POTABLE WATER TRANSMISSION MAIN LIES WITHIN S.R. 520 RIGHT-OF-WAY

ANNEXATION MAP PREPARED FOR:
Cape Canaveral Heights Properties, Inc.;
Jacob Agren Corp.; Digi R, LLC.

Bessen-Mayer Engineering Group, Inc.

Date: Feb 20, 2018
Scale: 1" = 200'
Proj. No: 180040
Sheet: 1/1

Project Summary

- The subject parcels are currently under Brevard County Residential 2 designation which permits lower density residential development with a maximum density of up to two (2) dwelling units per acre. This may be increased to 2.5 dwelling units per acre where a planned unit development concept is utilized.

- The proposed City of Cocoa Low Density Residential designation is intended for neighborhoods of single-family detached housing, limited multiple family attached housing and limited clustered single family attached housing.

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Project Summary

During the annexation process the applicant entered into a Pre-Annexation Development Agreement wherein the primary property owners agreed that any PUD project eventually developed on 122.58 acres of the property would have the following characteristics:

A maximum density of 4 dwelling units (d.u.) per gross acre

Minimum lot widths of 50 feet

Minimum Lot Size of 5,000 square feet

Minimum of one (1) enclosed parking space and two (2) driveway spaces

4 foot wide sidewalks along interior roadways

Preserved wetlands counted as open space acreage on a one to one per

Minimum internal roadway drive lane width of 11 feet, or 22 feet for a two way street

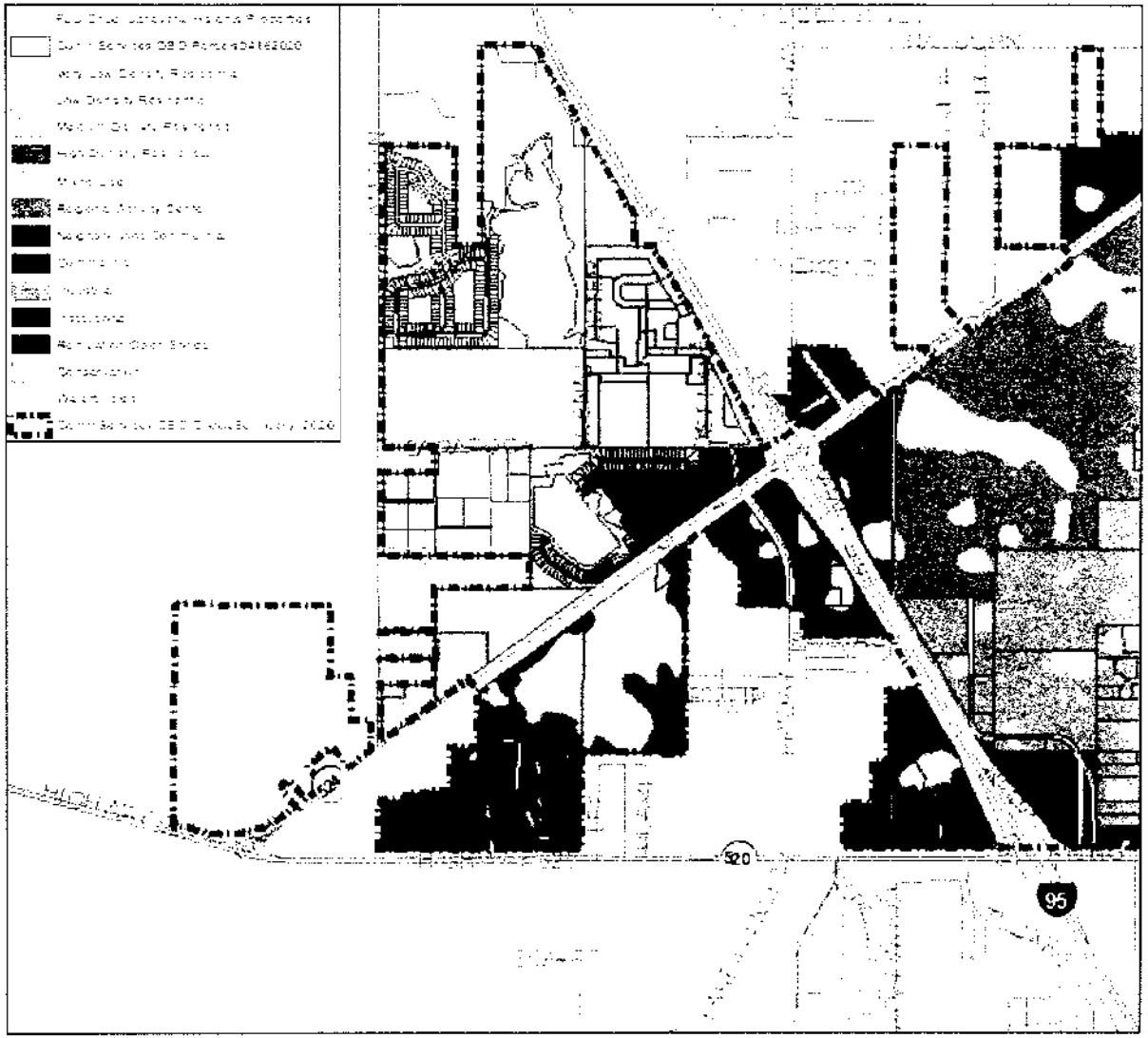
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Consistency with the Comprehensive Plan

- The assignment of a City Future Land Use designation must be consistent with the City's Comprehensive Plan. Policy 1.1.2.3 Low Density Residential requires lands under this designation to provide buffers from the nuisance effects of higher intensity uses and major traffic corridors.

- LDR developments should be located in areas where more intensive development would be unwarranted due to environmental constraints.

Future Land Use Map



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Consistency with the Comprehensive Plan

- Shift the current tax revenue and capital investments from Brevard County to the City of Cocoa.
- Will not negatively impact or diminish the service level of public facilities.
- Tree, wildlife, and wetland studies will be completed prior to approval of a site plan or subdivision application.
- Meets goals, objectives, and policies of the state comprehensive plan and the East Central FL comp plan
- City is able to provide adequate services
- Surrounding Neighborhood compatibility
- Consistent with the Comprehensive Plan
- Provides housing in proximity to employment centers
- Public health, safety, welfare, economic order or aesthetics

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Recommendations

Prior Actions:

The Planning & Zoning Board recommended denial at the June 16, 2020 meeting.

Recommendation:

Approval of the Comprehensive Plan Map Amendment changing the Future Land Use Map designation of the subject property from Brevard County "Residential 2 Units Per Acre" to City of Cocoa "Low Density Residential".

Exhibit A

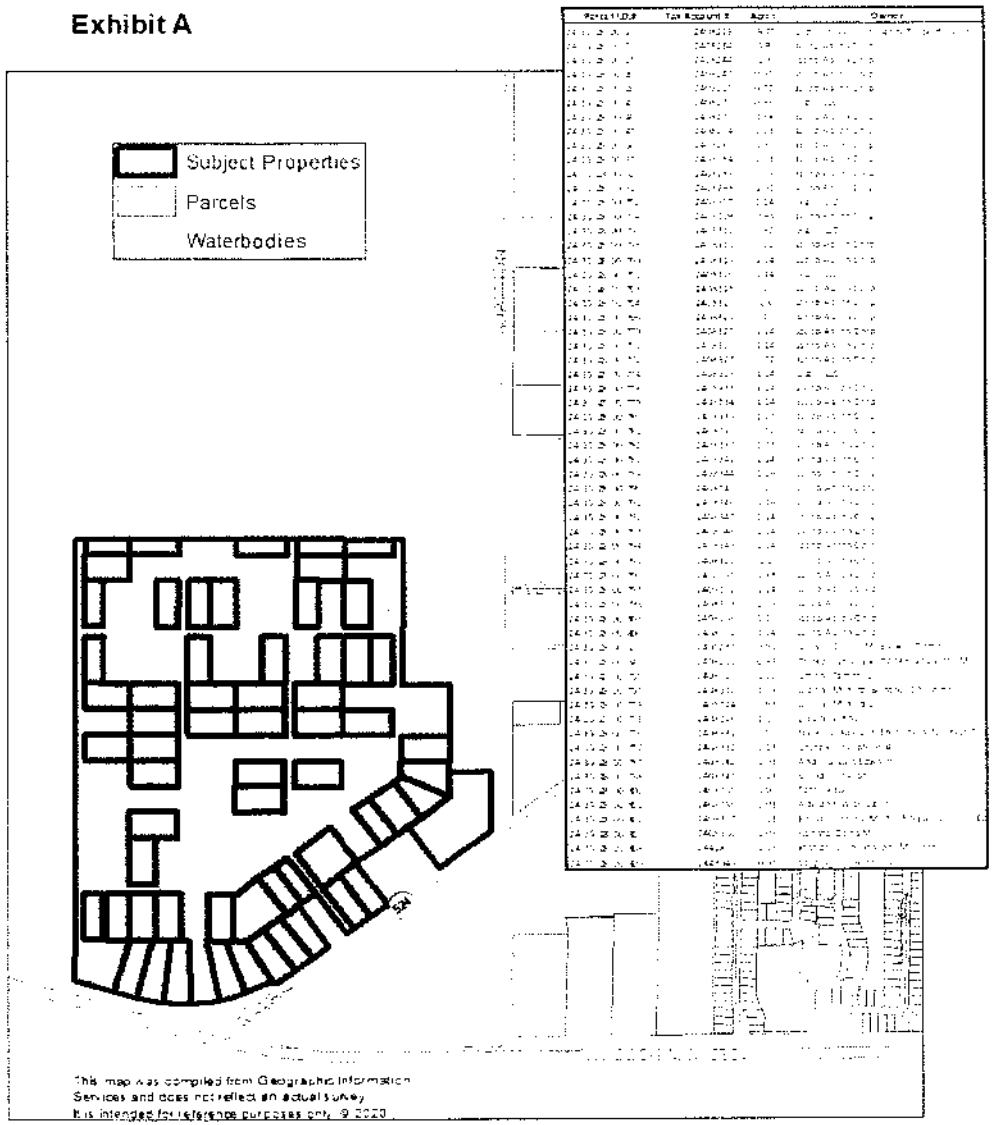

Subject Properties
Parcels
Waterbodies
This map was compiled from Geographic Information
Services and does not reflect an actual survey.
It is intended for reference purposes only. © 2020

EXHIBIT E: E-Comment from Harry & Iris Perrette

From: Dorothy Selig
To: Carie Shealy
Cc: Monica Arsenault
Subject: FW: FLUM Comments for Tonight FW: New eComment for Planning and Zoning / Local Planning Agency
Date: Wednesday, June 24, 2020 3:28:01 PM
Importance: High

FYI

Dodie Selig, AICP
Community Services
Planning & Zoning Manager
65 Stone Street, Cocoa, FL 32922
dselig@cocoafl.org
Phone: (321) 433-8510
Fax: (321) 433-8543

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Customer Service Feedback Survey: www.cocoafl.org/communityservicescustomersurvey
In advance, thank you!

From: Angela Essing <aessing@cocoafl.org>
Sent: Wednesday, June 24, 2020 12:09 PM
To: Dorothy Selig <dselig@cocoafl.org>, Kristin Eick <keick@orlandolaw.net>
Subject: FLUM Comments for Tonight FW: New eComment for Planning and Zoning / Local Planning Agency
Importance: High

Angela Essing, AICP
Economic Development Manager
65 Stone Street, Cocoa, FL 32922
aessing@cocoafl.org
Phone: (321) 433-8522
Fax: (321) 433-8543

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Have you recently interacted or conducted business with the Community Services Department? Would you please take a moment and complete a brief survey to let us know how we are doing?
Customer Service Feedback Survey: www.cocoafl.org/communityservicescustomersurvey
In advance, thank you!

From: noreply@granicusideas.com <noreply@granicusideas.com>
Sent: Wednesday, June 24, 2020 10:55 AM
To: Samantha Senger <ssenger@cocoafl.org>; Angela Essing <aessing@cocoafl.org>
Subject: New eComment for Planning and Zoning / Local Planning Agency

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

SpeakUp

New eComment for Planning and Zoning / Local Planning Agency

Guest User submitted a new eComment.

Meeting: Planning and Zoning / Local Planning Agency

Item: 5. 20-327 LARGE SCALE FUTURE LAND USE MAP (FLUM) AMENDMENT consistent with Florida Statute Chapter 163. Applicant and City initiated requests to change the Future Land Use Map designation of fifty-nine (59) parcels from Brevard County "Residential 2 Units Per Acre - R2" to City of Cocoa "Low Density Residential - LDR".

eComment: Harry A. Perrette III, and Iris A. Perrette, oppose the change from "Residential 2 Units per Acre-R2, to City of Cocoa "Low Density Residential-LDR". We request to leave zoning as is, or our preferred change is to one residential unit per acre. We currently own and reside at 6250 State Rd. 524, since 1986, and we own one acre lots on each side of our 6250 State Rd., one acre homestead. We request wetlands on the 59 parcels/property, to remain wetlands.

View and Analyze eComments

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